The logo of Clark County, Nevada, is a circular seal. It features a blue outer ring with the words "CLARK COUNTY" at the top and "NEVADA" at the bottom in yellow capital letters. Inside the ring is an orange circle containing a yellow spiral in the upper left and a group of stylized human figures holding hands in a circle in the lower right.

Clark County Air Pollution Control Hearing Board

*Clark County Building Services
Presentation Room*

December 3, 2025 at 10:00 a.m.



togetherforbetter

Annotated Agenda
Clark County Air Pollution Control Hearing Board
Clark County Building Department
Presentation Room
4701 West Russell Road
Las Vegas, NV 89118

December 3, 2025 – 10:00 AM

Note:

- Items on the agenda may be taken out of order.
- The Air Pollution Control Hearing Board may combine two (2) or more agenda items for consideration.
- The Air Pollution Control Hearing Board may remove an item from the agenda or delay discussion relating to an item at any time.
- No action may be taken on any matter not listed on the posted agenda.
- Please turn off or mute all cell phones and other electronic devices.
- Please take all private conversations outside the room.
- With a forty-eight (48) hour advance request, a sign language interpreter or other reasonable efforts to assist and accommodate people with physical disabilities, may be made available by calling (702) 455-0354, TDD at (702) 385-7486, or Relay Nevada toll-free at (800) 326-6868, TD/TDD
- Supporting material provided to the Board members for this meeting may be requested from Sherrie Rogge, Administrative Secretary, agenforcement@clarkcountynv.gov or (702) 455-0354.
- Supporting material is also available at the Clark County Department of Environment & Sustainability, 4701 West Russell Road, 2nd Floor, Las Vegas NV 89118.
- Supporting material is/will be available on the Department's website at:
https://www.clarkcountynv.gov/government/departments/environment_and_sustainability/compliance/enforcement-notice

Hearing Board Members

Daniel Sanders, Chair
Ryan L. Dennett, Esq., Vice-Chair
Daniel Bartlett (arrived at 10:12 AM)
Donald Bordelove (Joined via MS Teams)
Troy Hildreth
Amy Lahav

Hearing Board Counsel

Nichole Kazimirovicz

Air Quality Staff

Marci Henson, Director
Shibi Paul, Deputy Director
Anna Sutowska, Air Quality Supervisor

Department Counsel

Timothy J. Allen

Administrative Secretary

Sherrie Rogge, Phone: 702-455-0354; Email agenforcement@clarkcountynv.gov
Business Address: Clark County Department of Environment & Sustainability,
4701 W. Russell Road, 2nd Floor, Las Vegas NV 89118

1. **CALL TO ORDER** 10:00 AM

2. **PUBLIC COMMENT**
NONE

3. **APPROVAL OF MINUTES**
Approval of August 6, 2025 meeting minutes.
(For possible action)

ACTION: **APPROVED MINUTES OF AUGUST 6, 2025, MEETING AS RECOMMENDED**

BY: **Board Member Dennett**

SECOND: **Board Member Lahav**

VOTE: **5-1**

VOTING AYE: **Daniel Sanders, Ryan Dennett, Donald Bordelove, Troy Hildreth, Amy Lahav**

VOTING NOE: **None**

ABSENT: **Daniel Bartlett**

4. **APPEAL OF HEARING OFFICER DECISION**

A. PALM PROPERTIES, LLC AND ROBERT LAUER (APNs: 161-08-810-082 and 161-08-810-083)

NOV #10150 – On July 17, 2025, the Hearing Officer found Palm Properties, LLC and Robert Lauer, individually, in violation of Section 92.3.1 for operating an unpaved parking lot/storage yard on the property from January 9, 2025, through February 7, 2025, as identified by Air Quality Specialist Allan Gutierrez while performing a routine inspection on September 18, 2024, and follow-up inspections on November 19, 2024, December 5, 2024, and January 9, February 24, and March 18, 2025, at the unpaved parcels of land (Assessor's Parcel Numbers 161-08-810-082 and 161-08-810-083) located at 3125 South Nellis Boulevard, in Clark County, Nevada. The Hearing Officer assessed a penalty amount of \$7,500.00. Respondents appealed.

Conduct Hearing and Render Decision
(For possible action)

PALM PROPERTIES, LLC AND ROBERT LAUER SUBMITTED A REQUEST TO THE APC HEARING BOARD FOR CONTINUANCE OF NOVS #10150 AND #10163. REPRESENTATIVES WERE NOT IN ATTENDANCE.

ACTION: **CONTINUED NOVS #10150 AND #10163 TO FEBRUARY 4, 2026.**

BY: **Board Member Sanders**

SECOND: **Board Member Hildreth**

VOTE: **5-1**

VOTING AYE: **Daniel Sanders, Ryan Dennett, Donald Bordelove, Troy Hildreth, Amy Lahav**

VOTING NOE: **None**

ABSENT: **Daniel Bartlett**

B. PALM PROPERTIES, LLC AND ROBERT LAUER (APNs: 161-08-810-082 and 161-08-810-083)

NOV #10163 – On July 17, 2025, the Hearing Officer found Palm Properties, LLC and Robert Lauer, individually, in violation of Section 92.3.1 for operating an unpaved parking lot/storage yard on the property from February 8, 2025, through March 9, 2025, as identified by Air Quality Specialist Allan Gutierrez while performing follow-up inspections on January 9, February 24, March 18, April 2, and May 6, and May 27, 2025, and a complaint investigation on April 15, 2025, at the unpaved parcels of land (Assessor's Parcel Numbers 161-08-810-082 and 161-08-810-083) located at 3125 South Nellis Boulevard, in Clark County, Nevada. The Hearing Officer assessed a penalty amount of \$7,500.00. Respondents appealed.

Conduct Hearing and Render Decision
(For possible action)

SEE ACTION TAKEN IN ITEM A.

C. TONOPAH & TIDEWATER RAILROAD CO., ENVIRONMENTAL TRANSPORTATION OF NEVADA, LLC D/B/A ETON, AND MITCHELL TRUMAN (Assessor's Parcel Numbers 161-07-103-014, 161-07-103-015, and 161-07-103-016)

NOV #10161 – On September 18, 2025, the Hearing Officer found Tonopah & Tidewater Railroad Co., Environmental Transportation of Nevada, LLC d/b/a ETON, and Mitchell Truman, individually, in violation of Section 92.3.1 for constructing and operating an unpaved parking lot/storage yard on the property from January 4, 2025, through and including February 2, 2025, as identified by Senior Air Quality Specialist Andrew Kirk during an inspection on December 5, 2024, and follow-up inspections on January 9, 16, 23, and 30, February 11, 19, and 26, March 6, and 13, and May 28, 2025 of unpaved parcels of land (Assessor's Parcel Numbers 161-07-103-014, 161-07-103-015, and 161-07-103-016) located at 2596 Stratford Avenue, in Clark County, Nevada. The Hearing Officer assessed a penalty amount of \$15,000.00. Respondents appealed.

Conduct Hearing and Render Decision
(For possible action)

Vice-Chair Dennett recused himself due to a conflict of interest and left the meeting at 10:05 a.m.

Board Member Daniel Bartlett arrived at the meeting at 10:12 a.m.

The Board accepted the September 18, 2025, Air Pollution Control Hearing Officer meeting transcript and exhibits be used for the record in lieu of testimony already provided. Both sides presented their cases.

Appellants submitted Exhibit 44 as additional evidence.

ACTION: DENIED THE APPEAL. AFFIRMED THE HEARING OFFICER ORDER IN THE MATTER OF NOV #10161 AS IT RELATES TO THE FINDINGS OF VIOLATION.

BY: Board Member Lahav

SECOND: Board Member Bartlett

VOTE: 5-0

VOTING AYE: Daniel Sanders, Donald Bordelove, Troy Hildreth, Daniel Bartlett, Amy Lahav

VOTING NOE: None

ABSENT: Ryan Dennett

ACTION: AFFIRMED THE HEARING OFFICER ORDER IN THE MATTER OF NOV #10161 FOR THE ASSESSMENT OF AN ADMINISTRATIVE PENALTY IN THE AMOUNT OF \$15,000.00.

BY: Board Member Lahav

SECOND: Board Member Bartlett

VOTE: 5-0

VOTING AYE: Daniel Sanders, Donald Bordelove, Troy Hildreth, Daniel Bartlett, Amy Lahav

VOTING NOE: None

ABSENT: Ryan Dennett

5. IDENTIFY EMERGING ISSUES TO BE DISCUSSED BY THE BOARD AT A FUTURE MEETING

Chair Sanders requested staff to provide more details on how exemptions for paving, as they relate to AQR 92.3.3 – Paving Exemptions for new Parking Lot(s) or Storage Area(s), and approvals for alternate control measures can be requested by customers and the process Air Quality uses to approve them.

6. PUBLIC COMMENT
NONE

7. ADJOURNMENT 11:19 a.m.

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

This meeting has been properly noticed and posted online at: https://www.clarkcountynv.gov/government/departments/environment_and_sustainability/compliance/hearings-notices and Nevada Public Notice at <https://notice.nv.gov/> and in the following location:

Clark County Operations Center, West, 4701 W. Russell Road, Las Vegas, Nevada (Principal Office)

Additional Material Entered into the Record at the

12/3/2025 Hearing Board Meeting:

**PALM PROPERTIES, LLC AND ROBERT LAUER
(APNS: 161-08-810-083 AND 161-08-810-083)
NOV #10150 AND NOV #10163**

Agenda Item #4A and #4B

**Request for Continuance
Submitted by Atty. Amy Sugden via
Email on 12/2/2025 @ 7:30 AM
S. Rogge, Admin. Secretary**

From: [roblauer](#)
To: [AQ Enforcement](#)
Cc: [Amy Sugden](#); raj@milestoneconst.us
Subject: Re: CONTINUANCE REQUEST - RE: APC Hearing Board Agenda and Approved Board Packet - Appeal of NOV's #10150 and #10163 - Palm Properties, LLC and Robert Lauer (APNs 161-08-810-082 and 161-08-810-083)
Date: Tuesday, December 2, 2025 7:30:59 AM
Attachments: [image001.png](#)

Ms Rogge,

Ms. Sugden is not authorized by me to attend the hearing tomorrow.

We have provided sufficient cause to continue the hearing. I will also provide a letter from my doctor when I see him tomorrow for my pre-op appointment when I will be available to attend a rescheduled hearing.

Again, my injury is service connected. I am a 90% disabled U.S. Army Veteran.

Regards,
Rob Lauer

On Tuesday, December 2nd, 2025 at 7:17 AM, AQ Enforcement
<AQEnforcement@ClarkCountyNV.gov> wrote:

Dear Ms. Sugden,

I am in receipt of your request for continuance for the appeals of NOV's #10150 and #10163 along with Mr. Lauer's declaration in support of the request.

As mentioned in my emails from last week, I do need you to be in attendance at the Hearing Board meeting on 12/3/2025 in order to present your request to the Board.

PLEASE CONFIRM RECEIPT OF THIS EMAIL

Thank you,

Sherrie D. Rogge

Sherrie D. Rogge, Administrative Secretary

Clark County Department of Environment and Sustainability

Division of Air Quality – Compliance & Enforcement Section

4701 W. Russell Road #200

Las Vegas NV 89118

Office: 702-455-0354/ Fax: 702-383-9994

Email: agenforcement@clarkcountynv.gov

My office hours: Tu-F, 6:30AM – 5:00PM

Customer business hours: Mon-Thurs, 7:30 a.m. to noon/12:30 to 5:30 p.m. |

Closed Fridays

From: Amy Sugden <amy@sugdenlaw.com>

Sent: Sunday, November 30, 2025 7:17 PM

To: AQ Enforcement <AQEnforcement@ClarkCountyNV.gov>; raj@milestoneconst.us; roblauer <roblauer@pm.me>

Subject: Re: APC Hearing Board Agenda and Approved Board Packet - Appeal of NOVs #10150 and #10163 - Palm Properties, LLC and Robert Lauer (APNs 161-08-810-082 and 161-08-810-083)

Hello Ms. Rogge,

To follow up on my prior notice regarding Mr. Lauer's inability to attend the currently scheduled 12/3/25 APC hearing due to medical concerns, attached is his declaration in support of the request for continuance of that appeal hearing for NOVs #10150 and #10163.

While we understand that Palm Properties, LLC is also a party of the NOVs, Mr. Lauer is the one on behalf of the operator/tenant, Leading Edge Ventures, LLC, who testified at the original hearing before the DAQ and is the representative to speak to these matters.

As such, to confirm the request to continue is joint on behalf of both the property owner and Mr. Lauer.

Thank you ,

Amy



Amy L. Sugden, Esq.

375 E. Warm Springs Road, Suite 104

Las Vegas, Nevada 89119

(702) 625-3605 Tel

www.sugdenlaw.com

This e-mail communication is a confidential attorney-client communication intended only for the person named above. If you are not the person named above, or the employee or agent responsible for delivery of the following information, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately. Also, please e-mail the sender that you have received the communication in error. Thank you.

From: AQ Enforcement <AQEnforcement@ClarkCountyNV.gov>

Date: Tuesday, November 25, 2025 at 3:33 PM

To: Amy Sugden <amy@sugdenlaw.com>, raj@milestoneconst.us
<raj@milestoneconst.us>

Subject: APC Hearing Board Agenda and Approved Board Packet - Appeal of NOV's #10150 and #10163 - Palm Properties, LLC and Robert Lauer (APNs 161-08-810-082 and 161-08-810-083)



[V_00000_10161_20251125_00F_LET_Dec_HB_Pkt.pdf](#)



[12_03_2025_HB_Packet.pdf](#)



[12_03_2025_HB_Agenda_December_Final.pdf](#)

Dear Ms. Sugden and Mr. Dhaliwal:

The attached letter, Hearing Board Agenda and Board Packet pertaining to the Appeal of NOVs #10150 and #10163 were sent to you today via Federal Express.

Please note the Hearing Board meeting is on **Wednesday, December 3, 2025 at 10:00 AM** in the Presentation Room, located 4701 West Russell Road, Las Vegas, NV.

If you have any questions, please do not hesitate to contact me at aqenforcement@clarkcountynv.gov.

PLEASE CONFIRM RECEIPT OF THIS EMAIL

Please note Clark County offices will be closed Thursday, November 27th through Friday, November 28th; and I will be out of the office until Tuesday, December 2nd.



Thank you,

Sherrie D. Rogge

Sherrie D. Rogge, Administrative Secretary
Department of Environment and Sustainability
Air Quality Division – Enforcement Section
4701 W. Russell Road #200

Las Vegas NV 89118

Phone: (702) 455-0354 Fax: (702) 383-9994

Email: sherrie.rogge@clarkcountynv.gov

My office hours: Tu-F, 6:30AM - 5:00PM

DES Office Hours are MON-THURS: 7:30AM – 5:00PM.

DES Offices are CLOSED on FRIDAYS.

**DECLARATION OF ROBERT LAUER IN SUPPORT OF REQUEST FOR CONTINUANCE
FOR DECEMBER 3, 2025 APPEAL HEARING**

I, ROBERT LAUER, hereby declare and state that:

1. I make this declaration in support of a request for continuance of the currently schedule December 3, 2025, hearing on NOV #10150 and NOV #10163 ("12/3/25 Hearing Date").

This request is made on behalf of myself and Palm Properties, LLC.

2. I have personal knowledge of the matters set forth in this declaration.

3. Leading Edge Ventures, LLC is the tenant and operator of the property located 3125 S. Nellis Boulevard, Clark County, NV and recognized by Clark County APNs 161-08-810-082 and 0832 (Subject Property). I am the managing member of Leading Edge Ventures, LLC.

4. The Subject Property is the subject of NOV #10150 and #NOV #10163 which are currently set to be considered at on the 12/3/25 Hearing Date.

5. I was recently injured and require surgery according to testing I underwent this last Monday (11/24/25). I only found out about my injury this last Wednesday (11/26/25) and issued a notice right away to the DAQ via my attorney, Amy L. Sugden.

6. The only day the doctor can see me for the pre-op is December 3, 2025. I expect to have the surgery within the next week. Depending on if the surgery is laparoscopic or full open surgery I expect be recovering for about 6 to 8 weeks. I will know more on after my Dec 3rd Doctor's appointment and will advise as such.

7. I am a legally designated 90% disabled veteran. My care has been authorized by the VA.

8. As such, I respectfully request a continuance of the 12/3/25 Hearing Date due to the foregoing medical concerns and necessity. A continuance is necessary for all parties (i.e., Palm Properties, LLC as well) due to the fact that I am and have been main point of contact for Leading Edge, LLC dealing with the DAQ, these NOV's and all related matters. I need to be present to make

1 a record before the Air Pollution Control Board and Palm Properties, LLC would be greatly
2 prejudiced if my presence is not available at the consideration of these appeals.

3 9. I declare under penalty of perjury that the forgoing is true and correct.

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5 Executed November 30, 2025.

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7 ROBERT LAUER
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Additional Material Entered into the Record at the

12/3/2025 Hearing Board Meeting:

**TONOPAH & TIDEWATER RAILROAD COMPANY, ENVIRONMENTAL
TRANSPORTATION OF NEVADA, LLC dba ETON, AND MITCHELL TRUMAN –
(APNS: 161-07-103-014, 161-07-103-015, AND 161-07-103-016)
NOV #10161**

Agenda Item #4C

**Exhibit 44 – Exhibit Binder of Properties Achieving Long Term Stabilization
Without 3/4” Clean Gravel
Presented by Atty. Russell Gubler on behalf of Mitchell Truman**

Exhibit Binder of Properties Achieving Long Term Stabilization Without 3/4" Clean Gravel

Parcel #	Address	Notes
177-07-508-004	7440 Schuster	<p>Request from AQ: 1) Copy of Application and Permit; 2) Copy of closure form; 3) Copy of all file photos; 4) Copy of internal notes</p> <p>Air Quality Supervisor David Dean's home.</p> <p>New construction, disturbed road shoulder. Mr. Dean testified at a hearing in front of Holly Fic that he closed his permit out with "chat" and not clean gravel.</p> <p>4/24/2024 Hearing questioning of Mr. Dean:</p> <p>55:54 "it was my ex-wife's property," however, home is currently titled in David and Sarah Dean.</p> <p>55:09 Mr. Dean discusses the pile of chat, the diameter and compaction of his chat, and permitted application.</p> <p>Vista Landscape Supply and Star Nursery (both distributors of this material) have confirmed that this product does not have the same characteristics of "clean gravel" as described in AGR.</p> <p>Dean's personal home was closed without 3/4" clean gravel</p>



Exhibit Binder of Properties Achieving Long Term Stabilization Without 3/4" Clean Gravel



Exhibit Binder of Properties Achieving Long Term Stabilization Without 3/4" Clean Gravel



Exhibit Binder of Properties Achieving Long Term Stabilization Without 3/4" Clean Gravel

Parcel #	Address	Notes
179-04-502-008	740 N Milan	Request from AQ: 1) Copy of Application and Permit; 2) Copy of closure form; 3) Copy of all file photos; 4) Copy of internal notes Air Quality staff personally inspected the property, found that no permit was required and did not require long term stabilization on the disturbed shoulder or the lot

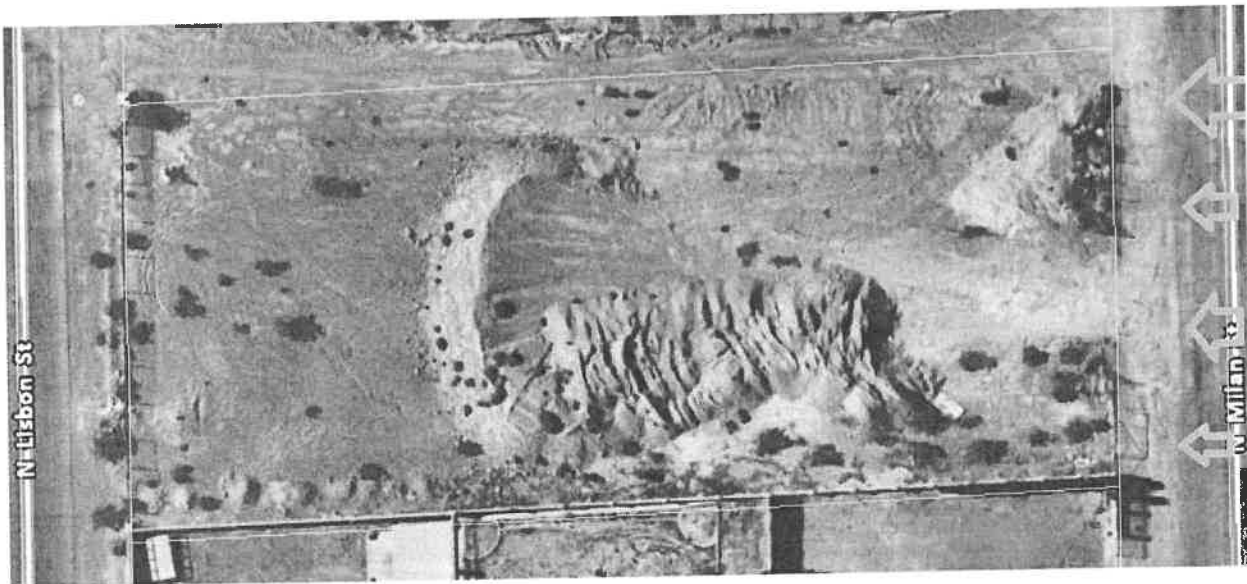


Exhibit Binder of Properties Achieving Long Term Stabilization Without 3/4" Clean Gravel

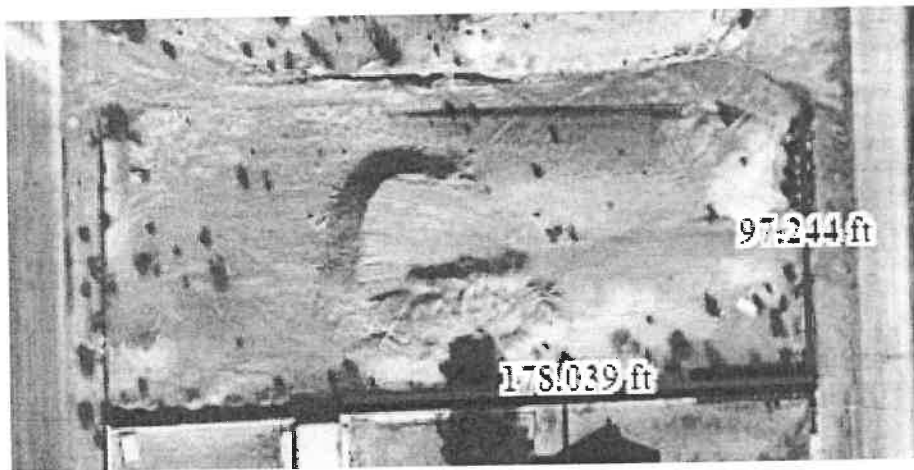
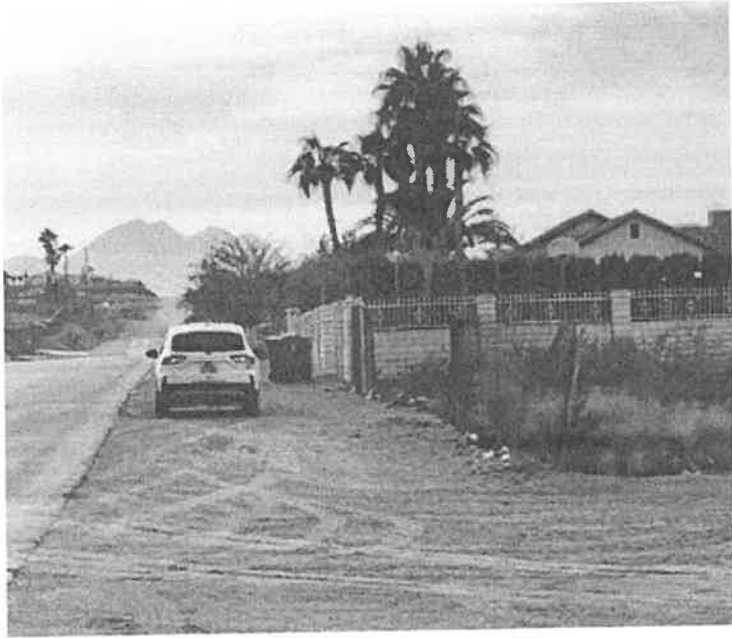


Exhibit Binder of Properties Achieving Long Term Stabilization Without 3/4" Clean Gravel

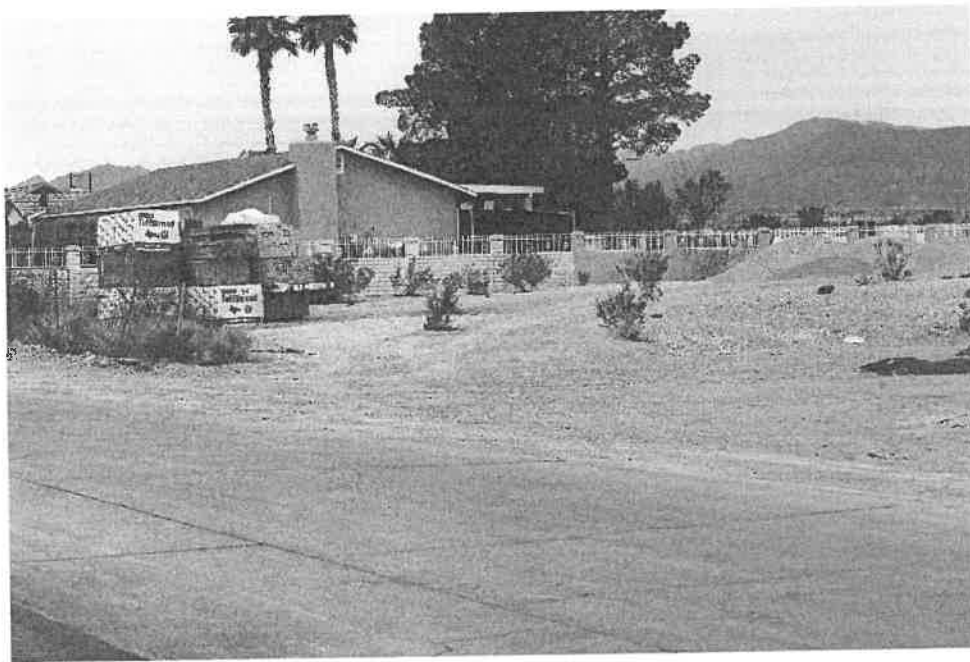
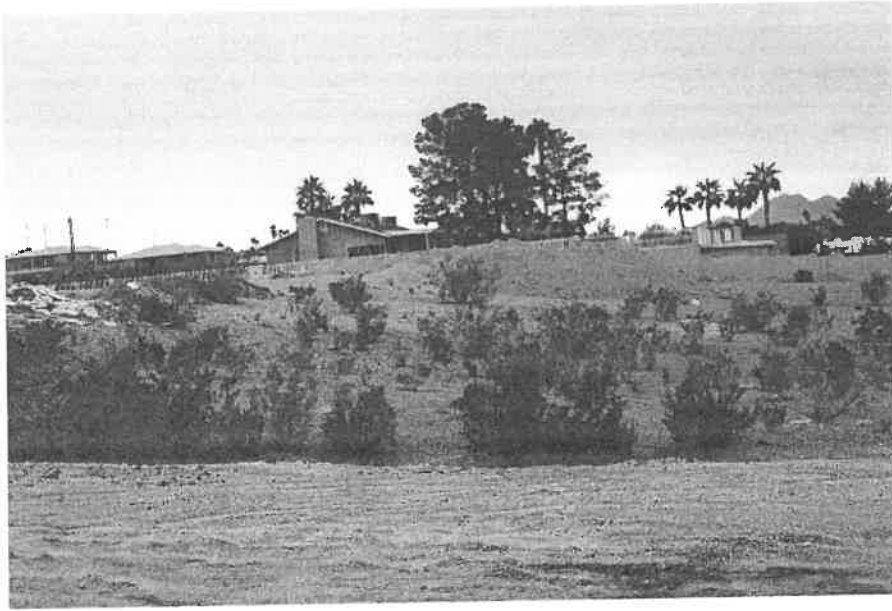


Exhibit Binder of Properties Achieving Long Term Stabilization Without 3/4" Clean Gravel

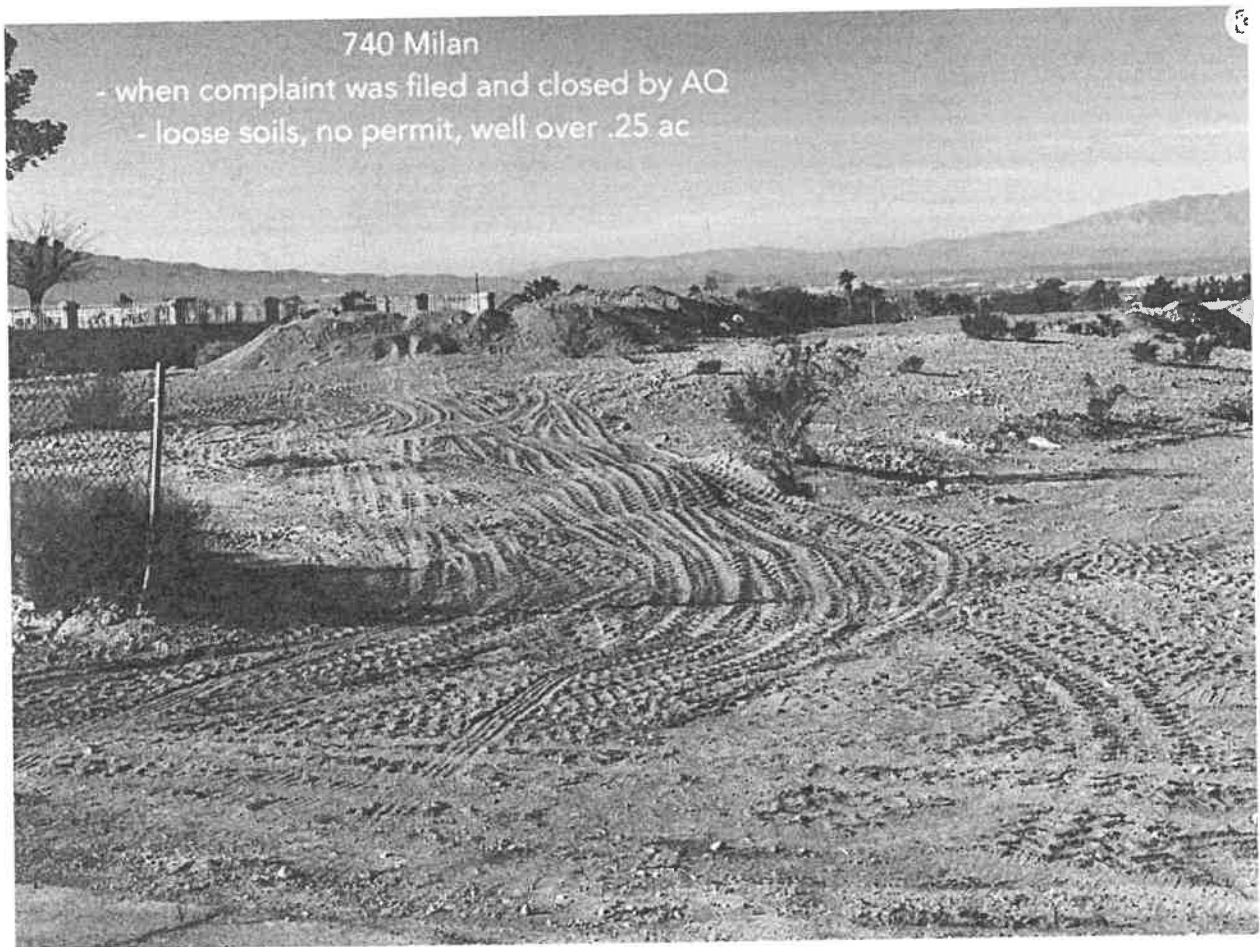
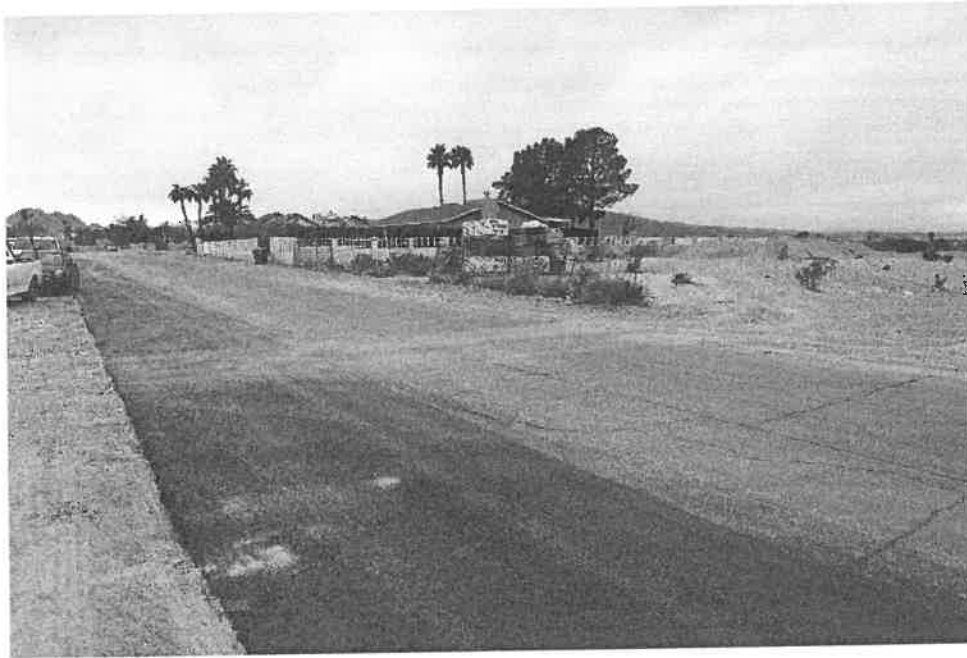


Exhibit Binder of Properties Achieving Long Term Stabilization Without 3/4" Clean Gravel

Parcel #	Address	Notes
160-33-801-018 - 021	1016, 1020, 1024 and 1028 Athens Ave	<p>Request from AQ: 1) Copy of Application and Permit; 2) Copy of closure form; 3) Copy of all file photos; 4) Copy of internal notes</p> <p>Assured prior project that achieved long term stabilization with out 3/4" clean gravel installed</p> <p>Had active dust permit, crusted shoulders with water and closed successfully with AQ, confirming prior precedent.</p>

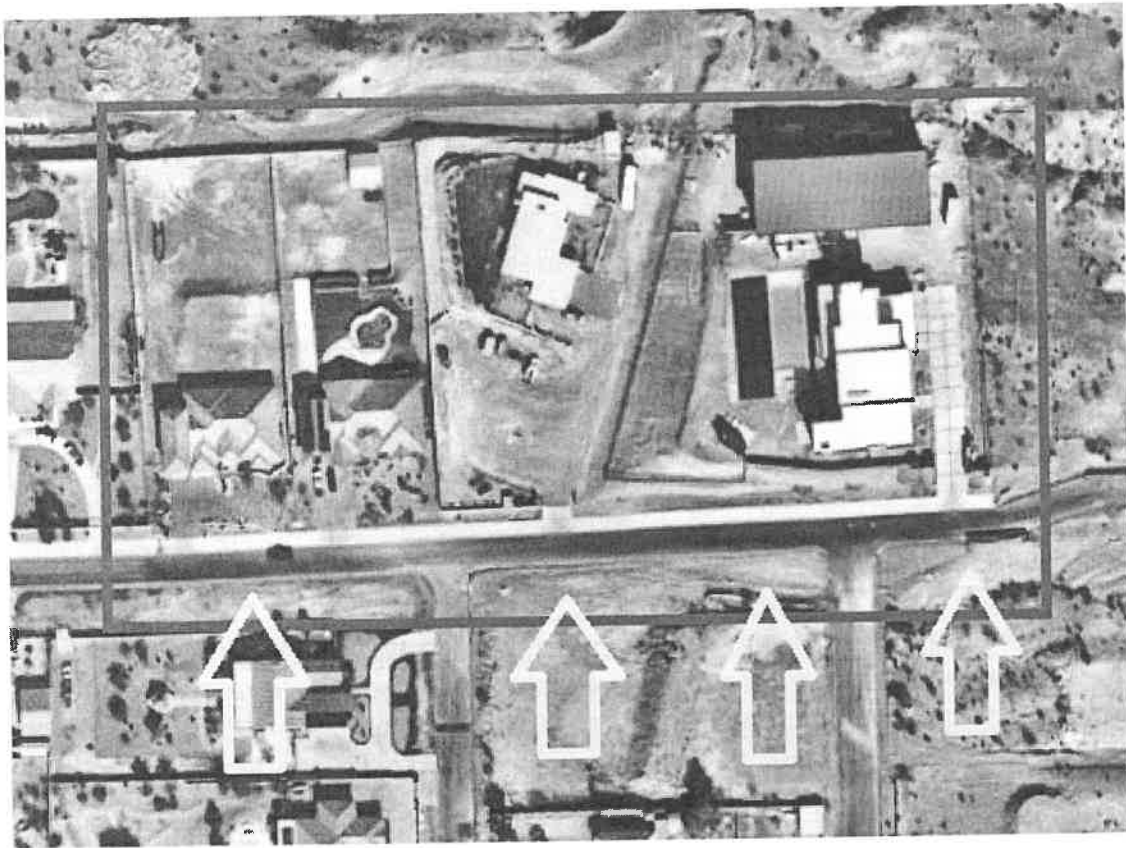


Exhibit Binder of Properties Achieving Long Term Stabilization Without 3/4" Clean Gravel

Parcel #	Address	Notes
179-04-309-309-001	519 Fife (check 12k drop)	Request from AQ: 1) Copy of Application and Permit; 2) Copy of closure form; 3) Copy of all file photos; 4) Copy of internal notes Project that achieved long term stabilization without 3/4" clean gravel installed Had active dust permit, crusted shoulders with water and closed successfully with AQ, confirming prior precedent.

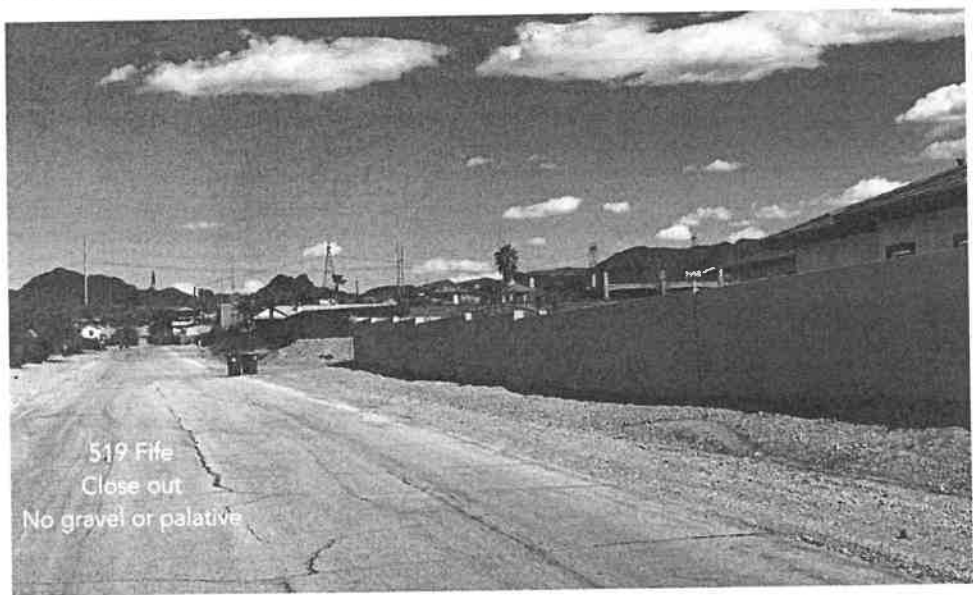
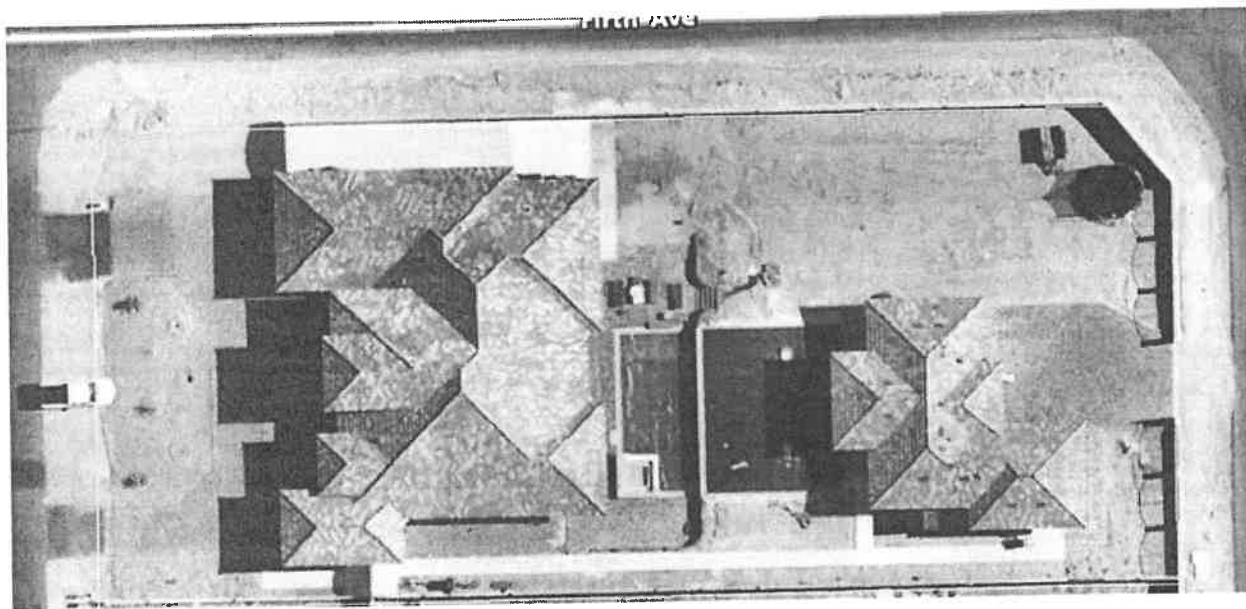


Exhibit Binder of Properties Achieving Long Term Stabilization Without 3/4" Clean Gravel

Parcel #	Address	Notes
179-04-307-002	504 Emden	<p>Request from AQ: 1) Copy of Application and Permit; 2) Copy of closure form; 3) Copy of all file photos; 4) Copy of internal notes</p> <p>Project that achieved long term stabilization without 3/4" clean gravel installed</p> <p>Had active dust permit, crusted shoulders with water and closed successfully with AQ, confirming prior precedent.</p>



Exhibit Binder of Properties Achieving Long Term Stabilization Without 3/4" Clean Gravel

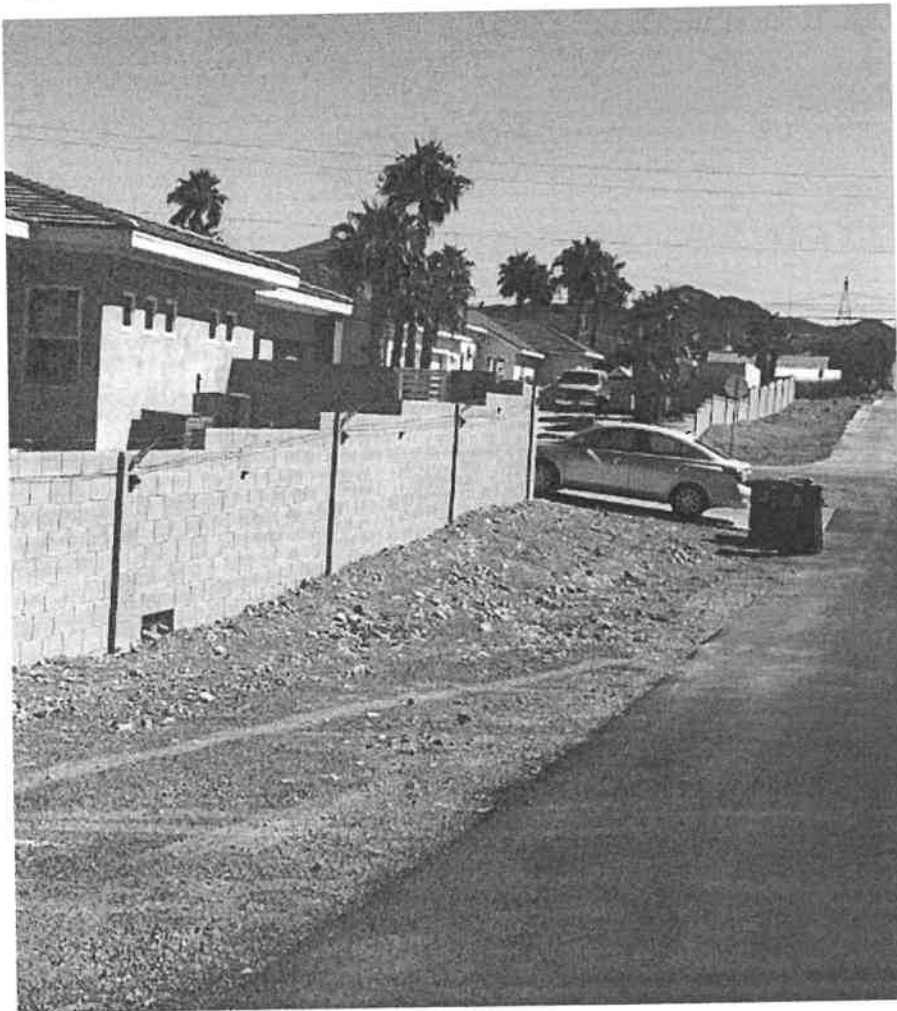
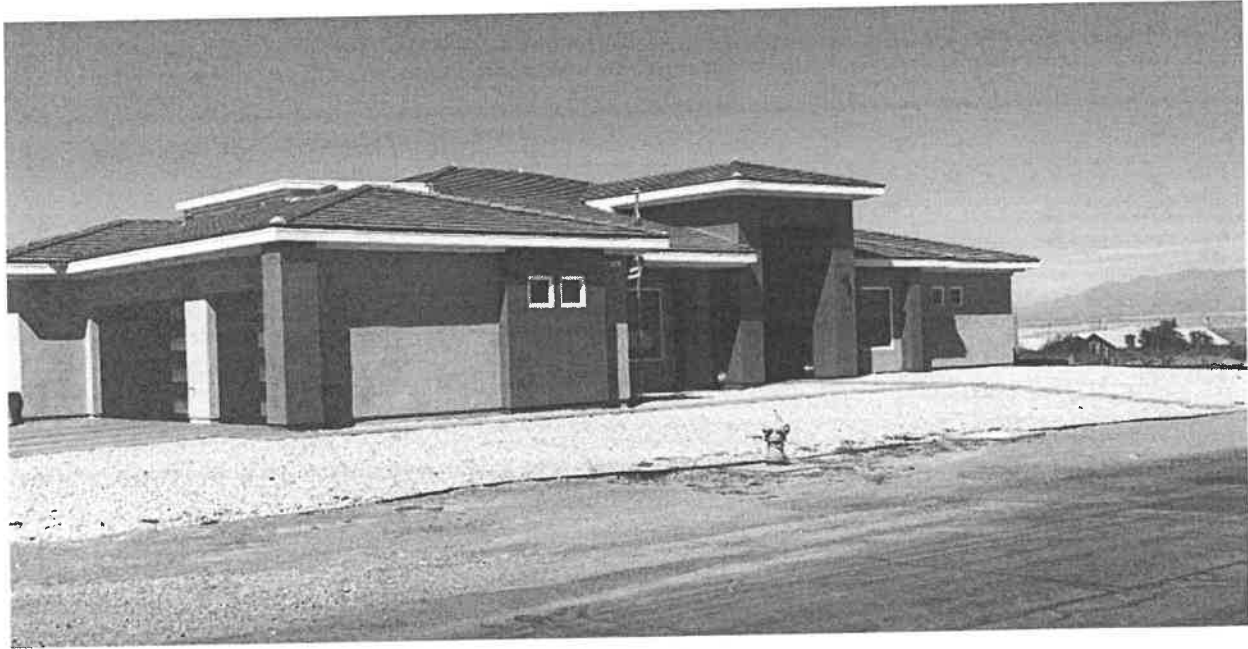
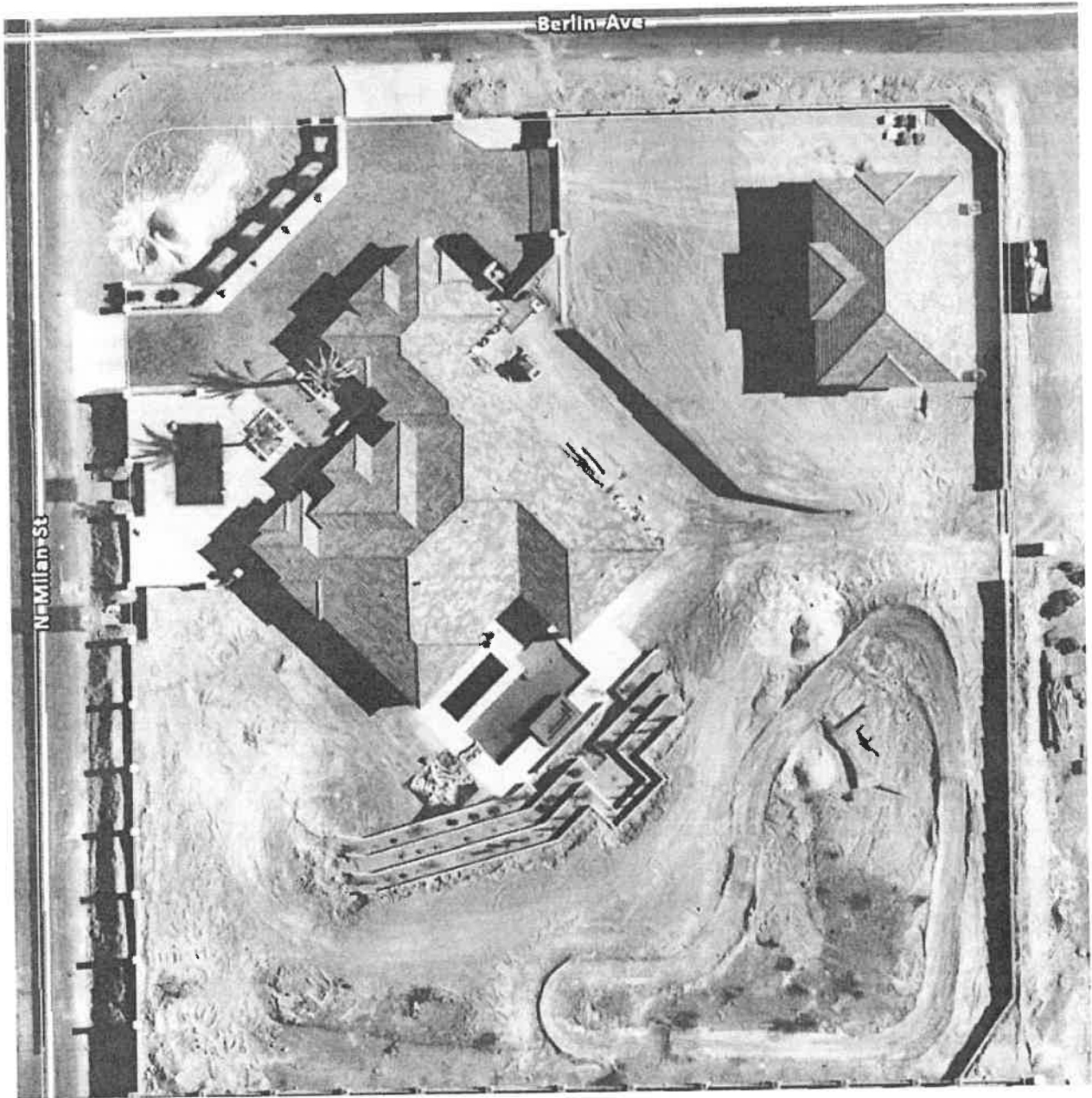


Exhibit Binder of Properties Achieving Long Term Stabilization Without 3/4" Clean Gravel

Parcel #	Address	Notes
179-04-503-002	721 Milan (dan)	<p>Request from AQ: 1) Copy of Application and Permit; 2) Copy of closure form; 3) Copy of all file photos; 4) Copy of internal notes</p> <p>Project that achieved long term stabilization without 3/4" clean gravel installed</p> <p>Had active dust permit, crusted shoulders with water and closed successfully with AQ, confirming prior precedent.</p>



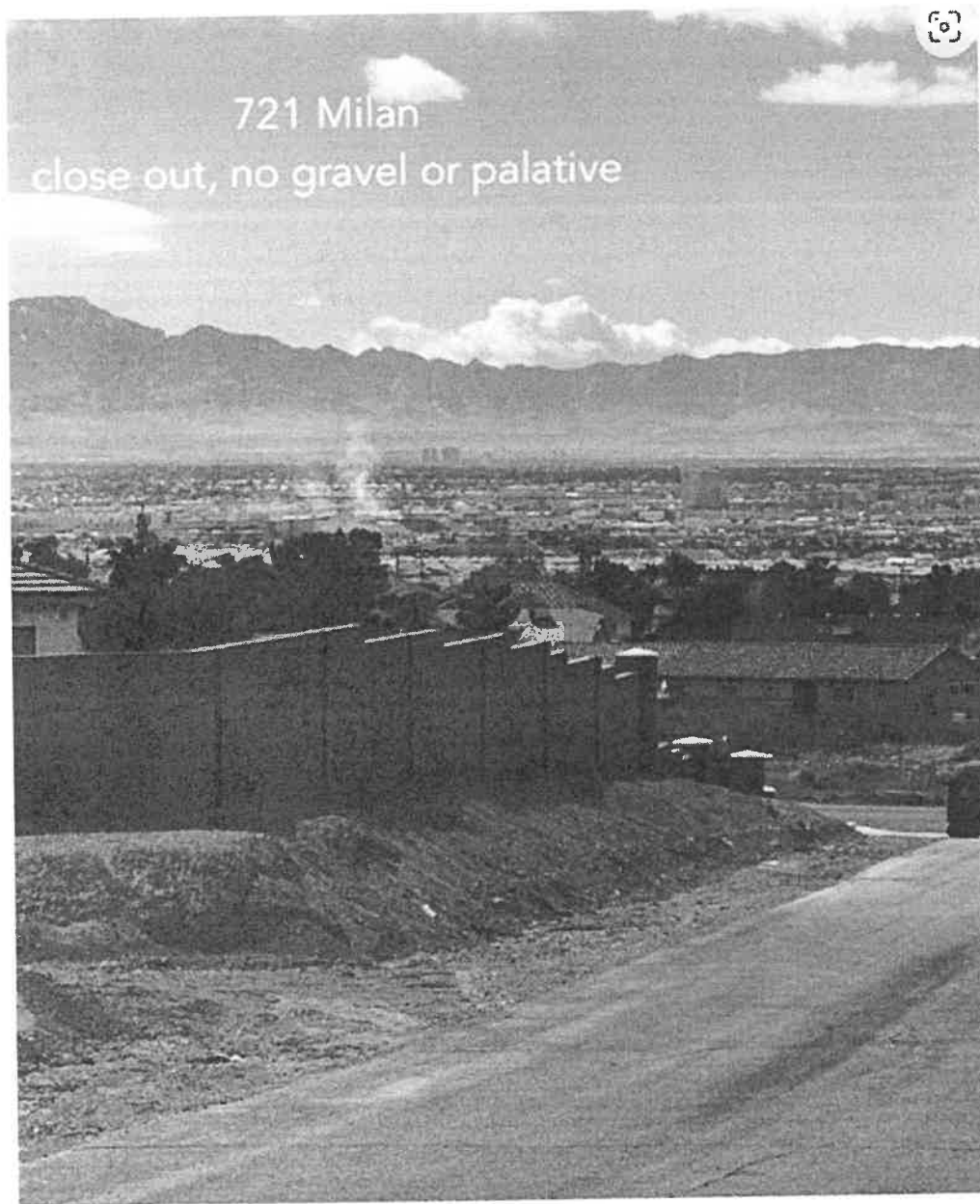


Exhibit Binder of Properties Achieving Long Term Stabilization Without 3/4" Clean Gravel

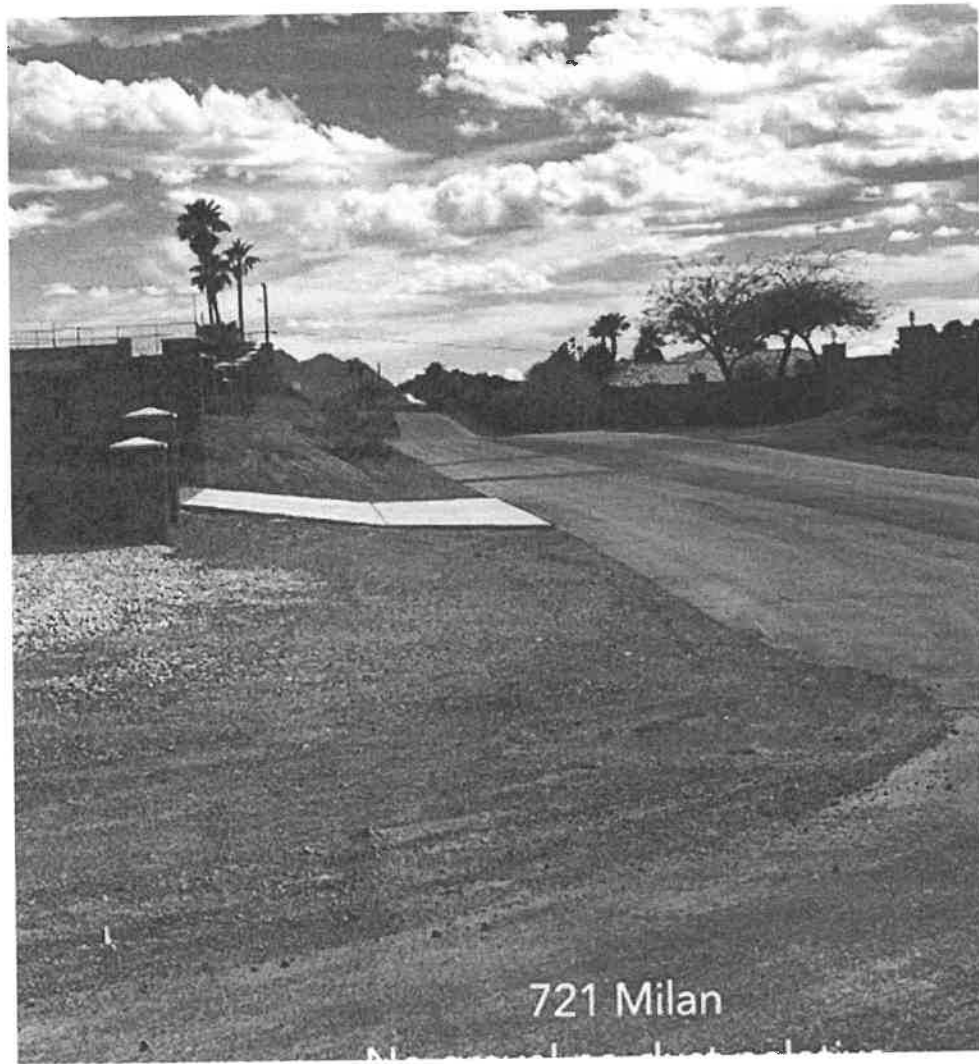


Exhibit Binder of Properties Achieving Long Term Stabilization Without 3/4" Clean Gravel

Parcel #	Address	Notes
179-04-404-003	438 Hull	<p>Request from AQ: 1) Copy of Application and Permit; 2) Copy of closure form; 3) Copy of all file photos; 4) Copy of internal notes</p> <p>Project that achieved long term stabilization without 3/4" clean gravel installed</p> <p>Had active dust permit, crusted shoulders with water and closed successfully with AQ, confirming prior precedent.</p>

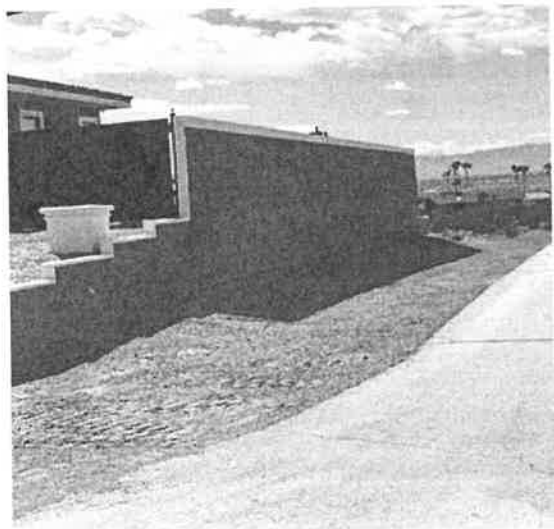
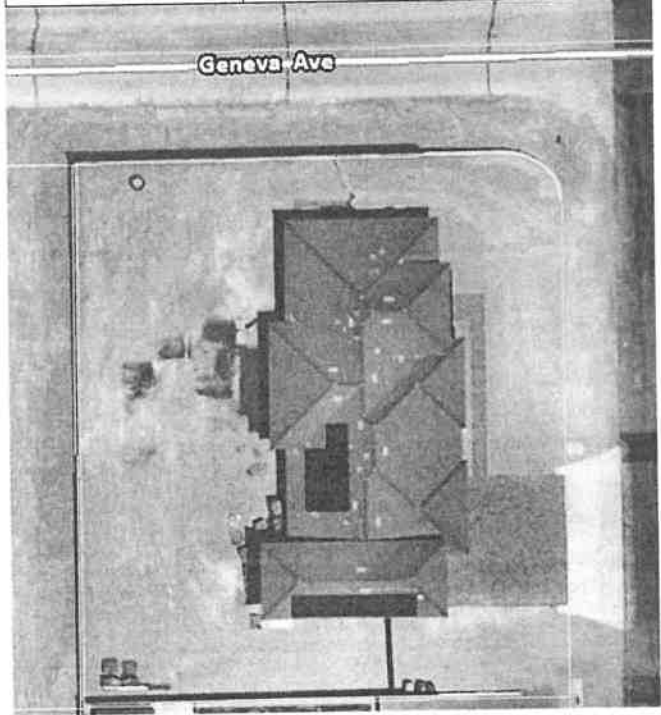


Exhibit Binder of Properties Achieving Long Term Stabilization Without 3/4" Clean Gravel

Parcel #	Address	Notes
179-04-405-005	431 Hull	<p>Request from AQ: 1) Copy of Application and Permit; 2) Copy of closure form; 3) Copy of all file photos; 4) Copy of internal notes</p> <p>Project that achieved long term stabilization without 3/4" clean gravel installed</p> <p>Had active dust permit, crusted shoulders with water and closed successfully with AQ, confirming prior precedent.</p>

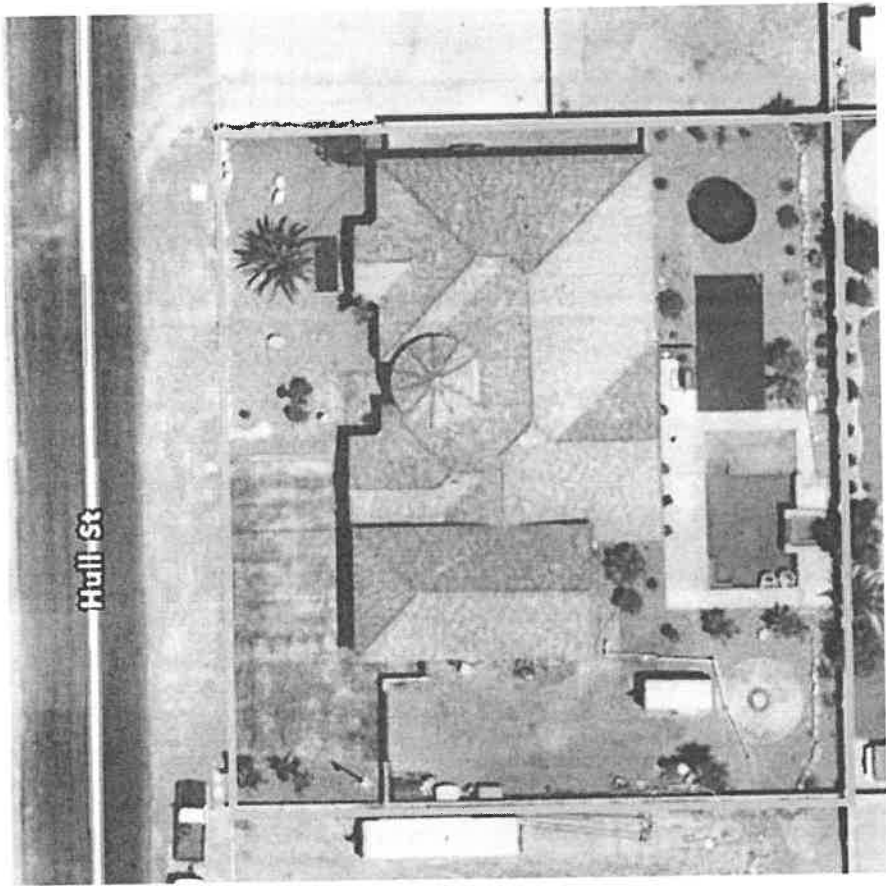


Exhibit Binder of Properties Achieving Long Term Stabilization Without 3/4" Clean Gravel

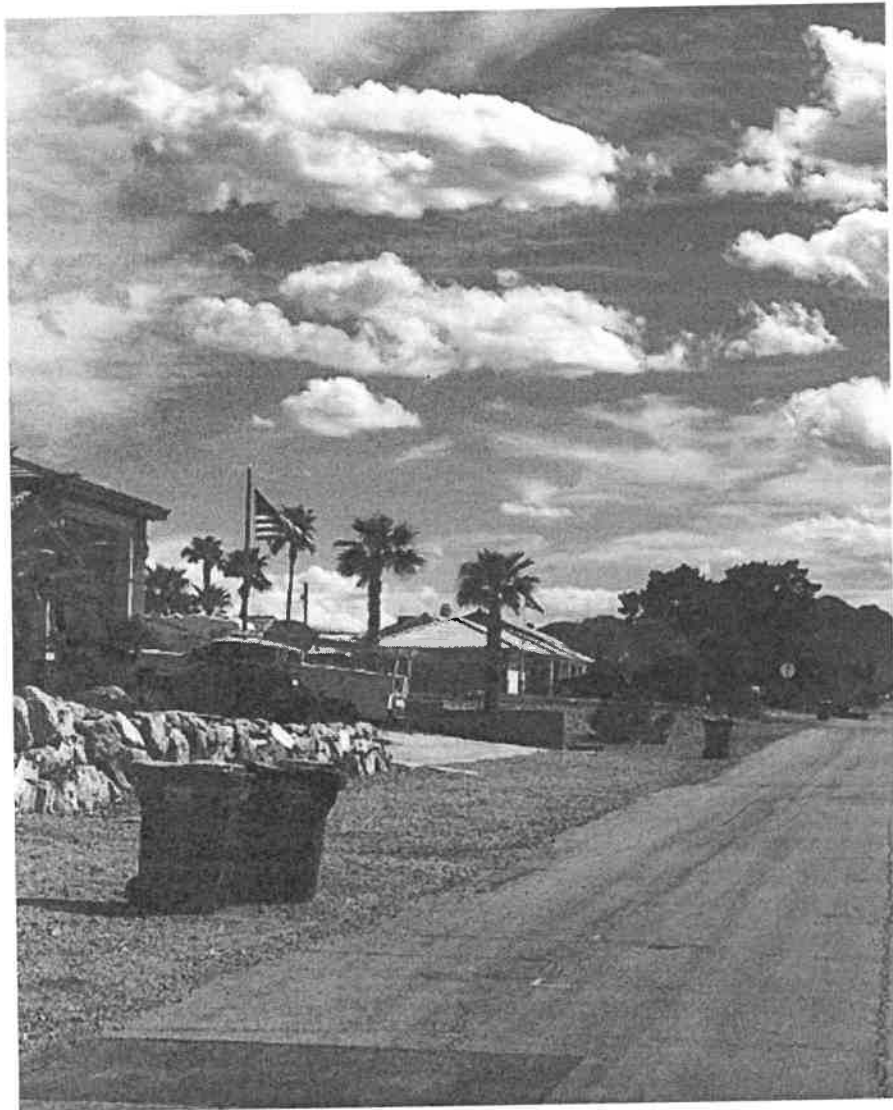


Exhibit Binder of Properties Achieving Long Term Stabilization Without 3/4" Clean Gravel

Parcel #	Address	Notes
179-04-405-001	424 Racetrack	<p>Request from AQ: 1) Copy of Application and Permit; 2) Copy of closure form; 3) Copy of all file photos; 4) Copy of internal notes</p> <p>Project that achieved long term stabilization without ¾" clean gravel installed</p> <p>Had active dust permit, crusted shoulders with water and closed successfully with AQ, confirming prior precedent.</p> <p>**Assured property – no gravel installed at closure of permit, front yard landscape rock installed later**</p>

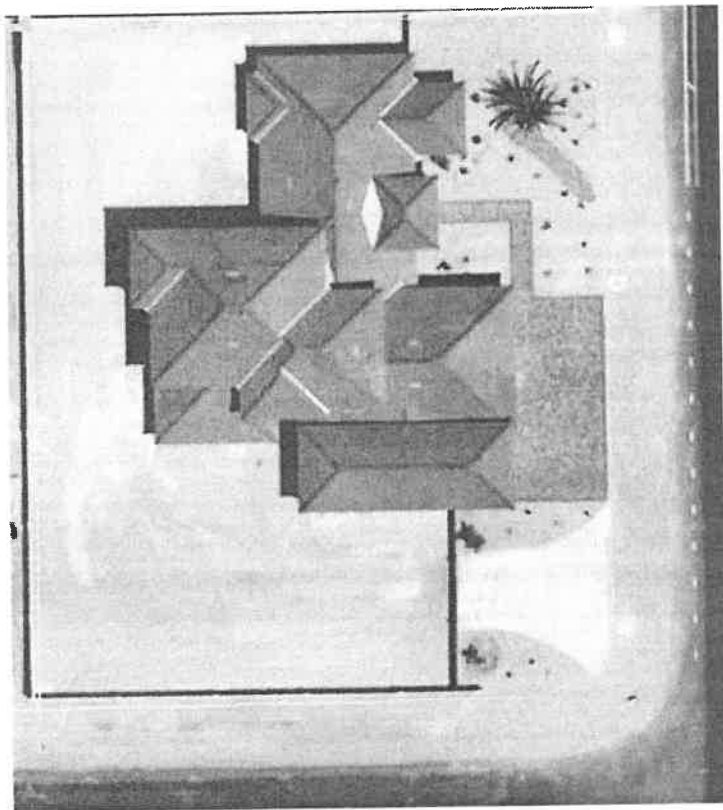


Exhibit Binder of Properties Achieving Long Term Stabilization Without 3/4" Clean Gravel

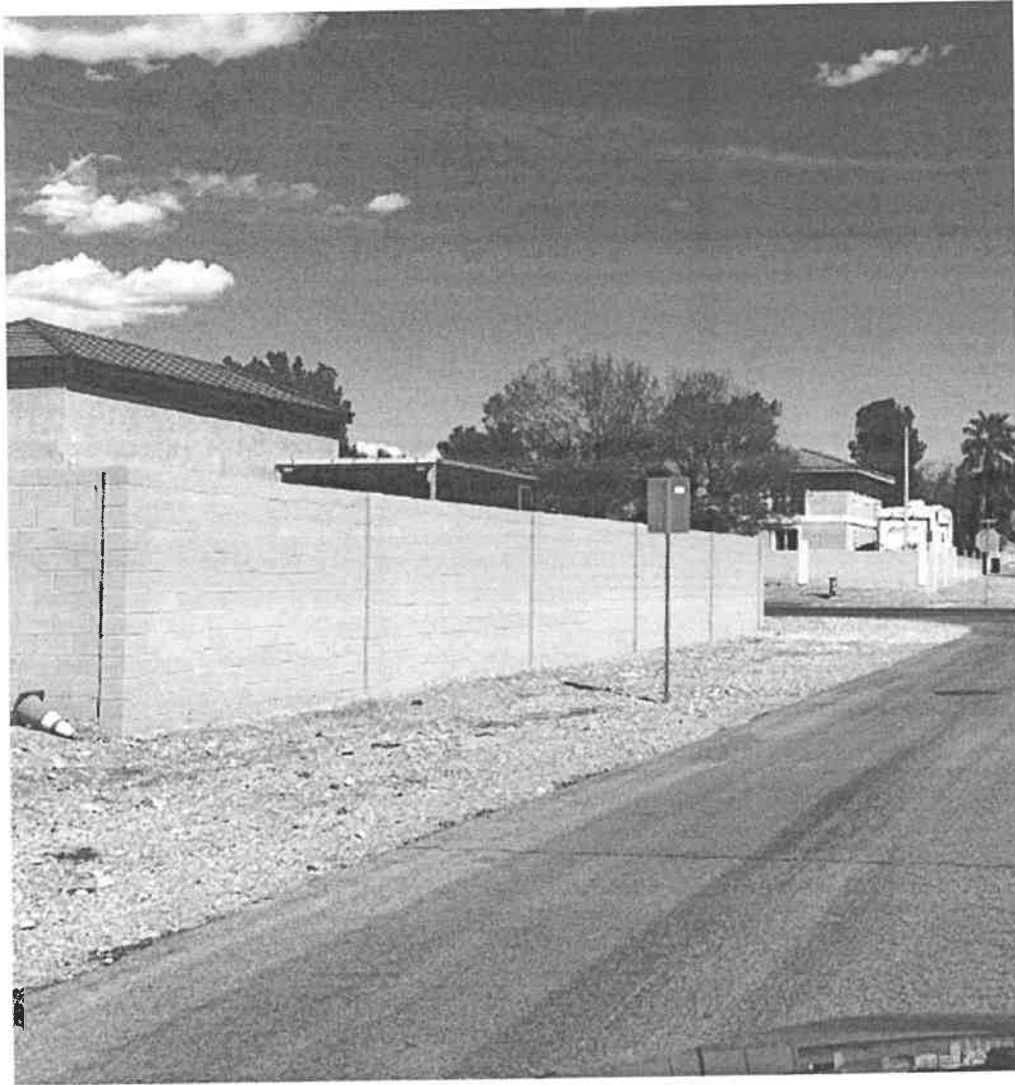
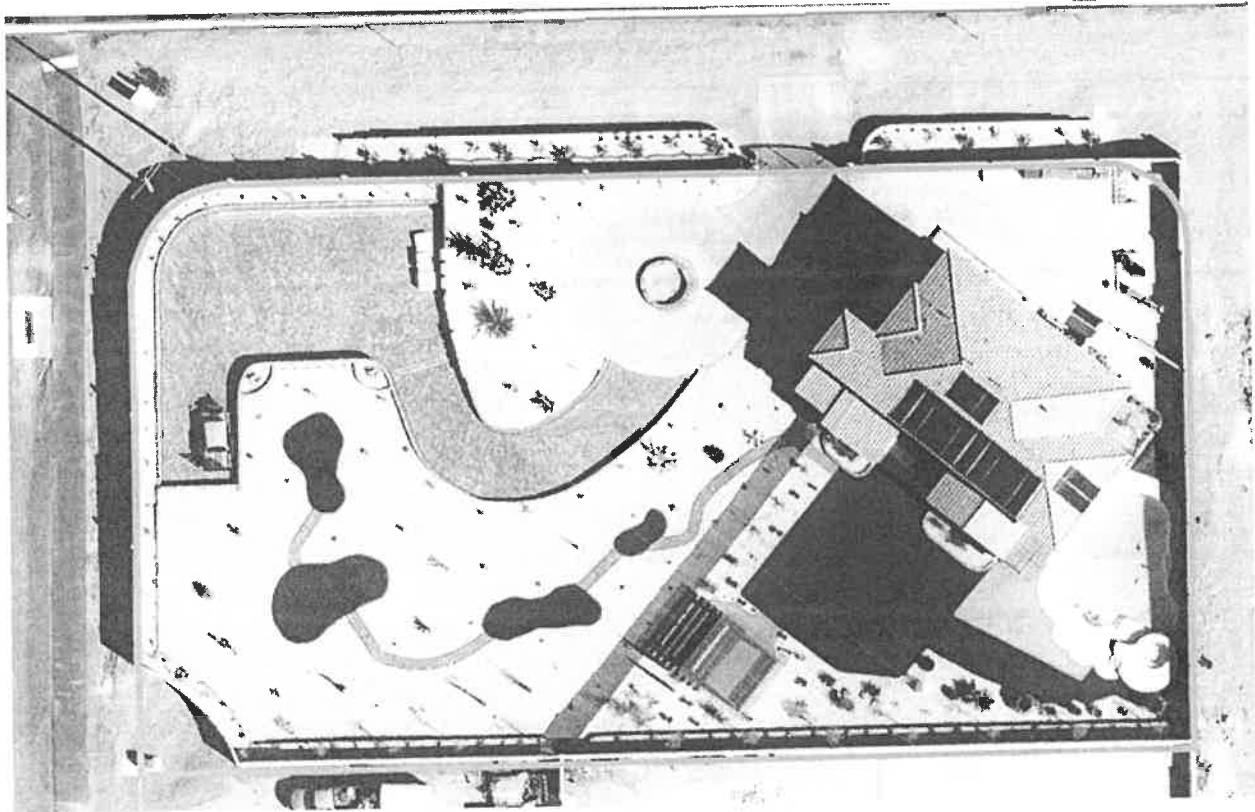


Exhibit Binder of Properties Achieving Long Term Stabilization Without 3/4" Clean Gravel

Parcel #	Address	Notes
179-04-701-052	1005 Essex Ave	<p>Request from AQ: 1) Copy of Application and Permit; 2) Copy of closure form; 3) Copy of all file photos; 4) Copy of internal notes</p> <p>Project that achieved long term stabilization without ¾" clean gravel installed</p> <p>Had active dust permit, crusted shoulders with water and closed successfully with AQ, confirming prior precedent.</p>



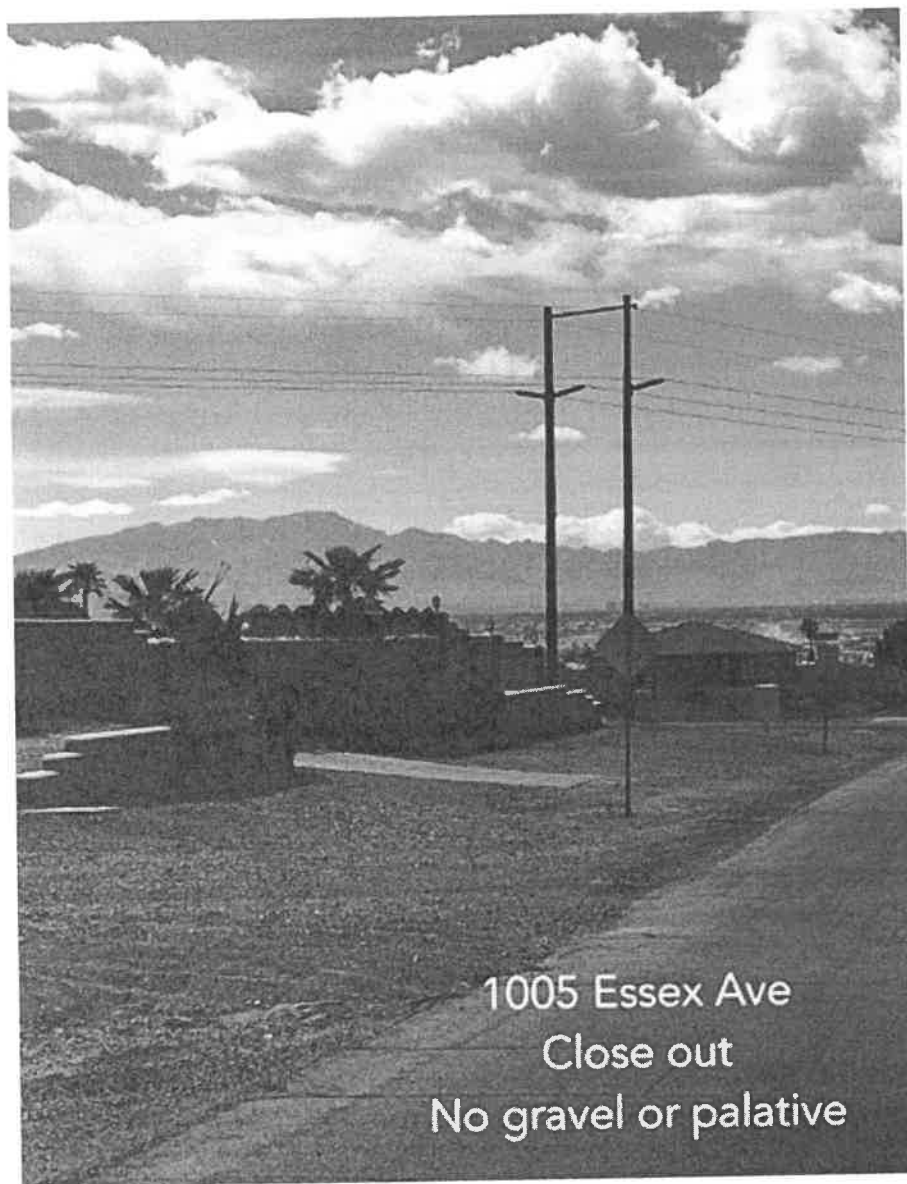


Exhibit Binder of Properties Achieving Long Term Stabilization Without 3/4" Clean Gravel

Permit #53506	Page 2102 – Packet 2	Project that achieved long term stabilization without ¾" clean gravel installed Item in staff report and signed off by inspector Nahulu Kahananui
---------------	-------------------------	--

From: Nahulu Kahananui <Nahulu.Kahananui@ClarkCountyNV.gov>
Sent: Tuesday, February 6, 2024 8:53 AM
To: beaman08@hotmail.com
Subject: DCOP #53506 - PCF

Good morning Cody,

Per my voice message, I have shown my supervisor pictures/video of the area being flooded during yesterday's rain. The video does show that the water is coming from the unpaved road and travel down the right-of-way and pools on the road. Seeing this my supervisor will be approving the closure of DCOP #53506. We like you to know that we normally do not approve closure when the right-of-way has not been paved or has no clean gravel applied. However, due to flood concern you raised of the clean gravel being pushed onto the road, we will be approving this one time only.

Just so you are aware, although we are approving the closure with no clean gravel applied to the right-of-way, Nevada Division of Environmental Protection may still require clean gravel to be applied for your SWPPP permit.

Please let me know if you have any questions.

Thank you,

Nahulu Kahananui

Air Quality Specialist II
Clark County Department of Environment & Sustainability

Exhibit Binder of Properties Achieving Long Term Stabilization Without 3/4" Clean Gravel



Result:	Inspected By:	Inspected On:	Reviewer:	Reviewed On:
Approved	Nahulu Kahananui	2/6/2024	Andrew Kirk	2/12/2024

Inspector Notes: This site meets BMP 11- Long-term Stabilization with the approval of Air Quality Supervisor David Dean. All site soils are stable, and a single rock stockpile remains for maintenance for erosion. No clean gravel was applied to the right-of-way; however, this was approved to due flood concerns coming from an unpaved road traveling on to the right-of-way. I emailed/left voice messages to Cody Beaman, Owner, to inform him that this a one-time approval only and NDEP may still require him to apply clean gravel to the right-of-way. PCF APPROVED.

Exhibit Binder of Properties Achieving Long Term Stabilization Without 3/4" Clean Gravel

Permit #56935		<p>Project that achieved long term stabilization without ¾" clean gravel installed</p> <p>Item in staff report and signed off by inspector</p>
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Exhibit Binder of Properties Achieving Long Term Stabilization Without 3/4" Clean Gravel

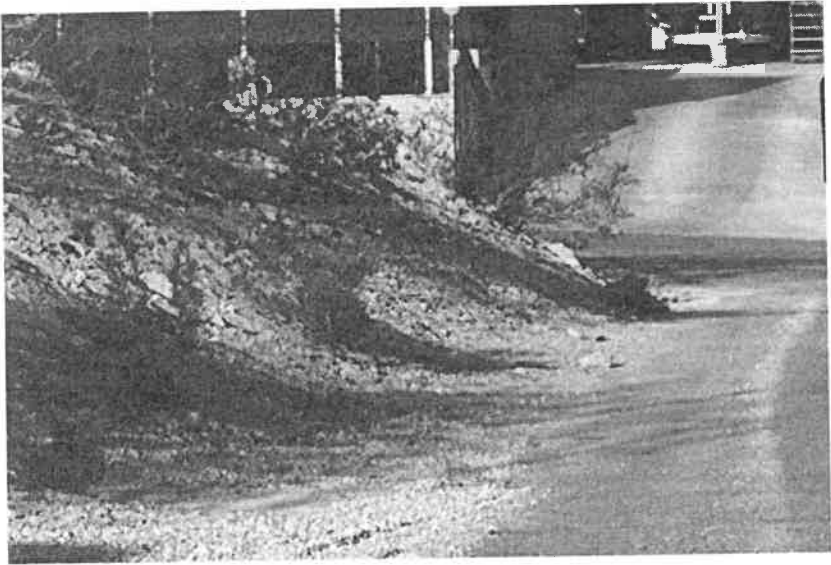
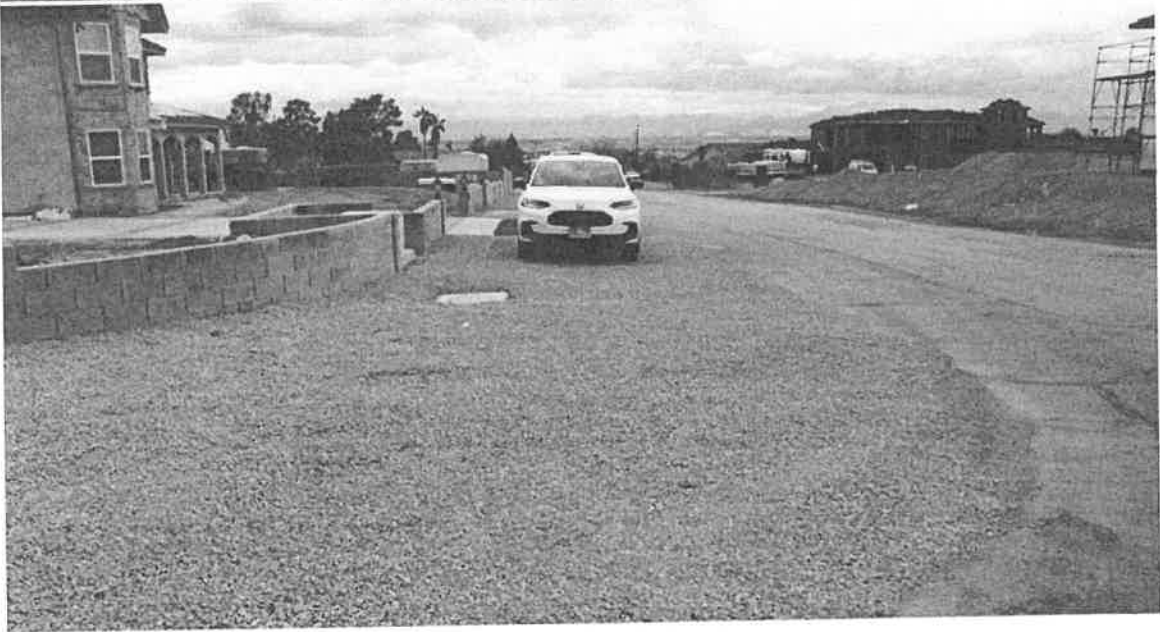


Exhibit Binder of Properties Achieving Long Term Stabilization Without 3/4" Clean Gravel

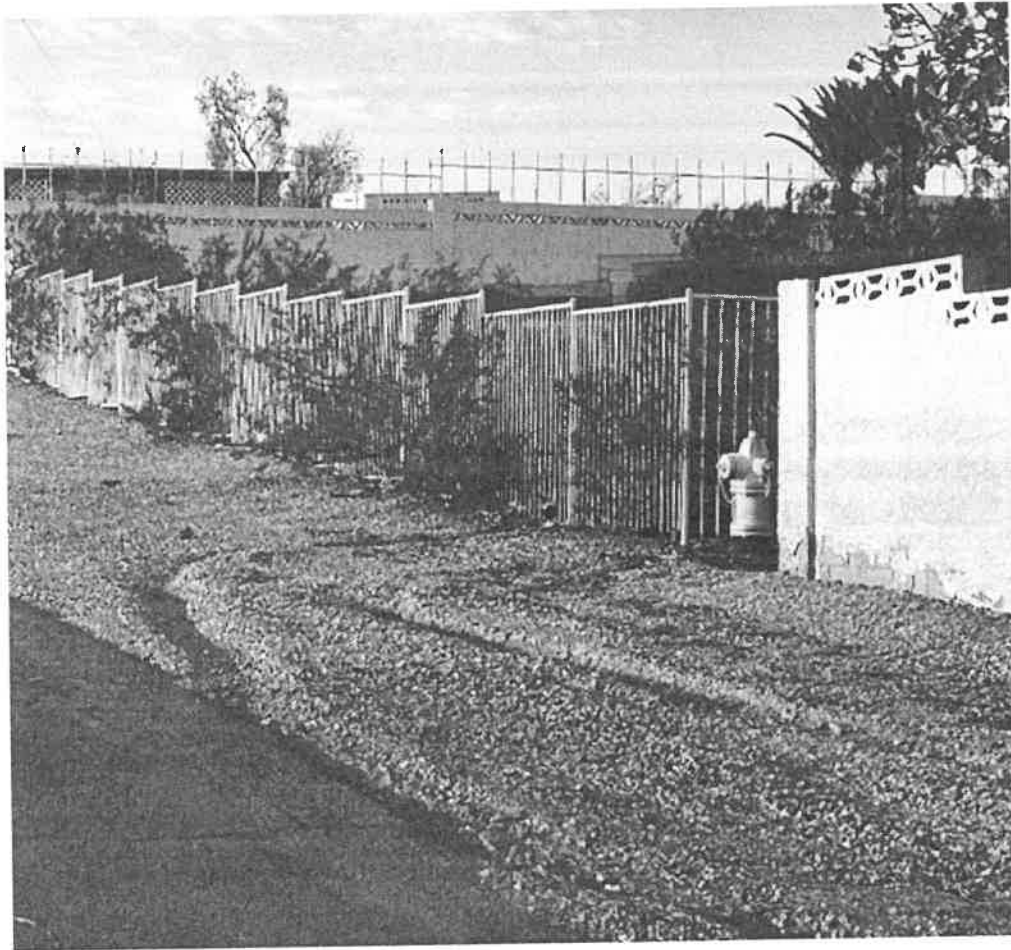


Exhibit Binder of Properties Achieving Long Term Stabilization Without 3/4" Clean Gravel

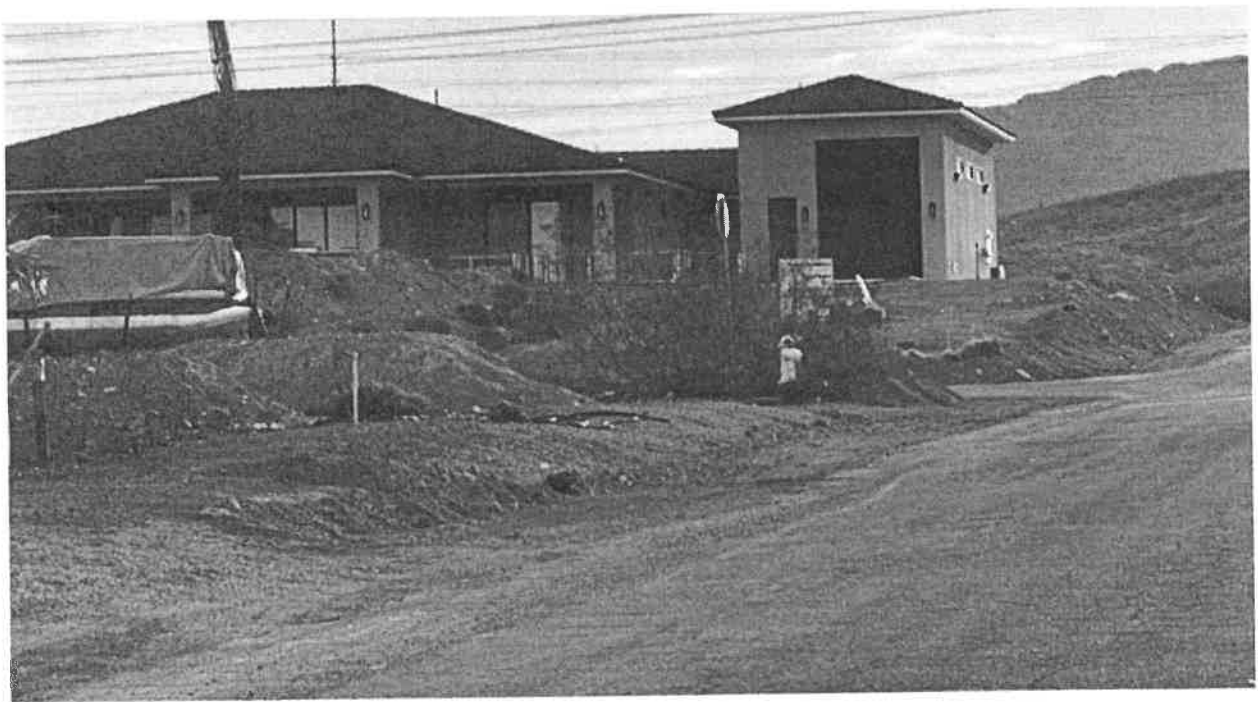
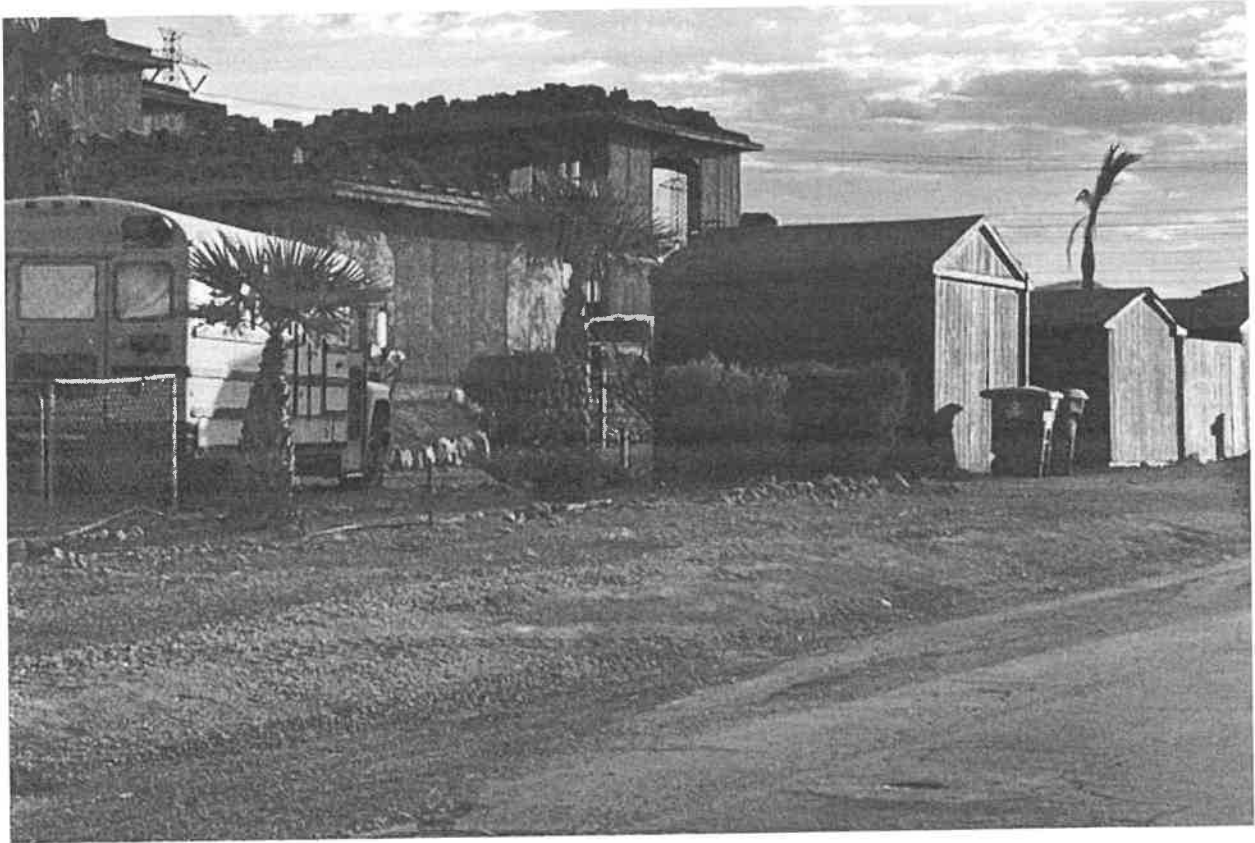
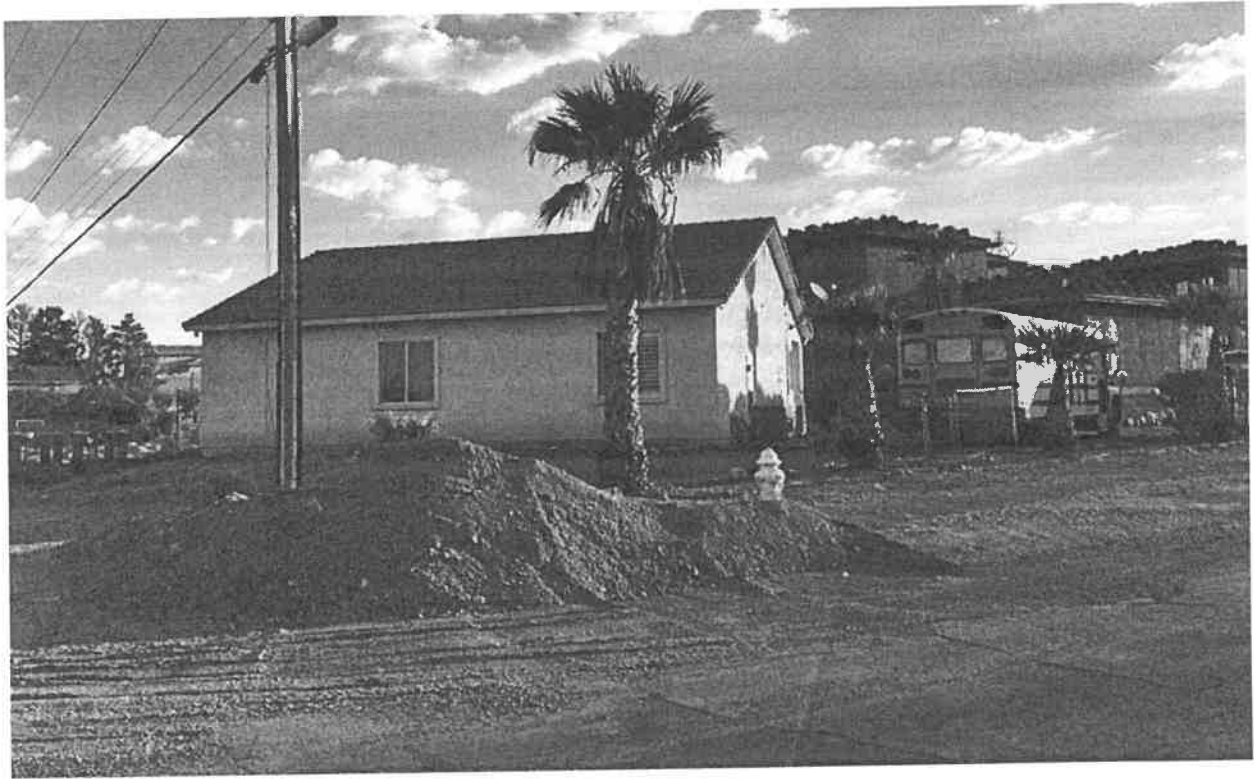


Exhibit Binder of Properties Achieving Long Term Stabilization Without 3/4" Clean Gravel





CERTIFICATE OF POSTING

I, the undersigned, do hereby certify that on this date, 11/25/2025, at 1:00pm (time), I posted in the Clark County Building Services Building, located at 4701 W. Russell Rd., Las Vegas, NV, the agenda for the Open Meeting of:

PUBLIC BODY NAME: AIR POLLUTION CONTROL HEARING BOARD	MEETING DATE: December 3, 2025
PUBLIC BODY LOCATION: Presentation Room, 4701 W. Russell Rd., Las Vegas NV 89118	MEETING TIME: 10:00 a.m.

NAME: Sandy K Miller

TITLE: Executive Assistant

SIGNATURE: Sandy K Miller

Please post the attached agenda in a public area of your building. NRS 241.020 (4), as amended by Assembly Bill 253 of the 2021 Legislative Session, mandates a written notice of all public meetings be posted no later than 9 a.m. three (3) working days before the meeting in the principal office of the public body. NRS 241.020 (5) mandates that a certificate of posting be completed by each individual posting a copy of the public notice. The certificate of posting must include: (1) date and time of posting, (2) address of the location of posting, and (3) name, title, and signature of person who posts the public notice.

Please return this signed Certificate of Posting to: **Sherrie Rogge, Department of Environmental and Sustainability, Division of Air Quality, Fax: (702) 383-9994 or Email: Sherrie.Rogge@ClarkCountyNV.gov.**

Attendance Form

Clark County Air Pollution Control Hearing Board

2025

MEMBER ATTENDANCE SHEET

P = Present
A = Absent

E = Excused
X = Resigned Member
NM = No Meeting

	NAME	JAN 28	MAR	APR 8	MAY	JUN 4	JUL	AUG 6	SEP	OCT 29	NOV	DEC 3
1.	Danny Sanders	P		P		NM		P		NM		P
2.	Ryan Dennett	P		P*		NM		P		NM		P*
3.	Daniel Bartlett	P		P		NM		A		NM		P*
4.	Donald Bordelove	A		P		NM		P		NM		P
5.	Troy Hildreth	P		A		NM		P		NM		P
6.	Amy Lahav	P		P		NM		P		NM		P
7.												
8.												
9.												
10.												

QUORUM - Yes or No **Y**

4/8/2025 – Ryan Dennett recused himself on Item 5A&5B and left the meeting at 10:07 AM.
12/3/2025 – Ryan Dennett recused himself on Item 4C and left the meeting at 10:05 AM
12/3/2025 – Daniel Bartlett arrived at 10:10 AM

12/3/2025



**Clark County Air Pollution Control Hearing Board
Clark County Building Department
Presentation Room
4701 West Russell Road
Las Vegas, NV 89118**

December 3, 2025 – 10:00 AM

Agenda

Note:

- Items on the agenda may be taken out of order.
- The Air Pollution Control Hearing Board may combine two (2) or more agenda items for consideration.
- The Air Pollution Control Hearing Board may remove an item from the agenda or delay discussion relating to an item at any time.
- No action may be taken on any matter not listed on the posted agenda.
- Please turn off or mute all cell phones and other electronic devices.
- Please take all private conversations outside the room.
- With a forty-eight (48) hour advance request, a sign language interpreter or other reasonable efforts to assist and accommodate people with physical disabilities, may be made available by calling (702) 455-0354, TDD at (702) 385-7486, or Relay Nevada toll-free at (800) 326-6868, TD/TDD
- Supporting material provided to the Board members for this meeting may be requested from Sherrie Rogge, Administrative Secretary, aqenforcement@clarkcountynv.gov or (702) 455-0354.
- Supporting material is also available at the Clark County Department of Environment & Sustainability, 4701 West Russell Road, 2nd Floor, Las Vegas NV 89118.
- Supporting material is/will be available on the Department's website at:
https://www.clarkcountynv.gov/government/departments/environment_and_sustainability/compliance/enforcement-notice

Hearing Board Members

Daniel Sanders, Chair
Ryan L. Dennett, Esq., Vice-Chair
Daniel Bartlett
Donald Bordelove
Troy Hildreth
Amy Lahav

Hearing Board Counsel

Nichole Kazimirovicz

Air Quality Staff

Marci Henson, Director
Shibi Paul, Deputy Director
Anna Sutowska, Air Quality Supervisor

Department Counsel

Timothy J. Allen

Administrative Secretary

Sherrie Rogge, Phone: 702-455-0354; Email aqenforcement@clarkcountynv.gov
Business Address: Clark County Department of Environment & Sustainability,
4701 W. Russell Road, 2nd Floor, Las Vegas NV 89118

1. **CALL TO ORDER**

2. **PUBLIC COMMENT**

This is a period devoted to comments by the general public about items on this agenda. No discussion, action, or votes may be taken on this agenda item. You will be afforded the opportunity to speak on individual Public Hearing Items at the time they are presented. If you wish to speak to the Board about items within its jurisdiction but not appearing on this agenda, you must wait until the "Comments by the General Public" period listed at the end of this agenda. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board wishes to extend the length of a presentation, this will be done by the Chairperson or the Board by majority vote.

3. **APPROVAL OF MINUTES**

Approval of August 6, 2025 meeting minutes.
(For possible action)

4. **APPEAL OF HEARING OFFICER DECISION**

A. PALM PROPERTIES, LLC AND ROBERT LAUER (APNs: 161-08-810-082 and 161-08-810-083)

NOV #10150 – On July 17, 2025, the Hearing Officer found Palm Properties, LLC and Robert Lauer, individually, in violation of Section 92.3.1 for operating an unpaved parking lot/storage yard on the property from January 9, 2025, through February 7, 2025, as identified by Air Quality Specialist Allan Gutierrez while performing a routine inspection on September 18, 2024, and follow-up inspections on November 19, 2024, December 5, 2024, and January 9, February 24, and March 18, 2025, at the unpaved parcels of land (Assessor's Parcel Numbers 161-08-810-082 and 161-08-810-083) located at 3125 South Nellis Boulevard, in Clark County, Nevada. The Hearing Officer assessed a penalty amount of \$7,500.00. Respondents appealed.

Conduct Hearing and Render Decision
(For possible action)

B. PALM PROPERTIES, LLC AND ROBERT LAUER (APNs: 161-08-810-082 and 161-08-810-083)

NOV #10163 – On July 17, 2025, the Hearing Officer found Palm Properties, LLC and Robert Lauer, individually, in violation of Section 92.3.1 for operating an unpaved parking lot/storage yard on the property from February 8, 2025, through March 9, 2025, as identified by Air Quality Specialist Allan Gutierrez while performing follow-up inspections on January 9, February 24, March 18, April 2, and May 6, and May 27, 2025, and a complaint investigation on April 15, 2025, at the unpaved parcels of land (Assessor's Parcel Numbers 161-08-810-082 and 161-08-810-083) located at 3125 South Nellis Boulevard, in Clark County, Nevada. The Hearing Officer assessed a penalty amount of \$7,500.00. Respondents appealed.

Conduct Hearing and Render Decision
(For possible action)

C. TONOPAH & TIDEWATER RAILROAD CO., ENVIRONMENTAL TRANSPORTATION OF NEVADA, LLC D/B/A ETON, AND MITCHELL TRUMAN (Assessor's Parcel Numbers 161-07-103-014, 161-07-103-015, and 161-07-103-016)

NOV #10161 – On September 18, 2025, the Hearing Officer found Tonopah & Tidewater Railroad Co., Environmental Transportation of Nevada, LLC d/b/a ETON, and Mitchell Truman, individually, in violation of Section 92.3.1 for constructing and operating an unpaved parking lot/storage yard on the property from January 4, 2025, through and including February 2, 2025, as identified by Senior Air Quality Specialist Andrew Kirk during an inspection on December 5, 2024, and follow-up inspections on January 9, 16, 23, and 30, February 11, 19, and 26, March 6, and 13, and May 28, 2025 of unpaved parcels of land (Assessor's Parcel Numbers 161-07-103-014, 161-07-103-015, and 161-07-103-016) located at 2596 Stratford Avenue, in Clark County, Nevada. The Hearing Officer assessed a penalty amount of \$15,000.00. Respondents appealed.

Conduct Hearing and Render Decision
(For possible action)

5. IDENTIFY EMERGING ISSUES TO BE DISCUSSED BY THE BOARD AT A FUTURE MEETING

6. PUBLIC COMMENT

A period devoted to comments by the general public about matters relevant to the Board's jurisdiction will be held. No vote may be taken on a matter not listed on the posted agenda. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board wishes to extend the length of a presentation, this will be done by the Chairperson or the Board by majority vote.

7. ADJOURNMENT

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

This meeting has been properly noticed and posted online at: https://www.clarkcountynv.gov/government/departments/environment_and_sustainability/compliance/hearings-notice and Nevada Public Notice at <https://notice.nv.gov/> and in the following location:

Clark County Operations Center, West, 4701 W. Russell Road, Las Vegas, Nevada (Principal Office)



together**forbetter**

Minutes

Regular Meeting of the Clark County Air Pollution Control Hearing Board

August 6, 2025

Clark County Building Services
Presentation Room
4701 West Russell Road
Las Vegas, NV

1. CALL TO ORDER

Chair Sanders called the meeting of the Air Pollution Control Hearing Board to order at the hour of 1:31 p.m. A quorum was present, and Affidavits of Posting of the agenda were provided as required by the Nevada Open Meeting Law. The Affidavits will be incorporated into the official record.

PRESENT: Daniel Sanders, Chair
Ryan L. Dennett, Vice-Chair
Donald Bordelove
Troy Hildreth
Amy Lahav

ABSENT: Daniel Bartlett

HEARING BOARD
COUNSEL: Nichole Kazimirovicz, Deputy District Attorney

DAQ STAFF: Marci Henson, Director
Shibi Paul, Deputy Director
Anna Sutowska, Air Quality Supervisor
Sherrie Rogge, Administrative Secretary

DEPARTMENT
COUNSEL: Timothy J. Allen, Deputy District Attorney

2. PUBLIC COMMENT

Chair Sanders asked if there were any persons present in the audience wishing to be heard. There being no one, Chair Sanders closed the public comments.

3. APPROVAL OF MINUTES OF THE APRIL 8, 2025, MEETING (For possible action)

Chair Sanders called for comments, changes, or corrections to the April 8, 2025 minutes. Being none, he called for a motion.

FINAL ACTION: It was moved by Board Member Lahav, seconded by Board Member Hildreth, that the subject minutes be approved.

Motion carried by the following vote:

Voting Aye: Daniel Sanders, Donald Bordelove, Troy Hildreth, Amy Lahav
Voting Nay: None
Abstaining: Ryan Dennett
Absent: Daniel Bartlett

4. ACCEPT HEARING BOARD ORDERS

Review competing hearing board orders from hearings conducted on April 8, 2025, in the matter of Notices of Violation: #9994 issued to ETON Transportation Corp.; and #10078 issued to ETON Transportation Corp., Environmental Transportation of Nevada, LLC dba ETON, and Moe Truman, and decide which proposed orders, or parts thereof, to accept.
(For possible action)

Attorney Russell Gubler, representative for appellants, was not in attendance, but had submitted a request for continuance due to the fact that he had a conflict with the hearing date and time. The Board ruled on Attorney Gubler's request for continuance before proceeding with the review of the competing Hearing Board Orders without any oral arguments or statements.

FINAL ACTION: The Hearing Board denied the request for continuance.

Voting Aye: Daniel Sanders, Donald Bordelove, Troy Hildreth, Amy Lahav
Voting Nay: None
Abstaining: Ryan Dennett
Absent: Daniel Bartlett

FINAL ACTION: It was moved by Board Member Lahav, seconded by Board Member Bordelove, to approve the Hearing Board Order, in its original form, as submitted by Air Quality from the April 8, 2025, meeting in the matter of Notice of Violation #9994 issued to ETON Transportation Corp.

Motion carried by the following vote:

Voting Aye: Daniel Sanders, Donald Bordelove, Troy Hildreth, Amy Lahav
Voting Nay: None

Abstaining: Ryan Dennett
Absent: Daniel Bartlett

FINAL ACTION: It was moved by Board Member Lahav, seconded by Board Member Bordelove, to approve the Hearing Board Order, in its original form, as submitted by Air Quality from the April 8, 2025, meeting in the matter of Notice of Violation #10078 issued to ETON Transportation Corp., Environmental Transportation of Nevada, LLC d/b/a ETON, and Moe Truman.

Motion carried by the following vote:

Voting Aye: Daniel Sanders, Donald Bordelove, Troy Hildreth, Amy Lahav
Voting Nay: None
Abstaining: Ryan Dennett
Absent: Daniel Bartlett

5. REPORT BY DIVISION OF ENVIRONMENT AND SUSTAINABILITY STAFF

A. General Update

DISCUSSION: Director Marci Henson gave an update on the activities of the Department of Environment and Sustainability for the period of July 1, 2024 through June 30, 2025. Ms. Henson also reported that Shibi Paul had recently been promoted to the position of Deputy Director for the department.

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

There were no emerging issues identified by the Board.

7. PUBLIC COMMENT

Chair Sanders asked if there were any persons present in the audience wishing to be heard. There being no one, Chair Sanders closed the public comments.

8. ADJOURNMENT

Being no further business, Chair Sanders adjourned the meeting at 1:54 p.m.

Approved:

Daniel Sanders, Chair

Date

**Palm Properties, LLC and Robert Lauer, Individually
(Assessor's Parcel Numbers 161-08-810-082 and 161-08-810-083)**

Appeal of NOV #10150

**Palm Properties, LLC and Robert Lauer, Individually
(Assessor's Parcel Numbers 161-08-810-082 and 161-08-810-083)**

Appeal of NOV #10163

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Exhibit 1 – Opening Brief in Support of Petition for Judicial Review	PPLRL_015
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Volume 1	PPLRL_038
Volume II	PPLRL_185
Volume III	PPLRL_419
Volume IV	PPLRL_612
Volume V	PPLRL_757
Exhibit 3 – April 24, 2025 Correspondence from John Hill, Operations Manager, DES	PPLRL_984
Exhibit 4 – April 16, 2025 Correspondence from John Hill, Operations Manager, DES	PPLRL_986
Exhibit 5 – Recording Station Data	PPLRL_1197
Exhibit 6 – Monitoring Stations Map	PPLRL_1199
Hearing Officer Order for NOV #10150 signed July 23, 2025	PPLRL_1201
Hearing Officer Order for NOV #10163 signed July 23, 2025	PPLRL_1203
Notice of Violation Response Form and Written Explanation for NOV #10150, dated May 8, 2025	PPLRL_1205
Notice of Violation Response Form and Written Explanation for NOV #10163, dated July 3, 2025	PPLRL_1210
Exhibits submitted with both Notice of Violation Response Forms for NOV #10150 and #10163	
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Exhibit 2 – Administrative Record of Proceedings	PPLRL_1236
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Volume IV	PPLRL_1810
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Exhibit 3 – April 24, 2025 Correspondence from John Hill, Operations Manager, DES	PPLRL_2182
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Notice of Violation #10150 Issued April 30, 2025.....	PPLRL_2396
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Exhibit C – Digital Photographs 1 through 28.....	PPLRL_2405
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Exhibit I – Email Correspondence dated November 20 and December 4, 2024	PPLRL_2447
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Exhibit C – Air Quality Inspection Report #145663, dated January 9, 2025.....	PPLRL_2504
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Exhibit F – Map 1: Showing over 5,000 square feet of unpaved parking, aerial flight dated January 29, 2025.....	PPLRL_2523
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Exhibit O – Email Correspondence for May 27, 2025.....	PPLRL_2538



RECEIVED CC DAQ
2025 AUG 4 PM 1:20

REQUEST FOR HEARING BEFORE THE CLARK COUNTY AIR POLLUTION CONTROL HEARING BOARD

Appeal of Hearing Officer's Order

1. **Date of Appeal:** August 1, 2025
(Must be within 10 days of receipt of Hearing Officer Order)
Notice of Violation # 10150 **Hearing Date:** July 17, 2025
Hearing Officer: Holly Fic
2. **Name, address, telephone number of Appellant:**
Name: Palm Properties, LLC & Robert Lauer
(Please print)
Address: 3125 Nellis Blvd., Las Vegas, NV 89121
Telephone: 702.271.4436 **Fax:** _____
Email: roblauer@pm.me
3. **Other person or persons authorized to receive service of notice:**
Name: Amy Sugden, Esq.
(Please print)
Address: 375 E. Warm Springs, Ste. 104, Las Vegas, NV 89119
Telephone: 702.625.3605 **Fax:** _____
Email: amy@sugdenlaw.com
4. **Type of business or activity and location of activity involved in the request:**
Commercial Parking Lot

5. **Reason for appeal:** ☐ **Facts alleged** ☐ **Penalty assessed** ☒ **Both**
Provide a detailed explanation of the reason for your appeal:
Appellants submit that the DAQ has acted arbitrarily and capriciously in enforcement of AQR 92.
As set forth in the attached Motion for Stay, there are several basis of fact for this argument.

6. An application filing fee of \$140.00 must accompany this application. This fee is non-refundable. Please make check payable to Division of Air Quality or DAQ and mail to 4701 W. Russell Road, Suite 200, Las Vegas, NV 89118.

I affirm that all statements made on this application are true and complete to the best of my knowledge.

Signature: Amy L. Sugden Date: 8/1/25
Printed Name: Amy L. Sugden
Title: Counsel of Record

Application Received on 8/4/2025 @ 1:20 PM - paid by Credit Card

Application Fee \$140.00 - Check Received Date: 8/4/2025

RECEIVED CC DAQ
2025 AUG 4 PM 1:21



July 3, 2025

Via Email: agenforcement@clarkcountynv.gov

Clark County Department of Environment & Sustainability
Division of Air Quality
4701 West Russell Road
Ste. 200
Las Vegas, NV 89118

RE: **Response to NOTICE OF VIOLATION #10163**

~10150 *KS

Please consider this correspondence a response contesting the Department of Environment and Sustainability ("DES") Division of Air Quality's June 25, 2025, Notice of Violation #10163 on behalf of my clients, Palm Properties, LLC ("Property Owner") and Robert Lauer ("Mr. Lauer")(collectively "Clients").

As DES is aware, for well over a year, my Clients have been in the process of diligently attempting to secure the necessary land use approvals that would allow them to pave the Property.¹ My Clients spent over \$100,000.00 in pursuing these approvals which should have been secured in December 2024. Unfortunately, the approvals were not obtained, requiring my Clients to initiate a Petition for Judicial Review in the Eighth Judicial District. As discussed herein, the purported rationale for withholding my Clients' land use approvals was not only arbitrary and capricious, but the denials also constitute an inverse condemnation, and therefore, are in contravention of Nevada law.

Previously, the DES provided a 180-day extension to my Clients in order to seek these land use approvals and the corresponding permit to pave the Property; therefore, we submit that as we continue to actively seek these approvals, an additional extension should be provided.

¹ Capitalized terms shall have the same meaning as those defined in the Notice of Violation #10163.

*10150 *KS

Respectfully, my Clients have been working in good faith to make productive and beneficial use of the Property, which has been recently a homeless haven. *See* Opening Brief attached hereto as Exhibit “1” and Administrative Record attached hereto as Exhibit “2”. Moreover, this Property has been utilized as a commercial lot *with a parking lot* for well over 20 years and, thus, we also submit that the Property falls under the exclusion provided in AQR Section 92.3.1 as it is not a new parking lot constructed after January 1, 2003.² *See* Exhibit “2” at ROP000007-13.

The Property is zoned Commercial General (CG), which allows for use as a commercial parking lot. *See* Exhibit “2” at ROP000232. The underlying zoning for the Property is Commercial Mixed Use which also allows for the parking lot use. *Id.* Thus, the initial Design Review Application submitted by my Clients to the County should have been reviewed administratively. Title 30.16.130. However, this did not occur because the County then informed my Clients that a waiver was needed to allow commercial access to Happy Valley Avenue, a residential street (“Waiver”). Title 30.16.100. Notably, Happy Valley Avenue has been utilized as an access point for 25 years from the Property. *Id.* at ROP000013-14. Moreover, the only reason that the Property no longer has access to Nellis Boulevard, a commercial thoroughfare, is because the Nevada Department of Transportation (“NDOT”) closed its three (3) driveways in 2021. *Id.* Closing the three driveways to Nellis Boulevard left the Property with legal access to the site only off Happy Valley Avenue. *Id.* at ROP000014. **Thus, but for the NDOT closing the three prior commercial driveways, the Property would have access to Nellis Boulevard and not be required to seek the Waiver. *Id.***

At the County hearing on the Design Review Application and Waiver, Commissioner Tick Segerblom clearly stated that he did not think the commercial parking lot use was “appropriate in his mind” but this statement lacks any evidentiary basis given the existing zoning allowing for the same and the historical use of the Property. *State ex rel. Johns v. Gragson*, 89 Nev. 478, 483, 515 P.2d 65, 68 (1973) (stating, “The only ‘evidence’ supporting revocation of the permit consisted of opinions voiced by the Commissioners. Even if such statements were construed as official positions of the Commission, they do not constitute valid grounds for denial under the ordinance, absent supporting proof.”).

² Previously, the Property had been approved by the Board of County Commissioners for the following uses: vehicle sales lot; shopping center; restaurant; communications facility; check cashing facility; watercraft/recreational vehicle sales; communication tower; and temporary construction storage for an off-site Las Vegas Valley Water District Project. *See* Exhibit “2” at ROP000007-000008. Prior to Leading Edge Ventures, LLC leasing the Property it was utilized as a shopping center with an in-line rectangular building adjacent to Nellis Boulevard. *Id.* at ROP000012. A vehicle sales lot was approved on the southern end of this parcel but expired after one year. *Id.*

Subsequently, the zoning reclassified the Property to C-2 zoning (now CG zoning) for a proposed 34,000 square foot shopping center (L-shaped building along the south and west property lines) with a portion of the existing shopping center building along Nellis Boulevard to the east to be expanded as a grocery store. *Id.* at ROP000013. The proposed 34,000 square foot shopping center under the zone change did not commence. *Id.* Additional land use applications were approved along with a waiver of conditions of a zone change (WC-0025-00) which re-applied conditions to landscaping, site circulation, parking access and screening. *Id.* Under DR-0727-99 (a design review for vehicle sales), the conditions of approval under WC-0025-99 were complied with. *Id.* The existing building and vehicle sales lot adjacent to Nellis Boulevard remained on site until 2012. *Id.*

Moreover, Commissioner Segerblom then stated on the record that “I think we need to work with staff to create some type of a new zone or some type of something where we can have these truck lots. But just to put them on a major street like Nellis in an area like this, I just personally don’t feel it’s appropriate.” See Exhibit “2” at ROP000003. While he does not personally feel a parking lot is an appropriate use, the Property’s applicable zoning provides for otherwise. Thus, the denial was not supported by substantial evidence. *Tighe v. Las Vegas Metro. Police Dep’t*, 110 Nev. 632, 634, 877 P.2d 1032, 1034 (1994). “A decision lacking support in the form of substantial evidence is arbitrary or capricious, and thus an abuse of discretion that warrants reversal.” *Id.* at 634.

As such, my Clients have a good faith basis to set aside the land use denials and obtain damages related to the same. **Likewise, without the requisite land use approvals, my Clients cannot obtain the necessary permit to pave, which compounds the damages as a result of the improper denials. NRS 278.0233.**

Respectfully, further research also indicates that my Clients are being unfairly treated and targeted. *There has been not one other notice of violation issued from April 14, 2023 to March 31, 2025 to a property owner for violation of AQR Section 92.* See April 24, 2025 Correspondence from John Hill, Operations Manager, DES, Division of Air Quality attached hereto as Exhibit “3”. This absence of notice of violations is remarkable considering that from January 1, 2024 to April 10, 2025, approximately ninety-six (96) notices of noncompliance were issued, once of which was to Palm Properties, LLC, and yet the other ninety-five somehow otherwise resolved. See April 16, 2025 Correspondence from John Hill, Operations Manager, DES, Division of Air Quality attached hereto as Exhibit “4”. My Clients are investigating these properties to assess further but from the offset it appears highly concerning that no other properties have been issued notice of violations from DES, Division of Air Quality, except to my Clients.

Additionally, Division of Air Quality (“DAQ”) agent repeatedly frequented the Property without permission and/or consent to enter.³ Mr. Lauer requested that he escort any DAQ agents onto the Property. Given the (a) location of the Property and (b) business operations thereon, for the safety of the DAQ agent and to avoid any potential liability, advance notice and coordination efforts were requested by my Clients but not provided. This is not a problem that is unique to my Clients, as recently a class action lawsuit has been threatened against the County alleging systemic violations of the Fourth and Fourteenth Amendments of the U.S. Constitution and improper enforcement of the Federal Clean Air Act of 1975 and other State and Federal laws. class-action-lawsuit@clarkcounty.vegas. The class action alleges that this legal overreach has allegedly led to thousands of warrantless inspections, unlawful property access, failure to present appropriate credentials as required under County code, and penalties issued without proper legal process.

Moreover, the Property is utilized as a truck parking lot for independent truckers who own their own commercial trucks. These trucks are not allowed to park on the street and/or their residences or else they get ticketed. Thus, they have nowhere to go if they cannot find commercial parking lots. According to the Nevada Truckers Association there are 22,000 registered trucks in Nevada,

³ Even the police who recently responded to a call regarding gun shots (presenting an immediate health safety concern) called to obtain permission from Mr. Lauer prior to entry on the Property to investigate further.

with 5,000 being independently owned, and approximately 1,000 available parking spots. There has been a 99.4% occupancy rate at the Property due to this high demand. My Clients are attempting to service this important sector of our community with a safe and controlled facility to park but the County's concerted efforts have thwarted this opportunity.

My Clients appreciate and respect the purpose of the DES, therefore, took it upon themselves to investigate the air quality in the area of Property. The air quality numbers (reported by Clark County) at the stations near the Property do not report anywhere near the 50% of the EPA maximum PM10. *See* Recording Station Data attached hereto as Exhibit "5" and Monitoring Stations Map attached as Exhibit "6". Moreover, ALL the DAQ Inspection Reports provided in support of the NOV report the condition of the soil as "stable". *See* Exhibits "C", "E", "H", "I", "L", "M", "N" to NOV; Thus, in terms of evaluating the strict application of AQR Section 92, we respectfully ask to consider that the air quality itself is not an issue of pressing health and safety concerns.

Given all the foregoing, my Clients contest the Notice of Violations #10150⁴⁹⁰¹⁵⁰ and look forward to being able to further provide evidence with testimony and the exhibits referenced herein at the July 17, 2025 hearing. Furthermore, my Clients plan on recording the public hearing and are providing advance notice of the same to DES as well as lodging our written request for a transcript of the proceedings.

Sincerely,

Amy L. Sugden

Amy L. Sugden

Encls.



Clark County Nevada Department of Environment and Sustainability
4701 W Russell Road, Suite 200, Las Vegas, NV 89118
Phone (702) 455-5942 Fax (702) 383-9994
AirQuality@clarkcountynv.gov

RECEIPT

PALM PROPERTIES LLC AND ROBERT LAURER,
INDIVIDUALLY
6050 S. FORT APACHE ROAD, SUITE 100
LAS VEGAS, NV 89148

Invoice #	Invoice Date	Invoice By	Invoice Type	Due Date
076993	8/4/2025	GREEN	VACANT LAND ENFORCEMENT	8/4/2025

Quantity	Description	Fee Code	Fee	Total
1.00	HEARING BOARD REQUEST	AGHB01	\$140.00	\$140.00
	08/04/2025 MASTERCARD CREDIT CARD (2217 / 14977E)	PAYMENT		(\$140.00)

Notes: NOV #10150, Vacant Land APNs: 161-08-810-082 and 161-08-810-083, Hearing Officer Appeal,
Submitted 8/4/2025

Subtotal:	\$140.00
Paid:	(\$140.00)
Adjustments:	\$0.00
Balance Due:	\$0.00



RECEIVED CC DAQ
2025 AUG 4 PM 1:22

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**REQUEST FOR HEARING BEFORE THE
CLARK COUNTY AIR POLLUTION CONTROL
HEARING BOARD**

Appeal of Hearing Officer's Order

1. **Date of Appeal:** August 1, 2025
(Must be within 10 days of receipt of Hearing Officer Order)
Notice of Violation # 10163 **Hearing Date:** July 17, 2025
Hearing Officer: Holly Fic
2. **Name, address, telephone number of Appellant:**
Name: Palm Properties, LLC & Robert Lauer
(Please print)
Address: 3125 Nellis Blvd., Las Vegas, NV 89121
Telephone: 702.271.4436 **Fax:** _____
Email: roblauer@pm.me
3. **Other person or persons authorized to receive service of notice:**
Name: Amy Sugden, Esq.
(Please print)
Address: 375 E. Warm Springs, Ste. 104, Las Vegas, NV 89119
Telephone: 702.625.3605 **Fax:** _____
Email: amy@sugdenlaw.com
4. **Type of business or activity and location of activity involved in the request:**
Commercial Parking Lot

5. **Reason for appeal:** ☐ **Facts alleged** ☐ **Penalty assessed** ☒ **Both**
Provide a detailed explanation of the reason for your appeal:
Appellants submit that the DAQ has acted arbitrarily and capriciously in enforcement of AQR 92.
As set forth in the attached Motion for Stay, there are several basis of fact for this argument.

The DAQ admits it has no written policies and/or procedures for how it enforces violations against property owners and/or tenants. It selectively chooses how to proceed. This is clearly evidenced by the fact that 96 notice of noncompliances were issued from 1/1/2024 to 4/10/2025 but no notice of violations were issued - only to appellants. Please see attached motion for stay for further discussion.

6. **An application filing fee of \$140.00 must accompany this application. This fee is non-refundable. Please make check payable to Division of Air Quality or DAQ and mail to 4701 W. Russell Road, Suite 200, Las Vegas, NV 89118.**

The appellant or a representative of the appellant must be present at the hearing board meeting to answer any questions by the Air Pollution Control Hearing Board Members. **Please include any supporting documentation with this form for distribution to the respective board members.**

I affirm that all statements made on this application are true and complete to the best of my knowledge.

Signature: Amy L. Sugden Date: 8/1/25
Printed Name: Amy L. Sugden
Title: Counsel of Record

FOR OFFICE USE ONLY

Application Received on _____

Application Fee \$140.00 - Check _____ Received Date: _____

RECEIVED CC DAO
2025 AUG 4 PM 1:22

AK



July 3, 2025

Via Email: agenforcement@clarkcountynv.gov

Clark County Department of Environment & Sustainability
Division of Air Quality
4701 West Russell Road
Ste. 200
Las Vegas, NV 89118

RE: Response to NOTICE OF VIOLATION #10163

Please consider this correspondence a response contesting the Department of Environment and Sustainability ("DES") Division of Air Quality's June 25, 2025, Notice of Violation #10163 on behalf of my clients, Palm Properties, LLC ("Property Owner") and Robert Lauer ("Mr. Lauer")(collectively "Clients").

As DES is aware, for well over a year, my Clients have been in the process of diligently attempting to secure the necessary land use approvals that would allow them to pave the Property.¹ My Clients spent over \$100,000.00 in pursuing these approvals which should have been secured in December 2024. Unfortunately, the approvals were not obtained, requiring my Clients to initiate a Petition for Judicial Review in the Eighth Judicial District. As discussed herein, the purported rationale for withholding my Clients' land use approvals was not only arbitrary and capricious, but the denials also constitute an inverse condemnation, and therefore, are in contravention of Nevada law.

Previously, the DES provided a 180-day extension to my Clients in order to seek these land use approvals and the corresponding permit to pave the Property; therefore, we submit that as we continue to actively seek these approvals, an additional extension should be provided.

¹ Capitalized terms shall have the same meaning as those defined in the Notice of Violation #10163.

Respectfully, my Clients have been working in good faith to make productive and beneficial use of the Property, which has been recently a homeless haven. *See* Opening Brief attached hereto as Exhibit “1” and Administrative Record attached hereto as Exhibit “2”. Moreover, this Property has been utilized as a commercial lot *with a parking lot* for well over 20 years and, thus, we also submit that the Property falls under the exclusion provided in AQR Section 92.3.1 as it is not a new parking lot constructed after January 1, 2003.² *See* Exhibit “2” at ROP000007-13.

The Property is zoned Commercial General (CG), which allows for use as a commercial parking lot. *See* Exhibit “2” at ROP000232. The underlying zoning for the Property is Commercial Mixed Use which also allows for the parking lot use. *Id.* Thus, the initial Design Review Application submitted by my Clients to the County should have been reviewed administratively. Title 30.16.130. However, this did not occur because the County then informed my Clients that a waiver was needed to allow commercial access to Happy Valley Avenue, a residential street (“Waiver”). Title 30.16.100. Notably, Happy Valley Avenue has been utilized as an access point for 25 years from the Property. *Id.* at ROP000013-14. Moreover, the only reason that the Property no longer has access to Nellis Boulevard, a commercial thoroughfare, is because the Nevada Department of Transportation (“NDOT”) closed its three (3) driveways in 2021. *Id.* Closing the three driveways to Nellis Boulevard left the Property with legal access to the site only off Happy Valley Avenue. *Id.* at ROP000014. **Thus, but for the NDOT closing the three prior commercial driveways, the Property would have access to Nellis Boulevard and not be required to seek the Waiver. *Id.***

At the County hearing on the Design Review Application and Waiver, Commissioner Tick Segerblom clearly stated that he did not think the commercial parking lot use was “appropriate in his mind” but this statement lacks any evidentiary basis given the existing zoning allowing for the same and the historical use of the Property. *State ex rel. Johns v. Gragson*, 89 Nev. 478, 483, 515 P.2d 65, 68 (1973) (stating, “The only ‘evidence’ supporting revocation of the permit consisted of opinions voiced by the Commissioners. Even if such statements were construed as official positions of the Commission, they do not constitute valid grounds for denial under the ordinance, absent supporting proof.”).

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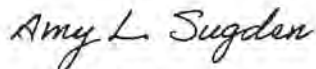
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Sincerely,



Amy L. Sugden

Encls.



Clark County Nevada Department of Environment and Sustainability
4701 W Russell Road, Suite 200, Las Vegas, NV 89118
Phone (702) 455-5942 Fax (702) 383-9994
AirQuality@clarkcountynv.gov

RECEIPT

PALM PROPERTIES LLC AND ROBERT LAURER,
INDIVIDUALLY
6050 S. FORT APACHE ROAD, SUITE 100
LAS VEGAS, NV 89148

Invoice #	Invoice Date	Invoice By	Invoice Type	Due Date
076994	8/4/2025	GREEN	VACANT LAND ENFORCEMENT	8/4/2025

Quantity	Description	Fee Code	Fee	Total
1.00	HEARING BOARD REQUEST	AGHB01	\$140.00	\$140.00
	08/04/2025 MASTERCARD CREDIT CARD (2217 / 14977E)	PAYMENT		(\$140.00)

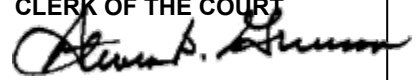
Notes: NOV #10163, Vacant Land APNs: 161-08-810-082 and 161-08-810-083, Hearing Officer Appeal,
Submitted: 8/4/2025

Subtotal:	\$140.00
Paid:	(\$140.00)
Adjustments:	\$0.00
Balance Due:	\$0.00

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EXHIBIT "1"

EXHIBIT "1"



PTOB

SUGDEN LAW
Amy L. Sugden,
Nevada Bar No. 9983
375 E. Warm Springs. Ste. 104
Las Vegas, Nevada 89119
Telephone: (702) 625-3605
Email: amy@sugdenlaw.com
Attorney for Petitioners

**EIGHTH JUDICIAL DISTRICT COURT
CLARK COUNTY, NEVADA**

PALM PROPERTIES, LLC; a Nevada)
limited liability company; LEADING) Case No.: A-24-907944-J
EDGE VENTURES, LLC, a Nevada) Dept. No: 22
limited liability company; ROBERT)
LAUER, an individual,)
)
Petitioners,)
v.)
)
COUNTY OF CLARK, a political)
subdivision of the State of Nevada, et al.,)
)
Respondent.)

BRIEF IN SUPPORT OF PETITION FOR JUDICIAL REVIEW

Petitioners, PALM PROPERTIES, LLC, LEADING EDGE VENTURES, LLC,
and ROBERT LAUER (collectively “Petitioners”) by and through their undersigned
counsel of Sugden Law, hereby submits their Opening Brief In Support of Petition for
Judicial Review (“Brief”).

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PETITIONERS' NRAP 26.1 DISCLOSURE

The undersigned counsel of record certifies that the following are persons and entities as described in NRAP 26.1(a), and must be disclosed. These representations are made in order that the judges of this Court may evaluate possible disqualification or recusal.

1. Palm Properties, LLC and Leading Edge Ventures, LLC are Nevada limited liability companies that have no parent corporation and there is no publicly traded company that owns 10% or more of these company's shares.

2. Amy L. Sugden is the attorney who has appeared for Petitioners in the district court.

DATED this 6th day of May, 2025

SUGDEN LAW

By: /s/ Amy L. Sugden
AMY L. SUGDEN, ESQ.
Nevada Bar No. 9983
375 E. Warm Springs, Ste. 104
Las Vegas, Nevada 89119
Telephone: (702) 625-3605

Attorney for Petitioners

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4 NRAP 32(a)(5) 20

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12 U.S. Const. amend 5 18

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**I.
JURISDICTIONAL STATEMENT**

Pursuant to NRS 278.3195(4) and NRS 278.0235, Petitioners hereby petition this Court for judicial review of the Notice of Final Action that denied their land use applications. ROP000150. The Notice of Final Action confirming the denials was issued on December 3, 2024. ROP00019-000044; ROP000150. Petitioners then timely filed their Petition for Judicial Review on December 12, 2024. NRS 278.0235(1).

**II.
STATEMENT OF THE ISSUES**

Whether the decision by the County of Clark (“County”), by way of its Board of County Commissioners, to deny Petitioners’ land use applications, should be set aside because it is not supported by substantial evidence in the record. *Kay v. Nunez*, 122 Nev. 1100, 1105, 146 P.3d 801, 805 (2006).

**III.
STATEMENT OF THE CASE AND BRIEF STATEMENT OF
MATERIAL FACTS**

1. Petitioner Palm Properties, LLC (“Palm Properties”) is the owner of real property identified by Clark County Assessor Parcel Numbers 161-08-810-082 & 083 (the “Subject Property”). ROP000147.

//

//

1 2. Petitioner Leading Edge Ventures, LLC (“Leading Edge”) leases the
2 Subject Property for purposes of operating a commercial truck parking lot. ROP000147;
3 ROP000158.
4

5 3. The Subject Property is currently zoned Commercial General (CG), which
6 allows for commercial use, including that of a commercial truck parking lot.
7 ROP000002.
8

9 4. In order to operate the Subject Property as a commercial truck parking lot,
10 a design review needed to be approved by the Clark County Board of Commissioners
11 (“BCC”). ROP000002; ROP000012-16; ROP000146.
12

13 5. Accordingly, Leading Edge retained G.C. Garica, Inc., to assist with
14 applying for a design review to the BCC (“Design Review Application”). ROP000171.
15

16 6. After initially submitting the Design Review Application, the staff of the
17 BCC, replied stating that Design Review Application needed to include a waiver request
18 for use of the existing driveway off Happy Valley Avenue. ROP000202. More
19 specifically, the staff informed Petitioners that it needed to vacate 5 feet of right-of-way
20 off Happy Valley Avenue in order to allow for the installation of detached sidewalks
21 and to allow nonresidential vehicular access to a residential local street (“Waiver”). *Id.*;
22 *see also* ROP000204.
23
24

25 7. Staff had no objection to the vacation of right-of-way for detached
26 sidewalks. ROP000008.
27
28

1 8. Staff recommended approval of both the Design Review Application and
2 Waiver. ROP000008.

3 9. The only reason that Petitioners had to utilize Happy Valley Avenue as a
4 driveway is due to the Nevada Department of Transportation (“NDOT”) closing the
5 Subject Property’s three (3) driveways of S. Nellis Boulevard in 2021. ROP000002;
6 ROP000013.
7

8 10. Although Title 30 does not allow nonresidential vehicular access to a local
9 street, access to Happy Valley Avenue from the Subject Property has existed for more
10 than 25 years. ROP000013.
11

12 11. Previously, the Subject Property had been approved, per the BCC for the
13 following uses: vehicle sales lot; shopping center; restaurant; communications facility;
14 check cashing facility; watercraft/recreational vehicle sales; communication tower; and
15 temporary construction storage for an off-site Las Vegas Valley Water District Project.
16 ROP000007-000008.
17

18 12. Prior to Leading Edge leasing the Subject Property it was utilized as a
19 shopping center with an in-line rectangular building adjacent to Nellis Boulevard.
20 ROP000012. A vehicle sales lot was approved on the southern end of this parcel but
21 expired after one year. *Id.*
22

23 13. Subsequently, the zoning reclassified the Subject Property to C-2 zoning
24 (now CG zoning) for a proposed 34,000 square foot shopping center (L-shaped building
25

1 along the south and west property lines) with a portion of the existing shopping center
2 building along Nellis Boulevard to the east to be expanded as a grocery store.
3 ROP000013. The proposed 34,000 square foot shopping center under the zone change
4 did not commence. *Id.* Additional land use applications were approved along with a
5 waiver of conditions of a zone change (WC-0025-00) which re-applied conditions to
6 landscaping, site circulation, parking access and screening. *Id.* Under DR-0727-99 (a
7 design review for vehicle sales), the conditions of approval under WC-0025-99 were
8 complied with. *Id.* The existing building and vehicle sales lot adjacent to Nellis
9 Boulevard remained on site until 2012 and has since been demolished. *Id.*

13 14. Petitioners submitted that the proposed commercial truck parking lot will
14 enable truck drivers to have a place to legally park their local trucks (no long-haul
15 trucks). ROP000014. This will then help keep trucks from parking on public streets
16 creating enforcement and neighborhood issues. *Id.* It will also provide a safer, more
17 secure parking environment that will have solar powered cameras that the Las Vegas
18 Metropolitan Police Department can access. *Id.* Additionally, a security guard is
19 always present. *Id.* The site as proposed is compatible as a parking lot on an arterial
20 street (Nellis Boulevard) with completion of infrastructure, lighting, landscaping, and
018 fencing. *Id.*

26 15. On November 20, 2024, the Design Review Application and Waiver were
27 brought before the BCC for vote. Both were denied without prejudice after
28

1 Commissioner Segerblom, who is the Commissioner for District E in which the Subject
2 Property resides, stated he did not feel the commercial truck yard was appropriate at
3 that location (despite the current zoning allowing for that specific use). ROP000001-
4 00004.

6 16. A Notice of Final Action confirming the denials was filed on December 3,
7 2024. ROP00019-000044; ROP000150. Petitioners filed their Petition for Judicial
8 Review on December 12, 2024 initiating the present action. *See* Petition for Judicial
9 Review on file herein.
10
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12 IV. 13 SUMMARY OF THE ARGUMENT 14

15 Petitioners initially submitted a Design Review Application to utilize the Subject
16 Property as a commercial parking lot that should have been administratively reviewed
17 (*i.e.*, no public hearing needed). Because of the fact that NDOT closed three (3)
18 commercial driveways off the Subject Property in 2021, Petitioners were directed by
19 the County to amend their initial submittal to also include a waiver of development
20 standards that would allow them to continue to use the Happy Valley Avenue – the only
018 remaining point of access to the Subject Property. The submittal of this Waiver is what
22 triggered the need for public hearing in which the Chairman of the BCC, Tick
23 Segerblom, made it clear that he did not think the commercial parking lot use was
24 “appropriate in his mind” but this statement lacks any evidentiary basis given the
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1 existing zoning allowing for the same and the historical use of the Subject Property.
2 *State ex rel. Johns v. Gragson*, 89 Nev. 478, 483, 515 P.2d 65, 68 (1973) (stating, “The
3 only ‘evidence’ supporting revocation of the permit consisted of opinions voiced by the
4 Commissioners. Even if such statements were construed as official positions of the
5 Commission, they do not constitute valid grounds for denial under the ordinance, absent
6 supporting proof.”). As such, the decision to deny Petitioners’ Design Review
7 Application and Waiver is not supported by substantial evidence and should be set aside
8 by this Court. *Tighe v. Las Vegas Metro. Police Dep’t*, 110 Nev. 632, 634, 877 P .2d
9 1032, 1034 (1994).

13 V. 14 THE ARGUMENT

16 A. Standard of Review of An Administrative Agency Decision

17
18 A district court’s review of an administrative agency’s decision is confined to the
19 record presented by the agency. *Kay v. Nunez*, 122 Nev. 1100, 1105, 146 P.3d 801, 805
20 (2006). The agency’s facts and decisions must be supported by substantial evidence.
018 *Tighe v. Las Vegas Metro. Police Dep’t*, 110 Nev. 632, 634, 877 P .2d 1032, 1034
22 (1994). “A decision lacking support in the form of substantial evidence is arbitrary or
23 capricious, and thus an abuse of discretion that warrants reversal.” *Id.* at 634.
24 Substantial evidence is evidence which “a reasonable mind might accept as adequate to
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1 support a conclusion.” *Construction Indus. v. Chalue*, 119 Nev. 328, 352, 74 P.3d 595
2 (2003); *see also Richardson v. Perales*, 402 U.S. 389, 401 (1971) (quoting *Edison Co.*
3 *v. Labor Board*, 305 U.S. 197, 22 (1938)).

4
5 An agency ruling that lacks substantial evidentiary support is arbitrary or
6 capricious and is therefore unsustainable. *State Indus. Ins. System v. Christensen*, 106
7 Nev. 85,88, 787 P.2d 408, 401 (1990) (citing *SIIS v. Swinney*, 103 Nev. 17, 20, 731 P.2d
8 359, 361 (1987)). Where the administrative decision has shown to be arbitrary,
9 oppressive or accompanied by manifest abuse, the Supreme Court “will not hesitate to
10 interfere.” *State ex rel. Johns v. Gragson*, 89 Nev. 478, 483, 515 P.2d 65, 68 (1973).
11 “An agency's interpretation of a statute that it is authorized to execute is entitled to
12 deference ‘unless it conflicts with the constitution or other statutes, exceeds the agency's
13 powers, or is otherwise arbitrary and capricious.’” *Cable v. State ex rel. ITS Ernp'rs Ins.*
14 *Co. of Nev.*, 12 Nev. 120, 126, 127 P.3d 528, 532 (2006). Nevada Courts do not “defer
15 to the agency’s interpretation if, for instance, a regulation conflicts with existing
16 statutory provisions or exceed the statutory authority of the agency.” *Public Agency*
17 *Comp. Trust v. Blake*, 127 Nev. 863, 868 869, 265 P.3d, 694, 697 (2011) (internal
18 citations and quotations omitted); *see also Manke True Lines v. Public Service Comm'n*,
19 109 Nev. 1034, 1036-37, 862 P.2d 1201, 1203 (1993) (holding that questions of
20 statutory construction are purely legal issues to be “reviewed without any deference
018 whatsoever to the conclusions of the agency”).
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1 **B. The Denials Lack Support in the Form of Substantial Evidence And Thus,**
2 **Are Arbitrary and Capricious, Mandating Reversal**

3 The Subject Property is zoned Commercial General (CG), which allows for use
4 as a commercial parking lot. ROP000232. The underlying zoning for the Subject
5 Property is Commercial Mixed Use which also allows for the parking lot use. *Id.* Thus,
6 the Design Review Application should have been reviewed administratively. Title
7 30.16.130. However, this did not occur because the Waiver was needed to allow
8 commercial access to Happy Valley Avenue (a residential street). Title 30.16.100.
9 Notably, Happy Valley Avenue has been utilized for 25 years from the Subject Property.
10 ROP000013-14. Moreover, the only reason that the Subject Property no longer has
11 access to Nellis Boulevard, a commercial thoroughfare, is because NDOT closed its
12 three (3) driveways in 2021. *Id.* Closing the three driveways to Nellis Boulevard left
13 the Subject Property with legal access to the site only off Happy Valley Avenue.
14 ROP000014. Thus, ***but for*** the NDOT closing the three prior commercial driveways,
15 Petitioners would have access to Nellis Boulevard and not be required to seek the
16 Waiver. *Id.*

17 An applicant for a waiver of development standards has the burden of proof to
18 establish the proposed request is appropriate for its proposed location by showing the
19 following: (1) the use(s) of the area adjacent to the Subject Property will not be affected
20 in a substantially adverse manner; (2) the proposal will not materially affect the health
21

1 and safety of persons residing in, working in, or visiting the immediate vicinity, and
2 will not be materially detrimental to the public welfare; and (3) the proposal will be
3 adequately served by, and will not create an undue burden on any public improvements,
4 facilities, or services. Table 30.16-7(j); *see also* ROP000016. After assessing these
5 factors, Staff for the County determined “that the aforementioned circumstances
6 warrant staff’s support for the waiver of development standards.” ROP000016.
7

8
9 The Design Review Application is reviewed to determine if (1) it is compatible
10 with adjacent developments and is harmonious and compatible with development in the
11 area; (2) the elevations, design characteristics and other architectural and aesthetic
12 features are not unsightly or undesirable in appearance; and (3) site access and
13 circulation do not negatively impact adjacent roadways or neighborhood traffic. Table
14 30.16-9(i); *see also* ROP000016. Again, Staff recommended approval after
15 determining the following:
16
17
18

19 The proposed project complies with policy 5.5.3 under the
20 Master Plan which encourages the retention and revitalization of
018 established local business districts. The site has been vacant since
22 2012 and the proposed improvements complied with today’s
23 code. For example, the applicant is proposing detached
24 sidewalks along Happy Valley Avenue with streetscape
25 landscaping, and since there is an existing attached sidewalk
26 along Nellis Boulevard (NDOT right-of-way), the applicant will
27 install a 10-foot-wide landscape strip. The applicant is also
28 providing a decorative fence along the north and east property
lines to mitigate the view of any trucks parked on site. In
addition, this site will be monitored by on site security. The
applicant also provides 7.5 points worth of sustainability design

1 features where 7 is required per Title 30. For these reasons staff
2 recommends approval.

3 ROP000016.

4 Thus, despite the fact that this was initially a routine design review that should
5 have been conducted with a simple administrative review and despite the fact
6 Petitioners were forced to seek an accommodation due to the three (3) commercial
7 driveways that were taken away from the Subject Property and undergo a public
8 hearing, Staff, who analyzes the Title 30 standards in assessing such accommodations,
9 recommended approval of both the Design Review Application and corresponding
10 Waiver. When considering the applications at the November 20, 2024 BCC Meeting,
11 Commissioner Segerblom stated, however, that he did not think the use was
12 “appropriate in his mind” - but this statement lacks any evidentiary basis given the
13 existing zoning allowing for the same and the historical use of the Subject Property.
14 Moreover, he then went onto state that “**I think we need to work with staff to create**
15 **some type of a new zone or some type of something where we can have these truck**
16 **lots. But just to put them on a major street like Nellis in an area like this, I just**
17 **personally don’t feel it’s appropriate.**” This personal opinion does not constitute
18 valid grounds for the denials given the existing zoning. *State ex rel. Johns v. Gragson*,
19 89 Nev. 478, 483, 515 P.2d 65, 68 (1973)(stating, “The only ‘evidence’ supporting
20 revocation of the permit consisted of opinions voiced by the Commissioners. Even if
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1 such statements were construed as official positions of the Commission, they do not
2 constitute valid grounds for denial under the ordinance, absent supporting proof.”).
3 Apparently Commissioner Segerblom does not like a commercial truck lot being
4 situated on a commercially zoned lot off a highly trafficked commercial road (Nellis
5 Boulevard), leaving one to wonder where he believes these truck parking lots are
6 appropriate. Regardless, Commissioner Segerblom’s personal opinion about the
7 inappropriateness of a commercial truck lot does not constitute valid grounds for denial
8 when the Subject Property’s zoning allows for such use. *Id.* Moreover, the historical
9 use of the Subject Property has been commercial, and commercial vehicles have been
10 accessing Happy Valley Avenue for decades.¹ ROP000012.

11
12 The Subject Property is zoned for use as a parking lot – the fact that
13 Commissioner Segerblom does not “personally” feel it is an appropriate use is irrelevant
14 and is in direct contravention of the existing zoning. He made it clear on the record
15 that, “[i]t’s just not an appropriate area for these trucks. And I would like to work with
16 staff to find an area”. ROP000003. Thus, Commissioner Segerblom’s purported basis
17 for denial (that has no evidentiary support) is arbitrary and capricious and is also
18 erroneous in view of the whole record. *Tighe*, 110 Nev. at 634. While he may not

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26 ¹ After the shopping center was demolished, the Subject Property became occupied by a homeless
27 encampment. ROP000232. Thus, the Board of County would rather apparently have a homeless
28 encampment than a beneficial commercial use with solar powered cameras that Metro can access and
a security guard. *Id.*

1 personally like commercial truck parking lots, his personal preferences do not override
2 existing underlying zoning and mixed-use overlay. *State ex rel. Johns v. Gragson*, 89
3 Nev. 478, 483, 515 P.2d 65, 68 (1973). To insert such personal preferences above
4 approved zoning is an abuse of discretion and should be set aside. *Id.* See also *City of*
5 *Henderson v. Henderson Auto Wrecking, Inc.*, 77 Nev. 118, 122, 359 P.2d 743, 745
6 (1961) (“The exercise of discretion by the city council as an administrative board, could
7 not be sustained in court on the basis of conclusions reached by the city council in the
8 absence of circumstances which reasonably justified such conclusions”)(internal
9 citations omitted).

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14 **C. The Denials Were Affected by Other Error of Law and in Violation of**
15 **Constitution or Statutory Provisions**

16 The County determined that the Petitioners needed to seek a Waiver in addition
17 to the Design Review Application, based on NDOT closing three existing driveways
18 off Nellis Boulevard to the Subject Property, leaving it with only one residential access
19 point. And with the County’s subsequent denial of the Waiver, the Subject Property is
20 effectively relegated to a non-commercial use (despite it being zoned for CG).
018

22
23 The doctrine of “substantial impairment” acknowledges that “an abutting owner
24 of a public highway has a special right of easement in a public road for access purposes”.
25 *State ex rel. Dept’ of Highways v. Linnecke*, 85 Nev. 257, 260, 468, P.2d 8, 9 (1970).
26 This special right of easement is a particular property right which cannot be damaged
27
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1 or taken from the owner without just compensation. *Id.* This results in an inverse
2 condemnation that is violative of our Nevada and United States' Constitutions and also
3 results an unlawful procedure. U.S. Const. amend 5; Nev. Const. Art. 1, § 22.
4 Accordingly, the County's decision to deny Petitioners' land use applications were
5 affected by other error of law, including that of a substantial impairment of access
6 resulting in an inverse condemnation. As such, the denials should also be overturned as
7 they are clearly affected by other error of law. NRS 278.0233(1)(a)(2).
8
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10 11 VI. 12 CONCLUSION

13 Wherefore, based on the above, the County's decision in denying Petitioners'
14 land use applications should be set aside and damages awarded pursuant to NRS
15 278.0233 – NRS 278.0235. The BCC's action reflects a disregard for the applicable
16 legal standards, an inconsistent application of its own regulations, and a failure to
17 provide rational basis for its denial. Accordingly, judicial intervention is necessary to
18 correct this clear abuse of discretion and to uphold the principles of fairness,
19 consistency, and due process in land use determinations.
20
018

22 Without the approved Design Review and Waiver, the value of the Subject
23 Property is severely impacted as its now relegated to residential use. NRS 278.0233²
24
25

26 ² Title 30 also requires a permit to pave and/or otherwise construction improvement on
27 the lot. In order to obtain the permits however, the necessary approvals for the land use
28 applications must be obtained.

1 provides for actual damages herein due to the County's Notice of Final Action which is
2 arbitrary and capricious as well as unlawful and/or exceeds lawful authority. As such,
3 Petitioners seek return of their actual damages and the return of attorney fees and costs
4 under NRS 278.0237 pursuant to additional briefing and/or any hearing or trial as this
5 Court so determines is necessary to establish such an award of such damages and costs.
6
7

8 DATED this 6TH day of May, 2025

9
10 SUGDEN LAW

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CERTIFICATE OF COMPLIANCE

a. I hereby certify that this brief complies with the formatting requirements of NRAP 32(a)(4), the typeface requirements of NRAP 32(a)(5) and the type-style requirements of NRAP 32(a)(6) because this brief has been prepared in a proportionally spaced typeface using Microsoft Word for Mac Version 16.80 in 14-point Times New Roman font.

b. I further certify that this brief complies with the page or type-volume limitations of NRAP 32(a)(7) because, excluding the parts of the brief exempted by NRAP 32(a)(7)(C), it does not exceed 30 pages.

c. Finally, I hereby certify that I have read this brief, and to the best of my knowledge, information, and belief, it is not frivolous or interposed for any improper purpose. This brief complies with all applicable Nevada Rules of Appellate Procedure, in particular NRAP 28(e)(1), which requires every assertion in the brief regarding matters in the record to be supported by a reference to the page and volume number, if any, of the transcript or appendix where the matter relied on is to be found. I understand that I may be subject to sanctions in the event that the accompanying brief is not in conformity with the requirements of the Nevada Rules of Appellate Procedure.

//

//

1 DATED this 6TH day of May, 2025

2 SUGDEN LAW

3
4 By: /s/ Amy L. Sugden
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9 Telephone: (702) 625-3605
10 *Attorney for Petitioner*

11 **CERTIFICATE OF SERVICE**

12 I hereby certify that on this day, I caused a true and correct copy of the foregoing
13 **BRIEF IN SUPPORT OF PETITION FOR JUDICIAL REVIEW** to be served to
14 all registered parties, via the Court's Electronic Filing System.

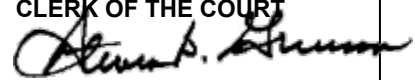
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16 Dated: May 6, 2025

17
18
19 /s/ Amy L. Sugden
20 Attorney

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EXHIBIT "2"

EXHIBIT "2"



ROP

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DISTRICT COURT

CLARK COUNTY, NEVADA

PALM PROPERTIES, LLC, a Nevada limited
liability company; LEADING EDGE
VENTURES, LLC, a Nevada limited liability
company; ROBERT LAUER, an individually.)

Case No: A-24-907944-J
Dept No: 18

Petitioners,

vs.

COUNTY OF CLARK, a political
subdivision of the State of Nevada, et al.,

Respondent.

RECORD OF THE PROCEEDINGS, VOLUME I

Respondent hereby files with the Court the Record of the Proceedings pursuant to Eighth Judicial District Court Rule 2.15 consisting of documents from the Clark County Clerk, Commission Division, and the Clark County Current Planning Division numbered ROP 000001 through ROP 000145.

DATED this 24th day of March, 2025.

STEVEN B. WOLFSON
DISTRICT ATTORNEY

By: /s/ Robert T. Warhola

ROBERT T. WARHOLA

Chief Deputy District Attorney

State Bar No. 4410

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Attorney for Respondent

CERTIFICATE OF ELECTRONIC SERVICE

I hereby certify that I am an employee of the Office of the Clark County District Attorney and that on this this 24th day of March, 2025 I served a true and correct copy of the foregoing **RECORD OF THE PROCEEDINGS, VOLUME I** (United States District Court Pacer System or the Eighth Judicial District Court Wiznet), by e-mailing the same to the following recipients. Service of the foregoing document by e-mail is in place of service via the United States Postal Service.

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/s/ Patricia C. Villa

An Employee of the Clark County District
Attorney's Office – Civil Division

TICK SEGERBLOM

All right. So, there were four items you asked for and the first three were denied, but we'll work with you. And then the fourth one with respect of the dogs, that was granted but you have to deal with Animal Control, I think.

SCOTT REHM

Okay. What would be the next step as far as –

SAMI REAL

What I'll do is I'll have the planner who was working on this reach out to them and guide them on what they would need to do to bring their site into compliance. And then we will need to direct them to Animal Control to apply for the necessary permits to increase the number of household pets too.

TICK SEGERBLOM

All right. So, our staff will reach out to you and go through everything.

SCOTT REHM

Okay.

TICK SEGERBLOM

All right. Thank you so much.

JEANALIN REHM

Thank you.

SCOTT REHM

Thank you.

(Companion Items 24 and 25)

24. VS-24-0277-PALM PROPERTIES, LLC:

HOLDOVER VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file). TS/jor/syp (For possible action)

ACTION: DENIED WITHOUT PREJUDICE (COMPANION ITEM 25).

SAMI REAL

Next are Items 24 and 25.

- Item 24, VS-24-0277; holdover, vacate, and abandon a portion of right-of-way, being Happy Valley Avenue, located between Nellis Boulevard and Aloha Avenue within Sunrise Manor.
- And then Item 25, WS-24-0276; holdover waiver of development standards to modify residential adjacency standards. Design review for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone. Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor.

TICK SEGERBLOM

Good morning.

MELISSA EURE

Morning, Chairman, Commissioners. Melissa Eure, E-U-R-E, 1055 Whitney Ranch Drive, Suite 210, here on behalf of the applicant.

So, what we have in front of you is an aerial to show you where the site location is. It is on Nellis and Happy Valley. What it used to be is a commercial shopping center at that site. The building came down several years ago, and what is there was a vacant lot for quite some time. Our client has developed the site to be for commercial truck parking. So, no actual structure beyond a guard shack would go there. And it's striped to allow trucks. So it is in the General Commercial Zone, which does allow a parking lot. And the underlying zoning is the Commercial Mixed Use.

This actually would be an administrative item, except for there is a waiver for the driveway on Happy Valley because this would be commercial traffic going onto a residential drive. Back around 2018 when it was still a commercial shopping center, there were three driveways accessing Nellis. NDOT (Nevada Department of Transportation), as part of their update to the Nellis Boulevard corridor, closed those driveways off, leaving the only legal access to the site off of Happy Valley.

The client here is proposing to put in landscaping to help buffer the site more fully. The guard shack would be located here. There isn't a gate, however, there is security cameras that could actually be accessed by Metro, along with LED solar lights placed throughout to improve the security and the visibility of this site.

So, as we know, given the increase of online ordering and e-commerce, there's become a need for a lot more to deliver those items that are being ordered. It used to be that there were fleets, and the companies would use their own trucks, their own drivers, and that's how deliveries would happen. Now, many of them are independent operators, and so they're purchasing their trucks and their vans. And many of them are branded. You can't tell them apart from the actual company's trucks that they do own. And they're using those to become entrepreneurs and have their own businesses. However, they aren't able to park those on the residential streets. So, I think we're well aware that there's quite a bit of issue with trucks being parked on roadways, making it difficult to see around and having other impacts on traffic circulation. So, this would help to pull those trucks off of the streets, give them a place that they could legally park their trucks. And many of the owner/operators are within the vicinity here, so this is close to home. If they drive, they're able to drive, park their vehicle where their truck is, then take their truck out while they're doing deliveries. Others could be dropped off to then use their truck during the day.

As mentioned, there is a guard shack there. There's a local veteran who works as the security guard on the site.

There would be a new trash enclosure added as well. So that way if they did have any trash that accumulated in their trucks, they'd have a place to take care of that.

We have received letters of support from the Nevada Trucking Association, also from the abutting residential neighbors here to the west and from the tavern across the street on Happy Valley, as well as from several of the truck drivers who are currently parking their trucks on the site. So, with that, would be happy to answer any questions that you have.

MOTION

TICK SEGERBLOM

This is a public hearing. Anyone here wishing to speak on this item? Seeing no one, we'll close the public hearing.

I appreciate the goal here, as far as having a place for truckers to park their trucks while they go home and get off the road. But truthfully, this is just not appropriate area in my mind. By having that many trucks enter on Happy Valley, which is a residential street, is not going to be good for the children that play there and everyone else.

And honestly, I think that we need to work with staff to create some type of a new zone or some type of something where we can have these truck lots. But just to put them on a major street like Nellis in an area like this, I just personally don't feel it's appropriate.

So, with that, I'm going to make a motion to deny the request. And they also wanted to request to change the sidewalk, I think we should deny that also. So, the future developers would have to come in for some type of waiver. But right now, I'd like to have the separated sidewalk. So, with that, I'd make a motion to deny.

JIM GIBSON

If you're denying the thing, you're requiring them to move the sidewalk not even on the property.

TICK SEGERBLOM

No, there's no sidewalk.

JIM GIBSON

Okay.

TICK SEGERBLOM

So, we're denying 24 and 25 without prejudice, so you can come back with something else. But the truth is, it's just not an appropriate area for these trucks. And I would like to work with staff to find an area. I know Marilyn, you have the same issue. But we need to figure out a way that we can accommodate the truckers who do have a need, but also work with neighborhoods and make sure.

MARILYN K. KIRKPATRICK

Mr. Chair, may I ask for a clarification? So currently it's an existing building, and their only issue with coming into code is that NDOT no longer allows as many drive wells on Nellis, which I've had to deal with that one myself. Because NDOT came through, and what they found out is back in the early 2000s, every 200 feet there was a driveway. So, we've closed a lot of them on our side. But if they close it, then you're denying them access that way. So, they'd have to just shut down the business? I'm asking, because –

TICK SEGERBLOM

Well truthfully, the business has been operating illegally for several years. And so, there's a lot of code violations involved in this too. That's what we're trying to –

MARILYN K. KIRKPATRICK

– no, I just wanted to be clear what we were doing, because I didn't want it to be just because of the NDOT stuff. But if you're saying they've got other issues and have had other issues – you're denying the vacation, I'm assuming, as well as the zoning, right? Because it's zone something?

TICK SEGERBLOM

– right, the vacation was just for the get rid of the requirement to have a detached sidewalk.

MARILYN K. KIRKPATRICK

Okay.

TICK SEGERBLOM

All right, that's my motion. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft

VOTING NAY: None

ABSENT: Ross Miller

ABSTAIN: None

TICK SEGERBLOM

That motion passes. I want to point out it is without prejudice, and so I'd be happy to work with you on that side.

JIM GIBSON

Mr. Chair, might I just – Melissa and I spoke on the telephone a couple of weeks ago. And I wanted to echo the comments that Commissioner Naft made about your father. I knew him really well and worked with him a lot. And he left a legacy you can be very proud of. And you do honor to him every time we hear you and see you, so thank you very much for your good work. And I didn't mean to make you cry, but I felt like it because I knew him so well. Anyway, I just wanted to make that comment.

MELISSA EURE

Thank you. At least I have a little bit of time to recover before the next item.

TICK SEGERBLOM

Thank you.

SAMI REAL

Sorry, with that, I lost track. So, the votes were registered, correct?

TICK SEGERBLOM

Correct.

25. WS-24-0276-PALM PROPERTIES, LLC:

HOLDOVER WAIVER OF DEVELOPMENT STANDARDS to modify residential adjacency standards.

DESIGN REVIEW for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone. Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor. TS/jor/syp (For possible action)

ACTION: DENIED WITHOUT PREJUDICE (COMPANION ITEM 24).

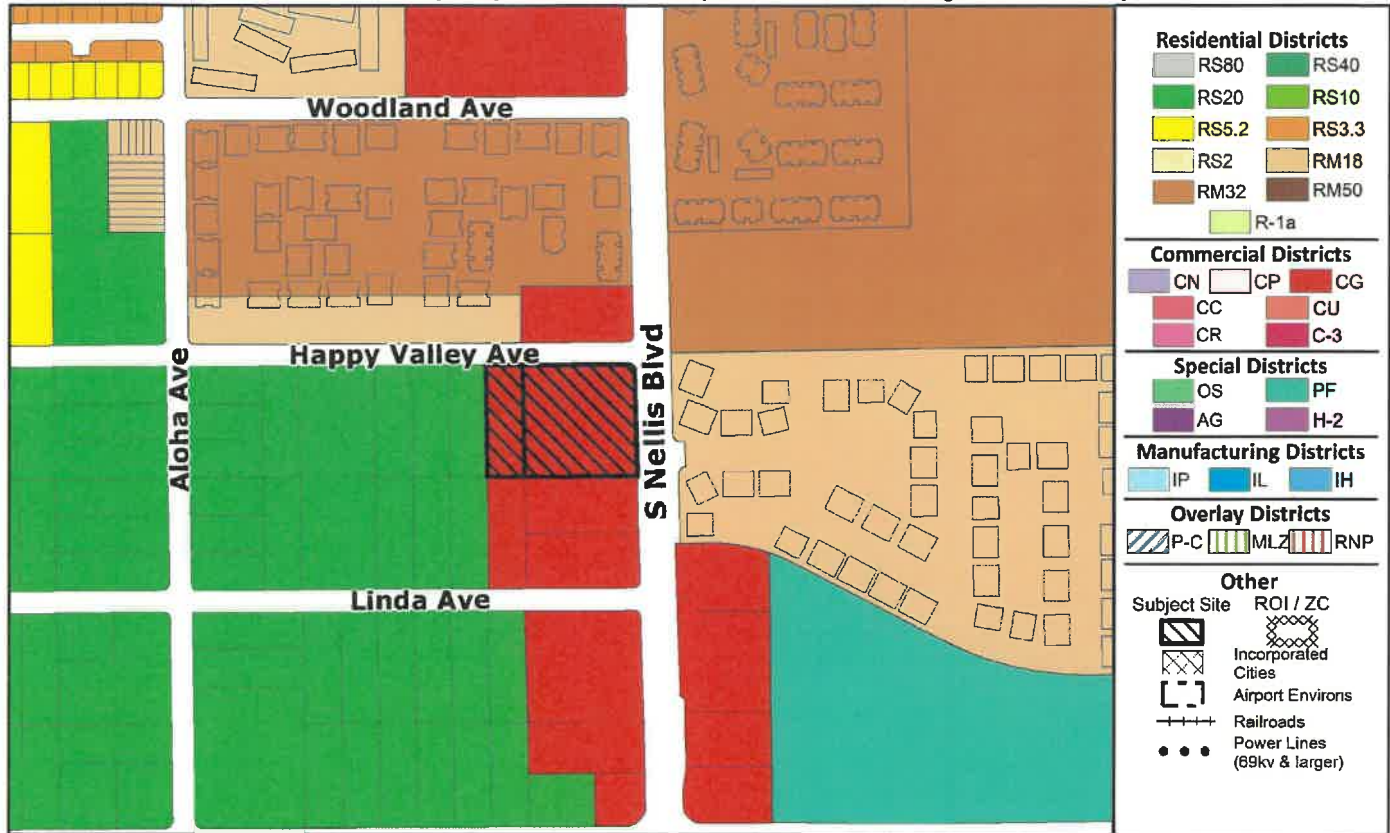
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Commission Agenda Map

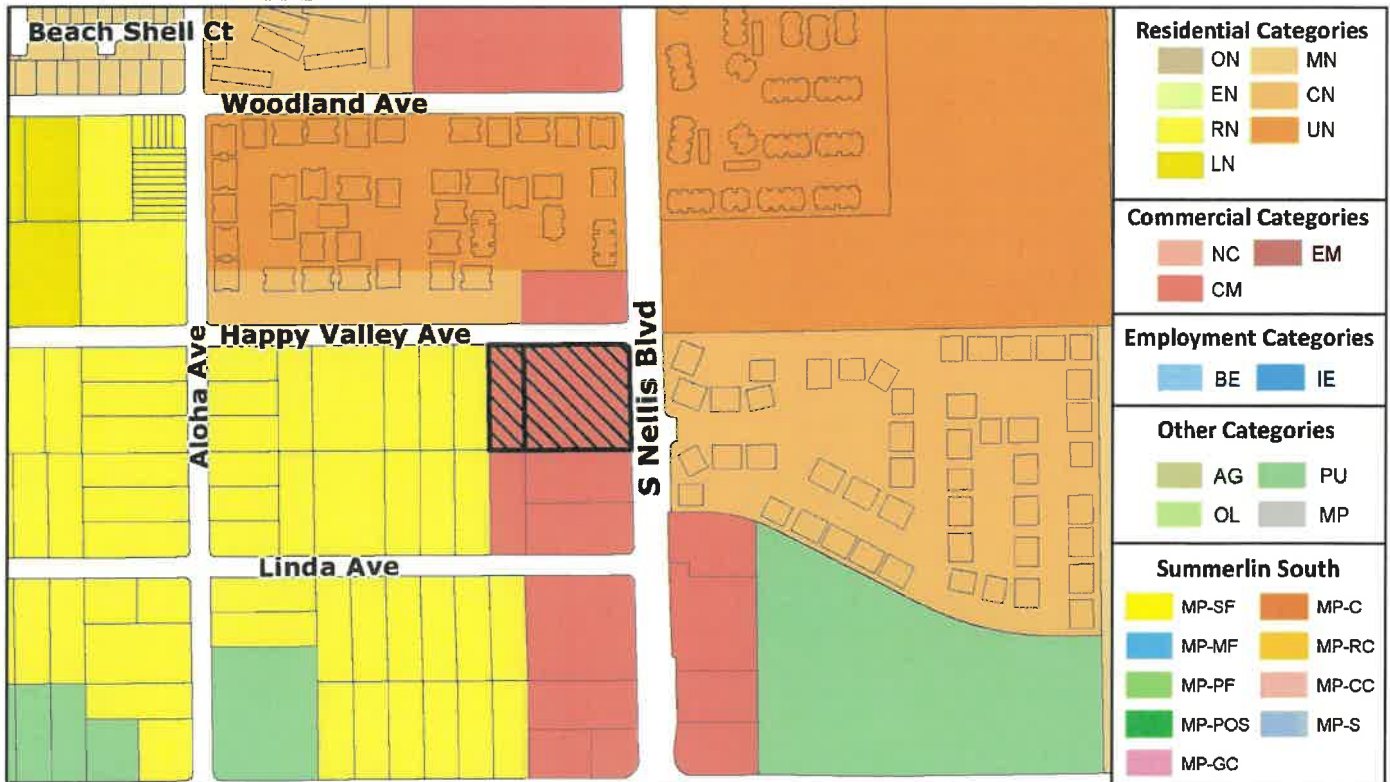
VS-24-0277

ZONING

Clark County Department of Comprehensive Planning, Clark County, Nevada



PLANNED LAND USE



This information is for display purposes only. No liability is assumed as to the accuracy of the data delineated hereon.

Subject Parcel(s)
16108810082
16108810083



0 125 250 500 Feet
Map Created on 7/30/2024



PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-24-0277-PALM PROPERTIES, LLC:

HOLDOVER VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file). TS/jor/syp (For possible action)

RELATED INFORMATION:

APN:

161-08-810-082; 161-08-810-083

LAND USE PLAN:

SUNRISE MANOR - CORRIDOR MIXED-USE

BACKGROUND:**Project Description**

The applicant is requesting to vacate 5 feet of right-of-way being Happy Valley Avenue. The purpose of this request is to allow for the installation of detached sidewalks.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-19-0630	Temporary construction storage for an off-site Las Vegas Valley Water District project (main replacement and The Dales subdivision)	Approved by PC	October 2019
UC-18-0578	Increased height of existing communication tower, with a design review for additional antenna	Approved by PC	October 2018
ADR-0333-05	73 foot high monopole communication tower with an antenna array	Approved by ZA	April 2005
UC-0040-04	Vehicle, watercraft, and recreational vehicle sales	Approved by PC	February 2005
UC-0431-02	Check cashing facility	Approved By BCC	June 2002
ADR-1086-01	Communications facility	Approved by ZA	November 2001
DR-0727-99	Revised plans for a previously approved shopping center and to continue the use of a vehicle sales lot	Approved by BCC	June 1999
WC-0025-99 (ZC-0480-98)	Waived conditions of a zone change for the proposed shopping center with an existing restaurant building on site	Approved by BCC	March 1999

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0480-98	Reclassified the site (both subject parcels- 161-08-810-082 and 161-08-810-083) to C-2 zoning (now CG) for a proposed 34,000 square foot shopping center	Approved by BCC	May 1998
DR-1464-97	Vehicle sales lot within an existing shopping center - expired	Approved by PC	September 1997

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Corridor Mixed-Use & Compact Neighborhood (up to 18 du/ac)	CG & RM18	Multi-family residential & tavern
South	Corridor Mixed-Use	CG	Commercial center
East	Compact Neighborhood (up to 18 du/ac)	RM18	Multi-family residential
West	Ranch Estate Neighborhood (up to 2 du/ac)	RS20	Single-family residential

Related Applications

Application Number	Request
WS-24-0276	A waiver of development standards with a design review for a proposed commercial truck parking lot is a companion item on this agenda.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis**Public Works - Development Review**

Staff has no objection to the vacation of right-of-way for detached sidewalks.

Staff Recommendation

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that Nevada Department of Transportation (NDOT) permits may be required.

Building Department - Addressing

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC: Sunrise Manor - denial.

APPROVALS:

PROTESTS: 6 cards, 2 letters

COUNTY COMMISSION ACTION: September 4, 2024 – HELD – To 10/02/24 – per the applicant.

COUNTY COMMISSION ACTION: October 2, 2024 – HELD – To 11/06/24 – per the applicant.

COUNTY COMMISSION ACTION: November 6, 2024 – HELD – To 11/20/24 – per Commissioner Segerblom.

APPLICANT: LEADING EDGE VENTURES, LLC

CONTACT: G.C. GARCIA, INC, 1055 WHITNEY RANCH DRIVE, SUITE 210, HENDERSON, NV 89014

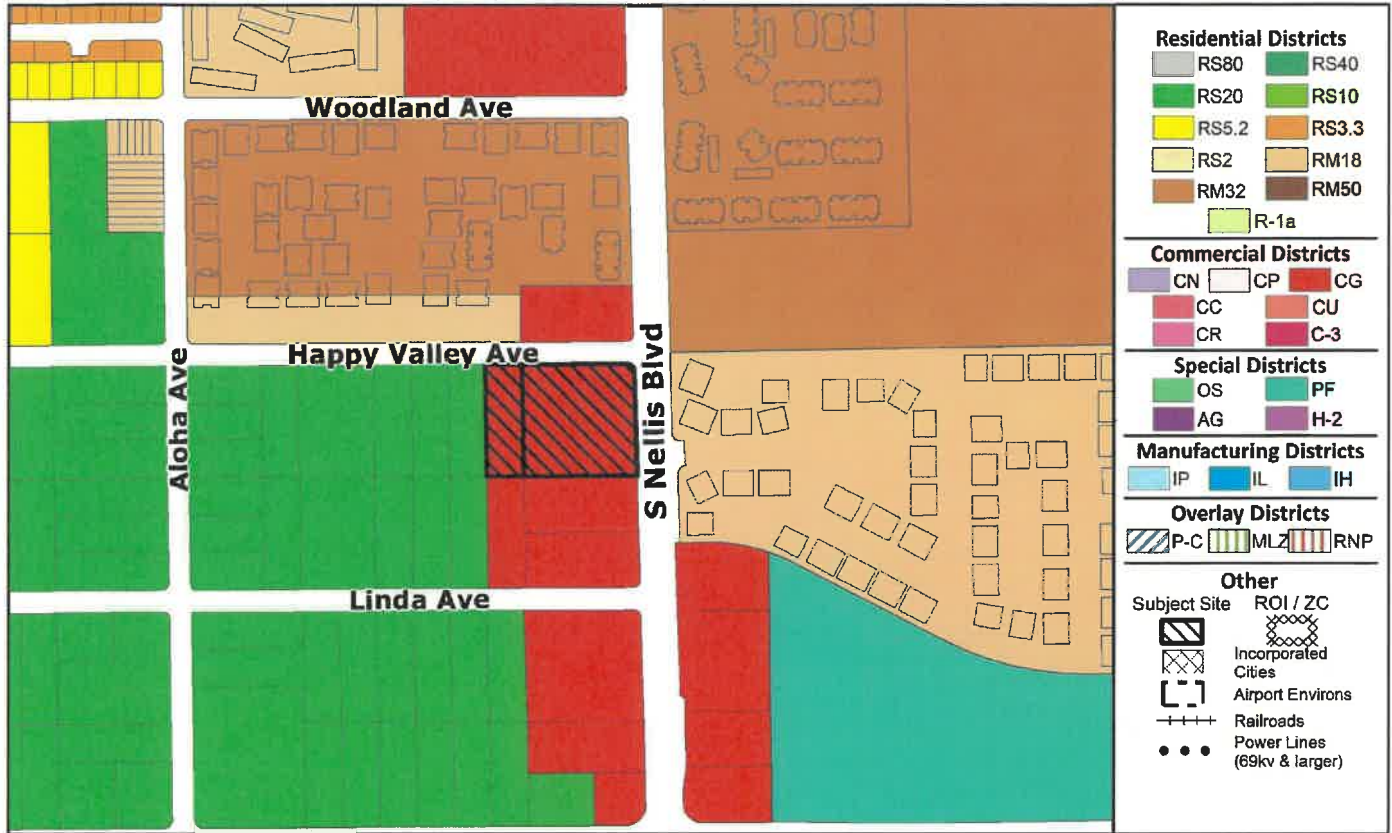
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Commission Agenda Map

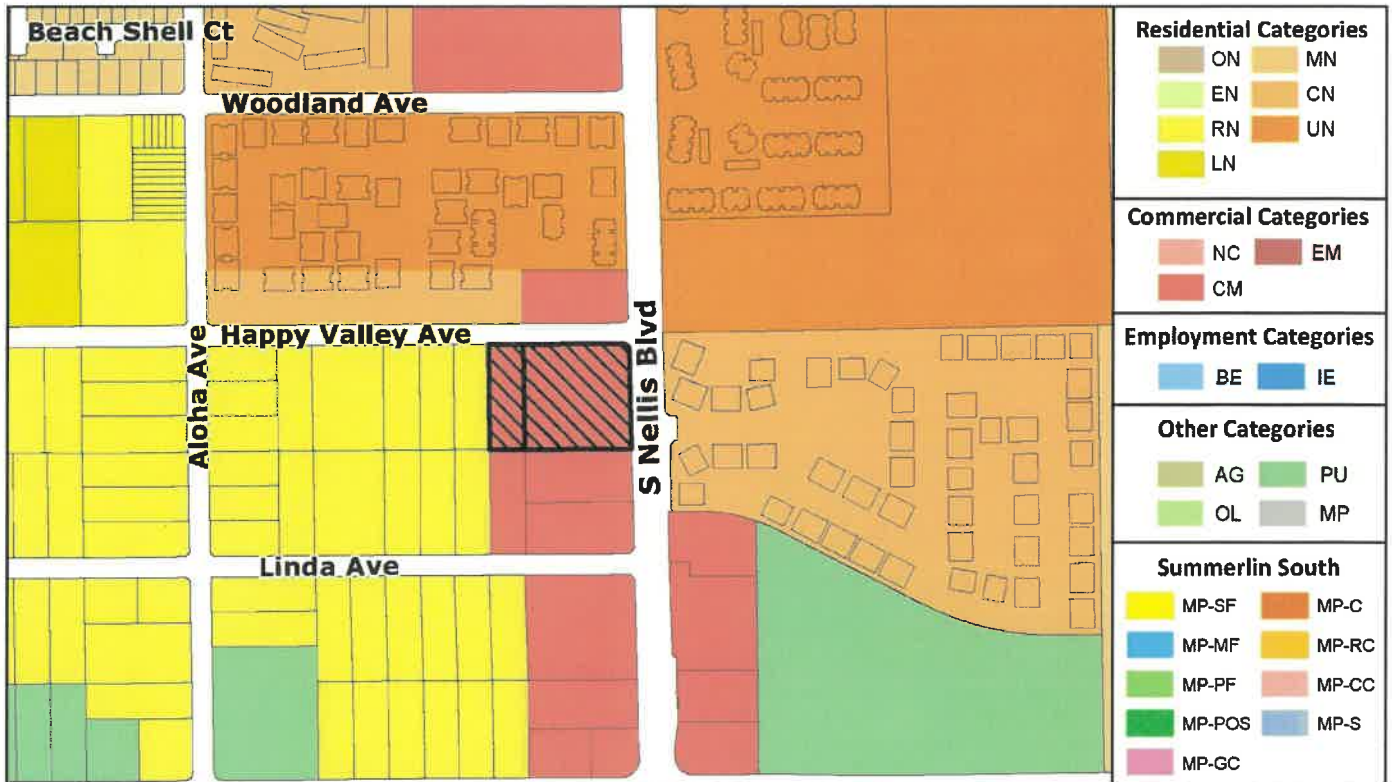
WS-24-0276

ZONING

Clark County Department of Comprehensive Planning, Clark County, Nevada



PLANNED LAND USE



This information is for display purposes only. No liability is assumed as to the accuracy of the data delineated hereon.

Subject Parcel(s)
16108810082
16108810083



0 125 250 500 Feet
Map Created on 7/30/2024



PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-24-0276-PALM PROPERTIES, LLC:

HOLDOVER WAIVER OF DEVELOPMENT STANDARDS to modify residential adjacency standards.

DESIGN REVIEW for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone.

Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor. TS/jor/syp (For possible action)

RELATED INFORMATION:

APN:

161-08-810-082; 161-08-810-083

WAIVER OF DEVELOPMENT STANDARDS:

Allow nonresidential vehicular access to a residential local street (Happy Valley Avenue) where not permissible per Section 30.04.06.D.

LAND USE PLAN:

SUNRISE MANOR - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 3125 S. Nellis Boulevard
- Site Acreage: 2.83
- Project Type: Commercial truck parking lot
- Number of Stories: 1 (proposed guard building)
- Building Height (feet): 8 (proposed guard building)/8 feet, 4 inches (proposed carport north of guard building)
- Square Feet: 25 (proposed guard building)/720 (proposed carport north of guard building)
- Parking Provided: 99
- Sustainability Required/Provided: 7.5/7

History & Site Plan

Records show that as early as the 1980's, parcel 161-08-810-083 included an existing shopping center building (in-line rectangular building) adjacent to Nellis Boulevard. A vehicle sales lot was approved on the southern end of this parcel via DR-1464-97 but expired after 1 year.

ZC-0480-98 reclassified both subject parcels (161-08-810-082 and 161-08-810-083) to C-2 zoning (now CG zoning) for a proposed 34,000 square foot shopping center (L-shaped building along the south and west property lines) with a portion of the existing shopping center building along Nellis Boulevard to the east to be expanded as a grocery store. The proposed 34,000 square foot shopping center under the zone change did not commence. Additional land use applications were approved on-site for vehicle sales, check cashing, a communication tower, and a waiver of conditions of a zone change (WC-0025-99) which re-applied conditions related to landscaping, site circulation, parking, access, and screening. Under DR-0727-99 (a design review for vehicle sales), the conditions of approval under WC-0025-99 were complied with. The existing building and vehicle sales lot adjacent to Nellis Boulevard remained on-site until 2012 and has since been demolished.

Today, the applicant is requesting approval of a design review for a proposed commercial truck parking lot. A waiver of development standards related to modifying residential adjacency to allow access to a local street being Happy Valley Avenue is also part of this application. Access is provided via 1 driveway along the north property line adjacent to Happy Valley Avenue. Although Title 30 does not allow nonresidential vehicular access to a local street, access to Happy Valley Avenue has existed for more than 25 years. The Nevada Department of Transportation (NDOT) closed the existing driveways along the east property line adjacent to Nellis Boulevard, and NDOT reconstructed the attached sidewalk.

The site plan depicts a proposed parking lot with 99 commercial vehicle parking spaces, which are the following:

- 35 parking stalls (40 feet by 12 feet) are located along the north property line and on the southwest corner of the site.
- 17 parking stalls (35 feet by 12 feet) are located along the west property line.
- 42 tandem parking stalls (70 feet by 12 feet) are located along the east property line.
- 4 parking stalls (20 feet by 9 feet) are located east of the driveway along the north side of the site adjacent to Happy Valley Avenue.
- 1 accessible parking stall south of the 4 parking stalls, adjacent to the guard building.

The site plan also shows a proposed guard building adjacent to the driveway on the southeast corner of the driveway throat depth area. There is also a proposed carport north of the guard building to be constructed over 4 parking stalls. The existing communication tower along the south property line will remain, and the applicant will install a trash enclosure along the south property line. There is an existing 8 foot high CMU block wall which will remain on-site along the west property line adjacent to an existing residence. The existing 8 foot high CMU block wall along the south property line will also remain. Proposed light poles up to 18 feet high are located adjacent to the driveway along the north property line at the northeast corner, 2 at the southeast corner, and 2 additional light poles that are centrally located within the parking area. Lastly, proposed lighting meets residential adjacency standards per Title 30.

Landscaping

Detached sidewalks will be installed along the north property line along Happy Valley Avenue with an 8 foot high beige colored vinyl fence set back over 10 feet from the future property line (back of curb). The existing attached sidewalk will remain along the east property line along

Nellis Boulevard. The applicant will continue the 8 foot high beige colored vinyl fence behind the landscape area along Nellis Boulevard.

The applicant provided a landscape plan drafted by a licensed landscape architect. The proposed landscape plan shows that all existing palm trees will remain on-site. The street landscaping along the north property line includes detached sidewalks with 5 foot wide landscape strips on either side of the sidewalk which will feature large trees and shrubs. The west property line includes a 20 foot wide landscape buffer with a double row of large trees and shrubs. The east side of the site will include a 10 foot wide landscape area with large trees and shrubs adjacent to the existing attached sidewalk.

Elevations

The proposed guard building has an overall height of 8 feet and will be constructed of pre-manufactured steel. The exterior color of the guard building is blue and features 6 windows and 1 door. The proposed carport north of the guard building has an overall height of 8 feet, 4 inches. This carport is comprised of pre-treated cedarwood for outdoor durability.

Floor Plans

The proposed guard building has an overall area of 25 square feet. The proposed carport has an overall area of 720 square feet.

Applicant's Justification

The applicant is proposing a commercial truck parking lot which will enable truck drivers to have a place to legally park their local trucks (no long haul trucks). This will help keep trucks from parking on public streets creating enforcement and neighborhood issues. It will also provide a safer, more secure parking environment that will have solar powered cameras that the Las Vegas Metropolitan Police Department can access. Additionally, a security guard is always present. The site as proposed is compatible as a parking lot on an arterial street (Nellis Boulevard) with completion of infrastructure, lighting, landscaping, and fencing.

The site is zoned for commercial (CG), and the prior development had access from Happy Valley Avenue. The Nevada Department of Transportation (NDOT) closed previously existing driveways along Nellis Boulevard in 2021 during NDOT's improvements to Nellis Boulevard. Happy Valley is the sole means of access given this limitation. The proposed commercial truck parking lot use will provide a location for truck drivers to park their vehicles outside of residential subdivisions and not on public roadways. This will also help minimize safety hazards, trash dumping, graffiti control, homeless encampments, and Code citations. It will also add to the appearance with fencing and landscaping. The use is compatible with the surrounding commercial and residential development in the area as it is supported by the neighbors.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-19-0630	Temporary construction storage for an off-site Las Vegas Valley Water District project (main replacement and The Dales subdivision)	Approved by PC	October 2019

Prior Land Use Requests

Application Number	Request	Action	Date
UC-18-0578	Increased height of existing communication tower, and design review for additional antenna	Approved by PC	October 2018
ADR-0333-05	73 foot high monopole communication tower with an antenna array	Approved by ZA	April 2005
UC-0040-04	Vehicle, watercraft, and recreational vehicle sales	Approved by PC	February 2005
UC-0431-02	Check cashing facility	Approved By BCC	June 2002
ADR-1086-01	Communication facility	Approved by ZA	November 2001
DR-0727-99	Revised plans for a previously approved shopping center and to continue the use of a vehicle sales lot	Approved by BCC	June 1999
WC-0025-99 (ZC-0480-98)	Waiver of conditions of a zone change for the proposed shopping center with an existing restaurant building on site	Approved by BCC	March 1999
ZC-0480-98	Reclassified the site (both subject parcels- 161-08-810-082 and 161-08-810-083) to C-2 zoning (now CG) for a proposed 34,000 square foot shopping center	Approved by BCC	May 1998
DR-1464-97	Vehicle sales lot within an existing shopping center - expired	Approved by PC	September 1997

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Corridor Mixed-Use & Compact Neighborhood (up to 18 du/ac)	CG & RM18	Multi-family residential & tavern
South	Corridor Mixed-Use	CG	Commercial center
East	Compact Neighborhood (up to 18 du/ac)	RM18	Multi-family residential
West	Ranch Estate Neighborhood (up to 2 du/ac)	RS20	Single-family residential

Related Applications

Application Number	Request
VS-24-0277	A request to vacate and abandon a portion of a right-of-way is a companion item on this agenda.

CLARK COUNTY PUBLIC RESPONSE OFFICE:

There is an active case, CE23-05369, for vehicles parked on unpaved areas.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Waiver of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

The applicant provided correspondence from NDOT which states that access to Nellis Boulevard is not required, and if access is requested in the future, the applicant must comply with NDOT's 2017 Access Management System and Standards with sufficient engineering justification. Per the correspondence on file, the applicant's engineer determined that the site does not meet NDOT's access location and spacing standards. Per photos on file, NDOT closed 3 driveways along the east property line of the site adjacent to Nellis Boulevard and NDOT reconstructed the attached sidewalk sometime in 2021. Today, Title 30 does not allow nonresidential access on a local street; although records show that access to Happy Valley Avenue has been in place for over 25 years and the access has been used by commercial vehicles for over 3 years with no impact to the residences. Also, the average daily trips for this use are expected to be less trips than for other commercial uses. Staff determines that the aforementioned circumstances warrant staff's support for the waiver of development standards.

Design Review

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

The proposed project complies with Policy 5.5.3 under the Master Plan which encourages the retention and revitalization of established local business districts. The site has been vacant since 2012 and the proposed improvements comply with today's Code. For example, the applicant is proposing detached sidewalks along Happy Valley Avenue with street landscaping, and since there is an existing attached sidewalk along Nellis Boulevard (NDOT right-of-way), the applicant will install a 10 foot wide landscape strip. The applicant is also providing a decorative fence along the north and east property lines to mitigate the view of any trucks parked on site. In addition, the site will be monitored by on site security. The applicant also provided 7.5 points worth of sustainability design features where 7 is required per Title 30. For these reasons staff recommends approval.

Staff Recommendation
Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Work with the Las Vegas Metropolitan Police Department for the installation and use of security cameras and surveillance operation;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Full off-site improvements.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that Nevada Department of Transportation (NDOT) permits may be required.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Sunrise Manor - denial.

APPROVALS:

PROTESTS: 5 cards, 2 letters

COUNTY COMMISSION ACTION: September 4, 2024 – HELD – To 10/02/24 – per the applicant.

COUNTY COMMISSION ACTION: October 2, 2024 – HELD – To 11/06/24 – per the applicant.

COUNTY COMMISSION ACTION: October 2, 2024 – HELD – To 11/06/24 – per the applicant.

COUNTY COMMISSION ACTION: November 6, 2024 – HELD – To 11/20/24 – per Commissioner Segerblom.

APPLICANT: LEADING EDGE VENTURES, LLC

CONTACT: G.C. GARCIA, INC, 1055 WHITNEY RANCH DRIVE, SUITE 210, HENDERSON, NV 89014

FILED

DEC 03 2024

Lyn Marie Goggin
CLERK

NOTICE OF FINAL ACTION
CLARK COUNTY ZONING COMMISSION
9:00 A.M., WEDNESDAY, NOVEMBER 20, 2024

LEGAL NOTICE: Following the final approval or denial of every action before the Planning Commission and/or the Board of County Commissioners, a letter indicating the action taken and the conditions under which any approval is granted will be sent to the correspondent address on the application submitted. The information herein will be filed with the Clark County Clerk, Commission Division, and serve as notice of final action for the purposes of NRS 278.0235 which marks the commencement of the twenty-five (25) day limitation period specified.

1. Public Comments.
2. Approval of the Agenda After Considering Requests to Add, Hold, or Delete Items. (For possible action)
3. Approval of minutes. (For possible action)

Board of County Commissioners' Zoning Meeting minutes for 10/16/24.

ROUTINE ACTION ITEMS (4 – 17): These items may be considered in one hearing and in one motion. Any person who does not agree with the recommendations by staff should request that the item be removed from this portion of the agenda and be heard separately when directed by the Board of County Commissioners.

4. SDR-24-0334-MGM RESORTS LAND HOLDINGS II, LLC
HOLDOVER SIGN DESIGN REVIEW for modifications to an approved comprehensive sign plan for a resort hotel (Bellagio) on 76.63 acres in a CR (Commercial Resort) Zone. Generally located on the west side of Las Vegas Boulevard South and the south side of Flamingo Road within Paradise. JG/r/syp (For possible action)

HELD - 02/19/25 - per the applicant. Applicant is advised that re-notification fees are required prior to this item being placed on the agenda.

5. DR-24-0335-BCORE PARADISE, LLC:
HOLDOVER DESIGN REVIEW for an expansion and modification to an existing resort hotel (Bellagio) on 85.77 acres in a CR (Commercial Resort) Zone. Generally located on the west side of Las Vegas Boulevard South and the south side of Flamingo Road within Paradise. JG/r/syp (For possible action)

HELD - 02/19/25 - per the applicant. Applicant is advised that re-notification fees are required prior to this item being placed on the agenda.

6. ET-24-400107 (UC-20-0288)-WTML WARM SPRINGS, LLC:
USE PERMIT SECOND EXTENSION OF TIME for a cannabis establishment (retail cannabis store).
DESIGN REVIEW for a retail building for a cannabis establishment on 0.9 acres in a CG (Commercial General) Zone. Generally located on the south side of Warm Springs Road, 480 feet east of Haven Street within Enterprise. MN/mh/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Until August 19, 2026 to obtain valid business license for retail cannabis store or the application will expire unless extended with approval of an extension of time.

- Applicant is advised a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

7. WC-24-400111 (ZC-1965-04)-WIGWAM-PARVIN LIMITED PARTNERSHIP:

WAIVERS OF CONDITIONS of a zone change requiring the following: 1) a 45 foot setback on Las Vegas Boulevard South; 2) 20 foot minimum setback along all other street frontages; and 3) 20 foot wide landscape buffer with medium trees, 24 inch box in size, with shrubs to cover 50% of the landscape area and a detached sidewalk along Las Vegas Boulevard South unless prohibited by NDOT in conjunction with a proposed multi-family residential development on 9.23 acres in a CR (Commercial Resort) Zone. Generally located on the east side of Las Vegas Boulevard South and the south side of Jo Rae Avenue within Enterprise. MN/hw/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0290-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

8. VS-24-0520-WIGWAM-PARVIN LIMITED PARTNERSHIP:

VACATE AND ABANDON easements of interest to Clark County located between Jo Rae Avenue and Pyle Avenue and between Las Vegas Boulevard South and Giles Street; a portion of right-of-way being Pyle Avenue located between Las Vegas Boulevard South and Giles Street; a portion of right-of-way being Jo Rae Avenue located between Las Vegas Boulevard South and Giles Street; and a portion of right-of-way being Giles Street located between Jo Rae Avenue and Pyle Avenue within Enterprise (description on file). MN/hw/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include, 100 feet for Las Vegas Boulevard South, 25 feet to the back-of-curb for Giles Street and associated spandrels;
- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements for the Pyle Avenue improvement project, 90 days to record said separate document for the Pyle Avenue improvement project;
- The installation of detached sidewalks will require the recordation of this vacation of excess right-of-way, dedication to back-of-curb, and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;

- **Revise legal description, if necessary, prior to recording.**

9. **UC-24-0521-WIGWAM-PARVIN LIMITED PARTNERSHIP:**

USE PERMIT to allow a multi-family residential development.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; and 2) alternative driveway geometrics.

DESIGN REVIEW for a proposed multi-family residential development on 9.23 acres in a CR (Commercial Resort) Zone. Generally located on the east side of Las Vegas Boulevard South and the south side of Jo Rae Avenue within Enterprise. MN/hw/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- **Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;**
- **Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.**
- **Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.**

Public Works - Development Review

- **A License and Maintenance Agreement for any non-standard improvements within the right-of-way along Las Vegas Boulevard South, if required by Public Works - Development Review;**
- **Drainage study and compliance;**
- **Traffic study and compliance;**
- **Full off-site improvements;**
- **Right-of-way dedication to include, 100 feet for Las Vegas Boulevard South, 25 feet to the back-of-curb for Giles Street and associated spandrels;**
- **30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements for the Pyle Avenue improvement project, 90 days to record said separate document for the Pyle Avenue improvement project;**
- **The installation of detached sidewalks will require the vacation of excess right-of-way, dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices.**

Clark County Water Reclamation District (CCWRD)

- **Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0290-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.**

10. ZC-24-0518-USA:
ZONE CHANGE to reclassify a 5.55 acre portion of 58.7 acres from an IH (Industrial Heavy) Zone to a PF (Public Facility) Zone within the Airport Environs (AE-70) Overlay. Generally located on the northwest side of Las Vegas Boulevard North and the north side of Nadine Petersen Boulevard within the Northeast County Planning Area (description on file). MK/rg (For possible action)

APPROVED.

11. ORD-24-900529: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with SCT Silverado Ranch & Arville LLC for a commercial development on 0.8 acres, generally located east of Arville Street and north of Silverado Ranch Boulevard within Enterprise. JJ/jm (For possible action)

ADOPTED.

12. ORD-24-900546: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with Fort Apache, LTD for a multi-family residential development on 9.1 acres, generally located west of Fort Apache Road and south of Pebble Road within Enterprise. JJ/dw (For possible action)

ADOPTED.

13. ORD-24-900599: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with G Y Properties LLC for an office/warehouse building on 2.1 acres, generally located west of Westwind Road and south of Sunset Road within Enterprise. MN/dw (For possible action)

ADOPTED.

14. ORD-24-900699: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on August 21, 2024. (For possible action)

ADOPTED.

15. ORD-24-900708: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on August 7, 2024. (For possible action)

ADOPTED.

16. ORD-24-900710: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on September 18, 2024. (For possible action)

ADOPTED.

17. ORD-24-900725: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on September 4, 2024 and in Assessor's Books 059, 104, 140, 161, 162, 163, 164, 175, 176, and 177 the attached zone changes were approved to reclassify certain properties and amend the zoning map. (For possible action)

ADOPTED.

NON-ROUTINE ACTION ITEMS (18 – 61): These items will be considered separately.

18. CP-24-900629: Conduct a public hearing, adopt the Flood Control Master Plan Update, and authorize the Chair to sign a Resolution amending the Plan. (For possible action)

ADOPTED.

19. ET-24-400110 (UC-20-0493)-5051 SLV, LLC:
USE PERMITS SECOND EXTENSION OF TIME for the following: 1) expand the Gaming Enterprise District; 2) a resort hotel; 3) public areas including the casino, showrooms, live entertainment, retail center, indoor and outdoor dining, entertainment, offices, conventions, back of house and parking structures; 4) associated accessory and incidental commercial uses, buildings, and structures; and 5) deviations from development standards.

DEVIATIONS for the following: 1) increase the height of high-rise towers; 2) encroachment into airspace; 3) reduce setbacks; 4) alternative landscaping; and 5) all other deviations as shown per plans on file.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) for non-standard improvements (landscaping) within the right-of-way; and 2) alternative driveway geometrics.

DESIGN REVIEWS for the following: 1) a resort hotel with all associated and accessory uses, structures and incidental buildings and structures; and 2) finished grade on 4.68 acres in a CR (Commercial Resort) Zone and within the Airport Environs (AE-65) Overlay. Generally located on the east side of Las Vegas Boulevard South, 500 feet south of Russell Road (alignment) within Paradise. JG/jm/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Until August 20, 2025 to commence or the application will expire unless extended with approval of an extension of time;
- As required by NRS 278.0205 and the Development Agreement Ordinance, applicant to submit their first report, due once every twenty-four (24) months, by November 30, 2024;
- Complete construction of perimeter wall on east side of the property within 90 days;
- Enclose the site with a solid 8 foot high wood construction fence made of dimensional lumber and faced with plywood, as required in Exhibit A of the Decommissioning Plan, within 90 days; only after contractor notifies the Clark County Building Department that the project has remobilized, and construction has restarted, can the wooden construction fence be removed;
- 24 hour on-site manned security must be provided immediately and throughout the duration of the construction project.
- Applicant is advised a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Compliance with previous conditions.

Department of Aviation

- The applicant shall be required to file a valid FAA Form 7460-1 "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the DOA;
- If the applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then it must also receive either a Permit from the Director of

Aviation or a Variance from the Airport Hazard Areas Board of Adjustment ("AHABA") prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; the applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc;

- No building permits will be issued until the applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA and is still valid, or a "Property Owner's Shielding Determination Statement" has been issued by the DOA;
- The applicant shall be advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that the FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

20. UC-24-0319-VAN DIEPEN, RICHARD & KATHRYN:

USE PERMIT for an accessory living quarters.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; and 2) reduce building separation.

DESIGN REVIEW for existing accessory structures in conjunction with an existing single-family residence on 0.23 acres in an RS5.2 (Residential Single-Family 5.2) Zone within the Historic Designation Overlay. Generally located on the east side of Cochise Lane, 110 feet north of Geronimo Way within Paradise. TS/jm/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- 1 year to complete the building permit and inspection process or the application will expire unless extended with approval of an extension of time;
- Paint roof of accessory living quarter to match the roof color of the residence.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

21. UC-24-0436-MANNA INVESTMENT GROUP, LLC:

HOLDOVER USE PERMIT for a vehicle wash.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) modify residential adjacency standards; 2) alternative buffering and screening; and 3) allow attached sidewalks.

DESIGN REVIEW for a vehicle wash in conjunction with an existing shopping center on a portion of 4.09 acres in a CG (Commercial General) Zone. Generally located on the west side of Sandhill Road and the south side of Desert Inn Road within Paradise. TS/sd/kh (For possible action)

HELD - 12/18/24 - per the applicant.

22. UC-24-0460-GONZALEZ, DIMAS:
HOLDOVER USE PERMITS for the following: 1) stable (residential); 2) livestock (small); 3) livestock (medium); and 4) livestock (large).
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow accessory structures prior to the principal structure; 2) reduce building separation; 3) allow a non-decorative fence in the front yard; 4) eliminate street landscaping; 5) full off-site improvements; and 6) allow 3 driveways in conjunction with proposed agricultural uses and future single-family residences on 1.47 acres in an RS20 (Residential Single-Family 20) Zone within the Airport Environs (AE-65) Overlay. Generally located on the south side of Cartier Avenue and the east side of Walnut Road within Sunrise Manor. WM/dd/syp (For possible action)

HELD - 12/18/24 - per Commissioner McCurdy.

23. UC-24-0536-REHM, SCOTT & JEANALIN, JULIA:
USE PERMITS for the following: 1) home occupation; 2) stable; 3) livestock (small and large); and 4) household pets.
WAIVER OF DEVELOPMENT STANDARDS for reduced setbacks on 0.48 acres in an RS20 (Residential Single-Family 20) Zone. Generally located on the east side of Westwind Road, 610 feet south of Charleston Boulevard within the Spring Valley Planning Area. RM/tpd/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- 60 days to bring the on-site activities into compliance with Title 30;
- Obtain any required permits for the increase in household pets from Clark County Animal Control.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Southern Nevada Health District (SNHD) - Engineering

- Applicant is advised to contact the SNHD Environmental Health Division at septics@snhd.org or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

USE PERMITS #1 THROUGH #3 AND WAIVER OF DEVELOPMENT STANDARDS WERE DENIED.

24. VS-24-0277-PALM PROPERTIES, LLC:
HOLDOVER VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file). TS/jor/syp (For possible action)

DENIED.

25. WS-24-0276-PALM PROPERTIES, LLC:
HOLDOVER WAIVER OF DEVELOPMENT STANDARDS to modify residential adjacency standards.
DESIGN REVIEW for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone. Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor. TS/jor/syp (For possible action)
DENIED.
26. VS-24-0457-DBAC, LLC:
HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Pamalyn Avenue and Maule Avenue, and between Arville Street and Cameron Street, a portion of right-of-way being Arville Street located between Pamalyn Avenue and Maule Avenue, and portion of right-of-way being Maule Avenue located between Arville Street and Cameron Street within Enterprise (description on file). MN/lm/syp (For possible action)
HELD - 12/18/24 - per the applicant.
27. WS-24-0456-DBAC, LLC:
HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase fill height; 2) increase retaining wall height; and 3) reduce driveway setback.
DESIGN REVIEW for a single-family residential subdivision on 3.11 acres in an RS20 (Residential Single-Family 20) Zone within the Airport Environs (AE-60) and Neighborhood Protection (RNP) Overlays. Generally located on the west side of Arville Street and the north side of Maule Avenue within Enterprise. MN/lm/syp (For possible action)
HELD - 12/18/24 - per the applicant.
28. TM-24-500096-DBAC, LLC:
HOLDOVER TENTATIVE MAP consisting of 6 single-family residential lots and 1 common lot on 3.11 acres in an RS20 (Residential Single-Family 20) Zone within the Airport Environs (AE-60) and Neighborhood Protection (RNP) Overlays. Generally located on the west side of Arville Street and the north side of Maule Avenue within Enterprise. MN/lm/syp (For possible action)
HELD - 12/18/24 - per the applicant.
29. VS-24-0462-OMNI FAMILY LIMITED PARTNERSHIP:
HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Arby Avenue and Capovilla Avenue and between Valley View Boulevard and Procyon Street within Enterprise (description on file). MN/hw/kh (For possible action)
APPROVED.
CONDITIONS OF APPROVAL -
Comprehensive Planning
 - Satisfy utility companies' requirements.
 - Applicant is advised within 4 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.**Public Works - Development Review**
 - Right-of-way dedication to include 45 feet to the back-of-curb for Valley View Boulevard, 25 feet to the back-of-curb for Arby Avenue, 25 feet to the back-of-curb for Procyon Street, 25 feet to the back-of-curb for Capovilla Avenue and associated spandrels;

- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements, 90 days to record said separate document for the Warm Springs storm drain improvement project;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

30. **WS-24-0461-OMNI FAMILY LIMITED PARTNERSHIP:**

HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce net lot area; 2) reduce street landscaping; 3) increase retaining wall height; 4) increase fill height; 5) alternative lot orientation; 6) off-site improvements (streetlights); and 7) reduce driveway setbacks.

DESIGN REVIEW for a single-family residential subdivision on 7.5 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the east side of Valley View Boulevard and the south side of Arby Avenue within Enterprise. MN/hw/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- At a minimum, 5 gallon shrubs shall be provided within the landscaping strip between the tiered retaining wall;
- Provide for and include in the CC&Rs that a minimum of 15, 24 inch box Bay Laurel trees be planted and maintained 30 feet on center within the landscape strip between the tiered wall with any changes in landscaping to be approved by the HOA and adjacent property owners;
- Provide and include in the CC&Rs a gate to the landscape easement on Arby Avenue to be accessed and maintained by an HOA;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Full off-site improvement on Valley View Boulevard;
- Full off-site improvements except streetlights on Arby Avenue, Capovilla Avenue, and Procyon Street with sidewalks consisting of asphalt instead of concrete;
- Install conduit and pull boxes for streetlights;
- Drainage study and compliance;
- Right-of-way dedication to include 45 feet to the back of curb for Valley View Boulevard, 25 feet to the back of curb for Arby Avenue, 25 feet to the back of curb for Procyon Street, 25 feet to the back of curb for Capovilla Avenue and associated spandrels;
- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements, 90 days to record said separate document for the Warm Springs storm drain improvement project.

- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed; that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Fire Prevention Bureau

- Applicant to show fire hydrant locations on-site and within 750 feet.
- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0135-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

31. **TM-24-500099-OMNI FAMILY LIMITED PARTNERSHIP:**
HOLDOVER TENTATIVE MAP consisting of 13 single-family residential lots on 7.5 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the east side of Valley View Boulevard and the south side of Arby Avenue within Enterprise. MN/lw/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Full off-site improvement on Valley View Boulevard;
- Full off-site improvements except streetlights on Arby Avenue, Capovilla Avenue, and Procyon Street with sidewalks consisting of asphalt instead of concrete;
- Install conduit and pull boxes for streetlights;
- Drainage study and compliance;
- Right-of-way dedication to include 45 feet to the back of curb for Valley View Boulevard, 25 feet to the back of curb for Arby Avenue, 25 feet to the back of curb for Procyon Street, 25 feet to the back of curb for Capovilla Avenue and associated spandrels;
- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements, 90 days to record said separate document for the Warm Springs storm drain improvement project.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Building Department - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Fire Prevention Bureau

- Applicant to show fire hydrant locations on-site and within 750 feet.
- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0135-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

32. VS-24-0509-USA:

VACATE AND ABANDON easements of interest to Clark County located between Craig Road and Alexander Road and between Chieftain Street and Fort Apache Road; a portion of right-of-way being Helena Avenue located between Chieftain Street and Fort Apache Road; and a portion of right-of-way being Hickam Avenue located between Chieftain Street and Fort Apache Road within Lone Mountain (description on file). RM/hw/kh (For possible action)

HELD - 12/04/24 - per the applicant.

33. WS-24-0510-USA:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce gross lot area; 2) reduce net lot area; 3) reduce front setbacks; 4) allow a gated community within the NPO-RNP; 5) reduce street landscaping; 6) reduce call box setback; 7) eliminate off-site improvements (curb, gutter, sidewalks, and streetlights); 8) increase the length of a non-through street without a county approved turnaround; and 9) eliminate street knuckles.

DESIGN REVIEW for a single-family residential subdivision on a 22.14 acre portion of 32.12 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Craig Road, north of Florine Avenue (alignment), east of Chieftain Street, and west of Fort Apache Road within Lone Mountain. RM/hw/kh (For possible action)

HELD - 12/04/24 - per the applicant.

34. TM-24-500108-USA:

TENTATIVE MAP consisting of 39 single-family residential lots and 2 common lots on a 22.14 acre portion of 32.12 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Craig Road, north of Florine Avenue (alignment), east of Chieftain Street, and west of Fort Apache Road within Lone Mountain. RM/hw/kh (For possible action)

HELD - 12/04/24 - per the applicant.

35. VS-24-0539-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:

VACATE AND ABANDON easements of interest to Clark County located between Torino Avenue and Ford Avenue (alignment) and between Belcastro Street and Rosanna Street within Enterprise (description on file). JJ/jud/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include 25 feet to the back of curb for Torino Avenue, 25 feet to the back of curb for Belcastro Street, and associated spandrels;
- The installation of detached sidewalks will require dedication to back-of-curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

36. WS-24-0538-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce net lot size; 2) increase fill height; 3) increase retaining wall height; and 4) increase driveway width.
DESIGN REVIEW for a single-family residential subdivision on 2.34 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the northeast corner of Belcastro Street and Torino Avenue within Enterprise. JJ/jud/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Torino Avenue, 25 feet to the back of curb for Belcastro Street, and associated spandrel;
- The installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0214-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

37. VS-24-0542-GOLDENSITES, LLC:
VACATE AND ABANDON easements of interest to Clark County located between Camero Avenue and Mistral Avenue and between Cimarron Road and Durango Drive and portion of a right-of-way being Gagnier Boulevard located between Mistral Avenue and Camero Avenue within Enterprise (description on file). JJ/sd/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 4 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

38. WS-24-0543-GOLDENSSITES, LLC, THE PARSONS FAMILY REVOCABLE LIVING TRUST):
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; 2) increase retaining wall height; 3) increase fill height; 4) waive full off-site improvements; and 5) reduce street intersection off-set.

DESIGN REVIEW for a single-family residential subdivision on 10.63 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the north side of Camero Avenue and the east and west sides of Gagnier Boulevard (alignment) within Enterprise. JJ/sd/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Off-site improvements (curb, gutter, and paving) on Camero Avenue;
- Drainage study and compliance;
- Traffic study and compliance;
- Execute a Restrictive Covenant Agreement (deed restrictions).

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0075-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

WAIVER OF DEVELOPMENT STANDARDS #4A WAS DENIED FOR OFF-SITE IMPROVEMENTS (CURB, GUTTER, AND PARTIAL PAVING).

39. TM-24-500117-GOLDENSSITES, LLC, THE PARSONS FAMILY REVOCABLE LIVING TRUST): TENTATIVE MAP consisting of 20 single-family residential lots on 10.63 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the north side of Camero Avenue and the east and west sides of Gagnier Boulevard (alignment) within Enterprise. JJ/sd/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Off-site improvements (curb, gutter, and paving) on Camero Avenue;
- Drainage study and compliance;
- Traffic study and compliance;
- Execute a Restrictive Covenant Agreement (deed restrictions).

Building Department - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0075-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

40. WS-24-0522-CROCKER FAMILY REVOCABLE LIVING TRUST: WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; and 2) eliminate full off-site improvements in conjunction with a proposed single-family residence on 0.5 acres in a RS20 (Residential Single-Family 20) Zone within the Neighborhood Preservation (RNP) Overlay. Generally located on the west side of El Capitan Way, 170 feet south of Washburn Road within Lone Mountain. RM/jm/kh (For possible action)

HELD - 12/04/24 - per the Board of County Commissioners.

41. WS-24-0523-WARREN FAMILY REV LIV TR & WARREN, JOSEPH F. & CARRYN B. TRS: WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce separation; 2) reduce setbacks; and 3) modify driveway geometrics for accessory structures in conjunction with an existing single-family residence on 2.28 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the west side of Fairfield Avenue, 320 feet south of Wigwam Avenue within Enterprise. MN/tpd/kh (For possible action)

APPROVED.

**CONDITIONS OF APPROVAL -
Comprehensive Planning**

- 1 year to complete the building permit and inspection process for existing accessory structures or this portion of the application will expire unless extended with approval of an extension of time;
- 2 years to commence the proposed RV cover or this portion of the application will expire unless extended with approval of an extension of time;
- Paint the proposed RV cover to match the primary dwelling.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Southern Nevada Health District (SNHD) - Engineering

- Applicant is advised to contact the SNHD Environmental Health Division at septics@snhd.org or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

42. WS-24-0525-SEMMATERIALS ENERGY PTNRS, LLC:
AMENDED WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase fence height (no longer needed); 2) allow non-decorative fencing (no longer needed); 3) reduce access gate setbacks; 4) waive off-site improvements (streetlights); 5) allow attached sidewalks; 6) eliminate throat depth; and 7) eliminate driveway back-of-curb radius.
DESIGN REVIEW for site modifications for an existing asphalt batch plant on 6.76 acres in an IL (Industrial Light) Zone within the Airport Environs (AE-65) Overlay. Generally located on the southwest corner of Valley View Boulevard and Ponderosa Way within Paradise. MN/dd/kh (For possible action)

APPROVED.

**CONDITIONS OF APPROVAL -
Comprehensive Planning**

- Paint the shipping containers to match the buildings and infrastructure on-site;
- Street landscaping along Ponderosa Way to consist of recommended plants from the Regional Plant List, or an approved alternative.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Full off-site improvements except streetlights on Ponderosa Way;
- Install conduit and pull boxes on Ponderosa Way.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation;
- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998; and that funds will not be available in the future should the owners wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0185-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

43. WS-24-0526-GHANOLI HOLDINGS, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase fence height; and 2) allow a non-decorative fence.

DESIGN REVIEW for modifications to a previously approved truck staging area on 0.49 acres in an IL (Industrial Light) Zone within the Airport Environs (AE-60) Overlay. Generally located on the south side of Martin Avenue and the east side of Crystal Street within Enterprise. MN/dd/kh (For possible action)

HELD - 01/22/25 - per the applicant.

44. **WS-24-0527-COUNTY OF CLARK (AVIATION):**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; 2) increase wall height; 3) increase fill height; 4) eliminate off-site improvements (curb, gutter, sidewalks, and streetlights); and 5) reduce the street intersection off-set.
DESIGN REVIEW for single-family detached residences on 4.92 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the northwest corner of Valadez Street and Shelbourne Avenue within Enterprise. JJ/jud/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Comply with approved drainage study PW24-17122;
- Execute a Restrictive Covenant Agreement (deed restrictions).

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0113-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

45. **TM-24-500114-COUNTY OF CLARK (AVIATION):**
TENTATIVE MAP consisting of 10 single-family residential lots and common lots on 4.92 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the northwest corner of Valadez Street and Shelbourne Avenue within Enterprise. JJ/jud/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Comply with approved drainage study PW24-17122;
- Execute a Restrictive Covenant Agreement (deed restrictions).

Building Department - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0113-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

46. WS-24-0535-BLUE DIAMOND PB HOLDINGS, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce street landscape planter width; and 2) reduce driveway geometrics.

DESIGN REVIEW for commercial buildings on 0.89 acres in a CG (General Commercial) Zone within the Airport Environs (AE-60) Overlay. Generally located on the south side of Blue Diamond Road and the west side of Pinkbox Drive within Enterprise. JJ/sd/kh (For possible action)

APPROVED.**CONDITIONS OF APPROVAL -****Comprehensive Planning**

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- The installation of detached sidewalks will require vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way;
- Coordinate with Real Property Management and the Department of Aviation to dedicate Pinkbox Drive.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County

Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;

- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0437-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

WAIVERS OF DEVELOPMENT STANDARDS #1 AND #2B WERE WITHDRAWN.

47. PA-24-700015-NEVADA POWER COMPANY:
PLAN AMENDMENT to redesignate the existing land use category from Public Use (PU) to Neighborhood Commercial (NC) on 1.89 acres. Generally located on the north side of Russell Road, 550 feet east of Hualapai Way within Spring Valley. JJ/gc (For possible action)

ADOPTED.

48. ZC-24-0310-NEVADA POWER COMPANY:
ZONE CHANGE to reclassify 1.89 acres from an RS20 (Residential Single-Family 20) Zone to a CG (Commercial General) Zone. Generally located on the north side of Russell Road, 550 feet east of Hualapai Way within Spring Valley (description on file). JJ/hw (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0323-2024 to obtain your POC exhibit; and that flow contributions exceeding District estimates may require another POC analysis.

49. UC-24-0311-NEVADA POWER COMPANY:
USE PERMIT for a mini-warehouse facility.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce and eliminate landscape buffer and screening; and 2) residential adjacency standards.
DESIGN REVIEW for a mini-warehouse facility on 1.89 acres in a CG (Commercial General) Zone. Generally located on the north side of Russell Road, 550 feet east of Hualapai Way within Spring Valley. JJ/hw/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- The addition of balconies or other second story external additions are prohibited;

- Business licenses shall not be issued for businesses conducted within individual units;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0323-2024 to obtain your POC exhibit; and that flow contributions exceeding District estimates may require another POC analysis.

WAIVERS OF DEVELOPMENT STANDARDS #1A, #1B, AND #1E WERE WITHDRAWN.

50. PA-24-700020-ROOHANI KHUSROW FAMILY TRUST:
PLAN AMENDMENT to redesignate the existing land use category from Ranch Estate Neighborhood (RN) to Low-Intensity Suburban Neighborhood (LN) on 5.0 acres. Generally located between Wigwam Avenue and Cougar Avenue on the west side of Edmond Street within Enterprise. JJ/rk (For possible action)

ADOPTED.

51. ZC-24-0485-ROOHANI KHUSROW FAMILY TRUST:
ZONE CHANGE to reclassify the following: 1) 5.00 acres from an RS20 (Residential Single-Family 20) Zone to an RS5.2 (Residential Single-Family 5.2) Zone; 2) 4.77 acres from an RS20 (Residential Single-Family 20) Zone and an H-2 (General Highway Frontage) Zone to an RS3.3 (Residential Single-Family 3.3) Zone; and 3) eliminate the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Wigwam Avenue and on the east and west sides of Edmond Street within Enterprise (description on file). JJ/rg (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;

- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0181-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

52. VS-24-0486-ROOHANI KHUSROW FAMILY TRUST:

AMENDED VACATE AND ABANDON easements of interest to Clark County located between Wigwam Avenue and Ford Avenue, and between Mohawk Street and Decatur Boulevard; a portion of a right-of-way being Edmond Street located between Wigwam Avenue (previously notified as Mohawk Street) and Ford Avenue; and a portion of a right-of-way being Cougar Avenue located between Mohawk Street (previously notified as Decatur Boulevard) and Edmond Street within Enterprise (description on file). JJ/rg/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 4 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include 25 feet to the back of curb for Cougar Avenue, between 25 feet and 50 feet to the back of curb for Edmond Street, 35 feet to the back of curb for Wigwam Avenue and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;

- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

53. **WS-24-0487-ROOHANI KHUSROW FAMILY TRUST:**

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase fill height; and 2) increase retaining wall height.

DESIGN REVIEW for a single-family detached residential development on 9.77 acres in an RS5.2 (Residential Single-Family 5.2) Zone and an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the south side of Wigwam Avenue and on the east and west sides of Edmond Street within Enterprise. JJ/rg/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- 1 story homes on Lots 1 through 6;
- No more than 14 homes on the western half of the project consisting of no more than 6 homes on the western half and no more than 8 homes on the eastern half;
- No more than 38 homes on the eastern half of the project;
- Tiered retaining walls on any perimeter walls along a right-of-way that are above the allowed total of 9 feet (3 feet of retaining and 6 feet of screen);
- Wrought iron view fencing on top of any retaining walls on the eastern half of the project above the allowed total of 9 feet (3 feet of retaining and 6 feet of screen);
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Cougar Avenue, 25 feet to 50 feet to the back of curb for Edmond Street, 35 feet to the back of curb for Wigwam Avenue and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map.

- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb, the vacation of excess right-of-way, and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code. Applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; and to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0181-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

54. TM-24-500101-ROOHANI KHUSROW FAMILY TRUST:
TENTATIVE MAP consisting of 54 single-family residential lots and 5 common lots on 9.77 acres in an RS5.2 (Residential Single-Family 5.2) Zone and an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the south side of Wigwam Avenue and on the east and west sides of Edmond Street within Enterprise. JJ/rq/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- No more than 14 homes on the western half of the project consisting of no more than 6 homes on the western half and no more than 8 homes on the eastern half;

- No more than 38 homes on the eastern half of the project.
- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Cougar Avenue, 25 feet to 50 feet to the back of curb for Edmond Street, 35 feet to the back of curb for Wigwam Avenue and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb, the vacation of excess right-of-way, and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Building Department - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided;
- All streets shall have approved street names and suffixes.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0181-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

AGENDA ITEM

55. AG-24-900729 HOLDOVER: Discuss a potential amendment to Title 30 to address how setbacks are measured; and direct staff accordingly. (For possible action)

DISCUSSED.

ORDINANCES – INTRODUCTION

56. ORD-24-900565: Introduce an ordinance to consider adoption of a Development Agreement with Richmond American Homes of Nevada, Inc. for a single-family residential development on 7.11 acres, generally located north of Pebble Road and east of Durango Drive within Enterprise. JJ/dw (For possible action)

INTRODUCED - public hearing 12/04/24.

57. ORD-24-900572: Introduce an ordinance to consider adoption of a Development Agreement with SHLV LLC for a shopping center development on 4.0 acres, generally located south of Shelbourne Avenue and west of Rainbow Boulevard within Enterprise. JJ/dw (For possible action)

INTRODUCED - public hearing 12/04/24.

58. ORD-24-900582: Introduce an ordinance to consider adoption of a Development Agreement with BD Equities, LLC for an office/ warehouse complex on 6.7 acres, generally located west of Arville Street and north of Cougar Avenue within Enterprise. JJ/dw (For possible action)

INTRODUCED - public hearing 12/04/24.

59. ORD-24-900734: Introduce an ordinance to consider adoption of a Development Agreement with SD NORTH PARCELS LLC for an office/warehouse complex on 19.3 acres, generally located east of Tenaya Way and south of Patrick Lane within Spring Valley. MN/dd (For possible action)

INTRODUCED - public hearing 12/04/24.

60. ORD-24-900758: Introduce an ordinance to amend Title 30 to modify street landscaping requirements, regulations for manufactured homes, and providing for other matters properly related thereto; and set a public hearing. (For possible action)

INTRODUCED - public hearing 12/04/24.

61. ORD-24-900766: Introduce an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on October 2, 2024. (For possible action)

INTRODUCED - public hearing 12/04/24.

PUBLIC COMMENTS

Comments by the General Public regarding any items not listed on the agenda as posted. No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on a future agenda.



**ANNOTATED ZONING AND SUBDIVISION AGENDA
AND RELATED ITEMS
BOARD OF COUNTY COMMISSIONERS
COMMISSION CHAMBERS
CLARK COUNTY GOVERNMENT CENTER
500 S. GRAND CENTRAL PARKWAY
9:00 AM, WEDNESDAY, NOVEMBER 20, 2024**

This meeting has been properly noticed and posted online at <https://clarkcountynv.gov/agendas> and Nevada Public Notice at <https://notice.nv.gov/>, and at the following Principal Office:
Clark County Government Center, 500 S. Grand Central Parkway, Las Vegas, NV.

The Clark County Commission Chambers are accessible to individuals with disabilities. With twenty-four (24) hour advanced request, a sign language interpreter may be made available (telephone number TT/TDD: Nevada Relay toll-free (800) 326-6868) and assisted listening devices are available at the meeting upon request. A copy of the agenda sheets for this meeting can be found at <https://clarkcountynv.gov/agendas>. Versión en español se puede encontrar en <https://clarkcountynv.gov/agendas> haciendo clic en "Detalles de la reunión". Ang bersyon sa Tagalog ay matatagpuan sa <https://clarkcountynv.gov/agendas> sa pamamagitan ng pag-click sa "Mga Detalye ng Pagpupulong". Supporting material for each item, including information provided at the meeting, is available at <https://www.clarkcountynv.gov/comp-planning> for inspection by clicking "Services" and selecting "Land Use Documents", visiting the Department of Comprehensive Planning located at 500 S. Grand Central Parkway, Las Vegas, NV 89106, or by contacting Nicole Razo at (702) 455-4314 (option 2, option 1).

MEETING PROTOCOL:

ITEMS 4 – 17 are routine items for possible action.

These items may be considered in one hearing and in one motion. Any person who does not agree with the recommendations by staff should request that the item be removed from this portion of the agenda and be heard separately when directed by the Board of County Commissioners.

ITEMS 18 – 61 are non-routine public hearing items for possible action.

These items will be considered separately.

If you wish to speak to the Board of County Commissioners about items within its jurisdiction but not appearing on this agenda, you must wait until the "Comments by the General Public" period listed at the end of this agenda. Please clearly state your name and address and please spell your last name for the record. Please be advised that the Board of County Commissioners has the discretion to take items on the agenda out of order; combine two or more agenda items for consideration; remove an item from the agenda or delay discussion relating to an item on the agenda at any time; and they may impose up to a 3 minute time limit for speaking on an item.

If you wish to comment on an agenda item via email, you may send an email to zoningmeeting@clarkcountynv.gov. Please include the item and application number in the "subject" portion of the email. The entire comment will be included in the written record for the item.

OPENING CEREMONIES

CALL TO ORDER

1. Public Comments.
2. Approval of the Agenda After Considering Requests to Add, Hold, or Delete Items. (For possible action)
3. Approval of minutes. (For possible action)

ROUTINE ACTION ITEMS (4 – 17):

These items may be considered in one hearing and in one motion. Any person who does not agree with the recommendations by staff should request that the item be removed from this portion of the agenda and be heard separately when directed by the Board of County Commissioners.

4. SDR-24-0334-MGM RESORTS LAND HOLDINGS II, LLC
HOLDOVER SIGN DESIGN REVIEW for modifications to an approved comprehensive sign plan for a resort hotel (Bellagio) on 76.63 acres in a CR (Commercial Resort) Zone. Generally located on the west side of Las Vegas Boulevard South and the south side of Flamingo Road within Paradise. JG/r/syp (For possible action)
5. DR-24-0335-BCORE PARADISE, LLC:
HOLDOVER DESIGN REVIEW for an expansion and modification to an existing resort hotel (Bellagio) on 85.77 acres in a CR (Commercial Resort) Zone. Generally located on the west side of Las Vegas Boulevard South and the south side of Flamingo Road within Paradise. JG/r/syp (For possible action)
6. ET-24-400107 (UC-20-0288)-WTML WARM SPRINGS, LLC:
USE PERMIT SECOND EXTENSION OF TIME for a cannabis establishment (retail cannabis store).
DESIGN REVIEW for a retail building for a cannabis establishment on 0.9 acres in a CG (Commercial General) Zone. Generally located on the south side of Warm Springs Road, 480 feet east of Haven Street within Enterprise. MN/mh/kh (For possible action)
7. WC-24-400111 (ZC-1965-04)-WIGWAM-PARVIN LIMITED PARTNERSHIP:
WAIVERS OF CONDITIONS of a zone change requiring the following: 1) a 45 foot setback on Las Vegas Boulevard South; 2) 20 foot minimum setback along all other street frontages; and 3) 20 foot wide landscape buffer with medium trees, 24 inch box in size, with shrubs to cover 50% of the landscape area and a detached sidewalk along Las Vegas Boulevard South unless prohibited by NDOT in conjunction with a proposed multi-family residential development on 9.23 acres in a CR (Commercial Resort) Zone. Generally located on the east side of Las Vegas Boulevard South and the south side of Jo Rae Avenue within Enterprise. MM/hw/kh (For possible action)
8. VS-24-0520-WIGWAM-PARVIN LIMITED PARTNERSHIP:
VACATE AND ABANDON easements of interest to Clark County located between Jo Rae Avenue and Pyle Avenue and between Las Vegas Boulevard South and Giles Street; a portion of right-of-way being Pyle Avenue located between Las Vegas Boulevard South and Giles Street; a portion of right-of-way being Jo Rae Avenue located between Las Vegas Boulevard South and Giles Street; and a portion of right-of-way being Giles Street located between Jo Rae Avenue and Pyle Avenue within Enterprise (description on file). MN/hw/kh (For possible action)

9. UC-24-0521-WIGWAM-PARVIN LIMITED PARTNERSHIP:
USE PERMIT to allow a multi-family residential development.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; and 2) alternative driveway geometrics.
DESIGN REVIEW for a proposed multi-family residential development on 9.23 acres in a CR (Commercial Resort) Zone. Generally located on the east side of Las Vegas Boulevard South and the south side of Jo Rae Avenue within Enterprise. MN/hw/kh (For possible action)
10. ZC-24-0518-USA:
ZONE CHANGE to reclassify a 5.55 acre portion of 58.7 acres from an IH (Industrial Heavy) Zone to a PF (Public Facility) Zone within the Airport Environs (AE-70) Overlay. Generally located on the northwest side of Las Vegas Boulevard North and the north side of Nadine Petersen Boulevard within the Northeast County Planning Area (description on file). MK/rg (For possible action)
11. ORD-24-900529: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with SCT Silverado Ranch & Arville LLC for a commercial development on 0.8 acres, generally located east of Arville Street and north of Silverado Ranch Boulevard within Enterprise. JJ/jm (For possible action)
12. ORD-24-900546: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with Fort Apache, LTD for a multi-family residential development on 9.1 acres, generally located west of Fort Apache Road and south of Pebble Road within Enterprise. JJ/dw (For possible action)
13. ORD-24-900599: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with G Y Properties LLC for an office/warehouse building on 2.1 acres, generally located west of Westwind Road and south of Sunset Road within Enterprise. MN/dw (For possible action)
14. ORD-24-900699: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on August 21, 2024. (For possible action)
15. ORD-24-900708: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on August 7, 2024. (For possible action)
16. ORD-24-900710: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on September 18, 2024. (For possible action)
17. ORD-24-900725: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on September 4, 2024 and in Assessor's Books 059, 104, 140, 161, 162, 163, 164, 175, 176, and 177 the attached zone changes were approved to reclassify certain properties and amend the zoning map. (For possible action)

NON-ROUTINE ACTION ITEMS (18 – 61):

These items will be considered separately.

18. CP-24-900629: Conduct a public hearing, adopt the Flood Control Master Plan Update, and authorize the Chair to sign a Resolution amending the Plan. (For possible action)

19. ET-24-400110 (UC-20-0493)-5051 SLV, LLC:
USE PERMITS SECOND EXTENSION OF TIME for the following: 1) expand the Gaming Enterprise District; 2) a resort hotel; 3) public areas including the casino, showrooms, live entertainment, retail center, indoor and outdoor dining, entertainment, offices, conventions, back of house and parking structures; 4) associated accessory and incidental commercial uses, buildings, and structures; and 5) deviations from development standards.
DEVIATIONS for the following: 1) increase the height of high-rise towers; 2) encroachment into airspace; 3) reduce setbacks; 4) alternative landscaping; and 5) all other deviations as shown per plans on file.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) for non-standard improvements (landscaping) within the right-of-way; and 2) alternative driveway geometrics.
DESIGN REVIEWS for the following: 1) a resort hotel with all associated and accessory uses, structures and incidental buildings and structures; and 2) finished grade on 4.68 acres in a CR (Commercial Resort) Zone and within the Airport Environs (AE-65) Overlay. Generally located on the east side of Las Vegas Boulevard South, 500 feet south of Russell Road (alignment) within Paradise. JG/jm/kh (For possible action)
20. UC-24-0319-VAN DIEPEN, RICHARD & KATHRYN:
USE PERMIT for an accessory living quarters.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; and 2) reduce building separation.
DESIGN REVIEW for existing accessory structures in conjunction with an existing single-family residence on 0.23 acres in an RS5.2 (Residential Single-Family 5.2) Zone within the Historic Designation Overlay. Generally located on the east side of Cochise Lane, 110 feet north of Geronimo Way within Paradise. TS/jm/syp (For possible action)
21. UC-24-0436-MANNA INVESTMENT GROUP, LLC:
HOLDOVER USE PERMIT for a vehicle wash.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) modify residential adjacency standards; 2) alternative buffering and screening; and 3) allow attached sidewalks.
DESIGN REVIEW for a vehicle wash in conjunction with an existing shopping center on a portion of 4.09 acres in a CG (Commercial General) Zone. Generally located on the west side of Sandhill Road and the south side of Desert Inn Road within Paradise. TS/sd/kh (For possible action)
22. UC-24-0460-GONZALEZ, DIMAS:
HOLDOVER USE PERMITS for the following: 1) stable (residential); 2) livestock (small); 3) livestock (medium); and 4) livestock (large).
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow accessory structures prior to the principal structure; 2) reduce building separation; 3) allow a non-decorative fence in the front yard; 4) eliminate street landscaping; 5) full off-site improvements; and 6) allow 3 driveways in conjunction with proposed agricultural uses and future single-family residences on 1.47 acres in an RS20 (Residential Single-Family 20) Zone within the Airport Environs (AE-65) Overlay. Generally located on the south side of Cartier Avenue and the east side of Walnut Road within Sunrise Manor. WM/dd/syp (For possible action)
23. UC-24-0536-REHM, SCOTT & JEANALIN, JULIA:
USE PERMITS for the following: 1) home occupation; 2) stable; 3) livestock (small and large); and 4) household pets.
WAIVER OF DEVELOPMENT STANDARDS for reduced setbacks on 0.48 acres in an RS20 (Residential Single-Family 20) Zone. Generally located on the east side of Westwind Road, 610 feet south of Charleston Boulevard within the Spring Valley Planning Area. RM/tpd/kh (For possible action)

24. VS-24-0277-PALM PROPERTIES, LLC:
HOLDOVER VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file). TS/jor/syp (For possible action)
25. WS-24-0276-PALM PROPERTIES, LLC:
HOLDOVER WAIVER OF DEVELOPMENT STANDARDS to modify residential adjacency standards.
DESIGN REVIEW for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone. Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor. TS/jor/syp (For possible action)
26. VS-24-0457-DBAC, LLC:
HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Pamalyn Avenue and Maule Avenue, and between Arville Street and Cameron Street, a portion of right-of-way being Arville Street located between Pamalyn Avenue and Maule Avenue, and portion of right-of-way being Maule Avenue located between Arville Street and Cameron Street within Enterprise (description on file). MN/lm/syp (For possible action)
27. WS-24-0456-DBAC, LLC:
HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase fill height; 2) increase retaining wall height; and 3) reduce driveway setback.
DESIGN REVIEW for a single-family residential subdivision on 3.11 acres in an RS20 (Residential Single-Family 20) Zone within the Airport Environs (AE-60) and Neighborhood Protection (RNP) Overlays. Generally located on the west side of Arville Street and the north side of Maule Avenue within Enterprise. MN/lm/syp (For possible action)
28. TM-24-500096-DBAC, LLC:
HOLDOVER TENTATIVE MAP consisting of 6 single-family residential lots and 1 common lot on 3.11 acres in an RS20 (Residential Single-Family 20) Zone within the Airport Environs (AE-60) and Neighborhood Protection (RNP) Overlays. Generally located on the west side of Arville Street and the north side of Maule Avenue within Enterprise. MN/lm/syp (For possible action)
29. VS-24-0462-OMNI FAMILY LIMITED PARTNERSHIP:
HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Arby Avenue and Capovilla Avenue and between Valley View Boulevard and Procyon Street within Enterprise (description on file). MN/hw/kh (For possible action)
30. WS-24-0461-OMNI FAMILY LIMITED PARTNERSHIP:
HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce net lot area; 2) reduce street landscaping; 3) increase retaining wall height; 4) increase fill height; 5) alternative lot orientation; 6) off-site improvements (streetlights); and 7) reduce driveway setbacks.
DESIGN REVIEW for a single-family residential subdivision on 7.5 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the east side of Valley View Boulevard and the south side of Arby Avenue within Enterprise. MN/hw/kh (For possible action)
31. TM-24-500099-OMNI FAMILY LIMITED PARTNERSHIP:
HOLDOVER TENTATIVE MAP consisting of 13 single-family residential lots on 7.5 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the east side of Valley View Boulevard and the south side of Arby Avenue within Enterprise. MN/hw/kh (For possible action)

32. VS-24-0509-USA:
VACATE AND ABANDON easements of interest to Clark County located between Craig Road and Alexander Road and between Chieftain Street and Fort Apache Road; a portion of right-of-way being Helena Avenue located between Chieftain Street and Fort Apache Road; and a portion of right-of-way being Hickam Avenue located between Chieftain Street and Fort Apache Road within Lone Mountain (description on file). RM/hw/kh (For possible action)
33. WS-24-0510-USA:
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce gross lot area; 2) reduce net lot area; 3) reduce front setbacks; 4) allow a gated community within the NPO-RNP; 5) reduce street landscaping; 6) reduce call box setback; 7) eliminate off-site improvements (curb, gutter, sidewalks, and streetlights); 8) increase the length of a non-through street without a county approved turnaround; and 9) eliminate street knuckles.
DESIGN REVIEW for a single-family residential subdivision on a 22.14 acre portion of 32.12 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Craig Road, north of Florine Avenue (alignment), east of Chieftain Street, and west of Fort Apache Road within Lone Mountain. RM/hw/kh (For possible action)
34. TM-24-500108-USA:
TENTATIVE MAP consisting of 39 single-family residential lots and 2 common lots on a 22.14 acre portion of 32.12 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Craig Road, north of Florine Avenue (alignment), east of Chieftain Street, and west of Fort Apache Road within Lone Mountain. RM/hw/kh (For possible action)
35. VS-24-0539-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:
VACATE AND ABANDON easements of interest to Clark County located between Torino Avenue and Ford Avenue (alignment) and between Belcastro Street and Rosanna Street within Enterprise (description on file). JJ/jud/kh (For possible action)
36. WS-24-0538-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce net lot size; 2) increase fill height; 3) increase retaining wall height; and 4) increase driveway width.
DESIGN REVIEW for a single-family residential subdivision on 2.34 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the northeast corner of Belcastro Street and Torino Avenue within Enterprise. JJ/jud/kh (For possible action)
37. VS-24-0542-GOLDENSITES, LLC:
VACATE AND ABANDON easements of interest to Clark County located between Camero Avenue and Mistral Avenue and between Cimarron Road and Durango Drive and portion of a right-of-way being Gagnier Boulevard located between Mistral Avenue and Camero Avenue within Enterprise (description on file). JJ/sd/kh (For possible action)
38. WS-24-0543-GOLDENSSITES, LLC, THE PARSONS FAMILY REVOCABLE LIVING TRUST):
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; 2) increase retaining wall height; 3) increase fill height; 4) waive full off-site improvements; and 5) reduce street intersection off-set.
DESIGN REVIEW for a single-family residential subdivision on 10.63 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the north side of Camero Avenue and the east and west sides of Gagnier Boulevard (alignment) within Enterprise. JJ/sd/kh (For possible action)

39. TM-24-500117-GOLDENSSITES, LLC, THE PARSONS FAMILY REVOCABLE LIVING TRUST): TENTATIVE MAP consisting of 20 single-family residential lots on 10.63 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the north side of Camero Avenue and the east and west sides of Gagnier Boulevard (alignment) within Enterprise. JJ/sd/kh (For possible action)
40. WS-24-0522-CROCKER FAMILY REVOCABLE LIVING TRUST: WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; and 2) eliminate full off-site improvements in conjunction with a proposed single-family residence on 0.5 acres in a RS20 (Residential Single-Family 20) Zone within the Neighborhood Preservation (RNP) Overlay. Generally located on the west side of El Capitan Way, 170 feet south of Washburn Road within Lone Mountain. RM/jm/kh (For possible action)
41. WS-24-0523-WARREN FAMILY REV LIV TR & WARREN, JOSEPH F. & CARRYN B. TRS: WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce separation; 2) reduce setbacks; and 3) modify driveway geometrics for accessory structures in conjunction with an existing single-family residence on 2.28 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the west side of Fairfield Avenue, 320 feet south of Wigwam Avenue within Enterprise. MN/tpd/kh (For possible action)
42. WS-24-0525-SEMMATERIALS ENERGY PTNRS, LLC: AMENDED WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase fence height (no longer needed); 2) allow non-decorative fencing (no longer needed); 3) reduce access gate setbacks; 4) waive off-site improvements (streetlights); 5) allow attached sidewalks; 6) eliminate throat depth; and 7) eliminate driveway back-of-curb radius. DESIGN REVIEW for site modifications for an existing asphalt batch plant on 6.76 acres in an IL (Industrial Light) Zone within the Airport Environs (AE-65) Overlay. Generally located on the southwest corner of Valley View Boulevard and Ponderosa Way within Paradise. MN/dd/kh (For possible action)
43. WS-24-0526-GHANOLI HOLDINGS, LLC: WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase fence height; and 2) allow a non-decorative fence. DESIGN REVIEW for modifications to a previously approved truck staging area on 0.49 acres in an IL (Industrial Light) Zone within the Airport Environs (AE-60) Overlay. Generally located on the south side of Martin Avenue and the east side of Crystal Street within Enterprise. MN/dd/kh (For possible action)
44. WS-24-0527-COUNTY OF CLARK (AVIATION): WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; 2) increase wall height; 3) increase fill height; 4) eliminate off-site improvements (curb, gutter, sidewalks, and streetlights); and 5) reduce the street intersection off-set. DESIGN REVIEW for single-family detached residences on 4.92 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the northwest corner of Valadez Street and Shelbourne Avenue within Enterprise. JJ/jud/kh (For possible action)
45. TM-24-500114-COUNTY OF CLARK (AVIATION): TENTATIVE MAP consisting of 10 single-family residential lots and common lots on 4.92 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the northwest corner of Valadez Street and Shelbourne Avenue within Enterprise. JJ/jud/kh (For possible action)

46. WS-24-0535-BLUE DIAMOND PB HOLDINGS, LLC:
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce street landscape planter width; and 2) reduce driveway geometrics.
DESIGN REVIEW for commercial buildings on 0.89 acres in a CG (General Commercial) Zone within the Airport Environs (AE-60) Overlay. Generally located on the south side of Blue Diamond Road and the west side of Pinkbox Drive within Enterprise. JJ/sd/kh (For possible action)

47. PA-24-700015-NEVADA POWER COMPANY:
PLAN AMENDMENT to redesignate the existing land use category from Public Use (PU) to Neighborhood Commercial (NC) on 1.89 acres. Generally located on the north side of Russell Road, 550 feet east of Hualapai Way within Spring Valley. JJ/gc (For possible action)

PC Action - Adopted

48. ZC-24-0310-NEVADA POWER COMPANY:
ZONE CHANGE to reclassify 1.89 acres from an RS20 (Residential Single-Family 20) Zone to a CG (Commercial General) Zone. Generally located on the north side of Russell Road, 550 feet east of Hualapai Way within Spring Valley (description on file). JJ/hw (For possible action)

PC Action - Approved

49. UC-24-0311-NEVADA POWER COMPANY:
USE PERMIT for a mini-warehouse facility.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce and eliminate landscape buffer and screening; and 2) residential adjacency standards.
DESIGN REVIEW for a mini-warehouse facility on 1.89 acres in a CG (Commercial General) Zone. Generally located on the north side of Russell Road, 550 feet east of Hualapai Way within Spring Valley. JJ/hw/syp (For possible action)

PC Action - Approved

Waivers of Development Standards #1A, #1B, and #1E were Withdrawn without prejudice

50. PA-24-700020-ROOHANI KHUSROW FAMILY TRUST:
PLAN AMENDMENT to redesignate the existing land use category from Ranch Estate Neighborhood (RN) to Low-Intensity Suburban Neighborhood (LN) on 5.0 acres. Generally located between Wigwam Avenue and Cougar Avenue on the west side of Edmond Street within Enterprise. JJ/rk (For possible action)

PC Action - Adopted

51. ZC-24-0485-ROOHANI KHUSROW FAMILY TRUST:
ZONE CHANGE to reclassify the following: 1) 5.00 acres from an RS20 (Residential Single-Family 20) Zone to an RS5.2 (Residential Single-Family 5.2) Zone; 2) 4.77 acres from an RS20 (Residential Single-Family 20) Zone and an H-2 (General Highway Frontage) Zone to an RS3.3 (Residential Single-Family 3.3) Zone; and 3) eliminate within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Wigwam Avenue and on the east and west sides of Edmond Street within Enterprise (description on file). JJ/rg (For possible action)

PC Action - Approved

52. VS-24-0486-ROOHANI KHUSROW FAMILY TRUST:
AMENDED VACATE AND ABANDON easements of interest to Clark County located between Wigwam Avenue and Ford Avenue, and between Mohawk Street and Decatur Boulevard; a portion of a right-of-way being Edmond Street located between Wigwam Avenue (previously notified as Mohawk Street) and Ford Avenue; and a portion of a right-of-way being Cougar Avenue located between Mohawk Street (previously notified as Decatur Boulevard) and Edmond Street within Enterprise (description on file). JJ/rg/kh (For possible action)

PC Action - Approved

53. WS-24-0487-ROOHANI KHUSROW FAMILY TRUST:
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase fill height; and 2) increase retaining wall height.
DESIGN REVIEW for a single-family detached residential development on 9.77 acres in an RS5.2 (Residential Single-Family 5.2) Zone and an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the south side of Wigwam Avenue and on the east and west sides of Edmond Street within Enterprise. JJ/rg/kh (For possible action)

PC Action - Approved

54. TM-24-500101-ROOHANI KHUSROW FAMILY TRUST:
TENTATIVE MAP consisting of 54 single-family residential lots and 5 common lots on 9.77 acres in an RS5.2 (Residential Single-Family 5.2) Zone and an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the south side of Wigwam Avenue and on the east and west sides of Edmond Street within Enterprise. JJ/rg/kh (For possible action)

PC Action - Approved

AGENDA ITEM

55. AG-24-900729 HOLDOVER: Discuss a potential amendment to Title 30 to address how setbacks are measured; and direct staff accordingly. (For possible action)

ORDINANCES – INTRODUCTION

56. ORD-24-900565: Introduce an ordinance to consider adoption of a Development Agreement with Richmond American Homes of Nevada, Inc. for a single-family residential development on 7.11 acres, generally located north of Pebble Road and east of Durango Drive within Enterprise. JJ/dw (For possible action)
57. ORD-24-900572: Introduce an ordinance to consider adoption of a Development Agreement with SHLV LLC for a shopping center development on 4.0 acres, generally located south of Shelbourne Avenue and west of Rainbow Boulevard within Enterprise. JJ/dw (For possible action)
58. ORD-24-900582: Introduce an ordinance to consider adoption of a Development Agreement with BD Equities, LLC for an office/ warehouse complex on 6.7 acres, generally located west of Arville Street and north of Cougar Avenue within Enterprise. JJ/dw (For possible action)
59. ORD-24-900734: Introduce an ordinance to consider adoption of a Development Agreement with SD NORTH PARCELS LLC for an office/warehouse complex on 19.3 acres, generally located east of Tenaya Way and south of Patrick Lane within Spring Valley. MN/dd (For possible action)

60. ORD-24-900758: Introduce an ordinance to amend Title 30 to modify street landscaping requirements, regulations for manufactured homes, and providing for other matters properly related thereto; and set a public hearing. (For possible action)
61. ORD-24-900766: Introduce an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on October 2, 2024. (For possible action)

PUBLIC COMMENTS

Comments by the General Public regarding any items not listed on the agenda as posted. No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on a future agenda.



togetherforbetter

Board of County Commissioners
Clark County, Nevada

Tick Segerblom, Chair
William McCurdy II, Vice Chair
Jim Gibson
Justin Jones
Marilyn K. Kirkpatrick
Ross Miller
Michael Naft

The Board of County Commissioners of Clark County, Nevada met in recessed regular session in full conformity with law and bylaws of said Board at the regular place of meeting in Clark County, Nevada, on Wednesday, November 20, 2024:

CLARK COUNTY GOVERNMENT CENTER
COMMISSION CHAMBERS
500 S GRAND CENTRAL PKWY
LAS VEGAS, NEVADA 89106

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SEC. 1. OPENING CEREMONIES

CALL TO ORDER

The meeting was called to order at Click or tap here to enter text. a.m. by Chair Segerblom with the following members present:

Commissioners Present:

Tick Segerblom, Chair
William McCurdy II, Vice Chair
Jim Gibson
Justin Jones
Marilyn K. Kirkpatrick
Ross Miller
Michael Naft

Absent:

None

Commissioner Miller exited the meeting following Item 40 presentation.

Also Present:

Robert Warhola, Deputy District Attorney
Sami Real, Director, Comprehensive Planning
Antonio Papazian, Manager, Development Review
JaWaan Dodson, Assistant Manager, Development Review
Lynn Marie Goya, County Clerk
Jewel Gooden, Deputy Clerk
Robin Delaney, Deputy Clerk

SEC. 2. PUBLIC FORUM

1. Public Comment

ACTION: NO ACTION WAS TAKEN BY THE BOARD.

TICK SEGERBLOM

Good morning. This is the County Commission Zoning Meeting on Wednesday. Ms. Real.

SAMI REAL

So good morning, Commissioners. Before we start today's meeting, Commissioner Naft wishes to say a few words about George Garcia, longtime land use consultant, who sadly passed away on October 26 of this year. So, Commissioner Naft?

MICHAEL NAFT

Yeah. Thank you, Sami.

George had become a fixture of this Chamber: of J.C. Garcia, Inc. He passed away, as Sami said, on October 26 very suddenly after a short battle against an aggressive lymphoma.

George founded J.C. Garcia in 1995. The firm is an internationally recognized leader in commercial real estate in Southern Nevada. George had 26 years of local government planning experience, serving for five years as the Planning Director for the City of Henderson. In addition to his personal successes, George was an animal lover who actively supported local rescues and shelter groups.

In his honor, his family, including his children, Melissa, Jordan and Chris, and Melissa and Chris I believe are here with us today, they've created the George C. Garcia Lymphoma Foundation to provide diagnosed lymphoma patients in southern Nevada with access to care and education.

I know, like all of us here, worked closely with George, as did many in the audience today and we're thinking, Melissa, of you and your whole family at this hard time. But always look forward – we know how proud George was, Melissa, to work with you and of your brothers and we're glad that you're here to continue in his legacy in the work that he spent his career on, planning and preparing for the future growth of Southern Nevada. Thank you, Ms. Real.

SAMI REAL

So, with that, we will begin today's meeting. So, the first item on the agenda is public comment.

TICK SEGERBLOM

This is the first period for public comment and anyone wishing to speak on an item on the agenda, please come forward and you have up to three minutes. Identify the item you're speaking on.

MARGARET ANN COLEMAN

Yes, this is – my name is Margaret Ann Coleman, C-O-L-E-M-A-N. This is concerning the agenda approval and it held and did items deleted.

This is concerning the program for the housing over at – on Las Vegas across from the funeral department. This place here has \$3 million that is credited due for my living arrangements. It's needing a lot of repairs and fixtures of that nature that I have views because I've been over there. Now I asked to be moved out due to the fact I am credit to be indoors and not on the ground or sleeping in that facility. They put me on navigation. You give me no credibility to maintain my own living arrangements. You want to take medication when you go in. You want to wheel and deal over that navigation in order to get your assistance. That is another default.

You made a statement concerning the people at the shelter. If they don't do right, they be arrested and put in jail. People being homeless due to the fact you all locked us outside with the constables. The Lopez and the Delregados have placed me in a situation of being locked out at 1316 Wizard and putting in Filipinos to, as you know, you open up a town section for them to live. Black people don't have that. You haven't given us that. I had Mormon Manor. You put each one of them and they are in that shelter. And they're talking about me, scorning and desecrating me every day.

I had an attorney called Attorney Welch that went to Florida that was – he was eight-balled it just for representing me to get my money. And from then on, I had been getting scorned and desecrated and never been able to collect. I'm needing you to cut me a check. Let me go. I help you, now help me. I need a car. I need to handle my own affairs. I'm 73 and I'm an adult and I would like to act that way. Thank you.

TICK SEGERBLOM

Thank you. Anyone else here wishes to speak – you want to come up on 55?

CARLOS IBARRA

Good morning, Commissioners. My name is Juan Carlos Ibarra, I-B-A-R-R-A. Me and my brother, we are a small developer here in Las Vegas and we support Item 55 proposed by Mr. Tick Segerblom. And it currently impacts our business. And again, we support Item 55. Thank you very much.

TICK SEGERBLOM

Thank you. Anyone else here wishing to speak? Seeing no one, well oh wait, here we go.

LEE DUSBABEK

Are you going to have public input after each one of these?

TICK SEGERBLOM

Yes. But also, but – I'm sorry, Sami. What were the three? There's three that have been –

SAMI REAL

So, Commissioner, we received a request to speak on Items 32, 33 and 34. Those items have requested to be held until December 4, 2024. I'll read those in next. So, if there's somebody here who wants to speak on Items 32, 33, 34, they can do so now during the public comment period or they can come back on December 4.

TICK SEGERBLOM

Yeah. So, you're welcome to speak now since you came all the way down there. So, thank you.

ROSS MILLER

It's in my district. So, I just wanted to let you know that it's undergoing a design change. So, some of you make comments may be relevant, some may not. But if you want to contact my office after the meeting, we'd be happy to discuss it with you as well. But look forward to listening to your comments this morning.

TICK SEGERBLOM

Well, you have to state your name and spell your last name for the record.

LEE DUSBABEK

Lee Dusbabek, 9355 Helena Avenue.

TICK SEGERBLOM

Thank you.

LEE DUSBABEK

Twenty-five years ago, I happened to be a member of the Lone Mountain Citizens Advisory Council when at that time you, the County and the City, came together in the same room and agreed to and signed a contract for the Rural Preservation Zone. And you promised us, the residents and everybody on TV watching here that's in the County, that you would uphold this. As you can tell, those three items are asking for waivers of all the things that you promised us. I'd just like to input that so you can consider it when you do vote. And was it December 9?

SAMI REAL

December 4.

LEE DUSBABEK

December 4. All right.

TICK SEGERBLOM

But also do you want to speak to Mr. Miller's staff? Are they – okay.

LEE DUSBABEK

Okay. So, I'll just contact him directly?

TICK SEGERBLOM

Yes.

LEE DUSBABEK

All right, thank you.

TICK SEGERBLOM

Thank you. Anyone else here wishing to speak?

CALVIN KOEHLER

My name's Calvin Koehler. I live at 9375 West Craig Road, and I'd like to speak on 32, 33 and 34 also.

The agreement he's talking about was between the City and the County on December 21, 2016, where they agreed to this. And then again on the 2021, Title 30 was passed by this Committee, which made it a Rural Estates area.

I'm only going to present two quick things. These are pictures of the development by Mr. Templeton that's up above my house in the same area. I'm not quite sure how he got in so many houses in such a small area, but this is a picture of what they look like and what the development he plans on making is going to look like. And this is a picture of the homes that exist there now and what they look like.

My neighbors have chickens, gardens, horses. There's actually a park on Lone Mountain for horses. That's what this area was developed for. It's what this Committee approved that development for. They're slowly chipping away on this and trying to make it Las Vegas City. And that's fine. If I wanted to live in Las Vegas City, I can afford to live in Las Vegas City. But I chose to live in Clark County. Reason behind that was so that I could have chickens, horses, gardens. If we allow this to happen now, it'll continue, and we might as well not even have Title 30. I thank you for your time.

TICK SEGERBLOM

Thank you. And I'm sorry, could you spell your last name?

CALVIN KOEHLER

Koehler. Koehler. It's K-O-E-H-L-E-R.

TICK SEGERBLOM

Great. Thank you.

CALVIN KOEHLER

Would you like to look at these pictures?

TICK SEGERBLOM

You could hand them to – here, right here.

CALVIN KOEHLER

Okay. Picture Number 1 is the development that's in existing above my place in the same area. And Picture Number 2 is normal homes in that area. They're not even close. Thank you.

TICK SEGERBLOM

Thank you.

CALVIN KOEHLER

Thank you for your time.

LUIS GUTIERREZ

Hello. Luis Gutierrez, 7500 West Lake Mead Boulevard here in Las Vegas. I also live in that general area. Regarding 33 and 34, why were we not notified about the extension or change of plans? Are we not communicating or is this – I would like some answers.

TICK SEGERBLOM

I'm sorry we can't – during public comment, we don't respond. But if you want to stick around –

LUIS GUTIERREZ

Well, for the public that's sitting here, we should have been notified of the extension. And also, just for the record, I'm not happy with the development.

TICK SEGERBLOM

Anyway, if you'll leave your name and number, we'll have Commissioner Miller's Office reach out to you.

LUIS GUTIERREZ

Are we going to be notified by mail?

TICK SEGERBLOM

I'm not sure. Sami?

ROSS MILLER

We just moved it this morning so there was no opportunity to let you know because they just put in the new design plan. So, we're moving it to December 5 – December 4, so you can come at that time.

LUIS GUTIERREZ

So hopefully we're not going to start playing these games with extensions and so people get all confused here. Because it may trigger worse than better. That's all.

TICK SEGERBLOM

All right, thank you. Anyone else here?

RUTH RIOS

Good morning. My name is Ruth Rios and I'm here with Dimas Gonzalez. My name is R-U-T-H R-I-O-S. His name is Dimas, D-I-M-A-S Gonzalez, G-O-N-Z-A-L-E-Z, on Item Number 22 that is being held.

Because we took the opportunity to come, we would like to speak just a little bit about it. We understand that it's being held. However, we want to address it. For the most part, we have taken care of all these items.

The only one that is remaining is the shipping containers in which we're going to be using license to make the structure of the house. We just want to make sure that we let you guys know that we are willing to comply with everything, but we are asking that at least the shipping containers, you guys allow us to keep it there since we're going to be using them for the construction of the house.

We are at this point just waiting for the grading plan to hopefully be approved within this month. And that's pretty much what we're asking. We have no more animals there because we do understand that we need to be living there to keep our animals there. There's no more selling any hay. Even though we had the permit, we didn't have the permit for the property, so we removed everything. So completely right now the lot is practically empty with the exception of the shipping containers that we are asking that you guys help us out with that.

WILLIAM MCCURDY II

We thank you for coming out today. While we can't go back and forth, we ask that you hang tight, or you wait for my office to reach out to you, and we'll be following up on some of the items that were in violation of the Code prior to this meeting. After this meeting. Excuse me. Is that okay?

RUTH RIOS

Say that again? I'm sorry.

WILLIAM MCCURDY II

My office will reach out to you afterwards.

RUTH RIOS

Okay.

WILLIAM MCCURDY II

Thank you.

RUTH RIOS

Thank you.

TICK SEGERBLOM

Thank you both. Anyone else here wishing to speak? Seeing no one, we'll close the – oops, here we go.

JEANALIN REHM

My name's Jeanalin Rehm. Good morning, guys. And this is Scott Rehm, and we are for Item 23 and we are asking for a home occupation, stable, livestock and to up our house count for household pets. And we are offering cow cuddles, and we wanted to –

TICK SEGERBLOM

Is this one, excuse me –

SAMI REAL

So, Commissioners, this item is actually off of the routine. So, we will hear this one.

TICK SEGERBLOM

This one is going to be heard if you want to stick around and-

JEANALIN REHM

Oh, okay.

TICK SEGERBLOM

– hear when the item is coming in.

JEANALIN REHM

Okay. All right.

TICK SEGERBLOM

Great. Thank you.

JEANALIN REHM

Sorry.

TICK SEGERBLOM

Sorry, we get a little confused. All right. Seeing no one else, we'll close the public hearing and ask Ms. –

SEC. 3. AGENDA

2. Approval of the Agenda After Considering Requests to Add, Hold, or Delete Items. (For possible action)

SAMI REAL

The second item is the approval of the agenda. After considering any additions or deletions of items, staff has the following request, which may require re-notification fees in accordance with Title 30:

- Hold to the December 4, 2024, Zoning Meeting: Item 32, VS-24-0509; Item 33, WS-24-0510; and Item 34, TM-24-500108.
- Hold to the December 18, 2024, Zoning Meeting: Item 21, UC-24-0436; Item 22, UC-24-0460; Item 26, VS-24-0457; Item 27 WS-24-0456; and Item 28, TM-24-500096.
- Hold to the January 22, 2025, Zoning Meeting: Item 43, WS-24-0526.
- And hold till the February 19, 2025, Zoning Meeting: Item 4, which is SDR-24-0334: and Item 5, DR-24-0335.

The above public hearing items are going to be open as a public hearing and immediately recessed until the dates as previously stated. With these deletions, which are Items 4, 5, 21, 22, 26, 27, 28, 32, 33, 34, and 43, the agenda stands ready for your approval.

Additionally, just to put it on and request the Commissioners, Commissioner Miller needs to leave early today and requests that his items be taken out of order and those items are Item 23 and Item 40.

MOTION

WILLIAM MCCURDY II

All right, Mr. Chair. With those changes read into the record, I move approval of the agenda.

TICK SEGERBLOM

There's a motion to approve the agenda. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None

ABSENT: None

ABSTAIN: None

TICK SEGERBLOM

That motion passes.

3. Approval of minutes. (For possible action)

SAMI REAL

The third item on the agenda is the approval of minutes. The minutes of the October 16, 2024, Zoning Meeting are ready for approval.

MOTION

WILLIAM MCCURDY II

Move approval of the minutes.

TICK SEGERBLOM

There's a motion. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None

ABSENT: None

ABSTAIN: None

TICK SEGERBLOM

That motion passes.

SEC. 4. ROUTINE ACTION ITEMS 4 THROUGH 17

SAMI REAL

Next are the Routine Action Items which consist of Items 4 through 17, except items previously deleted. These items may be considered together in one motion and are subject to the conditions listed with each agenda item.

In addition, staff has the following request: Item 9 for UC-24-0521, add a Public Works condition to read: a license and maintenance agreement for any non-standard improvements within the right-of-way along Las Vegas Boulevard South if required by Public Works Development Review.

If there are no objections, the public hearing is now open, and the Routine Action portion of the agenda stands ready for your approval.

MOTION

WILLIAM MCCURDY II

Chair, I move to approve the Routine Action Items with the recommended changes read into the record.

TICK SEGERBLOM

There's a motion. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None

ABSENT: None

ABSTAIN: None

TICK SEGERBLOM

That motion passes.

4. SDR-24-0334-MGM RESORTS LAND HOLDINGS II, LLC

HOLDOVER SIGN DESIGN REVIEW for modifications to an approved comprehensive sign plan for a resort hotel (Bellagio) on 76.63 acres in a CR (Commercial Resort) Zone. Generally located on the west side of Las Vegas Boulevard South and the south side of Flamingo Road within Paradise. JG/rr/syp (For possible action)

ACTION: DELETED FROM THE AGENDA (HELD TO FEBRUARY 19, 2025, PER THE APPLICANT. APPLICANT IS ADVISED THAT RE-NOTIFICATION FEES ARE REQUIRED PRIOR TO THIS ITEM BEING PLACED ON THE AGENDA).

5. DR-24-0335-BCORE PARADISE, LLC:

HOLDOVER DESIGN REVIEW for an expansion and modification to an existing resort hotel (Bellagio) on 85.77 acres in a CR (Commercial Resort) Zone. Generally located on the west side of Las Vegas Boulevard South and the south side of Flamingo Road within Paradise. JG/rr/syp (For possible action)

ACTION: DELETED FROM THE AGENDA (HELD TO FEBRUARY 19, 2025, PER THE APPLICANT. APPLICANT IS ADVISED THAT RE-NOTIFICATION FEES ARE REQUIRED PRIOR TO THIS ITEM BEING PLACED ON THE AGENDA).

6. ET-24-400107 (UC-20-0288)-WTML WARM SPRINGS, LLC:

USE PERMIT SECOND EXTENSION OF TIME for a cannabis establishment (retail cannabis store).

DESIGN REVIEW for a retail building for a cannabis establishment on 0.9 acres in a CG (Commercial General) Zone. Generally located on the south side of Warm Springs Road, 480 feet east of Haven Street within Enterprise. MN/mh/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Until August 19, 2026 to obtain valid business license for retail cannabis store or the application will expire unless extended with approval of an extension of time.
- Applicant is advised a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

7. WC-24-400111 (ZC-1965-04)-WIGWAM-PARVIN LIMITED PARTNERSHIP:

WAIVERS OF CONDITIONS of a zone change requiring the following: 1) a 45 foot setback on Las Vegas Boulevard South; 2) 20 foot minimum setback along all other street frontages; and 3) 20 foot wide landscape buffer with medium trees, 24 inch box in size, with shrubs to cover 50% of the landscape area and a detached sidewalk along Las Vegas Boulevard South unless prohibited by NDOT in conjunction with a proposed multi-family residential development on 9.23 acres in a CR (Commercial Resort) Zone. Generally located on the east side of Las Vegas Boulevard South and the south side of Jo Rae Avenue within Enterprise. MN/hw/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0290-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

8. VS-24-0520-WIGWAM-PARVIN LIMITED PARTNERSHIP:

VACATE AND ABANDON easements of interest to Clark County located between Jo Rae Avenue and Pyle Avenue and between Las Vegas Boulevard South and Giles Street; a portion of right-of-way being Pyle Avenue located between Las Vegas Boulevard South and Giles Street; a portion of right-of-way being Jo Rae Avenue located between Las Vegas Boulevard South and Giles Street; and a portion of right-of-way being Giles Street located between Jo Rae Avenue and Pyle Avenue within Enterprise (description on file). MN/hw/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include, 100 feet for Las Vegas Boulevard South, 25 feet to the back-of-curb for Giles Street and associated spandrels;
- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements for the Pyle Avenue improvement project, 90 days to record said separate document for the Pyle Avenue improvement project;
- The installation of detached sidewalks will require the recordation of this vacation of excess right-of-way, dedication to back-of-curb, and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

9. UC-24-0521-WIGWAM-PARVIN LIMITED PARTNERSHIP:

USE PERMIT to allow a multi-family residential development.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; and 2) alternative driveway geometrics.

DESIGN REVIEW for a proposed multi-family residential development on 9.23 acres in a CR (Commercial Resort) Zone. Generally located on the east side of Las Vegas Boulevard South and the south side of Jo Rae Avenue within Enterprise. MN/hw/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- A License and Maintenance Agreement for any non-standard improvements within the right-of-way along Las Vegas Boulevard South, if required by Public Works -Development Review;
- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include, 100 feet for Las Vegas Boulevard South, 25 feet to the back-of-curb for Giles Street and associated spandrels;
- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements for the Pyle Avenue

improvement project, 90 days to record said separate document for the Pyle Avenue improvement project;

- The installation of detached sidewalks will require the vacation of excess right-of-way, dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0290-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

10. ZC-24-0518-USA:

ZONE CHANGE to reclassify a 5.55 acre portion of 58.7 acres from an IH (Industrial Heavy) Zone to a PF (Public Facility) Zone within the Airport Environs (AE-70) Overlay. Generally located on the northwest side of Las Vegas Boulevard North and the north side of Nadine Petersen Boulevard within the Northeast County Planning Area (description on file). MK/rg (For possible action)

ACTION: APPROVED.

11. ORD-24-900529: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with SCT Silverado Ranch & Arville LLC for a commercial development on 0.8 acres, generally located east of Arville Street and north of Silverado Ranch Boulevard within Enterprise. JJ/jm (For possible action)

ACTION: ADOPTED (ORDINANCE 5189).

12. ORD-24-900546: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with Fort Apache, LTD for a multi-family residential development on 9.1 acres, generally located west of Fort Apache Road and south of Pebble Road within Enterprise. JJ/dw (For possible action)

ACTION: ADOPTED (ORDINANCE 5190).

13. ORD-24-900599: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with G Y Properties LLC for an office/warehouse building on 2.1 acres, generally located west of Westwind Road and south of Sunset Road within Enterprise. MN/dw (For possible action)

ACTION: ADOPTED (ORDINANCE 5191).

14. ORD-24-900699: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on August 21, 2024. (For possible action)

ACTION: ADOPTED (ORDINANCE 5192).

15. ORD-24-900708: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on August 7, 2024. (For possible action)

ACTION: ADOPTED (ORDINANCE 5193).

16. ORD-24-900710: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on September 18, 2024. (For possible action)

ACTION: ADOPTED (ORDINANCE 5194).

17. ORD-24-900725: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on September 4, 2024 and in Assessor's Books 059, 104, 140, 161, 162, 163, 164, 175, 176, and 177 the attached zone changes were approved to reclassify certain properties and amend the zoning map. (For possible action)

ACTION: ADOPTED (ORDINANCE 5195).

SEC. 5. NON-ROUTINE ACTION ITEMS 18 THROUGH 61

18. CP-24-900629: Conduct a public hearing, adopt the Flood Control Master Plan Update, and authorize the Chair to sign a Resolution amending the Plan. (For possible action)

ACTION: ADOPTED (RESOLUTION NO. 11-20-24-1).

SAMI REAL

All right. So, returning back to Item 18.

Item 18 is CP-24-900629. Conduct a public hearing, adopt the Flood Control Master Plan Update and authorize the Chair to sign a Resolution amending the plan. Commissioners, this is an update to the Flood Control Master Plan. Steve Parrish is here to give a brief presentation.

TICK SEGERBLOM

Good morning, Mr. Parrish. Two times in one week.

STEVEN PARRISH

I know, this is a record for me. Good morning, Mr. Chair, members of the Board. For the record, Steven Parrish, General Manager and Chief Engineer of the Clark County Regional Flood Control District.

I'm here today to present a master plan update for the Clark County outlying areas. We do five different master plans throughout Clark County. This master plan is dealing with those areas outside of the Las Vegas Valley and the outlying areas. The outlying areas are shown here. There are nine different areas. These are unincorporated areas. Just townships that are listed on the left-hand side of the slide there. So, we do one master plan update for all nine of these different areas.

We are required by NRS (Nevada Revised Statutes) to update our master plans every five years. So that prompted this update. And the purpose of these updates is to add any new information that we may

develop throughout the five-year period, identify areas perhaps that maybe need additional facilities shown on the master plan. We assess progress so if facilities have been completed, they're now shown as existing and then we identify any obstacles and recommend changes. The original master plan for Clark County included this area in 1986. The last update for the outlying areas was done in 2019.

This is the steps that we follow when we update a master plan. It starts with data collection. We check with Clark County, identify any different land uses that may be present or that have changed over the last five years. We normally will look at soils data to see if any changes occurred there. With that additional information, we'll update our facility planning and we'll update our hydrology model, so we'll determine how much water is draining out of here and then we'll identify facilities to deal with that water.

We will use a cost estimating tool that we developed in 2023 and during the Las Vegas Valley Master Plan update to develop cost estimates for those facilities. Once that work's all done, we'll go to the Town Advisory Boards or the Citizens Advisory Councils to talk about their areas. We did visit all six of those Advisory Boards and Councils and all recommended approval of their areas.

We develop a report at that point in time and then we submit for adoption. So, our Board adopted this plan in September and we're now here in front of the Board of County Commissioners to get adoption from Clark County.

I'm going to quickly go through each of the nine different areas. I'm going to go through this pretty fast, but if you have any questions or concerns, please stop me and we'll talk a little bit more in depth.

- The first area is the Blue Diamond area. There is no recommended changes on the plan for this area. Right now, we're showing a levee between the wash you see there on the north side of the town and the town itself to protect it. And then an all-weather crossing for Castelia Street is also proposed.
- In Coyote Springs there's no changes recommended for the plan here as well. All of these facilities were put on the plan per the developer's request that is doing the work out here. The developer is responsible for building these facilities and so there's no anticipated funds coming from the Regional Flood Control District for this work. As it's needed, the developer will build these facilities. There's no recommended changes to the plan here.
- In Good Springs there are two changes to the plan. The first is to the Pacific Avenue Channel. This is a channel proposed along Pacific Avenue. When we went to the Town Advisory Board, they expressed some concern about this channel was actually under design at the time. They were worried about aesthetics and other things and so the County has backed off on that design a little bit to address the Town Advisory Board's concerns. They may come back at a later time and continue the design after working with the Town Advisory Board.

Also, there was a change to the alignment for the outfall of a proposed detention basins along the south side of the Town to better match existing conditions.

- In Indian Springs, no changes proposed to the plan here. There's an existing detention basin and levee on the west side of Indian Springs. It's already built. There's a proposed facility that takes flows from the south around the west side of Indian Springs and up to US-95. No changes to the plan proposed with this update.

- Similarly in Gene, no changes proposed. It's kind of small to see, but there is one proposed crossing under Las Vegas Boulevard there. No changes to the plan proposed in this area.
- In Laughlin, there were a couple of changes proposed. The first is the addition of a sediment basin. This basin was needed to capture material that was washing into the storm drain that goes under Casino Drive right near State Route 163. It was difficult to keep that pipe maintained, so we're adding a sediment basin to capture that material before it enters the pipe. We adjusted the outfall for the Bridge Canyon Detention Basin to better match existing topography through there, through that area.

And then the last change was we moved the Bridge Canyon Detention Basin to the east. You can see in the yellow hatched area there is the Avi Kwa Ame National Monument was dedicated. This detention basin was originally proposed within that area and it's very difficult to get that permitted with the new monument dedication. So, we moved it downstream, made it a little longer and added some levees to act as a catcher's mitt for that water coming out of the canyon to the west.

And then in the south area, the southland area of Laughlin, this is down where the new bridge has been built over the Colorado River for Laughlin Boulevard. We're showing some facilities here, but no changes recommended to the plan in this location.

- In the Mount Charleston area, we are proposing some changes and some of you may recall last summer we had some pretty significant flooding on Mount Charleston as a result of Tropical Storm Hillary. Some additional facilities have been added including a channel that's upstream of Rainbow Canyon Boulevard. There's an all-weather crossing that will be built up there for that road. That's their sole access into the Rainbow Canyon area so we'll have a bridge there, but we added a channel to collect the flow and get it underneath that bridge.

And then along Echo Road, there was an existing berm that was along Echo Road that washed out during that storm event last summer. It wasn't built to 100-year standard, so we're proposing to rebuild that structure to a 100-year standard and protect the houses along Echo Road.

- In Nelson, we do have a channel proposed in Nelson. There were no changes recommended with the update to the master plan.
- And then the last area is Searchlight area and no recommended changes to the plan here. We do have a facility under design that will – this is the facility to the west that drains down to the southwest there. We're working on acquiring right away to build that facility, so be coming out to construction here shortly.

So, this is a table of the existing values of the existing facilities on the plan. In 2019, the value was \$77 million. In 2024, that value went up to \$133.8 million, which is an increase of about \$57 million. Most of that is due to inflation as a result of the five-year period. We've seen our cost go up significantly over the last five years. And then, if there are any facilities that were built in the last five-year period, those get added to the existing facility table.

And then in terms of proposed facilities, in 2019, the proposed facility's estimated cost was \$164 million. In 2024, that went up to \$294 million, which is \$130 million increase. Again, mainly due to inflation over the last five years and the addition of some new proposed facilities on the master plan.

So, we're asking today that the Board recommend or find that this MPU (Master Plan Update) is the most effective structural and regulatory means for correcting existing problems of flooding within the area and dealing with the probable effects of future development and adopt a master plan for Clark County outlying areas as amendment to the Master Plan.

I'd like to thank County staff as well and Public Works for all their hard work on this update as well as my own staff, Abby, Marina, and Lily Collins for all the hard work on this update. With that, happy to answer any questions.

TICK SEGERBLOM

Commissioner Naft.

MICHAEL NAFT

Thank you, Chairman. I just wanted to thank the District, and you personally for the work you put into Laughlin. Meeting both with me and without me, meeting with residents there and businesses there and allocating such significant resources to the area, which as we learned even recently, badly needs it, is greatly appreciated. Thank you for that. Chairman, if there – there is question to my left.

MARILYN K. KIRKPATRICK

Yeah, I just have one question and only because I know everybody in Moapa, Logandale and Overton are listening. They don't fall under this, they fall under the bigger Clark County budget, correct?

STEVEN PARRISH

We actually have a separate master plan just for the Moapa Valley. I think it's due to be updated next year, so it'll be the next one we do.

MARILYN K. KIRKPATRICK

Okay, perfect. Thank you.

TICK SEGERBLOM

All right, Commissioner Naft

MOTION

MICHAEL NAFT

I move for adoption of the Flood Control Master Plan Update.

TICK SEGERBLOM

Motion by Commissioner Naft. Cast your vote.

VOTE

VOTING AYE:	Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft
VOTING NAY:	None
ABSENT:	Ross Miller
ABSTAIN:	None

TICK SEGERBLOM

That motion passes. Thank you so much.

STEVEN PARRISH

Thank you.

19. ET-24-400110 (UC-20-0493)-5051 SLV, LLC:

USE PERMITS SECOND EXTENSION OF TIME for the following: 1) expand the Gaming Enterprise District; 2) a resort hotel; 3) public areas including the casino, showrooms, live entertainment, retail center, indoor and outdoor dining, entertainment, offices, conventions, back of house and parking structures; 4) associated accessory and incidental commercial uses, buildings, and structures; and 5) deviations from development standards.

DEVIATIONS for the following: 1) increase the height of high-rise towers; 2) encroachment into airspace; 3) reduce setbacks; 4) alternative landscaping; and 5) all other deviations as shown per plans on file.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) for non-standard improvements (landscaping) within the right-of-way; and 2) alternative driveway geometrics.

DESIGN REVIEWS for the following: 1) a resort hotel with all associated and accessory uses, structures and incidental buildings and structures; and 2) finished grade on 4.68 acres in a CR (Commercial Resort) Zone and within the Airport Environs (AE-65) Overlay. Generally located on the east side of Las Vegas Boulevard South, 500 feet south of Russell Road (alignment) within Paradise. JG/jm/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Until August 20, 2025 to commence or the application will expire unless extended with approval of an extension of time;
- As required by NRS 278.0205 and the Development Agreement Ordinance, applicant to submit their first report, due once every twenty-four (24) months, by November 30, 2024;
- Complete construction of perimeter wall on east side of the property within 90 days;
- Enclose the site with a solid 8 foot high wood construction fence made of dimensional lumber and faced with plywood, as required in Exhibit A of the Decommissioning Plan, within 90 days; only after contractor notifies the Clark County Building Department that the project has remobilized, and construction has restarted, can the wooden construction fence be removed;
- 24 hour on-site manned security must be provided immediately and throughout the duration of the construction project.
- Applicant is advised a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Compliance with previous conditions.

Department of Aviation

- The applicant shall be required to file a valid FAA Form 7460-1 "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the DOA;

- If the applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then it must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment ("AHABA") prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; the applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits will be issued until the applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA and is still valid, or a "Property Owner's Shielding Determination Statement" has been issued by the DOA;
- The applicant shall be advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that the FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

SAMI REAL

Next is Item 19, ET-24-400110 for (UC-20-0493); use permits second extension of time for the following: expand the Gaming Enterprise District, a resort hotel, public areas including the casino showrooms, live entertainment, retail center, indoor and outdoor dining, entertaining offices, conventions, back of house and parking structures. Associated accessory and incidental commercial uses, buildings and structures and deviations from development standards; deviations for the following: increase the height of the high-rise towers, encroachment into airspace, reduce setbacks, alternative landscaping and all other deviations as shown per plans on file. Waivers of development standards for the following: for non-standard improvements, landscaping within the right-of-way and alternative driveway geometrics. And then design reviews for the following, a resort hotel with all associated and accessory uses, structures and incidental buildings and structures and finished grade on 4.68 acres in a CR (Commercial Resort) Zone and within the Airport Environs (AE-65) Overlay, generally located on the east side of Las Vegas Boulevard South, 500 feet south of Russell Road alignment within Paradise.

Commissioners, I just want to add a couple things. So based on observations of site construction activities, construction has not been underway in over a year. Pursuant to the performance agreement for this project, project is deemed to be abandoned if construction is stopped for 180 days or longer and if abandoned, the applicant is to immediately commence decommissioning activities.

To address safety and security issues with an existing crane that remains on-site and a gap in a block wall on the eastern property boundary, the Department of Aviation is requesting an added condition to read: Owner is to complete construction of the security wall on the airport side of the project site, eastern property boundary, within 60 days in accordance with the previously approved design and specifications. And then additionally, they're requesting to replace their fifth condition to read that "On-site crane shall be dismantled and removed and the crane pads decommissioned within 90 days in compliance with the decommissioning plan per the performance agreement since the project has now been abandoned for more than 180 days."

Furthermore, staff recommends a review the decommissioning activities for the second meeting in February. That would be February 19, 2025, and then the required wooden fences outlined in the performance agreement also be constructed.

TICK SEGERBLOM

Good morning.

TONY CELESTE

Good morning, Mr. Chair, Town Board Members. My name is Tony Celeste, address 1980 Festival Plaza Drive here on behalf of the applicant. In the audience with me are Bill Shopoff and David Danasharouf who are the principals of the project, as well as Bill Smith who is the head of design and construction.

As you can see from the aerial, the site is about five acres located on the east side of Las Vegas Boulevard directly across the street from Bali Hai. To the northwest is the Mandalay Bay and we do share an eastern property line with the Airport.

I was here about three years ago where this Board graciously granted us entitlements to construct a brand new resort hotel. Part of those entitlements also expanded the Gaming Enterprise to this site. I'm here asking for an extension of time on this site so that we can resume construction. When you look at the extension of times, generally kinda two factors you take into consideration. One, is it still compatible with the area? And number two, what has gone on in the last few years with respect to the site or the development?

With respect to compatibility, we believe the site is more compatible than ever, especially in the last three years of what is coming in or planned to come in.

I'm blowing this out a little bit. Our site is here to the south. You can see you have the A's Ballpark and Integrated Resort hotel that is working its way through the system that is planned along Tropicana and Las Vegas Boulevard. As you go south, you do have the three tribes that have been accumulating property. While to my knowledge, nothing has been submitted with respect to any type of resort hotel, there have been publications in the news media outlets about some type of potential large-scale project.

You can see all of this is taking place not only south of Tropicana Boulevard, but importantly on the east side of Las Vegas Boulevard here. This is really the new corridor for potential development in this area. So, we think that not only have we always been compatible, but what you see, activities and developments over the recent years and moving forward that this is compatible more than ever. So, with that respect, we think we believe we still satisfy those requirements.

On the second part, as I mentioned, we've done actually substantial amount of work on the site. We have invested about \$125 million into the site. There has been substantial work on the site. The work includes site grading, basement excavation, concrete pile and foundation, underground plumbing and electrical, foundational walls to grade and perimeter walls. All this activity shows that we have about 19% of the project complete and that investment dollars, as I said, is about \$125 million into it.

We have a series of permits, active building permits. I outlined them all in our justification letter here, but I'll just show you the list of them here. They're ranging from foundational permits to garage structures, to the foundation to the walls, to concrete piles, everything that I just mentioned, EV chargers, grease interceptors, podium. So, all those are building permits we have and have remained active on the site.

So, as you can see, we've demonstrated that we have not just sat there and done nothing over the last several years. We have done a lot of construction, a lot of improvements to the site. Unfortunately, we did run into some financing issues. We are working to resolve that and that's why we are seeking the extension of time so that we can get back out there as soon as possible and recommence construction.

Speaking of some of the permits we have, over the last 24 hours to 48 hours, there's been a lot of different information I think that has been shared with you and that information I do think needs to provide some clarification, some context or additional background information. It had seemed to suggest that information that my client, the developer, has not been keeping the site clean, has not been keeping it orderly, has been derelict and we believe that is the furthest thing from the case here. So, by way of example, one of the things that was brought to our attention was the allegation that there was no dust control permit or that it had expired. We have provided Commissioner Gibson's office with our current dust control. As you can see right here, it does not expire until March of 2025. So, these are just some of the things I want to put on the record to make sure you understand that we are out there, we are taking care of the site and we're doing things that are necessary to advance this project.

Another thing is with respect to on-site security, this is our security agreement that we have with a third party to provide on-site security. That security is there 24/7. Right here is the contract. You can see it was executed a few years ago, but we did provide backup of the latest invoice November of this year showing the ongoing activities and on-site security that we have out there and that is part of our commitment that we made when we first came through with this entitlement process.

One of the other things that was mentioned and actually just read into the record, was about the back property line here and our security wall. As you may remember from three years ago, we had a lot of discussions and work with the Airport on how do we secure that back property line. And we came – there were conditions of approval, and we offered a very intricate design of a security wall back there that was crashproof and provided intense security along that wall. Now, there is a 35-foot wide opening as you can see there but let me give you some context on that. This was negotiated with the Airport to leave that area open for a period of time.

As you know, about a year ago, Clark County was doing public works improvement along Las Vegas Boulevard there, in front of our site and in order to limit additional truck traffic on the site, we came to an agreement with the Airport to utilize the private access road back there in order to help us not only alleviate construction traffic away from what the County was doing along Las Vegas Boulevard, but also it did help us with the backfill excavation there. That agreement, it was a written agreement right here, a temporary access permit. As you can see that was executed by our contractor, McCarthy, as well as the Airport. See right here at the end of the document is the execution of it by all the parties. Granted, this has now since expired and we have no problem with placing or filling in the rest of the wall and building it, but I think it's very important to give you context as to why that hole is on-site today. It was negotiated so that we could alleviate construction traffic on Las Vegas Boulevard as well as help us on the back portion of the site for the excavation. I understand now that that access road is closed off for most of the properties that share that property line, and we understand that, and we would ask for 90 days to be able to infill that piece of the wall.

What's interesting about that as well, this back portion of the wall, about – earlier this summer in May, June of this year, the Airport approached us because they were doing some fencing improvements on their side of the property, approached us in May or June of this year that they needed to tie into our wall with their fencing project as demonstrated by this exhibit here. We authorized them or granted them the ability to tie into our wall. The reason I bring that up is because at no point during this time period did the Airport reach out to us, or at least my understanding, reach out to us about wanting us to enclose that wall. So, we're happy to do so, but they've been out there, they've been monitoring, and we haven't had any of those course communication until just recently about the issue of that back wall. But like I said, we're going to fill that in hopefully, with this Board, if we could have it 90 days to do so. But I just again, some context on what has happened out there.

Other thing, when reading the staff report on the aviation section, you get into the FAA (Federal Aviation Administration) analysis. We have a, and the crane in particular, our crane tower is out there. It is permitted by the FAA until July 22, 2025. We have gone through those processes with the FAA and secured those approvals. There have been times where the flags, the red flags on there have deteriorated. The Airport has asked us to replace those, and we have, we have done it immediately. In fact, you can see right here correspondence again with the Airport and our general contractor on May 28, response May 28 saying the flags will be replaced the following day. So less than a 24-hour turnaround on replacing these flags so that everything is secure.

There's another reference in there about the light. The lighting on the boom seems to be dim. That is the first we have been made aware of it. We're working with our crane operator and the contractor right now and doing that analysis and that light will be changed as soon as possible, if in fact, it is dim. We are out there; we're monitoring the site, and we're working with the Airport on all these issues.

Another final point is that there was questioning whether we did have FAA approvals on the building height and the pylon. We have that until December 31, 2026. As you may recall, we initially came in with our FAA approval. We kinda had a – I'll just describe as a box that was approved and that was deemed to not be sufficient by the Airport. So, we held this item for several months so that our FAA consultant can go back and get 11 precise points on the building on the varying heights. We have gone back and renewed all 11 of those points on the building for our FAA determination of height. Those are still valid and valid until December 31, 2026. We have provided a copy of those.

So, with all that, we believe we have done a lot of work out there. It is still compatible. One of the things we are asking for obviously is an extension of time. When we submitted our first extension of time last year in October of 2023, it was our first extension and at that time you have a decision to make. You can either ask for a one-year administrative extension of time or you can ask for a two-year extension of time, which would then go through the public hearing process. We elected to do the administrative one. Had we come in with the public hearing, hopefully we would've been granted two years.

I guess where I'm going with this is we are asking technically for our second extension of time, but if we could get close to another year on the second extension of time, that'll really feel more like the first extension of time, which are generally given for two years. Gone back, looked at a lot of extension of times on the first one. The percentage of those approvals is extremely high, probably in the 99% range. So, while this is technically a second extension of time with an additional approximate one year, it really puts us still within the timeframe of that first extension of time, which is roughly two years. Like I said, we can agree with the Conditions of Approval with respect to the wall. Finishing the security wall, we'd ask for 90 days. We can also agree to the wood fencing around the property within 90 days if construction does not commence.

We agree with all of the conditions from the Airport with the exception of the last one that was read in. We would like to have the ability to have the crane remain up there. Obviously, there's going to be some reviews required of us prior to hopefully some type of extension of time that may be granted. So, at that time we'd like to provide an update as well. But considering we do have FAA approval for that crane until this summer, we would like to leave that crane up. With that, I appreciate your consideration and more than happy to answer any questions.

TICK SEGERBLOM

All right, this is a public hearing. Anyone here wishing to speak on this item? Seeing no one, I'll turn it over to Commissioner Gibson.

MOTION

JIM GIBSON

Thank you. There's been a lot of work over the past months. We've met you on behalf of your client, including phone calls and written submissions to us to keep us current on a regular basis as to the pursuit of the financing. Many of the things that you have approval for are, you've correctly stated what you have. The reality is when you abandon a project of course, and you know this, all of that goes away and that the determination today is really to establish whether or not it's abandoned in a technical way.

My concern has been that all of the questions that you've addressed have been brought to our attention and I wanted to make sure that the record was clear about them. I ask you to make sure that the dust control permit that has the year of expiration on it be repaired. Maybe you can go in and get a new one issued to you so there isn't a question about that.

I think it's important that your 24-hour manned security, you've provided our office with the evidence of security and the contract and the invoice, but it ought to be not on the Airport to notify the developer that the flag is gone. It ought to be on your client to ensure that the flag is always there. And so instead of responding immediately when you get a call about the light or the flag, please instruct your client that it's their responsibility to ensure that the light is burning brightly and that the flag is in repair.

The construction of the wooden fence is detailed in Item D of the Decommissioning Plan. I want to bring that forward so that just as it reads there, will be the current responsibility.

And so, what I'm inclined to do at this point, given that we are where we are and that we can't go on forever here. One of the things that cuts back the other way, yes, the area is ripe for development and that development has to be appropriate and has to fit within the Airport Environs and the other compatibility issues that are important to us along Las Vegas Boulevard.

But we're going to have projects that we believe are really happening. Where it appears as though the financing is all either in place or forthcoming reliably. And when you start taking a look at all of that, that puts a lot of pressure on us to not have a project that is started but can't complete itself. So, it's essential that the financing be found, in place, and that the work commence within the time I'm going to offer up as a suggestion to my colleagues. And if it's approved by a vote of the Commission, in all likelihood it is the very last extension that we'll be able to give, simply because we're trying to do everything we can do to accommodate a dressing up of the Boulevard on the east side, south of Tropicana. And I say that because it's important for you and your client to understand how tough this is, how serious this is for us as a County.

We know there are outstanding balances to be paid to contractors and subcontractors and potentially suppliers. That matters to us. We care that all of those dollars be paid in a timely way. They haven't been paid for a long time. So, it's essential that the financing efforts, we know that your folks have been working a lot, but we've got to find real success here.

And so, what I'm prepared to do is extend the special use permit, and this is my motion, for an additional nine months from today. So that will be August 20, 2025. That extension is to commence the work – recommence the work, I suppose is what I ought to say. And the application will expire unless it were extended and the likelihood of getting additional extension is remote.

The Development Agreement Ordinance requires a report that is due every 24 months. That report must be submitted by November 30, 2024, this year.

The construction of the perimeter wall on the east side needs to be completed within 90 days from today's date. The solid eight-foot wide fence that is described in more detail in the Decommissioning Plan under Item D needs to be in place within 90 days. So, it's not start building it in 90 days. It needs to be in place within 90 days.

Now there is an issue that is of concern in the area more because we don't want to have to deal with folks who don't have any business there, and it has to do with the height of the fence on the south side of the property. That problem is taken care of with an eight-foot fence. When construction recommences, you'll need to take a look at that, and our Building Department and you will have an opportunity to review how you deal with that when construction recommences. That wooden fence would need to remain in place until the construction is ready to recommence and then removed to the extent it is necessary in order to gain access to all of the property that is being developed.

Keep the security in place, and I think this is a part of what I read in your agreement, but ensure that they're every day, every shift, inspecting the whole property, not just in a trailer up on the Boulevard, but they need to be inspecting it all. For our interests, we care about anything that shouldn't be happening on the property, but we also care more than anything else about the integrity of the security on the east side of your property with the property line that is shared with the Airport. This would all be subject to the Comprehensive Planning and Public Works conditions that are in the staff report and the first four bullets enumerated in the DOA's recommended conditions. So, I'm not requiring that the crane come down.

TONY CELESTE

Thank you.

JIM GIBSON

The crane will have to come down if this doesn't work, and you'll have to have a plan to make sure that you can execute on that in the unfortunate circumstance that would require it. But for now, the crane can remain. But the maintenance of the crane, as I suggested earlier, is a must and we don't want to hear any different about that.

We have every reason to believe that there is a high level of commitment on the part of your clients, given the investment they've made up to this point, to get this refinanced and get the construction recommenced. For our part, we have all of the other pressures on us, including the integrity of the Boulevard, which is our most important street.

So that's my motion. And if it passes, I wish you the best. We remain open to conversation. We'll need regular reports to continue on the pursuit of the financing. And appreciate the good work that you've done on behalf of your clients, and the goodwill that has been exhibited by your clients as they've made decisions and agreed that this is not a two-year extension, this a nine-month extension. Do you understand what I've just indicated?

TONY CELESTE

We understand all of the conditions you've just read, and we agree with them. And I gratefully thank you for making that recommendation and working with us, not only today but previously and in the near future.

JIM GIBSON

Thank you. That's my motion, Mr. Chair.

TICK SEGERBLOM

I think that takes the record for the largest motion we've had, but very comprehensive and staff got all that. So, there's a motion, cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft
VOTING NAY: None
ABSENT: Ross Miller
ABSTAIN: None

TICK SEGERBLOM

That motion passes.

TONY CELESTE

Thank you, I appreciate it.

TICK SEGERBLOM

Good luck.

20. UC-24-0319-VAN DIEPEN, RICHARD & KATHRYN:

USE PERMIT for an accessory living quarters.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; and 2) reduce building separation.

DESIGN REVIEW for existing accessory structures in conjunction with an existing single-family residence on 0.23 acres in an RS5.2 (Residential Single-Family 5.2) Zone within the Historic Designation Overlay. Generally located on the east side of Cochise Lane, 110 feet north of Geronimo Way within Paradise. TS/jm/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- 1 year to complete the building permit and inspection process or the application will expire unless extended with approval of an extension of time;
- Paint roof of accessory living quarter to match the roof color of the residence.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

SAMI REAL

Next is Item 20, UC-24-0319, use permit for an accessory living quarters. Waivers of development standards for the following: reduce setback and reduce building separation. And then design review for existing accessory structures in conjunction with an existing single-family residence on .23 acres in an RS5.2 (Residential Single-Family 5.2) Zone within the Historic Designation Overlay. Generally located on the east side of Cochise Lane and 110 feet north of Geronimo Way within Paradise.

TICK SEGERBLOM

Good morning.

RICHARD VAN DIEPEN

Good morning. Good morning, Commissioners and staff. We appreciate your time today. I'm Rick Van Diepen. My last name is spelled V-A-N D-I-E-P-E-N. And I'm here with my wife, Kathryn Van Diepen. We're the homeowners at 3586 Cochise Lane.

I'm showing the site plan of our property here. During COVID, we built a casita for our mother-in-law who lives with us. And in 2021, we started designing a carport, a solar carport. We hired a design-build contractor, two different contractors to do both of those. And we designed everything to be code compliant.

We're here today because we're somewhat a victim of timing, I think. Our carport project was approved. And I have the permit here. Where'd it go? There's the approved permit for the solar carport in December 2022. So, the carport was approved, was built, and was inspected. And on final inspection at the end of September, the County told us that, "You have the wrong permit." Or told our contractor, "You have the wrong permit. You need a residential new construction permit, not just a solar structure permit." So, we resubmitted everything, paid the fees, and went through that whole process. And then during the review time in January, the Title 30 was updated, our property was rezoned, and our neighborhood was changed to a Historic Designation Overlay District. So, we're here today dealing with the planning comments, which are the final comments that we need to get resolved in order to actually get our permit after the fact, to get that approved and get the final inspection signed off.

So, the real issue here is that our existing casita, Contractor Number One, who we're still fighting with about getting a single anchor bolt special inspection approved. So that permit has expired and we're in the process of getting that done. However, the carport kicked in a problem there as well. So, the new Title 30 is evidently measured from – the problem is that the separations between the structures are less than what's approved. However, when it was designed under Title 30, the carport structure was 6 feet, 9 inches away from the house. And however, staff, and I know they're doing their job absolutely, their contention is that the setback should be measured from overhang to overhang. Which hasn't been my experience in the past. However, that's what the comment is related to.

So today we're asking for the use permit to get reissued for the casita. And also asking for waivers for the reduced setbacks between the structures, which are measured from the overhangs instead of from the buildings. So, if you see here, the existing casita is 6 feet, 10. In the previous Title 30, it was 6 feet. So, we literally went an extra foot to just play it safe. And then also in the back there is a Costco gazebo that we built ourselves, and that's 5 feet from the wall. However, from the overhangs, it's 3 feet away. So that's what we're requesting.

And also, I just wanted to say that our neighborhood, while we love it, it's a mid-century modern neighborhood, Paradise Palms. We've lived there for about 13 years now. We love it. It's very cool looking. And we know all our neighbors. There's 53 houses in our large cul-de-sac. We know almost everybody there. During construction of the carport and subsequently, we've heard nothing but rave reviews from everybody. They really like it and think it's a benefit. It makes our neighborhood look better. And they also like that it's solar and that it's going to make our whole property net-zero. And one of our neighbors even copied our paint color because they liked it so much.

So, we really did design it to be modern and simple to fit in with the neighborhood. And one of the staff recommendations for denial is that it doesn't fit in the neighborhood. So, I think that's debatable. But I do

want to just show you the carport. So, there it is. It's nice, heavy-duty steel. The gray is painted to match the gray on our trim and on the casita, so it all matches there. And you can see it's a bifacial solar. So, you can see the bottom of the panels, which collect solar from the top and the bottom. The eave at the top is eight inches, and it matches the eave and dimensions of our house.

I also wanted to point out that while our neighborhood is now considered, since January, a historic neighborhood and we're glad about that, it's definitely not uniform and it's definitely eclectic. And the other thing I wanted to point out is that of the 53 homes, there's exactly one in the middle there that I would argue did a pretty good job of integrating with the design of the house. All the rest have built in the original carports into some version of a garage, which are mostly ugly. Or they did some kind of janky aluminum wood or some other weird carport. Our next-door neighbor – where's that one? I don't have a picture of that one. Our next-door neighbor actually built theirs out of three-inch pipes. So, we're just asking for –

MOTION

TICK SEGERBLOM

Anyway, we're going to have to go out and inspect every house now. But anyway, thank you so much for your presentation. This is a public hearing. Anyone here wishing to speak on this item? Seeing no one, I'll close the public hearing. And let me say, I love the neighborhood. I don't want you to tear down a solar facility, which we all need.

But going forward, please try to match your things with the neighborhood. Your great blue that your neighbor is copying, I'm not sure how mid-century modern that is. But anyway, thank you so much for enhancing the neighborhood and continuing to make that neighborhood something we're proud of. So, with that motion, I would approve whatever it is we're trying to approve.

KATHRYN VAN DIEPEN

Carport. Setback.

TICK SEGERBLOM

Can I just move to approve the items?

SAMI REAL

Yes.

TICK SEGERBLOM

Okay, I move to approve the items. Thank you so much.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft

VOTING NAY: None

ABSENT: Ross Miller

ABSTAIN: None

TICK SEGERBLOM

That motion passed. Thank you for coming down.

21. UC-24-0436-MANNA INVESTMENT GROUP, LLC:

HOLDOVER USE PERMIT for a vehicle wash.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) modify residential adjacency standards; 2) alternative buffering and screening; and 3) allow attached sidewalks.

DESIGN REVIEW for a vehicle wash in conjunction with an existing shopping center on a portion of 4.09 acres in a CG (Commercial General) Zone. Generally located on the west side of Sandhill Road and the south side of Desert Inn Road within Paradise. TS/sd/kh (For possible action)

ACTION: DELETED FROM THE AGENDA (HELD TO DECEMBER 18, 2024, PER THE APPLICANT).

22. UC-24-0460-GONZALEZ, DIMAS:

HOLDOVER USE PERMITS for the following: 1) stable (residential); 2) livestock (small); 3) livestock (medium); and 4) livestock (large).

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow accessory structures prior to the principal structure; 2) reduce building separation; 3) allow a non-decorative fence in the front yard; 4) eliminate street landscaping; 5) full off-site improvements; and 6) allow 3 driveways in conjunction with proposed agricultural uses and future single-family residences on 1.47 acres in an RS20 (Residential Single-Family 20) Zone within the Airport Environs (AE-65) Overlay. Generally located on the south side of Cartier Avenue and the east side of Walnut Road within Sunrise Manor. WM/dd/syp (For possible action)

ACTION: DELETED FROM THE AGENDA (HELD TO DECEMBER 18, 2024, PER COMMISSIONER MCCURDY).

23. UC-24-0536-REHM, SCOTT & JEANALIN, JULIA:

USE PERMITS for the following: 1) home occupation; 2) stable; 3) livestock (small and large); and 4) household pets.

WAIVER OF DEVELOPMENT STANDARDS for reduced setbacks on 0.48 acres in an RS20 (Residential Single-Family 20) Zone. Generally located on the east side of Westwind Road, 610 feet south of Charleston Boulevard within the Spring Valley Planning Area. RM/tpd/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- 60 days to bring the on-site activities into compliance with Title 30;
- Obtain any required permits for the increase in household pets from Clark County Animal Control.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Southern Nevada Health District (SNHD) - Engineering

- Applicant is advised to contact the SNHD Environmental Health Division at septics@snhd.org or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

USE PERMITS # 1 THROUGH #3 AND WAIVER OF DEVELOPMENT STANDARDS WERE DENIED.

SAMI REAL

Next, if that's okay, we'll move to Item 23.

Item 23 is UC-24-0536. Use permits for the following: a home occupation, stable, livestock small and large, and household pets. Waiver of development standards for reduced setbacks on .48 acres in an RS20 (Residential Single-Family 20) Zone. Generally located on the east side of Westwind Road, 610 feet south of Charleston Boulevard within the Spring Valley Planning Area.

TICK SEGERBLOM

Good morning.

SCOTT REHM

Good morning.

JEANALIN REHM

Good morning. Yeah, I just want to say thank you for this opportunity.

TICK SEGERBLOM

I'm sorry, you need you to just state your name and spell your last name, please.

JEANALIN REHM

My name's Jeanalin Rehm and my last name is R-E-H-M.

SCOTT REHM

Scott Rehm, R-E-H-M.

JEANALIN REHM

And I blame him because he bought me four chickens. And so, it ended up – it's a gateway drug to more farm animals. And since I found out that our house was zoned to have 20 chickens and two large livestock, here I am. We bought a steer for cow cuddles to offer it to the Las Vegas community. And so, we found a lot of joy because we have four therapy-trained dogs and one service dog. He, Scott, is a USMC (United States Marine Corps.) veteran. And so, we have one of our dogs trained as a service dog. We do a lot of community work with our therapy dogs, and we've found a lot of joy in that. So, it's a trending thing where cuddling a cow is a thing. So here we are. We bought a steer, and we are approved. We have full liability insurance. We have our business license is Clark County and also with the City.

And I'm just asking for approval for a special use permit to legally sell eggs, which we have our producer certificate, everything. We're in compliance with everything. This is our eggs here that we sell. And I would love to be able to have an egg stand where people could pick up eggs legally. So, I'm asking for a waiver, a setback waiver, so people could pick up their eggs because the egg stand has to be 40 feet back. But I'm asking for it to be in the front of the house so customers could pick up easily.

And also, we're asking to up our dog count because I know, I believe you're only allowed to have three. But four of them are certified as therapy dogs. One is our –

SCOTT REHM

Guard dog.

JEANALIN REHM

– guard dog and one's a service dog for Scott. So, we are asking the special use permit to have customers on-site because we do travel off-site to offer cow cuddles to the community. Just this past weekend we're at a care home offering free cow cuddles to the residents. But we did have whoever came, they paid \$10 for a Johnny Cash experience and that's to hang out with our cow. And yeah. So, I don't know, do you guys have questions?

TICK SEGERBLOM

All right. If that completes your presentation, this is a public hearing. Anyone here wishing to deny these people making eggs? All right. Turn it over to Commissioner Miller.

MOTION

ROSS MILLER

All right. Thank you. Well, I'm frankly surprised there aren't a lot of people here to deny you making eggs. I can tell that you're well-intentioned here and obviously have, I think, maybe a noble purpose in trying to provide this service. Unfortunately, these are just not uses that are allowable in this area. We have an organization called Horses for Heroes that does similar things, and you wouldn't believe, there are hardly enough seats for the people that show up anytime that they come in and ask for approval. So, these restrictions are here for a reason on the prohibitions that cap the number of chickens. They make noise, operating a business from your home, and it's just not compatible with the area to be able to do it out of your home. So, I'd encourage you to look towards another location that's more suitable to try to run a business if you really intend on providing this service to the community.

That said, I'm going to follow staff's recommendation on these items and move for denial of the request for the permits for Number 1, 2, and 3. As to the permit for Number 4, the number of dogs, I'll make a motion to approve that, provided that you obtain the necessary permits from Animal Control, which would allow you to have up to eight dogs. That's my motion.

TICK SEGERBLOM

All right. There's a motion to deny 1, 2, and 3 and grant 4 with permission. All right, there's a motion. Cast your vote.

VOTE

VOTING AYE:	Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft
VOTING NAY:	None
ABSENT:	None
ABSTAIN:	None

TICK SEGERBLOM

That motion passes.

So, is there a time period in which they have to, I don't know if you already have the animals or how's that?

ROBERT WARHOLA

The Board can direct give them a grace period to remove the animals. Usually, it's 30 to 60 days.

TICK SEGERBLOM

Do you want to give them 60 days?

ROBERT WARHOLA

So, we have direction on that one.

TICK SEGERBLOM

Okay.

ROBERT WARHOLA

Notify.

TICK SEGERBLOM

All right. Thank you so much.

SCOTT REHM

Wait. What's –

TICK SEGERBLOM

So, we denied the – maybe the staff can go through with the –

SAMI REAL

So, the request was to allow for a home occupation to be able to sell those eggs. To have customers come to the site for the therapy piece of their request was to have a stable and then to have livestock small and large, so that includes the increased number of chickens and then it would include the cow. I believe that they are allowed to have a cow. It's the increase in the number of chickens that they're asking for.

And then they're requesting an increase in household pets, which was Waiver of Development Standards Number- sorry, Use Permit Number 4.

And then waiver of development standards was for reduced setbacks and that was to have their egg stand out on the edge of their property. And so, the motion was to approve the request for the increase in household pets and then deny the rest.

ROSS MILLER

Can't up (inaudible) a business, correct? And then you can't have more than 20 chickens. Is that accurate?

SAMI REAL

That is correct.

ROSS MILLER

Yeah.

SAMI REAL

And we'll work on them with bringing them into Code compliance.

TICK SEGERBLOM

All right. So, there were four items you asked for and the first three were denied, but we'll work with you. And then the fourth one with respect of the dogs, that was granted but you have to deal with Animal Control, I think.

SCOTT REHM

Okay. What would be the next step as far as –

SAMI REAL

What I'll do is I'll have the planner who was working on this reach out to them and guide them on what they would need to do to bring their site into compliance. And then we will need to direct them to Animal Control to apply for the necessary permits to increase the number of household pets too.

TICK SEGERBLOM

All right. So, our staff will reach out to you and go through everything.

SCOTT REHM

Okay.

TICK SEGERBLOM

All right. Thank you so much.

JEANALIN REHM

Thank you.

SCOTT REHM

Thank you.

(Companion Items 24 and 25)

24. VS-24-0277-PALM PROPERTIES, LLC:

HOLDOVER VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file). TS/jor/syp (For possible action)

ACTION: DENIED WITHOUT PREJUDICE (COMPANION ITEM 25).

SAMI REAL

Next are Items 24 and 25.

- Item 24, VS-24-0277; holdover, vacate, and abandon a portion of right-of-way, being Happy Valley Avenue, located between Nellis Boulevard and Aloha Avenue within Sunrise Manor.
- And then Item 25, WS-24-0276; holdover waiver of development standards to modify residential adjacency standards. Design review for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone. Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor.

TICK SEGERBLOM

Good morning.

MELISSA EURE

Morning, Chairman, Commissioners. Melissa Eure, E-U-R-E, 1055 Whitney Ranch Drive, Suite 210, here on behalf of the applicant.

So, what we have in front of you is an aerial to show you where the site location is. It is on Nellis and Happy Valley. What it used to be is a commercial shopping center at that site. The building came down several years ago, and what is there was a vacant lot for quite some time. Our client has developed the site to be for commercial truck parking. So, no actual structure beyond a guard shack would go there. And it's striped to allow trucks. So it is in the General Commercial Zone, which does allow a parking lot. And the underlying zoning is the Commercial Mixed Use.

This actually would be an administrative item, except for there is a waiver for the driveway on Happy Valley because this would be commercial traffic going onto a residential drive. Back around 2018 when it was still a commercial shopping center, there were three driveways accessing Nellis. NDOT (Nevada Department of Transportation), as part of their update to the Nellis Boulevard corridor, closed those driveways off, leaving the only legal access to the site off of Happy Valley.

The client here is proposing to put in landscaping to help buffer the site more fully. The guard shack would be located here. There isn't a gate, however, there is security cameras that could actually be accessed by Metro, along with LED solar lights placed throughout to improve the security and the visibility of this site.

So, as we know, given the increase of online ordering and e-commerce, there's become a need for a lot more to deliver those items that are being ordered. It used to be that there were fleets, and the companies would use their own trucks, their own drivers, and that's how deliveries would happen. Now, many of them are independent operators, and so they're purchasing their trucks and their vans. And many of them are branded. You can't tell them apart from the actual company's trucks that they do own. And they're using those to become entrepreneurs and have their own businesses. However, they aren't able to park those on the residential streets. So, I think we're well aware that there's quite a bit of issue with trucks being parked on roadways, making it difficult to see around and having other impacts on traffic circulation. So, this would help to pull those trucks off of the streets, give them a place that they could legally park their trucks. And many of the owner/operators are within the vicinity here, so this is close to home. If they drive, they're able to drive, park their vehicle where their truck is, then take their truck out while they're doing deliveries. Others could be dropped off to then use their truck during the day.

As mentioned, there is a guard shack there. There's a local veteran who works as the security guard on the site.

There would be a new trash enclosure added as well. So that way if they did have any trash that accumulated in their trucks, they'd have a place to take care of that.

We have received letters of support from the Nevada Trucking Association, also from the abutting residential neighbors here to the west and from the tavern across the street on Happy Valley, as well as from several of the truck drivers who are currently parking their trucks on the site. So, with that, would be happy to answer any questions that you have.

MOTION

TICK SEGERBLOM

This is a public hearing. Anyone here wishing to speak on this item? Seeing no one, we'll close the public hearing.

I appreciate the goal here, as far as having a place for truckers to park their trucks while they go home and get off the road. But truthfully, this is just not appropriate area in my mind. By having that many trucks enter on Happy Valley, which is a residential street, is not going to be good for the children that play there and everyone else.

And honestly, I think that we need to work with staff to create some type of a new zone or some type of something where we can have these truck lots. But just to put them on a major street like Nellis in an area like this, I just personally don't feel it's appropriate.

So, with that, I'm going to make a motion to deny the request. And they also wanted to request to change the sidewalk, I think we should deny that also. So, the future developers would have to come in for some type of waiver. But right now, I'd like to have the separated sidewalk. So, with that, I'd make a motion to deny.

JIM GIBSON

If you're denying the thing, you're requiring them to move the sidewalk not even on the property.

TICK SEGERBLOM

No, there's no sidewalk.

JIM GIBSON

Okay.

TICK SEGERBLOM

So, we're denying 24 and 25 without prejudice, so you can come back with something else. But the truth is, it's just not an appropriate area for these trucks. And I would like to work with staff to find an area. I know Marilyn, you have the same issue. But we need to figure out a way that we can accommodate the truckers who do have a need, but also work with neighborhoods and make sure.

MARILYN K. KIRKPATRICK

Mr. Chair, may I ask for a clarification? So currently it's an existing building, and their only issue with coming into code is that NDOT no longer allows as many drive wells on Nellis, which I've had to deal with that one myself. Because NDOT came through, and what they found out is back in the early 2000s, every 200 feet there was a driveway. So, we've closed a lot of them on our side. But if they close it, then you're denying them access that way. So, they'd have to just shut down the business? I'm asking, because –

TICK SEGERBLOM

Well truthfully, the business has been operating illegally for several years. And so, there's a lot of code violations involved in this too. That's what we're trying to –

MARILYN K. KIRKPATRICK

– no, I just wanted to be clear what we were doing, because I didn't want it to be just because of the NDOT stuff. But if you're saying they've got other issues and have had other issues – you're denying the vacation, I'm assuming, as well as the zoning, right? Because it's zone something?

TICK SEGERBLOM

– right, the vacation was just for the get rid of the requirement to have a detached sidewalk.

MARILYN K. KIRKPATRICK

Okay.

TICK SEGERBLOM

All right, that's my motion. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft

VOTING NAY: None

ABSENT: Ross Miller

ABSTAIN: None

TICK SEGERBLOM

That motion passes. I want to point out it is without prejudice, and so I'd be happy to work with you on that side.

JIM GIBSON

Mr. Chair, might I just – Melissa and I spoke on the telephone a couple of weeks ago. And I wanted to echo the comments that Commissioner Naft made about your father. I knew him really well and worked with him a lot. And he left a legacy you can be very proud of. And you do honor to him every time we hear you and see you, so thank you very much for your good work. And I didn't mean to make you cry, but I felt like it because I knew him so well. Anyway, I just wanted to make that comment.

MELISSA EURE

Thank you. At least I have a little bit of time to recover before the next item.

TICK SEGERBLOM

Thank you.

SAMI REAL

Sorry, with that, I lost track. So, the votes were registered, correct?

TICK SEGERBLOM

Correct.

25. WS-24-0276-PALM PROPERTIES, LLC:

HOLDOVER WAIVER OF DEVELOPMENT STANDARDS to modify residential adjacency standards.

DESIGN REVIEW for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone. Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor. TS/jor/syp (For possible action)

ACTION: DENIED WITHOUT PREJUDICE (COMPANION ITEM 24).

26. VS-24-0457-DBAC, LLC:

HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Pamalyn Avenue and Maule Avenue, and between Arville Street and Cameron Street, a portion of right-of-way being Arville Street located between Pamalyn Avenue and Maule Avenue, and portion of right-of-way being Maule Avenue located between Arville Street and Cameron Street within Enterprise (description on file). MN/lm/syp (For possible action)

ACTION: DELETED FROM THE AGENDA (HELD TO DECEMBER 18, 2024, PER THE APPLICANT).

27. WS-24-0456-DBAC, LLC:

HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase fill height; 2) increase retaining wall height; and 3) reduce driveway setback.

DESIGN REVIEW for a single-family residential subdivision on 3.11 acres in an RS20 (Residential Single-Family 20) Zone within the Airport Environs (AE-60) and Neighborhood Protection (RNP) Overlays. Generally located on the west side of Arville Street and the north side of Maule Avenue within Enterprise. MN/lm/syp (For possible action)

ACTION: DELETED FROM THE AGENDA (HELD TO DECEMBER 18, 2024, PER THE APPLICANT).

28. TM-24-500096-DBAC, LLC:

HOLDOVER TENTATIVE MAP consisting of 6 single-family residential lots and 1 common lot on 3.11 acres in an RS20 (Residential Single-Family 20) Zone within the Airport Environs (AE-60) and Neighborhood Protection (RNP) Overlays. Generally located on the west side of Arville Street and the north side of Maule Avenue within Enterprise. MN/lm/syp (For possible action)

ACTION: DELETED FROM THE AGENDA (HELD TO DECEMBER 18, 2024, PER THE APPLICANT).

(Companion Items 29, 30, and 31)

29. VS-24-0462-OMNI FAMILY LIMITED PARTNERSHIP:

HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Arby Avenue and Capovilla Avenue and between Valley View Boulevard and Procyon Street within Enterprise (description on file). MN/hw/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 30 AND 31).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 4 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include 45 feet to the back-of-curb for Valley View Boulevard, 25 feet to the back-of-curb for Arby Avenue, 25 feet to the back-of-curb for Procyon Street, 25 feet to the back-of-curb for Capovilla Avenue and associated spandrels;
- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements, 90 days to record said separate document for the Warm Springs storm drain improvement project;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

SAMI REAL

Okay. Next are Items 29, 30, and 31.

- Item 29, VS-24- 0462; holdover vacate, abandon easements of interest to Clark County, located between Arby Avenue and Capovilla Avenue and between Valley View Boulevard and Procyon Street within Enterprise.
- Item 30, WS-24-0461; holdover waivers of development standards for the following: reduce net lot area, reduce street landscaping, increase retaining wall height, increase fill height, alternative lot orientation, off-site improvement streetlights, and reduce driveway setbacks. Design review for a single-family residential subdivision on 7.5 acres in an RS20 (Residential Single-Family 20) Zone within the neighborhood protection RNP overlay. Generally located on the east side of Valley View Boulevard and the south side of Arby Avenue within Enterprise.
- And then Item 31, TM-24-500099; holdover tentative map consisting of 13 single-family residential lots on 7.5 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection RNP Overlay. Generally located on the east side of Valley View Boulevard and the south side of Arby Avenue within Enterprise.

TICK SEGERBLOM

Good morning.

STEPHANIE GRONAUER

Good morning, Mr. Chairman, Commissioners. Stephanie Gronauer, 1980 Festival Plaza Drive, here on behalf of the applicant, Richmond American Homes.

If I could direct your attention to the overhead. This property is located in the center at the southeast corner of Arby and Valley View. I have three properties on this aerial, because we did do a neighborhood meeting on August 7 with all three of these properties. Most importantly because Richmond American Homes is coming in on all three of those sites and they're honoring the RS20 zoning category. Which at that neighborhood meeting, there were about 40 people in attendance. They were very happy to hear that we were not asking for a zone change, and that Richmond American Homes would be coming in with RS20 products. Also, all single-story. So, this is all of Richmond's single-story, million dollar plus homes. So, generally speaking, the neighborhood was ecstatic about all three of these.

Arville and Maule will be on your December 18 agenda, and El Dorado Valley View is already approved. So, the one that's before you is Arby and Valley View. We are proposing a 13 lot, as I mentioned, RS20 development. The density is about 1.73 units to the acre. That's the net density for the 13 lots. Four of them will front onto the streets, which oftentimes rural preservation areas like that because you don't

have the walls. However, there will be a wall here on Arby, as well as Valley View and on Capovilla a little bit on that southern side, with accesses both on Arby and on Capovilla.

At the neighborhood meeting there were a couple of things that the residents asked. Most importantly, they did not want streetlights on the neighborhood streets. I believe they understood Valley View is a pretty major thoroughfare and streetlights are probably necessary on Valley View. But after the meeting, we did add a waiver to waive the off-site improvements specific to streetlights on Arby, on Procyon, and on Capovilla. And so, there is an if approved condition, and we submitted that at the neighbor's request. So, there will be lights on all of the homes. They have coach lighting so it won't be completely dark. But in line with their neighborhood, they very much wanted those streetlights to be eliminated on Arby, Procyon, and Capovilla.

Also, there was a mix of opinion on the sidewalks. We are showing detached sidewalks, which we know is very important for the safety of the community and the safety of the area. And the neighbors pretty much agreed with that. But a few of them did ask for asphalt paveways instead of concrete. Richmond's fine either way. So, whatever the Commission decides, we're fine with that.

Lastly, we do have – there's some fill and some retaining on this site. And there was a pretty significant retaining wall proposed on this corner here adjacent to an existing homeowner. Which we've worked with that homeowner on reducing the impact of that wall by providing a tiered wall. Mark Bangin provided a beautiful exhibit that I will submit into the record. But what we've worked out with them is doing a tiered wall on that eastern boundary. Actually, the eastern boundary as well as southern boundary of their property, so that you'll have their existing wall, some landscaping. And we were very specific with their request. They want laurel bays. So, we are going to provide 24-inch box bay laurel trees in that landscape easement area. And then we'll have a reduced retaining, still some retaining and this screened wall. So, it'll have a much nicer, softer feel and really provide them some privacy. This landscape easement would run along this property line and right here as well.

So, I did work with Sami, and she revised my conditions to be much better than they were. So, I would want to propose two conditions. One, that we provide for and include in the CC&Rs that a minimum of 15 24-inch box laurel trees be planted and maintained 30 feet on center within that landscape strip between the tiered wall. And with any changing in the landscaping to be approved by the HOA and the adjacent property owner. And the reason for that is this easement area will be maintained by the HOA. If for some reason at some point that tree selection changes, we want to make sure that the property owners know what's happening.

The second condition, that we provide and include in the CC&Rs is a gate to the landscape easement on Arby Avenue to be accessed and maintained by the HOA. Again, this property owner was very concerned with having a dead area between the home and the home to the west of them. So, we will provide a gate there, and that gate will be only accessed by the HOA.

So, with that said, I'm happy to answer any questions. I very much appreciate the neighborhood support. And I think we've tried to revise the application to reflect their requests. First of all, with the requested waiver for the streetlights on Arby, Procyon, and Capovilla, the offering of doing the asphalt pathways instead of the concrete if that's the Commission's desire, and then the two conditions I just read into the record to reduce that retaining impact on the neighbor that's immediately to the east of us. I'm happy to answer any questions.

TICK SEGERBLOM

This is a public hearing. Anyone here wishing to speak on this item? Seeing no one, we'll close the hearing and turn it over to Commissioner Naft.

MOTION

MICHAEL NAFT

Thank you, Chairman. Thank you, Ms. Allen, for the presentation, for your work on this.

My motion will include the two conditions that you read in and worked with Planning on.

Also, I just want to highlight it, it's already in the agenda item, but yes, full off-sites will be required on Valley View. On the other three streets we'll do the detached asphalt path, which has been my standard in these areas. Antonio, you're giving me a look.

ANTONIO PAPAZIAN

Thank you, Commissioner. Just concrete on Valley View? Are we doing concrete path on Valley View and just asphalt on the side streets?

MICHAEL NAFT

Correct.

ANTONIO PAPAZIAN

Thank you.

MICHAEL NAFT

Then if I've not missed anything else, I'll move for approval of Items 29, 30, and 31 with the conditions read into the record.

TICK SEGERBLOM

There's a motion, cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft

VOTING NAY: None

ABSENT: Ross Miller

ABSTAIN: None

TICK SEGERBLOM

And that motion passes. Thank you.

STEPHANIE GRONAUER

Thank you very much. And I'll provide your staff this exhibit as well for the record.

30. WS-24-0461-OMNI FAMILY LIMITED PARTNERSHIP:

HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce net lot area; 2) reduce street landscaping; 3) increase retaining wall height; 4) increase fill height; 5) alternative lot orientation; 6) off-site improvements (streetlights); and 7) reduce driveway setbacks.

DESIGN REVIEW for a single-family residential subdivision on 7.5 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the east side of Valley View Boulevard and the south side of Arby Avenue within Enterprise. MN/hw/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 29 AND 31).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- At a minimum, 5 gallon shrubs shall be provided within the landscaping strip between the tiered retaining wall;
- Provide for and include in the CC&Rs that a minimum of 15, 24 inch box Bay Laurel trees be planted and maintained 30 feet on center within the landscape strip between the tiered wall with any changes in landscaping to be approved by the HOA and adjacent property owners;
- Provide and include in the CC&Rs a gate to the landscape easement on Arby Avenue to be accessed and maintained by an HOA;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Full off-site improvement on Valley View Boulevard;
- Full off-site improvements except streetlights on Arby Avenue, Capovilla Avenue, and Procyon Street with sidewalks consisting of asphalt instead of concrete;
- Install conduit and pull boxes for streetlights;
- Drainage study and compliance;
- Right-of-way dedication to include 45 feet to the back of curb for Valley View Boulevard, 25 feet to the back of curb for Arby Avenue, 25 feet to the back of curb for Procyon Street, 25 feet to the back of curb for Capovilla Avenue and associated spandrels;
- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements, 90 days to record said separate document for the Warm Springs storm drain improvement project.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written

concurrence from the Department of Aviation;

- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed; that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Fire Prevention Bureau

- Applicant to show fire hydrant locations on-site and within 750 feet.
- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0135-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

31. TM-24-500099-OMNI FAMILY LIMITED PARTNERSHIP:

HOLDOVER TENTATIVE MAP consisting of 13 single-family residential lots on 7.5 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the east side of Valley View Boulevard and the south side of Arby Avenue within Enterprise. MN/hw/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 29 AND 30).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may

warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Full off-site improvement on Valley View Boulevard;
- Full off-site improvements except streetlights on Arby Avenue, Capovilla Avenue, and Procyon Street with sidewalks consisting of asphalt instead of concrete;
- Install conduit and pull boxes for streetlights;
- Drainage study and compliance;
- Right-of-way dedication to include 45 feet to the back of curb for Valley View Boulevard, 25 feet to the back of curb for Arby Avenue, 25 feet to the back of curb for Procyon Street, 25 feet to the back of curb for Capovilla Avenue and associated spandrels;
- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements, 90 days to record said separate document for the Warm Springs storm drain improvement project.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Building Department - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Fire Prevention Bureau

- Applicant to show fire hydrant locations on-site and within 750 feet.
- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0135-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

32. VS-24-0509-USA:

VACATE AND ABANDON easements of interest to Clark County located between Craig Road and Alexander Road and between Chieftain Street and Fort Apache Road; a portion of right-of-way being Helena Avenue located between Chieftain Street and Fort Apache Road; and a portion of right-of-way being Hickam Avenue located between Chieftain Street and Fort Apache Road within Lone Mountain (description on file). RM/hw/kh (For possible action)

ACTION: DELETED FROM THE AGENDA (HELD TO DECEMBER 4, 2024, PER THE APPLICANT).

33. WS-24-0510-USA:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce gross lot area; 2) reduce net lot area; 3) reduce front setbacks; 4) allow a gated community within the NPO-RNP; 5) reduce street landscaping; 6) reduce call box setback; 7) eliminate off-site improvements (curb, gutter, sidewalks, and streetlights); 8) increase the length of a non-through street without a county approved turnaround; and 9) eliminate street knuckles.

DESIGN REVIEW for a single-family residential subdivision on a 22.14 acre portion of 32.12 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Craig Road, north of Florine Avenue (alignment), east of Chieftain Street, and west of Fort Apache Road within Lone Mountain. RM/hw/kh (For possible action)

ACTION: DELETED FROM THE AGENDA (HELD TO DECEMBER 4, 2024, PER THE APPLICANT).

34. TM-24-500108-USA:

TENTATIVE MAP consisting of 39 single-family residential lots and 2 common lots on a 22.14 acre portion of 32.12 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Craig Road, north of Florine Avenue (alignment), east of Chieftain Street, and west of Fort Apache Road within Lone Mountain. RM/hw/kh (For possible action)

ACTION: DELETED FROM THE AGENDA (HELD TO DECEMBER 4, 2024, PER THE APPLICANT).

(Companion Items 35 and 36)

35. VS-24-0539-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:

VACATE AND ABANDON easements of interest to Clark County located between Torino Avenue and Ford Avenue (alignment) and between Belcastro Street and Rosanna Street within Enterprise (description on file). JJ/jud/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEM 36).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards

completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include 25 feet to the back of curb for Torino Avenue, 25 feet to the back of curb for Belcastro Street, and associated spandrels;
- The installation of detached sidewalks will require dedication to back-of-curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

SAMI REAL

Next are Items 35 and 36.

- Item 35, VS-24-0539, vacate and abandon easements of interest to Clark County located between Torino Avenue and Ford Avenue (alignment) between Belcastro Street and Rosanna Street within Enterprise.
- Item 36, WS-24-0538, waivers of development standards for the following: Reduce net lot size, increase fill height, increase retaining wall height, and increase driveway width. Design review for a single-family residential subdivision on 2.34 acres in an RS20 (Residential Single-Family) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the northeast corner of Belcastro Street and Torino Avenue within Enterprise.

TICK SEGERBLOM

Good morning again.

STEPHANIE GRONAUER

Good morning again, Mr. Chairman, Commissioners. Stephanie Gronauer, 1980 Festival Plaza Drive, here on behalf of the applicant, Richmond American Homes.

This is a little over a two-acre site located at Belcastro and Torino. Again, this is similar to the last item, where Richmond is proposing to stick with the RS20 zoning category. They are not seeking a zone change. And we are proposing a four-lot development with a density that's under the two units to the acre. We do have a couple of waivers that I just want to walk through briefly. These are the four lots. Three of them would face onto Torino. Which again, most RNP areas prefer that than having blocked in neighborhoods. So, we have three homes that are fronting onto Torino, and then the fourth home will front on to Belcastro. There is some fill and some retaining on this site. And it's a little small parcel, as you can see. Much of it is, you can see on this aerial, along the north. There's some pretty significant drainage and contours going on there. So that fourth lot requires some retaining along the northern property line. Along the eastern property line, the grading plan did just get approved. And my understanding is we will not need quite as much retaining. And there is a five-foot drainage easement along the side of this lot, so there will be a bit of a tiered appearance. There'll be their existing block wall, the five-foot drainage easement, and then our retaining and block wall on the other side of that easement area. But on this northern property line, that's where most of the retaining will exist. It's an undeveloped parcel to the north. And it is just necessary due to topography and the drainage in the overall area.

Again, these are Richmond's big one-story, over \$1 million homes that are very much in compliance and conformance with any RNP neighborhood fronting out onto the street. And I'm happy to answer any questions, but we'd very much appreciate your approval today.

TICK SEGERBLOM

This is a public hearing. Anyone here wishing to speak on this item? Seeing no one, I'll turn it over to Commissioner Jones.

MOTION

JUSTIN JONES

Thank you, Mr. Chair. Appreciate your efforts to keep this in line with the RNP, so I'll go ahead and move for approval of Agenda Items 35 and 36.

TICK SEGERBLOM

There's a motion, cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft

VOTING NAY: None

ABSENT: Ross Miller

ABSTAIN: None

TICK SEGERBLOM

And that motion passes. Thank you.

STEPHANIE GRONAUER

Thank you very much.

36. WS-24-0538-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce net lot size; 2) increase fill height; 3) increase retaining wall height; and 4) increase driveway width.

DESIGN REVIEW for a single-family residential subdivision on 2.34 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the northeast corner of Belcastro Street and Torino Avenue within Enterprise. JJ/jud/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEM 35).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Torino Avenue, 25 feet to the back of curb for Belcastro Street, and associated spandrel;
- The installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0214-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

(Companion Items 37, 38, and 39)

37. VS-24-0542-GOLDENSITES, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Camero Avenue and Mistral Avenue and between Cimarron Road and Durango Drive and portion of a right-of-way being Gagnier Boulevard located between Mistral Avenue and Camero Avenue within Enterprise (description on file). JJ/sd/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 38 AND 39).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 4 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording

SAMI REAL

Next are companion Items 37 through 39.

- Item 37, VS- 24-0542; vacate and abandon easements of interest to Clark County located between Camaro Avenue and Mistral Avenue and between Cimarron Road and Durango Drive and a portion of right-of-way being Gagnier Boulevard located between Mistral Avenue and Camaro Avenue within Enterprise.
- Item 38, WS-24-0543; waivers of development standards for the following: reduce setbacks, increase retaining wall height, increase fill height, waive full off-site improvements, and reduce street intersection offset. Design review for a single-family residential subdivision on 10.63 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay.

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Generally located on the north side of Camaro Avenue and the east and west sides of Gagnier Boulevard (alignment) with an enterprise.

- And then Item 39, TM-24-500117; tentative map consisting of 20 single-family residential lots on 10.63 acres and an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the north side of Camaro Avenue and the east and west sides of Gagnier Boulevard (alignment) within Enterprise.

TICK SEGERBLOM

Good morning.

BOB GRONAUER

Good morning, Mr. Chairman and Commissioners. My name's Bob Gronauer. 1980 Festival Plaza Drive. I'm here representing Pinnacle Homes on these matters.

As you can take a look at the overhead here, highlighted in yellow, this is approximately 10.6 acres of property. It's located in the RNP area. We are proposing 20 homes. However, we do have some waiver development standards, and the reason is as I go through the story here, you'll appreciate this piece of property is fairly difficult to develop.

First of all, Pinnacle Homes purchased this property here and this property here in the auction not too long ago. And then this piece of property my client purchased from this property owner here. However, the reason why you don't see it, it is perfectly shaped in this area. You can see these are solar panels here. So, the family that sold the property here wanted this type of configuration.

So, which has made it a little bit tricky here for development purposes, but also on top of that, you can see here as you focus in here, this is a big drainage area on this property that's being impacted. And matter of fact, when I did the developments for William Lyon Homes many years ago, this was a big drainage concern for the neighbors in the area. So, the good news is with Frank White and Pinnacle Homes, by purchasing the airport properties, purchasing this additional property here, we're going to be able to help fix that drainage issue that still also lingers in this area. But because of that, we do have some fill and wall height waivers that we're asking for, and that's based because of the existing conditions on the property.

So, on the site plan that I have here, we have 20 homes. We have six homes that are located up here off Gagnier, which will have access coming in and out of the cul-de-sac located right here. The other 14 homes are going to have access on Camaro, as you can see here, will come out through in this area. We do have a waiver development standard of street separation between Gagnier and our private street here. Staff is recommending – well, they were recommending approval that the Public Works with the separation distance series because this is in an RNP area, these are rural standards out in this area, and so very little traffic would be coming out in this area.

One of the waivers that we're asking for is for a 20-foot front yard setback. That is typical what you see in all the developments. I believe you're looking at your current code now to put that back. These are not the Pinnacle Homes that you see, but these are homes in the area that have that 20-foot setback that was approved at the Town Board. We'd ask you to approve that waiver of development standard.

When you look at the wall height, our highest point of the wall height that we'll have is along our east property line. Because we're lower on the west property line here, we're about nine feet, six feet, about five feet and five feet lower than the west side here. But because of the drainage and the topography of the property here over along the east property line, we're going to have some wall heights. What we are

about higher, the wall height in this area would be about 8 feet, 7 inches. This would be about 7 feet and 1 inch. The highest point is about 11 feet, 1 inch in this area. This would be the highest point of the wall. The wall waiver that we're asking for, this is about 9 1/2 feet, and this is about 10 feet, 3 inches.

Also, adjacent in this area, we have a five-foot wide drainage easement, which also goes to a 10-foot wide drainage easement in this area. With respect to the fill, because of the hole that is in here because of topography, we do have a waiver for infill located on Lot 10 and on Lot 14 in this area. And again, it's because of the constraints on the property.

We did go to the Town Board. They did recommend the approval of some of our waivers that we're asking for. These are single-story homes that Pinnacle builds. The price points are going to be anywhere from about \$1.4 to \$1.5 million per house on an average. The floor plans are anywhere from 3,600 square feet to about approximately 4,700 square feet.

With that being said, we'd ask you to approve the application that is before you. And then on a side note, we are continuing to work with the neighbors in this area with respect to some of the drainage issues and designs.

And as we finalize our drainage study, we will continue to communicate with them. And matter of fact, we've been communicating our client with Robert Cunningham today with some of the neighbors in the area with respect to some of the design. And the last thing I'll point out is in working with the neighbors, this gray area here is a sewer easement area, about 30 feet in width. We already have that open for pedestrian activity. It's not for vehicular access, but for the neighbors who walk in north and south in this area. So, we wanted to keep that open for connectivity purposes and that was something that the neighbors did definitely like. That being said, I can answer any of the questions on these applications that are before you.

TICK SEGERBLOM

This is a public hearing. Anyone here wishing to speak on this item?

ROBERT GLAU

Good afternoon or still morning. My name is Robert Glau, G-L-A-U. I live at 8260 Gagnier right across the street from the little six-person cul-de-sac there. I have no problem with this development whatsoever except for I don't see any need for any streetlights, which Enterprise had mentioned. And I know that they're asking not to have the streetlights and I'm in favor of that. And secondly, the little walkway, we're not exactly sure where that comes out. We're just hoping it's not right in the guy's driveway that sits right next to that.

And then also the Town Board had requested on the west side of Gagnier to put a five-foot asphalt sidewalk, which makes no sense. It's a dead end cul-de-sac. No five-foot asphalt sidewalk from Windmill all the way to there. And to just have that little piece of black top across the front of their place doesn't seem to make any sense to me. So, I would ask you not to request that and not to have the streetlights. Otherwise, I'm totally in favor. Thank you.

TICK SEGERBLOM

Thank you. Anyone else? Seeing no one will close the public hearing and turn it over to Commissioner Jones.

JUSTIN JONES

Thank you, Mr. Chair. Mr. Gronauer, do you want to address those comments?

BOB GRONAUER

No, I am good unless you have any questions.

JUSTIN JONES

Okay. All right, then I'm go ahead and move for – well, I would say with regards to Waiver of Development Standards 4A, while I appreciate that there are other areas out there on Camaro who have had all of their off-sites waived that I think that it makes sense to have at least some of the off-sites put in there. So, agree on the streetlights that they aren't necessary at this time, but I'll require the developer to install curb and gutter out there. Do you want to comment on that JaWaan?

BOB GRONAUER

Yeah. Oh, okay. I'm sorry. I just wanted for clarification on Camaro?

JUSTIN JONES

Yes, on Camaro.

BOB GRONAUER

And that's curb and gutter and I'm sorry, I'm interrupting Antonio. Go ahead Antonio.

JUSTIN JONES

Go ahead Antonio.

ANTONIO PAPAZIAN

Thank you, Commissioner. With the addition of the curb and gutter, I just want to make sure because their plans don't reflect it, that they'll be required to do full width paving as well.

JUSTIN JONES

Okay. All right. Curb gutter, full width paving and pull conduit in the event that there's a need for future streetlights but won't require a sidewalk at this time.

ANTONIO PAPAZIAN

Thank you, Commissioner. If they're not required to do the sidewalk at this time, we do not need the conduit and the pool boxes. The reason we typically require the conduit and pool boxes when someone is doing the sidewalk is so we don't have to lift those panels to put the conduit underneath. And because there's not going to be any sidewalk, there's no panels to lift, so it won't be a problem in the future to install that should we have a project that installs streetlights.

JUSTIN JONES

Okay. All right, what he said. All right. I'll go ahead and move for approval of Agenda Items 37, 38, 39 – 38, 37 and 39 with the modification to Waiver Request 4A.

LYNN GOYA

Excuse me, Commissioner, could you repeat the motion as it's the final motion for clarification?

MOTION

JUSTIN JONES

Sure. So, I'm going to move for approval on Agenda Items 37, 38 and 39 with regards to Waiver request 4A. The requirement for streetlights and sidewalk will be granted, but the curb and gutter and partial paving will be denied. Is that accurate? Okay.

LYNN GOYA

Thank you.

JUSTIN JONES

That's a motion.

TICK SEGERBLOM

All right, there's a motion. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft

VOTING NAY: None

ABSENT: Ross Miller

ABSTAIN: None

TICK SEGERBLOM

That motion passes. Thank you.

BOB GRONAUER

Thank you.

38. WS-24-0543-GOLDENSITES, LLC, THE PARSONS FAMILY REVOCABLE LIVING TRUST):

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; 2) increase retaining wall height; 3) increase fill height; 4) waive full off-site improvements; and 5) reduce street intersection off-set.

DESIGN REVIEW for a single-family residential subdivision on 10.63 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the north side of Camero Avenue and the east and west sides of Gagnier Boulevard (alignment) within Enterprise.

JJ/sd/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 37 AND 39).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Off-site improvements (curb, gutter, and paving) on Camero Avenue;
- Drainage study and compliance;

- Traffic study and compliance;
- Execute a Restrictive Covenant Agreement (deed restrictions).

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0075-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

WAIVER OF DEVELOPMENT STANDARDS #4A WAS DENIED FOR OFF-SITE IMPROVEMENTS (CURB, GUTTER, AND PARTIAL PAVING).

39. TM-24-500117-GOLDENSSITES, LLC, THE PARSONS FAMILY REVOCABLE LIVING TRUST):

TENTATIVE MAP consisting of 20 single-family residential lots on 10.63 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the north side of Camero Avenue and the east and west sides of Gagnier Boulevard (alignment) within Enterprise. JJ/sd/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 38 AND 39).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Off-site improvements (curb, gutter, and paving) on Camero Avenue;
- Drainage study and compliance;
- Traffic study and compliance;
- Execute a Restrictive Covenant Agreement (deed restrictions).

Building Department - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0075-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

40. WS-24-0522-CROCKER FAMILY REVOCABLE LIVING TRUST:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; and 2) eliminate full off-site improvements in conjunction with a proposed single-family residence on 0.5 acres in a RS20 (Residential Single-Family 20) Zone within the Neighborhood Preservation (RNP) Overlay. Generally located on the west side of El Capitan Way, 170 feet south of Washburn Road within Lone Mountain.
RM/jm/kh (For possible action)

ACTION: DELETED FROM THE AGENDA (HELD TO DECEMBER 4, 2024, PER THE BOARD OF COUNTY COMMISSIONERS).

SAMI REAL

All right. Next is Item 40, WS-24-0522; waiver of development standards for the following: reduce setbacks and eliminate full off-site improvements in conjunction with a proposed single-family residence on 0.5 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Preservation (RNP) Overlay. Generally located on the west side of El Capitan Way, 170 feet south of Washburn Road within Lone Mountain.

TICK SEGERBLOM

Is anyone here on this application? Item 40?

MOTION

ROSS MILLER

I'm not sure where they are. Can we move to pass it to the December 4 meeting?

SAMI REAL

Hold to December 4?

ROSS MILLER

Hold. Yes.

SAMI REAL

So then there is a motion to hold till December 4.

TICK SEGERBLOM

There's a motion to hold it until December 4. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None

ABSENT: None

ABSTAIN: None

TICK SEGERBLOM

That motion passes.

41. WS-24-0523-WARREN FAMILY REV LIV TR & WARREN, JOSEPH F. & CARRYN B. TRS:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce separation; 2) reduce setbacks; and 3) modify driveway geometrics for accessory structures in conjunction with an existing single-family residence on 2.28 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the west side of Fairfield Avenue, 320 feet south of Wigwam Avenue within Enterprise. MN/tpd/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- 1 year to complete the building permit and inspection process for existing accessory structures or this portion of the application will expire unless extended with approval of an extension of time;
- 2 years to commence the proposed RV cover or this portion of the application will expire unless extended with approval of an extension of time;
- Paint the proposed RV cover to match the primary dwelling.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Southern Nevada Health District (SNHD) - Engineering

- Applicant is advised to contact the SNHD Environmental Health Division at septics@snhd.org or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

SAMI REAL

Next is Item 41, WS-24-0523; waivers of development standards for the following: reduced separation, reduce setbacks and modified driveway geometrics for accessory structures in conjunction with an existing single-family residence on 2.28 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the west side of Fairfield Avenue, 320 feet south of Wigwam Avenue within Enterprise.

KAREN WARREN

Hello, thank you for your time today. My name is Karen Warren, W-A-R-R-E-N. And I am the homeowner in this case.

I also wanted to thank the staff for walking me through this whole process.

Okay. So, you will notice a lot on this item, but I am going to keep it short as I was advised to do. Essentially, we are looking to erect an RV shade cover on this part of the lot. This is the north facing right? So right here on the lot in working with Land Use, they brought up a lot of issues in terms of waivers, so we're just hoping to bring everything else on the property in compliance. Since we purchased it in 2017, we've made significant improvements. So, I open that up to any questions?

TICK SEGERBLOM

All right. This is a public hearing. Anyone here wishing to speak on this item? I see no one. It sounds like you've resolved all things. Commissioner Naft.

MICHAEL NAFT

Yeah. Thank you, Mr. Chairman. Thank you, Ms. Warren, for your patience today. But through this whole process, you bought a property that was in pretty bad distress that your neighbors were pretty displeased with, and you have, one, cleaned it up, but two are bringing most of what you're here to waive today were pre-existing issues prior to your purchase of the property, with the exception of what you just laid out. Yeah.

KAREN WARREN

Those were before pictures.

MICHAEL NAFT

Yeah. Thank you.

KAREN WARREN

Of our property. So yes.

MOTION

MICHAEL NAFT

So, thank you and I'm prepared to move for approval of Item 41 and appreciate your patience through this process.

TICK SEGERBLOM

All right. There's a motion. Cast your vote.

VOTE

VOTING AYE:	Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft
VOTING NAY:	None
ABSENT:	Ross Miller
ABSTAIN:	None

TICK SEGERBLOM

That motion passes. Thank you so much.

KAREN WARREN

Short and sweet. Thank you for your time. I appreciate it.

42. WS-24-0525-SEMMATERIALS ENERGY PTNRS, LLC:

AMENDED WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase fence height (no longer needed); 2) allow non-decorative fencing (no longer needed); 3) reduce access gate setbacks; 4) waive off-site improvements (streetlights); 5) allow attached sidewalks; 6) eliminate throat depth; and 7) eliminate driveway back-of-curb radius.

DESIGN REVIEW for site modifications for an existing asphalt batch plant on 6.76 acres in an IL (Industrial Light) Zone within the Airport Environs (AE-65) Overlay. Generally located on the southwest corner of Valley View Boulevard and Ponderosa Way within Paradise. MN/dd/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Paint the shipping containers to match the buildings and infrastructure on-site;
- Street landscaping along Ponderosa Way to consist of recommended plants from the Regional Plant List, or an approved alternative.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Full off-site improvements except streetlights on Ponderosa Way;
- Install conduit and pull boxes on Ponderosa Way.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation;
- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or

other temporary equipment; the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998; and that funds will not be available in the future should the owners wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0185-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

SAMI REAL

Next is Item 42, WS-24-0525; amended waivers of development standards for the following: increased fence height, which is no longer needed, allow non-decorative fencing. Again, no longer needed. Reduce access gate setbacks, wave off-site improvements being streetlights, allow attached sidewalks, eliminate throat depth and eliminate driveway back of curb radius. Design review for site modifications for an existing asphalt batch plant on 6.76 acres in an IL (Industrial Light) Zone within the Airport Environs (AE-65) Overlay generally located on the southwest corner of Valley View Boulevard and Ponderosa Way within Paradise.

TICK SEGERBLOM

Good morning.

MELISSA EURE

Good morning, Melissa Eure, E-U-R-E. 1055 Whitney Ranch Drive, Suite 210. Here on behalf of the applicant.

So again, here you can see on the aerial exactly where this batch plant sits. It's been there since the 1960s. So, it has been there for quite some time, and everything has developed around it.

Just importantly to note on here, there is a stormwater detention basin that is on this site and then there's already some paved area here. So, what has happened is on here you can see everything in the pink color is existing and what they'll be doing is adding some new tanks in order to decommission other tanks that are on the site as well as adding a new shade structure. They use polymer pellets that unfortunately the UV tends to deteriorate and destroy. So, in order to lose less of their supplies, they're putting this new shade structure. With these new equipment, it did trigger the need for the site to come into greater conformance with the current Title 30. And so quite a bit of what we have here and the waivers which I will focus on are in regards to the off-sites here along Ponderosa. The sidewalk and full off sites are existing on Valley View Boulevard.

What there is currently there's a berm here. This is where the stormwater detention basin is. The way the site operates is that trucks come in off Ponderosa, they enter on the far west gate here. They go through the scales, they come around, they load on here, they come back around, they stay with on the property to loop back around to then get weighed with their full weight before exiting out of this gate. So, gates do remain open during business hours, and we are asking to go ahead and put in an attached sidewalk. Currently, there is no sidewalk for this part of the property as well. There is some curb and gutter, however this would be adding the sidewalk. And then there is the existing oleanders on this side and what they would do is replant any oleanders that need to be replanted as they pulled back.

Because of these existing conditions there is a security fence that's also there in the gates and unfortunately, they're within the setbacks that our Title 30 currently requires. So, one of those is to allow the gates to be 7 feet and 8 feet from the property line versus 18 feet. Again, as mentioned, they are open during business hours, and they are one way only and we try to keep the trucks circulating on site versus on the actual right-of-way. These fencing here it is security fencing for a portion of it. It is non-decorative. You can kind of see the oleanders do a great job of screening what is there.

One of the bigger waivers we have is asking for the zero radius and some reduced throat depths, particularly for the western drive. So, the eastern drive will meet the standards. It's only on the westernmost driveway and you can see from the photo here. As trucks swing in to go to the scales, unfortunately in order to meet the driveway standards, the driveway would have to be moved more to the east. And what that would do is actually put it back up against where you have parking right here on the other side. So, if they move the driveway to put in the standard, it would then have the trucks turning in right behind where there's parking here and there is no curb gutter or entryway. It's literally just parked there. So, it would potentially back items up.

Also, because of the location of the stormwater basin, if that was moved over, the trucks would be entering basically right into the stormwater basin and there's no way to push back the interior drive without again impacting that existing stormwater basin on the site. So, any changes to the gate or to those drives would then be impacting the existing equipment and the stormwater tension Basin. So that's why we're asking that this driveway remain as it is on this side. So that way we don't impact the site operations. If we had to get rid of that drive, it would then force circulation onto the existing public right-of-way instead of keeping it on the site.

Finally, we are proposing the attached sidewalk as well as putting in the curb and gutter. However, we've requested a waiver of the streetlights on Ponderosa, all of the existing streetlights that there are on the north side of the street, that is where the electrical wiring and conduit is. There are none on the south side of the street where the property is located. So, we've asked that those streetlights not be required. One, it would cut off the drive. This is Ponderosa does end in a cul-de-sac. So, it would create quite a bit of impact for the existing businesses but also just because it'd be a little more difficult to bring all that in. There isn't an electrical connection very close by for that. So, we've asked to waive that, but we are fine with accepting staff's conditions on this. And with that, happy to answer any questions.

TICK SEGERBLOM

All right. This is a public hearing. Anyone here wishing to speak on the item? Seeing no one, we'll turn it over to Commissioner Naft.

MOTION

MICHAEL NAFT

Thank you, Mr. Chairman. I'm sure your client probably regrets wanting to put up a shade structure, but we're glad they're doing it and making the investment in the property. As you laid out, nearly all of these waivers are necessitated by permanent infrastructure that's on the property. So that's convinced me to move for approval of Item 42.

TICK SEGERBLOM

There's a motion. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft
VOTING NAY: None
ABSENT: Ross Miller
ABSTAIN: None

TICK SEGERBLOM

That motion passes.

MELISSA EURE

Thank you.

43. WS-24-0526-GHANOLI HOLDINGS, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase fence height; and 2) allow a non-decorative fence.

DESIGN REVIEW for modifications to a previously approved truck staging area on 0.49 acres in an IL (Industrial Light) Zone within the Airport Environs (AE-60) Overlay. Generally located on the south side of Martin Avenue and the east side of Crystal Street within Enterprise. MN/dd/kh (For possible action)

ACTION: DELETED FROM THE AGENDA (HELD TO JANUARY 22, 2025, PER THE APPLICANT).

(Companion Items 44 and 45)

44. WS-24-0527-COUNTY OF CLARK (AVIATION):

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; 2) increase wall height; 3) increase fill height; 4) eliminate off-site improvements (curb, gutter, sidewalks, and streetlights); and 5) reduce the street intersection off-set.

DESIGN REVIEW for single-family detached residences on 4.92 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the northwest corner of Valadez Street and Shelbourne Avenue within Enterprise. JJ/jud/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEM 45).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Comply with approved drainage study PW24-17122;

- Execute a Restrictive Covenant Agreement (deed restrictions).

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0113-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

SAMI REAL

Next are Items 44 and 45.

- Item 44 WS-24-0527. Waivers of development standards for the following: reduced step backs, increase wall height, increase fill height, eliminate off-site improvements being curb gutter sidewalks and streetlights and reduce the street intersection offset. Design review for single-family detached residences on 4.92 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the northwest corner of Valdez Street and Shelbourne Avenue within Enterprise.
- Item 45 TM-24-500114. Tentative map consisting of 10 single-family residential lots and common lots on 4.92 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the northwest corner of Valdez Street and Shelbourne Avenue within Enterprise.

TICK SEGERBLOM

Good morning.

BOB GRONAUER

Good morning, Mr. Chairman and Commissioners. My name is Bob Gronauer, 1980 Festival Plaza Drive. I'm here representing Pinnacle Homes on these next few matters.

What I have before you is an aerial map of our site. It's approximately five acres. This is also another one of these purchases through the Airport auction that Pinnacle Homes has purchased. And matter of fact this is in a rural neighborhood area. These are actually homes that Pinnacle came in and has already built. As you can see, we are sandwiched in between existing rural neighborhood preservation homes. These are single-story homes that we're proposing on the five acres. These are the elevations that you would see here that are being proposed.

We do have a waiver. Our first waiver is a waiver of the front yard setback, which is typical that you see in all these rural neighborhoods that are built like this. And it has that 20 foot yard setback in there. It's just a matter of the reason way you actually measure the distance to the setback, but this is no different than other developments in the area.

With respect to the site plan, this is 10 homes that are located on approximately five acres. We have our access coming in here off of Shelbourne Avenue. And this is another piece of property here where we have some drainage issues that we're dealing with because to the north, to the east, west and south of us, the grades have all been set on the property here. So, it's very hard for us to do anything more or less than what's already been set in the area.

So, our wall heights, we're low on the west side here of our property. On the east side we're a little bit higher. Our wall heights are going to be anywhere from 2 or 3 feet higher than the existing walls. You do have a 5 foot – in this area, a 5 foot drainage easement that separates the property walls in this area. Just

for the record, this would be about a 9 foot high, 9 foot 7inch wall. This is about 10 foot and 4 inch wall. This is also 10 foot and 2 inch wall. And this would be about a 9 foot, 9 inch wall in this area here. And again, that's just dealing with the topography and the grade on the property that's been set.

We'd ask you to approve the applications that are before you. And again, these are single story homes, same price points as I mentioned earlier with Pinnacle's proposal.

TICK SEGERBLOM

That completes your presentation, we'll –

BOB GRONAUER

Yes, sir.

TICK SEGERBLOM

– open it up for a public hearing. Anyone here wishing to speak on this item? Or these items? See no one. We'll close the public hearing and Commissioner Jones.

MOTION

JUSTIN JONES

Move for approval of 44 and 45.

TICK SEGERBLOM

There's a motion. Cast your vote

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft

VOTING NAY: None

ABSENT: Ross Miller

ABSTAIN: None

TICK SEGERBLOM

That motion passes. Thank you.

BOB GRONAUER

Thank you very much and I want to wish all of you a happy Thanksgiving with your families. Have a good one, take care.

45. TM-24-500114-COUNTY OF CLARK (AVIATION):

TENTATIVE MAP consisting of 10 single-family residential lots and common lots on 4.92 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the northwest corner of Valadez Street and Shelbourne Avenue within Enterprise. JJ/jud/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEM 44).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Comply with approved drainage study PW24-17122;
- Execute a Restrictive Covenant Agreement (deed restrictions).

Building Department - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0113-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

46. WS-24-0535-BLUE DIAMOND PB HOLDINGS, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce street landscape planter width; and 2) reduce driveway geometrics.

DESIGN REVIEW for commercial buildings on 0.89 acres in a CG (General Commercial) Zone within the Airport Environs (AE-60) Overlay. Generally located on the south side of Blue Diamond Road and the west side of Pinkbox Drive within Enterprise. JJ/sd/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;

- Traffic study and compliance;
- Full off-site improvements;
- The installation of detached sidewalks will require vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way;
- Coordinate with Real Property Management and the Department of Aviation to dedicate Pinkbox Drive.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0437-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

WAIVERS OF DEVELOPMENT STANDARDS #1 AND #2B WERE WITHDRAWN.

SAMI REAL

Next is Item 46, WS-24-0535; waivers of development standards for the following. Reduced street landscape planner width and reduced driveway geometrics, design review for commercial buildings on 0.89 acres in a CG (Commercial General) Zone within the Airport Environs (AE-60) Overlay generally located on the south side of Blue Diamond Road and the west side of Pink Box Drive within Enterprise.

TICK SEGERBLOM

Good morning.

GREG BORGEL

Good morning, Mr. Chairman. I'm Greg Borgel, 3747 Heritage Avenue here for the Pink Box Project, which is the first phase of development proposed for this property. With me in the audience is if you have questions appropriate for his consideration, is the Vice President of Development for the Siegel Group. The Pink Box item before you now is of course an element of the Siegel Group. And so, if you have questions that are beyond my capability, he's available to help out.

Secondly, we were advised fairly late in the game that some of the waivers were problematic, and we have put ourselves in the position of what we think is resolving those questions.

So, to work through it casually – and by the way, this is the elevation of the Pink Box that is before you. There are three waivers called out in the agenda or were, if you will, since we have resolved two of the three with certainty. On the reduced width of street landscaping, which is Waiver Number One, that's been eliminated. It was a very small area that was basically overlooked in the first analysis. And so, we would ask in conjunction with what we hope is your approval of the balance of the item, that that could be allowed to be withdrawn here.

And secondly on Item 2B, which was the throat depth question on which Public Works was quite concerned. The engineer for our side has gone through the equations and restructured the throat depth and that has been provided to staff for analysis and we think that that one can now be withdrawn as well. So that takes care of the throat depth and the landscaping waiver.

The remaining item is a reduction of the departure distance for the driveway on Pink Box Drive to 161 feet where 190 is required. First of all, we would point out that the Pink Box Drive, which amounts to being our private drive, although it has of course to be dedicated to the public for the purpose of extending utilities. But it is a very minor street which although it is adjacent to Blue Diamond Road, they are in a position where it can never cross Blue Diamond. So, it's a very minor intersection in question.

And secondly, by virtue of the redesign of the – and hoped for withdrawal that you will allow for the other waiver, we are now in a position where the redesign to accommodate the full throat depth as required by staff, has enabled a tentative and what we would suggest resolution to that remaining waiver. And that is that by virtue of redesigning – I put the landscape plan up so you could see that it is abundantly landscaped, but I'm drawing on the black line because it's easier to explain what we've done. By moving the throat depth question and resolving it, we believe, to here, we create a situation where we now have a location for a sign, which would, we think, resolve the last remaining waiver question, which is the distance along Pinkbox Drive.

This we believe strongly is the correct location for signage in order to create specifically the situation. And there is no sign waiver in front of you because we'll have to submit a sign program in the future. But we would want to put a sign in this area where the expansion of the throat depth has taken place. So that since this driveway serves –

JUSTIN JONES

Mr. Borgel, can you just skip to what you still need?

GREG BORGEL

We think we only need the remaining waiver for the reducing the driveway distance on Pink Box. And I was leading up to saying and concluding, I realize I've been accused of talking too much sometimes.

TICK SEGERBLOM

All the time.

GREG BORGEL

Well only when I'm here.

JUSTIN JONES

Sometimes when you're not.

GREG BORGEL

Well, there, I try to be quieter.

The purpose is because the driveway is now at the correct location in our opinion. And that is because the two sides of the building need to be served. One side for the access to the drive-thru and one side for the access to parking for people who don't choose to use the drive-thru. And that is where we have the handicapped parking, which was the conclusion I was reaching to and hoping that you would therefore approve of the reduction in departure distance for the driveway in light of the fact that it serves those two purposes.

TICK SEGERBLOM

Does that complete your presentation?

GREG BORGEL

I was finished.

TICK SEGERBLOM

Okay. All right. This is a public hearing. Anyone here wishing to speak about doughnuts? Seeing no one will close the public hearing. Did you have a comment Sami?

SAMI REAL

I just wanted to clarify. So, I think what Mr. Borgel was trying to say is that he withdraws Waiver of Development Standards Number 1 and 2B and finds that the Waiver of Development Standards 2A is still needed and then that's when I would defer to Public Works whether or not the Waiver of Development Standards 1, sorry, 2B is still needed.

ANTONIO PAPAZIAN

Thanks Sami. It is not needed anymore. They meet the minimum requirement.

MOTION

JUSTIN JONES

Great. With that withdrawal of Waiver Requests Number 1 and 2B, I'll go ahead and move for approval of Agenda Item Number 46 with the request for Waiver 2A.

TICK SEGERBLOM

All right, there's a motion by Commissioner Jones, cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft

VOTING NAY: None

ABSENT: Ross Miller

ABSTAIN: None

TICK SEGERBLOM

Thank you. That motion passes Mr. Borgel.

GREG BORGEL

Thank you very much and we'll see you again another day and I'll try to be quieter or at least list –

TICK SEGERBLOM

It tough to have an old dog learn new tricks.

GREG BORGEL

We're trainable. Thank you.

(Companion Items 47 through 49)

47. PA-24-700015-NEVADA POWER COMPANY:

PLAN AMENDMENT to redesignate the existing land use category from Public Use (PU) to Neighborhood Commercial (NC) on 1.89 acres. Generally located on the north side of Russell Road, 550 feet east of Hualapai Way within Spring Valley. JJ/gc (For possible action)

ACTION: ADOPTED (RESOLUTION NO. R-11-20-24-2) (COMPANION ITEMS 48 AND 49).

SAMI REAL

Next are companion Items 47 through 49.

- Item 47, PA-24-700015; plan amendment to redesignate the existing land use category from Public Use to Neighborhood Commercial on 1.89 acres. Generally located on the north side of Russell Road 550 feet east of Hualapai Way within Spring Valley.
- Item 48, ZC-24-0310; zone change to reclassify 1.89 acres from an RS20 (Residential Single Family 20) Zone to a CG (Commercial General) Zone. Generally located on the north side of Russell Road 550 feet east of Hualapai Way within Spring Valley.
- Item 49, UC-24-0311; use permit for a mini warehouse facility. Waivers of development standards for the following: reduce and eliminate landscape buffer and screening and residential adjacency standards. Design review for a mini warehouse facility on 1.89 acres in a CG (Commercial General) Zone. Generally located on the north side of Russell Road 550 feet east of Hualapai Way within Spring Valley.

TICK SEGERBLOM

Good morning.

LEBENE OHENE

Good morning, Commissioners. Lebene Ohene, 520 South Fourth Street representing the applicant with three separate applications that have been read into the record by Ms. Real.

To orient you to the site, the parcel is located north of Russell Road and approximately 550 feet east of Hualapai Way. And to explain the PA application, which was the first application read into the record, which is the plan amendment. The parcel as it exists is a portion of a Nevada Energy site that was

subdivided Nevada Energy no longer needs the parcel. The parcel currently is zoned RS20 and master plan which is below master plan PU for Public Use.

Because they did not need the parcel anymore, the request is to change the master plan to NC and the zoning to CG. Now based on the master plan to our east is single-family residential, but that area is zone CM, which was the existing master plan before the residences were built and the residences in the area surrounding the Nevada Energy substation were all constructed after Nevada Energy constructed the location. On the zone change request, the zone change request is to go to CG to allow for the future mini storage warehouse.

The site is approximately 1.89 acres and the zoning surrounding it currently is RS3 and RS3.2 as well as some C2 to the west along Hualapai.

The development is a 29-unit mini storage warehouse for RVs and luxury vehicles. Based on the existing location and the site, we do have with the special use permit application some waivers and the design review to allow for the development. There is an existing driveway that serves both the existing and the energy station and will serve the site as well.

Because of the location of the site, there are some waivers. Some of those waivers primarily deal with some residential adjacency and some issues that are pre-existing. For instance, to the north because this is still residential even though it is more, it's a power station and more kind of an industrial use. There is landscaping that we've asked a waiver for to maintain.

In working through that development process through the neighborhood meeting, Town Board and Planning Commission, we worked with a Planning Commissioner, and we listened to the neighbors and also to the Town Board and have made some adjustments to the site.

For instance, three of the waivers, 1A, 1B and 1E, we withdrew those at Planning Commission without prejudice and that remains.

To the east, we proposed an eight-foot-high wall with a required fifteen-foot landscaping and even though to the northeast with a residential to the northeast NV Energy only provided 10 feet of landscaping. We're sticking to code and providing that.

On the west side we had to maintain the waiver because the roadway, existing roadway splits, there's an existing condition so therefore the landscaping, even though fifteen-foot is required, we had to request a waiver because there's only 7 feet and 14 feet. Because of that and for additional mitigation, we have proposed additional landscaping along the west side, which is split by the existing roadway.

Also, to mitigate some of the issues, sorry, I have this elevation which will properly depict our design. So, there's the two areas of landscaping. There's the required landscaping to the east and also the required landscaping buffer. And on the west, we included 11 additional trees to make sure that we mitigated the residential adjacency waivers, which are all the waivers, Number 2 in this area, the landscaping as well. Also taking into consideration of the residential on both sides, although the main building, Building A, which is to the west is 27 feet high, we made sure that the buildings were dropped in such a way that we didn't impact the residential to the west, although we are more than 120 feet from there with the two rows of landscaping.

The building to the east is 19.5 feet and this plan depicts how the main building, which is two-story sits as adjacent to the Western property line, which shows that even though we may be 28 feet, their residences are higher than us and we comply with all the grading requirements adjacent to the site.

With that said, we would appreciate your recommendation of approval with the waivers that were deleted and I'm here to answer any questions. Thank you.

TICK SEGERBLOM

All right, this is a public hearing. Anyone here wishing to speak on this item, please come forward.

HARSHA SARMA

Good morning.

TICK SEGERBLOM

Can you speak into the – yeah, hold the microphone.

HARSHA SARMA

Good morning. My name is Mr. Sarma, Harsha Sarma. I live at 5664 Teton Glacier Street, and this is my wife, Pilar. We are the neighbors to the west.

We live in the community called San Mateo, which is directly impacted by this site and this project, this is our community here and this is the proposed site underneath the two power lines. The –

WILLIAM MCCURDY II

Can we have you speak right into that mic? He's having a hard time –

HARSHA SARMA

We want to go on the record and state that my wife and I and our neighbors in the community are a hundred percent opposed to the zone change in this project. This lot falls within Commissioner Jones's jurisdiction and we're delighted with the work he's done with the park that he's built on Patrick that's coming up online here shortly. However, we think that the zone change is a mistake. We don't need additional mini storage.

Currently, there are six mini storage units within two miles of this property. I don't know if they should mention that at all. There's one here, that's My Self Storage, which is 0.8 miles away from the property. There's another one here on Cube Smart, which is 1.1 miles from the property. There's another one here, Extra Space, 1.3 miles from the property, another one Public Storage, 1.5 miles, another one that's 2.2 miles, Town Storage, another one that's 2.3 miles, another Extra Space.

So, she's pitching this as a luxury mini storage. I don't think a box with a bow matters, it's still storage and it's a 30,000 square foot structure that's going to be built directly behind our neighborhood with 15-foot trees I think is what she said. 10-foot trees. Am I incorrect on that? Was that the size of the building? She mentioned? I don't know if we're allowed to ask questions or not.

JUSTIN JONES

She can respond when she gets up again but –

HARSHA SARMA

Oh, and the primary reason we're opposed to this property, this project is the traffic impact. We have a new neighborhood development coming up across the street. I'll show you that. KB Homes is building right here on this lot. It's another 20 plus houses going in.

There are three schools close to this corner. There's Batterman, Fertitta, and Bishop Gorman right across the street. So, there's going to be more foot traffic for the students, more people walking around, and I don't think we need the traffic and the cars and that's why we respectfully asked the Commission to vote no on this project and see if there's any alternatives that could be used for this lot. I mean I don't know that NV Energy needs the money. I don't think they're desperate to sell it, so we want to see if the Commission would investigate another highest and best use for this parcel. I think that's it. I thank you for your time.

TICK SEGERBLOM

All right, thank you. Anyone else wishing to speak on this item? See no one will close the public hearing. Turn over to Commissioner Jones.

JUSTIN JONES

Thank you very much Mr. Chair and I appreciate the neighbors coming down and expressing their concerns with the site.

Initially I would say normally given the location I would not even consider a land use plan amendment change, or a zone change for this parcel because it is surrounded on three sides by residential. In this case because it is such an awkward parcel and a remnant from NV Energy's site, I think that there is a challenge for developing the residential for which it is currently zoned and if it were it would be a high-density residential project which would create in my mind far more traffic than what is proposed there. When Miss Ohene pitched this to me, I made it clear that the only commercial that would be permissible if this Board allows it would be mini storage because it is so low intensity. So just to clarify with regards to the waivers are 1, 1B and 1E?

LEBENE OHENE

Yes sir.

MOTION

JUSTIN JONES

Okay. So, I want to make sure it's very clear on the record that my motion will be to allow for the plan amendment and for the zone change to Neighborhood Commercial. However, that is not to say that if the applicant or some future developer decide that they want something else here that will be permissible. I will not recommend any other type of commercial on this parcel because I think it would be very inappropriate and would have detrimental effects to the neighborhood. I think that mini storage in this case is low-impact and has a benefit to the neighborhood in a way that other commercial ventures would not. So –

LEBENE OHENE

Yes sir, I understand.

JUSTIN JONES

I'll go ahead and move for approval of Agenda Items 47, 48 and 49 recognizing the withdrawal of Waivers 1A, 1B and 1E.

TICK SEGERBLOM

All right there's a motion. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft
VOTING NAY: None
ABSENT: Ross Miller
ABSTAIN: None

LEBENE OHENE

Thank you, Commissioner Jones. Thank you, Commissioners. Have a good day and happy Thanksgiving.

48. ZC-24-0310-NEVADA POWER COMPANY:

ZONE CHANGE to reclassify 1.89 acres from an RS20 (Residential Single-Family 20) Zone to a CG (Commercial General) Zone. Generally located on the north side of Russell Road, 550 feet east of Hualapai Way within Spring Valley (description on file). JJ/hw (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 47 AND 49).

CONDITIONS OF APPROVAL -

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0323-2024 to obtain your POC exhibit; and that flow contributions exceeding District estimates may require another POC analysis.

49. UC-24-0311-NEVADA POWER COMPANY:

USE PERMIT for a mini-warehouse facility.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce and eliminate landscape buffer and screening; and 2) residential adjacency standards.

DESIGN REVIEW for a mini-warehouse facility on 1.89 acres in a CG (Commercial General) Zone.

Generally located on the north side of Russell Road, 550 feet east of Hualapai Way within Spring Valley. JJ/hw/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 47 AND 48).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- The addition of balconies or other second story external additions are prohibited;
- Business licenses shall not be issued for businesses conducted within individual units;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has

not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0323-2024 to obtain your POC exhibit; and that flow contributions exceeding District estimates may require another POC analysis.

WAIVERS OF DEVELOPMENT STANDARDS #1A, #1B, AND #1E WERE WITHDRAWN.

(Companion Items 50 through 54)

50. PA-24-700020-ROOHANI KHUSROW FAMILY TRUST:

PLAN AMENDMENT to redesignate the existing land use category from Ranch Estate Neighborhood (RN) to Low-Intensity Suburban Neighborhood (LN) on 5.0 acres. Generally located between Wigwam Avenue and Cougar Avenue on the west side of Edmond Street within Enterprise. JJ/rk (For possible action)

ACTION: ADOPTED (RESOLUTION 11-20-24-3) (COMPANION ITEMS 51, 52, 53, AND 54).

SAMI REAL

Next are companion items 50 through 54.

- Item 50, PA-24-700020, plan amendment to redesignate the existing land use category from Ranch Estate Neighborhood to Low Intensity Suburban Neighborhood on five acres. Generally located between Wigwam Avenue and Cougar Avenue on the west side of Edmonds Street within Enterprise.
- Item 51, ZC-24-0485, zone change to reclassify the following five acres from an RS20 (Residential Single Family 20) Zone to an RS5.2 (Residential Single-Family 5.2) Zone, 4.77 acres from an RS20 (Residential Single-Family) Zone and an H-2 (General Highway Frontage) Zone to an RS3.3 (Residential Single-Family 3.3) Zone and eliminate the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Wigwam Avenue in the east side of Edmonds Street within Enterprise.
- Item 52, VS-24-0486 amended vacate and abandon easements of interest to Clark County located between Wigwam Avenue and Ford Avenue and between Mohawk Street, Decatur Boulevard; a portion of right-of-way being Edmonds Street located between Wigwam Avenue (previously notified as Mohawk Street) and Ford Avenue and a portion of right-of-way being Cougar Avenue located between Mohawk Street (previously notified as Decatur Boulevard) and Edmonds Street within Enterprise.
- Item 53, WS-24-0487, waivers of development standards for the following: increased fill height, increased retaining wall height. Design review for a single-family detached residential development on 9.77 acres in an RS5.2 (Residential Single-Family 5.2) Zone and an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the south side of Wigwam Avenue in the east and west sides of Edmonds Street within Enterprise.

- And then finally Item 54, TM-24-500101 map consisting of 54 single-family residential lots and five common lots on 9.77 acres and an RS5.2 (Residential Single-Family 5.2) Zone and an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the south side of Wigwam Avenue and on the east and west sides of Edmonds Street with an Enterprise.

TICK SEGERBLOM

Good morning.

STEPHANIE GRONAUER

Good morning. Mr. Chairman Commissioner. Stephanie Gronauer, 1980 Festival Plaza Drive here on behalf of the applicant, Richmond American Homes.

This property is a unique piece of property. It's in the southwest just to the north of Blue Diamond Road. Edmond bisects the property with about five acres on the east side and about five acres on the west side of Edmond. This area has a mix of master plan, a mix of zoning just to the north of Blue Diamond. And additionally, the parcel on the west side has some very significant constraints with respect to development because it has a 100 foot power pole easement running up and down Edmond in this area. So, it makes it a difficult parcel to lay out an actual developable project.

This is the master plan. So, you can see everything in yellow is Ranch Estates and within the RNP. The beige is Mid-Intensity Suburban so that allows up to eight units to the acre. And then you can see along Blue Diamond you've got a whole bunch of commercial and industrial, but there is a small RNP in this area. Edmond right now is somewhat the dividing line, but you can see on the zoning map it's a pretty interesting dividing line because you have RS2 immediately across the street, which means 2,000 square foot lots across the street from what is the RNP.

Also, there's an overlay on a portion of that western or eastern parcel, excuse me, for RNP even though it's master planned Mid-intensity allowing up to eight units to the acre. So, this is a mix and an interesting parcel with as I said, a mix of overlays, a mix of master plan and then also a mix of density. So, when Richmond decided to look at this, they thought the best thing to do would be to conform and comply on the east side with the master plan that allows up to eight units to the acre. And on the west side provides somewhat of a transition because there are 2,000 square foot lots immediately across the street.

So that's what we have before you today is a plan that we think does just that provides that transition. Also, you'll see on the site plan it takes into account the fact that there is a power line easement. This exhibit shows it better. Everything in yellow on this western portion is encumbered by a power line easement, which means it's undevelopable for structures. So, about a third of the width of this parcel you can't put homes in. So, it presents a different challenge when they were laying this out on how and what is best for this area.

This is what's before you today as I mentioned on the east side we conform with the master plan. We do not have a plan amendment. It's Mid-Intensity Suburban allows up to eight units to the acre. I believe there's 38 homes on this east side with a density just around up to eight to the acre. The small lot development is to the north of us and to the east of us with those small compact lots. And this is certainly compatible with what's in the area and what the master plan contemplates.

As you go across to Edmonds, we have laid out 10,000 square foot lots on this western boundary because it is clearly RNP to the west of us; also, one-story homes. So, Richmond's proposing their one-story homes to provide that additional buffer. However, as we flip across the street here, we have roughly 7,000 square foot homes or lots, excuse me, with two-story homes. And the reason they have to be two-story is

because we cannot develop within that easement area. And you all know I just had two projects on this agenda where Richmond's the first to do all two-story homes. They're also the first to develop in an RNP and do half acre lots. Unfortunately, because of this power line easement, this lot is not ideal for those large half acre lots and can't be developed on in this yellow area. So, the homes that are on this eastern edge are two-story homes so that they can simply be backyards in that area and not have a structure there.

At the Town Board and at our neighborhood meeting way back in June, we did not have any neighbors in attendance. Mr. Van is counsel for a couple neighbors in the area and he did come to Planning Commission. Since that time, we've met with him to discuss possible amendments to the plan. He represents homeowners that live immediately to the west of the site, and I know he's here to speak on their behalf. Since that meeting, we sat down and basically at the meeting the two things, their first preference would be that this whole area be one-story homes.

So, Richmond did look at possibly doing really small one-story homes on these lots right here. They could fit a small one-story, but it doesn't pencil from an economic standpoint because you'll have large two stories across the street and then trying to put small one-story's even with the premium for one stories, it just doesn't pencil out unfortunately. But they did come up with two other alternatives that I did email to Mr. Van, all of which we're okay with and could live with. This is what we think is the best option because it has all one-stories on this Western Edge Option II or I guess Option Alternative I. We laid it out such that we would have one-story homes, four of them located right here and then put a really large two-story Paxton home on these two lots on the corner. And then proposing still the two stories on the east side but losing a lot as well.

So, the density would go down slightly, but we'd have to have some flexibility to put the big 2 story, 4,300 square foot homes on a couple of the lots. I don't think personally this is the better option because I think when you have one stories buffering an RNP that's better. But this will work for Richmond, and they would still have the four one-story homes which are adjacent to their homes.

Option II was we lose 2 lots, and we put 3 two-story homes on this western edge. Again, they're more profitable because they're large two-story homes. So, this pencils as well, the density certainly goes down with the loss of two lots. We still have one-story homes in this corner adjacent to Mr. Van's clients, but there would be some two-story homes up here and then also across the street.

So, as I mentioned, I've shared these plans – I don't know the preference from Mr. Van. Again, I think his preference would be that it be all one story. Unfortunately, that just doesn't work with the power poles or – I should say first preference would probably be all half-acre lots.

This property is just a unique parcel in the sense that it's difficult to develop and it also is adjacent to 2,000 square foot homes. So, putting million-dollar, half-acre lots on Edmond across from 2,000 square foot lots, not homes, lots is not a great transition. We think this provides a really good transition between the RNP and the higher density across Edmond and it'll certainly set a precedent.

So, Mr. Van mentioned his clients being concerned with the parcel to the northwest. This would certainly set a precedent to make sure that one-story homes and quarter-acre lots would be the appropriate transition there. So, with that said, I'm happy to answer any questions.

We did have five conditions that we submitted at Planning Commission and that are in your staff report. I'll quickly just walk through them. It was that we would do one-story homes on Lots 1 through 6 that we would have no more than 16 homes on this Western portion, no more than 38 homes on the eastern

portion, that we would tier any wall that's on the perimeter along a right-of-way that is above the allowed 3 foot of retaining and 6 foot screen and then that we would do wrought iron fencing on top of any retaining wall on this eastern portion that's over the three feet of retaining. That's mostly in this corner. We have some tall walls and so at Planning Commission we offered on top of those screen walls doing some view fencing just to break that up a little bit. So those conditions are in your staff report.

We're happy to agree to all of those. One final condition that we did talk about with the neighbors, the neighbors immediately west of us have a drainage channel that is adjacent to us. They asked if we would be willing to gate that with their permission. We're happy to do that. Obviously, we have to have their permission to touch their land, but Richmond's happy to add a gate on that easement area. So, with that said, I'm happy to answer any questions and we'd ask that you follow Planning Commission's recommendation of approval.

TICK SEGERBLOM

This is a public hearing. Anyone wishing to speak on this item, please come forward.

MICHAEL VAN

Good morning. Good morning, Chair and members of the Commission. I've been doing this a long time and what I do know is the designation, RNP is a term that should be sacrosanct, and it should continue with it a long-term reverence associated with it. It's longstanding in the area and in the County that what you want it to is if you can get something that's RE with an RNP. Then you know that you've got a nicer home, you've got nicer quality areas and neighbors bought based upon that protection. They moved there for the lifestyle. And you'll hear from neighbors who said that they sold homes, that they have done everything they could to get to that area for that very purpose. And now they feel like they are being encroached upon essentially for just for money. When you get right down to it's going to get down to the dollars.

There are two competing groups. One group is the neighbors who are there to preserve their neighborhood RNP. We want to preserve our neighborhoods. The developer is there to preserve their bottom line and the discussions that we've talked about, what they have said are things like, it just doesn't pencil, we just can't make it to the bottom line. However, I've heard today three different instances where there were RNP properties and lo and behold we can get half acre locks on all of those with all the other issues.

And there's also been, and I heard that Richmond American actually does have a half-acre product that they can put in there. It just doesn't pencil. So, for the developer, it's simply that it's the profitability. For the neighbors, the citizens, the Clark County residents. It's all about their lifestyle, their homes, where they bought, where they want to raise their children.

And with regard to this property, this current project, it's kind of interesting to me that it's not a master planned community. You have on the right-hand side of this on the east side I believe, that is higher density. It absolutely is. And there's nothing my clients have said. I've told them, "You got to give up on that argument, you're not going to win that argument". But on the left-hand side, this is RNP. And Edmonds creates a natural barrier. It's a barrier there. That's where you can say, "Yep, this is where it's going to go over." Everything on the one hand, you don't need this transitional period because if you go down a little bit further, they're half acre lots.

And speaking with Stephanie, she's been very professional. I appreciate that. I asked this simple question even with this area down here when you got the easement. So, let's just say that you take that property and instead of 16 lots, you have eight lots. Now you're going to have four lots that can be, you can build

the two-story on the front of it and they're going to have really big backyards because they can't build on the back part under that easement. But you can still put eight lots in there as opposed to 16, without a problem. And you are going to honor the integrity of the RNP. Edmonds is that natural barrier. There's no connecting roadways. They act as a, sorry.

TICK SEGERBLOM

You can go ahead and finish up.

MICHAEL VAN

All right. They act as though this is some type of master plan. It's not, there's no roadways, there's nothing that connects the two. And the developer is not the end user, he is not the neighbor, he is not going to be a citizen of Clark County.

The RNP is very important. When we did talk, they did propose a couple of proposals, and I apologize. I told Commissioner Jones this, my wife had surgery, and I was driving back Sunday or Monday and Tuesday and didn't get a chance to get the email, didn't get a chance to get it to the neighbors. And I asked Sephanie, I says, is there any way you can push this out a month so we can sit down and talk about it? And they can't for other reasons, and I understand that. But the Rural Alliance Advisory Committee states that the purpose is to encourage infill developments within Ranch Estate neighborhoods in accordance with compatible considerations contained in the Neighborhood Land Use Category definitions. Again, this is not a master planned community. They're trying to plug 54 homes into a very small area. 38 I get, I understand that, but the 16, you could just as easily have that be eight and continue with the RNP. Again, Edmonds is that natural barrier.

Lastly, you'll hear from some of the neighbors, there's a lot of issues that have been raised that we just don't know yet. Of course, there's the construction, the parking, the traffic, the streetlights, the height of the walls, which they did raise. But again, Richmond American, you heard earlier that they do have products that they can put on half acre lots in a quarter acre – on a half-acre lot in that area. And I appreciate the fact – I appreciate your time. I've been around Greg Borgel, and I don't want to be tagged with that, so I'm going to wrap it up right now. Please understand that the neighbors do not want this at all. The number one choice is to keep it an RNP.

TICK SEGERBLOM

Thank you. Anyone else here wishing to speak?

JOE KRATHWOHL

Good afternoon, gentlemen. My name is Joe Krathwohl. I live at 8435 Lindell Road. I am right in the middle of this RNP. And I was smiling, I see these big banners on the front of the walls here, "Together for Better." Well, together doesn't include existing homeowners.

I've been in Las Vegas now for 36 years, and the first place that I bought was a big half acre lot. And I remember because I supply animals to shows, Renaissance fairs, Springs Preserve, shows up and down Las Vegas Strip, that's my main job. And I remember I rescued a young tiger cub, and I don't know how the County found out, but next thing I know, I had a letter on my front door that said, "You have 30 days to move." I came down and after a big meeting I said, "Where can I live where I can live in peace and still do what I do?" And they said, "Oh, you got to be RNP. Once you're an RNP, you'll be okay."

Found a place, an RNP, this RNP. And when I saw what kind of a lifestyle it is, here's a picture of those poles. This is what people in my neighborhood use the setback for, space for their animals. I said, "This is awesome. This is where I need to be." Got my zoning changed, my tigers, condors, eagles, everything that

lives with me. It's been pretty good until about the last eight or nine years. Now, two or three times a year, I'm at one of these hearings trying to figure out exactly how to stop us from being bulldozed over. Because every time one of these projects, even along the perimeter, gets approved, all those cars shoot through our neighborhood. We have Star Nursery sending their big semi-trucks full of rocks through our neighborhood, crunching up the pavement that was there. It was never meant to be a truck route.

And we still can't get a light at Decatur and Windmill to help break down the traffic. So, you can't even get across Decatur anymore. And now we have people just walking up and down the street. It used to be we knew all of our neighbors, and now people slow down and case the front yard, taking an inventory of things that you have out there.

We have a church that was approved, ridiculous decision, because when they have an event, there'll be 400 cars parked up and down these streets blocking everybody's home, parked all over the BLM lots. And it's like, wow, what is happening here? Not to mention the ones that want to use our neighborhood as a cut-through to get from Blue Diamond Road up to Decatur. I've been almost hit several times in front of my own home just getting the mail, and it makes you just wonder, what do we do? Do we have to have a full-time police officer in the neighborhood? So, every time one of these gets approved it just gets worse.

And I noticed all day long it's abandonments and waivers. Well, why have rules at all then? I haven't heard a single developer today get denied. But I feel like I'm going to walk out of here because these are the homes that are in our neighborhood, and this is one of the last projects you approved of right across the street from my house. And this type of approval is ridiculous to me. I'm sorry, I don't want to die in front of my house so some developer can make a few extra bucks.

TICK SEGERBLOM

All right. Thank you so much. Anyone else here wishing to speak on this item?

CHRISITIAN HAGENBEEK

Hello everybody. I'm Chrisitian Hagenbeek, 8580 Mohawk Street. I'll keep it short. But we purchased in the area because we wanted the benefits of the RNP. We worked with Stephanie, we're the lot that's right next to the build that they're building. We welcome growth in the area, but we would like to keep it at two homes per acre. That's why we purchased into that area. We talked to them, and we tried to compromise. We said that we would like single-story homes in that 16-home section instead of two-story homes. Unfortunately, we didn't get an option for that, so we opposed the build. They say they can't pencil in something because of the easement in that area. Well, I would like to use that easement for our benefit to keep our rules for the RNP. That's it. Thank you.

TICK SEGERBLOM

Thank you. Anyone else here wishing to speak?

GRANT PALM

Mr. Commissioner, Commission, thank you for your time here. My name's Grant Palm, P-A-L-M, and I'm a resident on that dividing line 8665 Edmond Street, and my concern is the density. I do have a young child. There really isn't any parks or anything like that for our children to go and play, ride bikes, anything like that in the area. So, with that extra density I've seen on the way taking my child to school, multiple accidents along Decatur just increase since all the building in that area. Again, my concern is just solely for the safety of the kids and just having a community to be able to enjoy and raise my son. So, thank you for your time.

TICK SEGERBLOM

Thank you. Anyone else? All right. Seeing no one else, we'll turn it over to Commissioner Jones.

JUSTIN JONES

Thank you, Mr. Chair. Is it okay if I ask Mr. Van to come back down?

So, I appreciate that you didn't have a chance to fully go through everything with the neighbors, but as you stand here today, you prefer more single stories or fewer lots?

MICHAEL VAN

Can I get both?

JUSTIN JONES

Nope.

MICHAEL VAN

The first option is probably better than the other two options. If there were a way to have – just because the one-stories are all on the one side. If they could cut down the number of lots on the opposite side from – I think it's eight, six or so, that would probably be better. But as it sits right now, these will all be one-stories. If they could cut this down to two or three lots instead of five or six and have one-stories, I think that would be better, or if they could just spread that out a little bit more. But literally you're doubling the number of homes in what everyone believed was what they were getting. Of course, the first option is keep it in the half acre lots. That's the first option.

JUSTIN JONES

Thank you. Ms. Gronauer, I've never said that before. Ms. Gronauer, or your client, I know there's constraints with regards to some of the other lots. With regards to Lot 16.

STEPHANIE GRONAUER

Yes.

JUSTIN JONES

Can that be single story because it is a larger lot?

STEPHANIE GRONAUER

I asked that question. I think it would be a pretty small single story. It wouldn't be the large, more expensive single story we have proposed because you can see it's oriented kind of funny with the driveway so it's not very deep. So that's why right now it has a two-story on it. The lot fit that I think Mr. Van just said if we lost – oops, sorry. If we lost two lots on that side, like he mentioned, these two-stories are called the Seth product. It would fit with their depth. We could put the bigger two-story here, which is a more expensive home. It's the most expensive home of all of them that we just would incorporate. But you can see it's still pretty constrained with the depth. The one-stories are the Powells, and one-stories take up a bigger footprint unfortunately.

But the Paxton, which we hadn't originally proposed is a 4,300 square foot two-story home. So, from a price point it would be the most expensive home probably in all of them. I know they don't want two-stories, but we could still keep the one-stories in this corner. I believe all of his clients live adjacent to these one-stories. The parcel in this corner is vacant. This is where his clients live is the southern half, and then this is vacant land. I know he's worried about precedent on this land next to us. And so again, back to – I think Richmond does a pretty good job of thinking through it. I think precedentially this is probably

the best because you have all one-stories on this, but if we need to lose lots, unfortunately the compromise was to try to add in some of the larger, nicer two-story products.

MOTION

JUSTIN JONES

All right. My motion will be to require that the developer reduce the number of homes on the home count on the southern side of the proposal. That south?

STEPHANIE GRONAUER

East.

JUSTIN JONES

Eastern side of the proposal by two, and to maintain single-story homes for the first – for lots – can we to go back to your lot thing?

STEPHANIE GRONAUER

One, two, and three, I believe.

JUSTIN JONES

For one, two, three and four.

MICHAEL VAN

Is there any way they can just keep all single-story on that left-hand side? That's one of the things that they were looking for. A fair compromise would be the single-story on the left-hand side, two less lots on the right-hand side, if they could go there.

JUSTIN JONES

All right. I'm going to require single-stories on all of those lots on the western side, and I understand that's the burden and I will talk to the seller about reducing the sales price if necessary.

STEPHANIE GRONAUER

Okay.

JUSTIN JONES

Okay. So, Sami?

SAMI REAL

Can I just ask for clarification? So, it's the western side of the western half –

JUSTIN JONES

Yes.

SAMI REAL

– is the single story? So going back to Lots one through six.

STEPHANIE GRONAUER

Yes.

JUSTIN JONES

So, Planning Commission and also an additional condition of reducing the lot count on the eastern side by two lots.

STEPHANIE GRONAUER

A maximum of 14 homes on the west side?

JUSTIN JONES

Yes. That's my motion.

TICK SEGERBLOM

All right. There's a motion. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft

VOTING NAY: None

ABSENT: Ross Miller

ABSTAIN: None

TICK SEGERBLOM

The motion passes.

STEPHANIE GRONAUER

Thank you very much.

TICK SEGERBLOM

Thank you.

51. ZC-24-0485-ROOHANI KHUSROW FAMILY TRUST:

ZONE CHANGE to reclassify the following: 1) 5.00 acres from an RS20 (Residential Single-Family 20) Zone to an RS5.2 (Residential Single-Family 5.2) Zone; 2) 4.77 acres from an RS20 (Residential Single-Family 20) Zone and an H-2 (General Highway Frontage) Zone to an RS3.3 (Residential Single-Family 3.3) Zone; and 3) eliminate within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Wigwam Avenue and on the east and west sides of Edmond Street within Enterprise (description on file). JJ/rg (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 50, 52, 53, AND 54).

CONDITIONS OF APPROVAL –

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code;

applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;

- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0181-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

52. VS-24-0486-ROOHANI KHUSROW FAMILY TRUST:

AMENDED VACATE AND ABANDON easements of interest to Clark County located between Wigwam Avenue and Ford Avenue, and between Mohawk Street and Decatur Boulevard; a portion of a right-of-way being Edmond Street located between Wigwam Avenue (previously notified as Mohawk Street) and Ford Avenue; and a portion of a right-of-way being Cougar Avenue located between Mohawk Street (previously notified as Decatur Boulevard) and Edmond Street within Enterprise (description on file). JJ/rg/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 50, 51, 53, AND 54).

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 4 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include 25 feet to the back of curb for Cougar Avenue, between 25 feet and 50 feet to the back of curb for Edmond Street, 35 feet to the back of curb for Wigwam Avenue and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

53. WS-24-0487-ROOHANI KHUSROW FAMILY TRUST:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase fill height; and 2) increase retaining wall height.

DESIGN REVIEW for a single-family detached residential development on 9.77 acres in an RS5.2 (Residential Single-Family 5.2) Zone and an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the south side of Wigwam Avenue and on the east and west sides of Edmond Street within Enterprise. JJ/rg/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 50, 51, 52, AND 54).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- 1 story homes on Lots 1 through 6;
- No more than 14 homes on the western half of the project consisting of no more than 6 homes on the western half and no more than 8 homes on the eastern half;
- No more than 38 homes on the eastern half of the project;
- Tiered retaining walls on any perimeter walls along a right-of-way that are above the allowed total of 9 feet (3 feet of retaining and 6 feet of screen);
- Wrought iron view fencing on top of any retaining walls on the eastern half of the project above the allowed total of 9 feet (3 feet of retaining and 6 feet of screen);
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Cougar Avenue, 25 feet to 50 feet to the back of curb for Edmond Street, 35 feet to the back of curb for Wigwam Avenue and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb, the vacation of excess right-of-way, and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code. Applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; and to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0181-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

54. TM-24-500101-ROOHANI KHUSROW FAMILY TRUST:

TENTATIVE MAP consisting of 54 single-family residential lots and 5 common lots on 9.77 acres in an RS5.2 (Residential Single-Family 5.2) Zone and an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the south side of Wigwam Avenue and on the east and west sides of Edmond Street within Enterprise. JJ/rg/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 50, 51, 52, AND 53).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- No more than 14 homes on the western half of the project consisting of no more than 6 homes on the western half and no more than 8 homes on the eastern half;
- No more than 38 homes on the eastern half of the project.
- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Cougar Avenue, 25 feet to 50 feet to the back of curb for Edmond Street, 35 feet to the back of curb for Wigwam Avenue and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb, the vacation of excess right-of-way, and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Building Department - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided;
- All streets shall have approved street names and suffixes.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0181-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

SEC. 6. AGENDA ITEM

55. AG-24-900729 HOLDOVER: Discuss a potential amendment to Title 30 to address how setbacks are measured; and direct staff accordingly. (For possible action)

ACTION: DISCUSSED.

SAMI REAL

Commissioners, next is Item 55, AG-24-900729. This is a holdover of a discussion to discuss a potential amendment to Title 30 to address how setbacks are measured and direct staff accordingly.

This item was requested to be put on the agenda by Commissioner Segerblom. Prior to the rewrite of Title 30, we allowed the setbacks for certain residential lots. Those would be the now RS20, 40 and 80 to be measured from the center line or from property line when there was a private road easement within the front portion of the property. And so, then that would then reduce the amount of setbacks. So, for instance, if the property line was in the center line of a private road easement and that private road easement was 40 feet, then the 40 foot required setback was then essentially reduced down to 20 feet. We removed that provision when we did the rewrite of Title 30 in an effort to standardize how we measured setbacks, and because those same lots when they were on public roads didn't get the benefit of that reduction. So again, this is a discussion item for the Board to possibly direct us to modify how we measure setbacks in those zoning districts.

TICK SEGERBLOM

Thank you. Well, just to start out, I would just like to just continue with the private but go back to the 20 foot as it was before Title 30 was amended. I think we heard a couple of things today about people talking about that, and the developers or the contractors that came in on my behalf also say that that's what they're used to and that makes it easier for them. But I'd open it up for discussion.

MARILYN K. KIRKPATRICK

Mr. Chair, I want to ask a couple questions. So, we worked pretty hard to try and save the rural component of it. So, the one acres, the three quarters acres, two acres, all of those. I wouldn't want that to apply because they can figure out how to make that work. And I struggle a little bit because as I said to you yesterday, I don't understand how – and we've been doing it I guess, how already the arterials, we let them take 10% off the net and all that other stuff so you don't actually end up with a half acre lot. So, the whole point is to have a half-acre lot and the whole reason for that is so that code, Animal Control has requirements on the horse turnouts, when horses can turn out and how much that you can have back there. And then people start asking for waivers on their garage setback because they want to open up the side of their home so they can go in and out.

So, I just hope that whatever we come up with, we protect those areas that we said we were going to protect for one, and two, we just have a streetscape that makes sense, because I don't know – we did detached sidewalks, we did all these things to try and keep it back and now we seem to undo most of our

work. So, I don't know, but I for sure don't want it on the larger lots because they can figure it out, whether private or public. And that's par for the course because I don't have a real direction today because it's just – I don't know why we couldn't just offer them a waiver to come in as opposed to change the Code.

TICK SEGERBLOM

Well, and that's the question. It just seemed like most people on those private cul-de-sacs would just like the 20-foot as an option, and having to go through the waiver process is obviously time-consuming. But is there something we could continue to work on this that you would support?

MARILYN K. KIRKPATRICK

Well, I'm going to be honest, and visually I'd have to see what it looks like visually on the street. But I do think whatever we do, it has to be consistent. But everybody's district is different for a variety of reasons. We're all trying to build something that looks good. Maybe it's the waiver. I don't know. I'm happy to be open-minded, but don't bother my one-acre, two-acre parcels, because they could figure it out regardless.

TICK SEGERBLOM

Well, and I don't think this was intended for the one-acres, obviously.

MARILYN K. KIRKPATRICK

But the way the Code reads it applies uniformly.

TICK SEGERBLOM

Well, but couldn't we limit that to half acres or less?

SAMI REAL

Correct. So, before the provision applied to the zoning districts that had the two-acre, one-acre and then we'll call it the half-acre, even though they're not true half-acres. So, if the direction is to not apply any reductions to the two-acre, one-acres, we can definitely do that.

Commissioner Segerblom, you had said for the cul-de-sac lots. So, if this is about the cul-de-sac lots, that's something else that we can narrow the exception down to if that's the direction of the Board. So those lots that front on a bulb of the cul-de-sac, because the cul-sac lots are a little bit larger in the sense that the private road easement for that cul-de-sac is a little larger. Then we could also just limit the exception to that, should the Board choose to proceed with that now and then continue to allow for the waiver process for all the other lots.

TICK SEGERBLOM

Commissioner Jones.

JUSTIN JONES

So, I'm just trying to think through stuff that we've just done recently. So how would that affect – there were proposals that we had at our last meeting, for example, that we had this discussion. So, if it were just the cul-de-sac – so I'll give you the example of the one that was today. It was a 10-lot development. Is that entire development considered a cul-de-sac?

SAMI REAL

I think that would be part of the direction. So, there's lots that front on cul-de-sac roads, and then there's lots that front on actual the bulb of the cul-de-sac. So, if the request is to have it apply to all the lots that

front on a private road, then we can do that. If the request is the concern with regards to those lots that are on the bulb of cul-de-sac, then we can narrow it down to that.

I'll also add that the City of Las Vegas, North Las Vegas and the City of Henderson don't allow their setbacks to be measured from property line when the property line is encumbered by a private road easement in the front. They instead require it to be measured from the edge of easement. The City of Las Vegas has a reduced width for those lots. So normally they require 50 feet when it's on a public road and then they reduced it down to 30 feet when it's on a private road.

And then City of North Las Vegas and City of Henderson have a 20-foot setback for, we'll just say those same lots, the 20,000 square foot lots. But again, they don't allow those to be measured from the center line or from the property line. For instance, there was a project earlier today where Commissioner Naft in his district, there was a private road easement, and the private road easement wasn't in the center line of the property line. So, on one side, the private road easement, I think probably was 30 feet, and on the other side it was only 10 feet into the property line. So, in that case, if it was measured from property line and there was 30 feet on one side, then the front yard setback theoretically would've been 10 feet. So there might be an argument to say if there is a proposal to do a reduce, that we do from the edge of easement instead of starting to allow people to measure from the front just to address the situation like that, where we do have an RNP lot that is now potentially, if the code was to reflect the regulations that were in effect prior to the rewrite, would then be 10 feet off of a road easement. And I don't think that that's the intent of the RNP or these half acre lots.

JUSTIN JONES

Yeah, I would say I'm definitely with Commissioner Kirkpatrick on not changing anything with regards to the one acre and above, and I feel like I'm a visual person and it would be really helpful to see photos to your point with regards to these cities. Maybe they're doing it better or something like that, but I don't know that I can visualize it unless we have some examples. So maybe if we can get that for the half acres?

TICK SEGERBLOM

That's why I said can we pull it and then I can try to work on it more, and we can get together and see what we're talking about.

SAMI REAL

And I can have staff work on that as well.

TICK SEGERBLOM

I honestly didn't realize this was so complicated, but we don't want to open a can of worms. So anyway, thank you so much and we'll continue to work on it.

SEC. 7. INTRODUCTION OF ORDINANCES

56. ORD-24-900565: Introduce an ordinance to consider adoption of a Development Agreement with Richmond American Homes of Nevada, Inc. for a single-family residential development on 7.11 acres, generally located north of Pebble Road and east of Durango Drive within Enterprise. JJ/dw (For possible action)

ACTION: INTRODUCED AND SET FOR PUBLIC HEARING ON WEDNESDAY, DECEMBER 4, 2024, AT 10 A.M. (BILL 11-20-24-1).

SAMI REAL

Thank you. All right, the next items are ordinances for introduction. Those are Items 56 through 61. These are, again, ordinances for introduction.

- Item 56 is ORD-24-900565, is an ordinance for our Development Agreement with Richmond American Homes of Nevada Inc for a single family-residential development on 7.11 acres.
- Item 57 is ORD-24-900572 for an ordinance for a Development Agreement with SHLV LLC for a shopping center on four acres.
- Item 58 ORD-24-90-0582 is an ordinance for a Development Agreement with BD Equities LLC for an office warehouse complex on 6.7 acres.
- Item 59 ORD-24-900734 is an ordinance for Development Agreement with SD North Parcels LLC for an office warehouse complex on 19.3 acres.
- Item 60 is ORD-24-900758. This is an ordinance to amend Title 30 to modify the street landscaping requirements and the regulations for manufactured homes.
- And then lastly is Item 61 ORD-24-900766, is an ordinance to amend the official zoning map to reclassify certain properties as approved by the Board of County Commissioners on October 2, 2024.

Commissioners, we request that you set the public hearing for December 4, 2024.

TICK SEGERBLOM

All right. What was the date?

SAMI REAL

December 4, 2024.

TICK SEGERBLOM

Okay, I'll introduce the ordinances and set up for a public hearing for December 4, 2024.

57. ORD-24-900572: Introduce an ordinance to consider adoption of a Development Agreement with SHLV LLC for a shopping center development on 4.0 acres, generally located south of Shelbourne Avenue and west of Rainbow Boulevard within Enterprise. JJ/dw (For possible action)

ACTION: INTRODUCED AND SET FOR PUBLIC HEARING ON WEDNESDAY, DECEMBER 4, 2024, AT 10 A.M. (BILL 11-20-24-2).

58. ORD-24-900582: Introduce an ordinance to consider adoption of a Development Agreement with BD Equities, LLC for an office/ warehouse complex on 6.7 acres, generally located west of Arville Street and north of Cougar Avenue within Enterprise. JJ/dw (For possible action)

ACTION: INTRODUCED AND SET FOR PUBLIC HEARING ON WEDNESDAY, DECEMBER 4, 2024, AT 10 A.M. (BILL 11-20-24-3).

59. ORD-24-900734: Introduce an ordinance to consider adoption of a Development Agreement with SD NORTH PARCELS LLC for an office/warehouse complex on 19.3 acres, generally located east of Tenaya Way and south of Patrick Lane within Spring Valley. MN/dd (For possible action)

ACTION: INTRODUCED AND SET FOR PUBLIC HEARING ON WEDNESDAY, DECEMBER 4, 2024, AT 10 A.M. (BILL 11-20-24-4).

60. ORD-24-900758: Introduce an ordinance to amend Title 30 to modify street landscaping requirements, regulations for manufactured homes, and providing for other matters properly related thereto; and set a public hearing. (For possible action)

ACTION: INTRODUCED AND SET FOR PUBLIC HEARING ON WEDNESDAY, DECEMBER 4, 2024, AT 10 A.M. (BILL 11-20-24-5).

61. ORD-24-900766: Introduce an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on October 2, 2024. (For possible action)

ACTION: INTRODUCED AND SET FOR PUBLIC HEARING ON WEDNESDAY, DECEMBER 4, 2024, AT 10 A.M. (BILL 11-20-24-6).

PUBLIC COMMENTS

SAMI REAL

All right. This is the last time set aside for public comment.

TICK SEGERBLOM

All right. Ms. Coleman.

MARGARET ANN COLEMAN

Yes.

TICK SEGERBLOM

Three minutes.

MARGARET ANN COLEMAN

Good afternoon. My name is Margaret Ann Coleman. I have been fighting for 43 years for my equal rights and for my life. Credit and due from a win on the job upon a writ of execution and garnishment upon collection. I have worked every day on A204984 on my collections. This is one reason why I say cut me a check. I ask you to let me go so I can grow with my money. I am trying to be a part of Nevadan society on growth of development and living arrangements. HUD was introduced to me by Deputy Shannon MulHughes that created the partnership and ownership under my name, placing it under the Mormon manner.

I have the right to take control and be a part of it and move in so I can be part of the society of helping the homeless people and placing them in the locations or getting a job where you have placed homeless people, and making calls to different of the Housing of Authority to see how many empty buildings do they have in order to position these people in the homeless shelter.

We're needing keys, we're needing places to move to. I know I had one and you took that from me, and I need to go back. If not back, pay me the \$642,000. That is \$300,507 that was from an insurance policy of my father placed in there for my public accommodation. You sold my house for \$301,500. All it adds up to \$642,000. Thank you.

TICK SEGERBLOM

Thank you. Anyone else wish to make a public comment?

MARGARET ANN COLEMAN

So, could you cut me a check and call me at (702) xxx-xxxx?

WILLIAM MCCURDY II

Don't put your number online.

TICK SEGERBLOM

All right. We'll close the public hearing and adjourn the meeting. Thank you so much.

SAMI REAL

And Happy Thanksgiving, everybody.

TICK SEGERBLOM

Happy Thanksgiving.

END PUBLIC COMMENTS

There being no further business to come before the Board at this time, at the hour of 12:03 p.m., the meeting was adjourned.

PLEASE NOTE: THE COUNTY CLERK KEEPS THE OFFICIAL RECORD OF ALL PROCEEDINGS OF THE COUNTY COMMISSION, THE CCWRD BOARD OF TRUSTEES, THE UMC HOSPITAL BOARD OF TRUSTEES, THE CLARK COUNTY LIQUOR AND GAMING LICENSING BOARD, AND THE CLARK COUNTY REDEVELOPMENT AGENCY. TO OBTAIN A COMPLETE AND ACCURATE RECORD OF ALL PROCEEDINGS, ANY PHOTOGRAPH, MAP, CHART, OR ANY OTHER DOCUMENT USED IN ANY PRESENTATION TO THE BOARD/TRUSTEES, REQUESTS SHOULD BE SUBMITTED TO THE COUNTY CLERK.

TO REFERENCE AGENDA ITEM ATTACHMENTS ONLINE: REFER TO THE MEETING LINK BELOW, SELECT THE ITEM (FILE # COLUMN), AND CLICK THE LINK FOR THE DESIRED ATTACHMENT.

[ONLINE MEETING LINK](#)

APPROVED:


Tick Segerblom (Dec 22, 2024 15:55 PST)

TICK SEGERBLOM, CHAIR

ATTEST:



LYNN MARIE GOYA, CLARK COUNTY CLERK











Zoning 11/20/2024 Minutes was Approved on 12/18/2024

Final Audit Report

2024-12-23

Created:	2024-12-18 (Pacific Standard Time)
By:	Ricky McColl (FYM@ClarkCountyNV.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAbdlzQpbHRZM-3PPAaqM0XCxLZCSh_jN

"Zoning 11/20/2024 Minutes was Approved on 12/18/2024" History

-  Document created by Ricky McColl (FYM@ClarkCountyNV.gov)
2024-12-18 - 2:13:51 PM PST- IP address: 198.200.132.41
-  Document emailed to tsegerblom@clarkcountynv.gov for signature
2024-12-19 - 7:17:28 AM PST
-  Email viewed by tsegerblom@clarkcountynv.gov
2024-12-19 - 7:17:41 AM PST- IP address: 20.159.64.138
-  Agreement viewed by tsegerblom@clarkcountynv.gov
2024-12-19 - 7:18:04 AM PST- IP address: 20.159.64.138
-  Signer tsegerblom@clarkcountynv.gov entered name at signing as Tick Segerblom
2024-12-22 - 3:55:07 PM PST- IP address: 198.200.132.69
-  Document e-signed by Tick Segerblom (tsegerblom@clarkcountynv.gov)
Signature Date: 2024-12-22 - 3:55:09 PM PST - Time Source: server- IP address: 198.200.132.69
-  Document emailed to Lynn Goya (Lynn.Goya@ClarkCountyNV.gov) for signature
2024-12-22 - 3:55:10 PM PST
-  Email viewed by Lynn Goya (Lynn.Goya@ClarkCountyNV.gov)
2024-12-22 - 3:55:22 PM PST- IP address: 20.159.64.152
-  Agreement viewed by Lynn Goya (Lynn.Goya@ClarkCountyNV.gov)
2024-12-23 - 2:09:20 PM PST- IP address: 198.200.132.69
-  Document e-signed by Lynn Goya (Lynn.Goya@ClarkCountyNV.gov)
Signature Date: 2024-12-23 - 2:09:25 PM PST - Time Source: server- IP address: 198.200.132.69



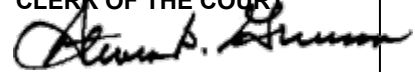
Powered by
Adobe
Acrobat Sign

✔ Agreement completed.

2024-12-23 - 2:09:25 PM PST



Powered by
Adobe
Acrobat Sign



ROP

STEVEN B. WOLFSON

District Attorney

CIVIL DIVISION

State Bar No. 001565

By: ROBERT T. WARHOLA

Chief Deputy District Attorney

State Bar No. 4410

500 South Grand Central Pkwy., Suite 5075

Las Vegas, Nevada 89155-2215

(702) 455-4761

Fax (702) 382-5178

E-Mail: Robert.Warhola@ClarkCountyDANV.gov

Attorneys for Respondent

Clark County

DISTRICT COURT

CLARK COUNTY, NEVADA

PALM PROPERTIES, LLC, a Nevada limited
liability company; LEADING EDGE
VENTURES, LLC, a Nevada limited liability
company; ROBERT LAUER, an individually.)

Case No: A-24-907944-J
Dept No: 18

Petitioners,

vs.

COUNTY OF CLARK, a political
subdivision of the State of Nevada, et al.,

Respondent.

RECORD OF THE PROCEEDINGS, VOLUME II

Respondent hereby files with the Court the Record of the Proceedings pursuant to Eighth Judicial District Court Rule 2.15 consisting of documents from the Clark County Clerk, Commission Division, and the Clark County Current Planning Division numbered ROP 000146 through ROP 000377.

DATED this 24th day of March, 2025.

STEVEN B. WOLFSON
DISTRICT ATTORNEY

By: /s/ Robert T. Warhola

ROBERT T. WARHOLA

Chief Deputy District Attorney

State Bar No. 4410

500 South Grand Central Pkwy., Suite 5075

Las Vegas, Nevada 89155-2215

Attorney for Respondent

CERTIFICATE OF ELECTRONIC SERVICE

I hereby certify that I am an employee of the Office of the Clark County District Attorney and that on this this 24th day of March, 2025 I served a true and correct copy of the foregoing **RECORD OF THE PROCEEDINGS, VOLUME II** (United States District Court Pacer System or the Eighth Judicial District Court Wiznet), by e-mailing the same to the following recipients. Service of the foregoing document by e-mail is in place of service via the United States Postal Service.

Amy L. Sugden, Esq.
SUGDEN LAW
375 E. Warm Springs, Ste. 104
Las Vegas, Nevada 89119
Attorney for Petitioners
amy@sugdenlaw.com

/s/Patricia C. Villa
An Employee of the Clark County District
Attorney's Office – Civil Division



Department of Comprehensive Planning Application Form

ASSESSOR PARCEL #(s): 161-08-810-082 & -083

PROPERTY ADDRESS/ CROSS STREETS: Nellis & Happy Valley Ave (3125 S Nellis Blvd)

DETAILED SUMMARY PROJECT DESCRIPTION

Parking Lot for Commercial Vehicles *and a vacation of 5' on Happy Valley*

PROPERTY OWNER INFORMATION

NAME: Palm Properties LLC

ADDRESS: 6050 S FORT APACHE RD STE 100

CITY: Las Vegas

STATE: NV

ZIP CODE: 89148

TELEPHONE: _____

CELL 702-429-7354

EMAIL: raj@milestoneconst.us

APPLICANT INFORMATION

NAME: Leading Edge Ventures LLC

ADDRESS: 850 E Desert Inn #PH3

CITY: Las Vegas

STATE: NV

ZIP CODE: 89148

REF CONTACT ID # _____

TELEPHONE: _____

CELL _____

EMAIL: centurywest1@hotmail.com

CORRESPONDENT INFORMATION

NAME: G.C. Garcia, Inc c/o George Garcia

ADDRESS: 1055 Whitney Ranch Dr, Suite 210

CITY: Henderson

STATE: NV

ZIP CODE: 89014

REF CONTACT ID # _____

TELEPHONE: 7024359909

CELL 7023408042

EMAIL: acole@gcgarciainc.com

*Correspondent will receive all project communication

(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Clark County Comprehensive Planning Department, or its designee, to enter the premises and to install any required signs on said property for the purpose of advising the public of the proposed application.

Property Owner (Signature)*

Property Owner (Print)

Date

DEPARTMENT USE ONLY:

<input type="checkbox"/> AC	<input type="checkbox"/> AR	<input type="checkbox"/> ET	<input type="checkbox"/> PUDD	<input type="checkbox"/> SN	<input type="checkbox"/> UC	<input type="checkbox"/> WS
<input type="checkbox"/> ADR	<input type="checkbox"/> AV	<input type="checkbox"/> PA	<input type="checkbox"/> SC	<input type="checkbox"/> TC	<input type="checkbox"/> VS	<input type="checkbox"/> ZC
<input type="checkbox"/> AG	<input checked="" type="checkbox"/> DR	<input type="checkbox"/> PUD	<input type="checkbox"/> SDR	<input type="checkbox"/> TM	<input type="checkbox"/> WC	OTHER _____

APPLICATION # (s) WS-24-0276

ACCEPTED BY JUD

PC MEETING DATE _____

DATE

07/08/24

BCC MEETING DATE 09/04/24

TAB/CAC LOCATION Sunrise Manor DATE 08/15/24



Department of Comprehensive Planning Application Form

ASSESSOR PARCEL #(s): 161-08-810-082 & -083

PROPERTY ADDRESS/ CROSS STREETS: Nellis & Happy Valley Ave (3125 S Nellis Blvd)

DETAILED SUMMARY PROJECT DESCRIPTION

Parking Lot for Commercial Vehicles

PROPERTY OWNER INFORMATION

NAME: Palm Properties LLC

ADDRESS: 6050 S FORT APACHE RD STE 100

CITY: Las Vegas

STATE: NV

ZIP CODE: 89148

TELEPHONE: _____ CELL 702-429-7354 EMAIL: raj@milestoneconst.us

APPLICANT INFORMATION

NAME: Leading Edge Ventures LLC

ADDRESS: 850 E Desert Inn #PH3

CITY: Las Vegas

STATE: NV

ZIP CODE: 89148

REF CONTACT ID # _____

TELEPHONE: _____ CELL _____ EMAIL: centurywest1@hotmail.com

CORRESPONDENT INFORMATION

NAME: G.C. Garcia, Inc c/o George Garcia

ADDRESS: 1055 Whitney Ranch Dr, Suite 210

CITY: Henderson

STATE: NV

ZIP CODE: 89014

REF CONTACT ID # _____

TELEPHONE: 7024359909 CELL 7023408042 EMAIL: acole@gcgarciainc.com

*Correspondent will receive all project communication

(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned and understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Clark County Comprehensive Planning Department, or its designee, to enter the premises and to install any required signs on said property for the purpose of advising the public of the proposed application.

Property Owner (Signature)*

Property Owner (Print)

Date

DEPARTMENT USE ONLY:

<input type="checkbox"/> AC	<input type="checkbox"/> AR	<input type="checkbox"/> ET	<input type="checkbox"/> PUDD	<input type="checkbox"/> SN	<input type="checkbox"/> UC	<input type="checkbox"/> WS
<input type="checkbox"/> ADR	<input type="checkbox"/> AV	<input type="checkbox"/> PA	<input type="checkbox"/> SC	<input type="checkbox"/> TC	<input type="checkbox"/> VS	<input type="checkbox"/> ZC
<input type="checkbox"/> AG	<input type="checkbox"/> DR	<input type="checkbox"/> PUD	<input type="checkbox"/> SDR	<input type="checkbox"/> TM	<input type="checkbox"/> WC	OTHER _____

APPLICATION # (s) _____

ACCEPTED BY _____

PC MEETING DATE _____

DATE _____

BCC MEETING DATE _____

TAB/CAC LOCATION _____

DATE _____



APPLICATION MEETING INFORMATION

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

IMPORTANT INFORMATION ON MANDATORY MEETINGS

APPLICATION NUMBER(s): WS-24-0276 & VS-24-0277

TOWN ADVISORY BOARD/CITIZENS ADVISORY COUNCIL (TAB/CAC)

TAB/CAC: Sunrise Manor TAB Time: 6:30 p.m.

Date: 8/15/2024

Location: Refer to listing on other side

Draft staff reports: Available 3 business days prior to the TAB/CAC meeting on the following website

<https://clarkcountynv.gov/TABCACInformation>

Once on page, select appropriate TAB/CAC to view posted agenda and supporting material

PLANNING COMMISSION (PC)

Date: Click or tap to enter a date. N/A Time: 7:00 PM

Location: 500 S. Grand Central Pkwy, Commission Chambers

Staff reports: Available 3 business days prior to the PC meeting on the following website

<https://clarkcountynv.gov/agendas>

BOARD OF COUNTY COMMISSIONERS (BCC)

Date: 9/4/2024 Time: 9:00 AM

Location: 500 S. Grand Central Pkwy, Commission Chambers

Staff reports: Available 3 business days prior to the BCC meeting on the following website

<https://clarkcountynv.gov/agendas>

Please Note:

- All meetings are mandatory for ALL applications.
- PC/BCC meeting information will be emailed to the correspondent on file.
- Project revisions and/or failure to appear at any meeting may result in delays and/or extra expense.
- You (or your representative) must be prepared to make a presentation and answer questions about your application at the Town Board, PC and/or BCC meetings.
- The Town Boards, PC and/or BCC are provided copies of the staff report for your item, but NOT copies of the plans or paperwork that you have submitted.
- You MUST bring copies of all necessary plans and documentation to make a complete presentation of your item to the Town Board, PC and/or BCC. This includes, but is not limited to:

Site plans - Landscape plans - Elevations - Floor plans - Photos - Renderings

- If you cannot adequately present and discuss your project, or if you do not bring copies of the necessary plans, this could result in a delay of action on your application.
- If, for any reason, you cannot attend any of your scheduled meetings, or if you have any questions about your application, please contact the Department of Comprehensive Planning as soon as possible at (702) 455-4314, option 2, option 1.

TOWN ADVISORY BOARDS & CITIZENS ADVISORY COUNCILS

At the request of the Planning Commission and the Board of County Commissioners, the opinions of the Town Advisory Boards and Citizens Advisory Councils are solicited with respect to all zoning actions within their areas. The TAB and CAC members are appointed by the County Commissioners and are subject to the Open Meeting Law requirements pursuant to NRS Chapter 241.

These groups hold public meetings at least once each month, and accomplish the following three functions:

- 1) To receive information pertaining to the neighborhood (long-term planning, zoning changes, public works projects, new ordinances, etc.) and to provide input regarding these matters to the Planning Commission and/or Board of County Commissioners.
- 2) To forward the concerns or problems of residents for resolution by County staff.
- 3) To disseminate information that it receives from the Board of County Commissioners and County staff to the residents of the area.

BUNKERVILLE

Judith Metz, Secretary
(702) 455-4572
Bunkerville TAB Room
190 W. Virgin Street, Bunkerville

ENTERPRISE

Carmen Hayes
(702) 371-7991
Silverado Ranch Community Center
9855 Gilespe Street, Las Vegas

GOODSPRINGS

Jeri Pinkerton, Secretary
(702) 806-8660
Goodsprings Community Center
375 W. San Pedro Avenue, Goodsprings

INDIAN SPRINGS

Jami Reid
(702) 378-8028
Indian Springs Civic Center
715 Gretta Lane, Indian Springs

LAUGHLIN

Tammy Harris, Secretary
(702) 298-0828
Regional Government Center
101 Civic Way, Laughlin

LONE MOUNTAIN

Dawn vonMendenhall, Secretary
(702) 289-0196
Mtn. Crest Neighborhood Services Center
4701 N. Durango Dr., Las Vegas

LOWER KYLE CANYON

Dawn vonMendenhall, Secretary
(702) 289-0196
Mtn. Crest Neighborhood Services Center
4701 N. Durango Dr., Las Vegas

MOAPA

Judith Metz, Secretary
(702) 455-4572
Marley P. Robinson Justice Court &
Community Center
1340 E. Highway 168, Moapa

MOAPA VALLEY

Judith Metz, Secretary
(702) 455-4572
Moapa Valley Community Center
320 N. Moapa Valley Blvd., Overton

MOUNTAIN SPRINGS

Electra Smith, Secretary
(702) 370-6297
Mountain Springs Fire Station
State Route 160, Mountain Springs

MT. CHARLESTON

Dawn VonMendenhall, Secretary
(702) 289-0196
Mt. Charleston Library
75 Ski Chalet Place, Mt. Charleston

PARADISE

Maureen Helm, Secretary
(702) 606-0747
Paradise Park Community Center
4775 McLeod Dr., Las Vegas

RED ROCK

Electra Smith, Secretary
(702) 370-6297
Blue Diamond Library
14 Cottonwood Dr., Blue Diamond

SANDY VALLEY

Electra Smith, Secretary
(702) 370-6297
Sandy Valley Community Center
650 W. Quartz Avenue, Sandy Valley

SEARCHLIGHT

Tammy Harris, Secretary
(702) 298-0828
Searchlight Community Center
200 Michael Wendell Way, Searchlight

SPRING VALLEY

Carmen Hayes
(702) 371-7991
Desert Breeze Community Center
8275 Spring Mtn. Road, Las Vegas

SUNRISE MANOR

Jill Nikovis-Leiva, Secretary
(702) 334-6892
Hollywood Recreation & Community Ctr.
1650 S. Hollywood, Las Vegas

WHITNEY

Samantha Crunkilton, Secretary
(702) 854-0878
Whitney Recreation Center
5712 E. Missouri Ave., Las Vegas

WINCHESTER

Valerie Leiva, Secretary
(702) 468-9839
Winchester Community Center
3130 S. McLeod, Las Vegas

PLANNING COMMISSIONERS & COUNTY COMMISSIONERS

Planning Commissioner	Phone	County Commissioner	District
Liane Lee	(702) 455-3113*	Michael Naft	A
Nelson Stone	(702) 455-3113*	Marilyn K. Kirkpatrick	B
Timothy Castello	(702) 455-3113*	Ross Miller	C
Edward Frasier III	(702) 455-3113*	William McCurdy II	D
Vivian Kilarski	(702) 455-3113*	Tick Segerblom	E
Leslie Mujica	(702) 455-3113*	Justin Jones	F
Steve Kirk	(702) 455-3113*	James Gibson	G

All mail for Clark County Planning Commissioners should be sent to 500 S. Grand Central Pkwy., Las Vegas, NV 89155-1741.

*Contact Cindy Horschmann at Clark County Comprehensive Planning

Revised 4/1/2024

Department of Comprehensive Planning

500 S. Grand Central Parkway, Box 551741, Las Vegas, NV 89155-1741 • (702) 455-4314.

<http://www.clarkcountynv.gov/comprehensive-planning>



Department of Comprehensive Planning

500 S Grand Central Pkwy • Box 551741 • Las Vegas NV 89155-1741
(702) 455-4314 • Fax (702) 455-3271

Sami Real, Director

NOTICE OF FINAL ACTION

December 03, 2024

G. C. GARCIA, INC.
1055 WHITNEY RANCH DRIVE, SUITE 210
HENDERSON, NV 89014

REFERENCE: WS-24-0276

On the date indicated above, a Notice of Final Action was filed with the Clark County Clerk, Commission Division, pursuant to NRS 278.0235 and NRS 278.3195, which starts the commencement of the twenty-five (25) day limitation period specified therein.

The above-referenced application was presented before the Clark County Board of County Commissioners at their regular meeting of November 20, 2024. Please be advised that the application was **DENIED**.

If you have any questions regarding your Notice of Final Action, please call the Department of Comprehensive Planning at (702) 455-4314 (option 2, option 1).

BOARD OF COUNTY COMMISSIONERS
TICK SEGERBLOM, Chair • WILLIAM MCCURDY II, Vice Chair
MICHAEL NAFT • MARILYN KIRKPATRICK • JUSTIN C. JONES • ROSS MILLER • JAMES B. GIBSON
KEVIN SCHILLER, County Manager

Page 1 of 1

PPLRL_191

**BOARD OF COUNTY COMMISSIONERS
AGENDA LOG AMENDMENT
WEDNESDAY, September 4, 2024**

Hold to the September 18, 2024 Zoning meeting:

- Item 33 – UC-24-0268 per the applicant. Enterprise/lm
- Item 36 – WS-24-0312 per the Board. Moapa Valley/jud

Hold to the October 2, 2024 Zoning meeting:

- Item 9 – VS-24-0277 per the applicant. Sunrise Manor/jor
- Item 10 – WS-24-0276 per the applicant. Sunrise Manor/jor

Hold to the November 6, 2024 Zoning meeting:

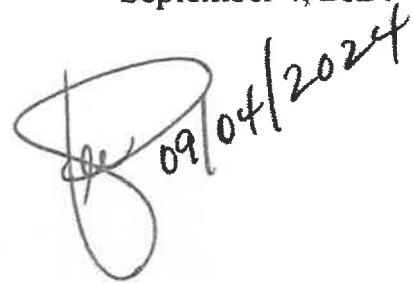
- Item 35 – WC-24-400060 (NVC-22-0028) per the applicant. Enterprise/rg

Hold no date:

- Item 46 – ZC-24-0357 per Commissioner Kirkpatrick. Sunrise Manor/rr
- Item 47 – WS-24-0358 per Commissioner Kirkpatrick. Sunrise Manor/rr


Sami Real, Director

September 4, 2024



**BOARD OF COUNTY COMMISSIONERS
AGENDA LOG AMENDMENT
WEDNESDAY, OCTOBER 2, 2024**

Hold to the November 6, 2024 Zoning meeting:

- Item 4 – AR-24-400090 (WC-0174-16 / UC-0849-14) per the applicant. Paradise/bb
- Item 8 – VS-24-0277 per the applicant. Sunrise Manor/jor
- Item 9 – WS-24-0276 per the applicant. Sunrise Manor/jor
- Item 16 – SC-24-0261 per the applicant to rewrite and renotify. Renotification fees are required. Spring Valley/sd
- Item 20 – WS-24-0419 per the applicant. Spring Valley/sd


Sami Real, Director

October 2, 2024

 10/02/2024

**BOARD OF COUNTY COMMISSIONERS
AGENDA LOG AMENDMENT
WEDNESDAY, NOVEMBER 6, 2024**

Hold to the November 20, 2024 Zoning meeting:

- Item 7 – VS-24-0277 per the Commissioner Segerblom. Sunrise Manor/jor
- Item 8 – WS-24-0276 per the Commissioner Segerblom. Sunrise Manor/jor
- Item 12 – UC-24-0436 per the Commissioner Segerblom. Paradise/sd
- Item 26 – AG-24-900729 per the Commissioner Segerblom.

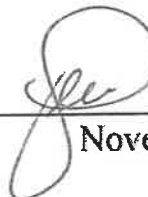
Hold to the December 4, 2024 Zoning meeting:

- Item 4 – AR-24-400090 (WC-0174-16 (UC-0849-14)) per the applicant. Paradise/bb
 - o NOTE: Application to return to the November 26, 2024 Paradise Town Board meeting per prior email due to data entry error in Accela. Town Board meeting date to be corrected in Accela to ensure application gets placed on the November 26, 2024 meeting agenda.

Hold to the February 5, 2025 Zoning meeting:

- Item 19 – WC-24-400060 (NZC-22-0028) per the applicant. Fees are required to place the item back on an agenda. Enterprise/rg


Sami Real, Director

 11/06/2024
November 6, 2024

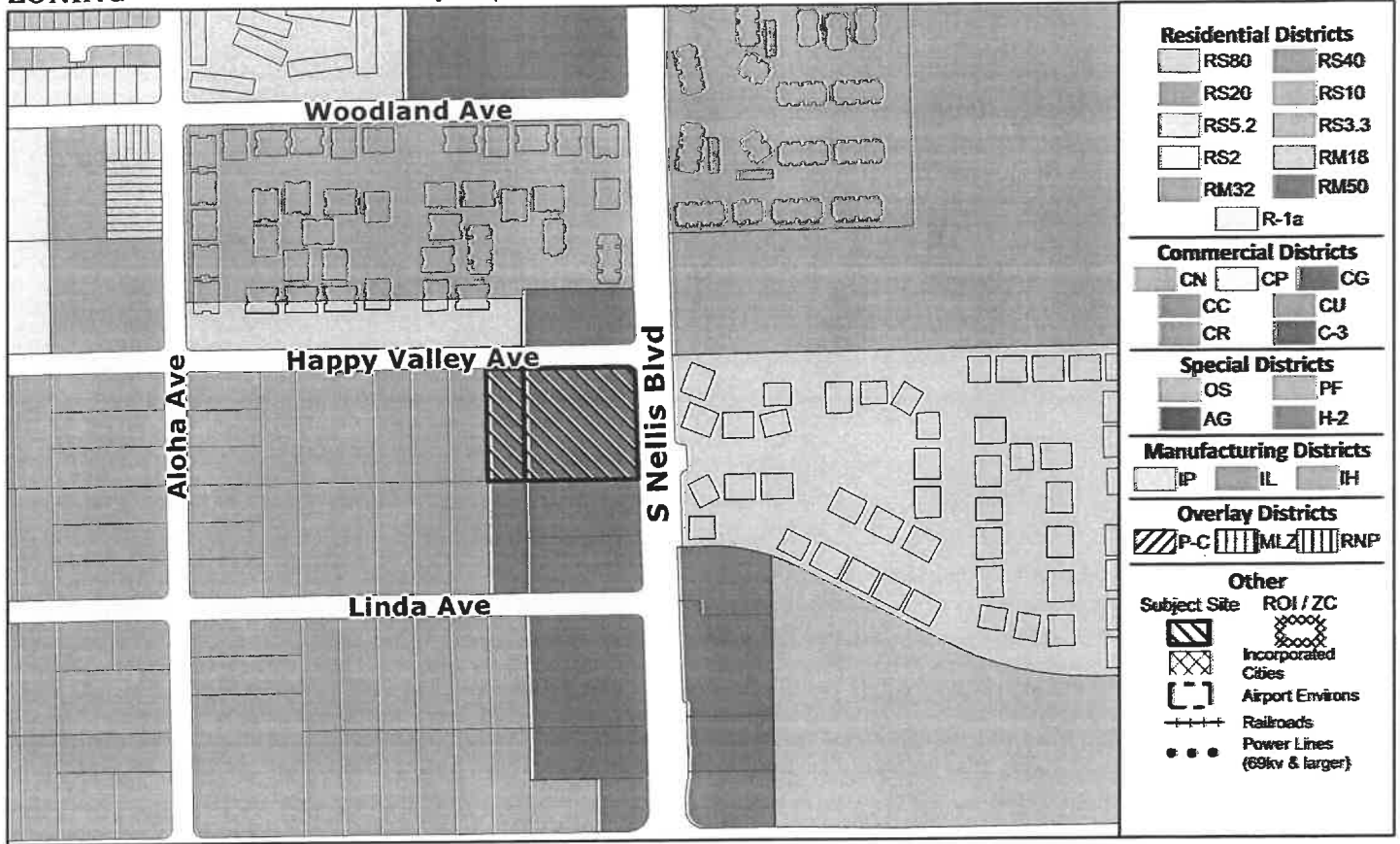
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Commission Agenda Map

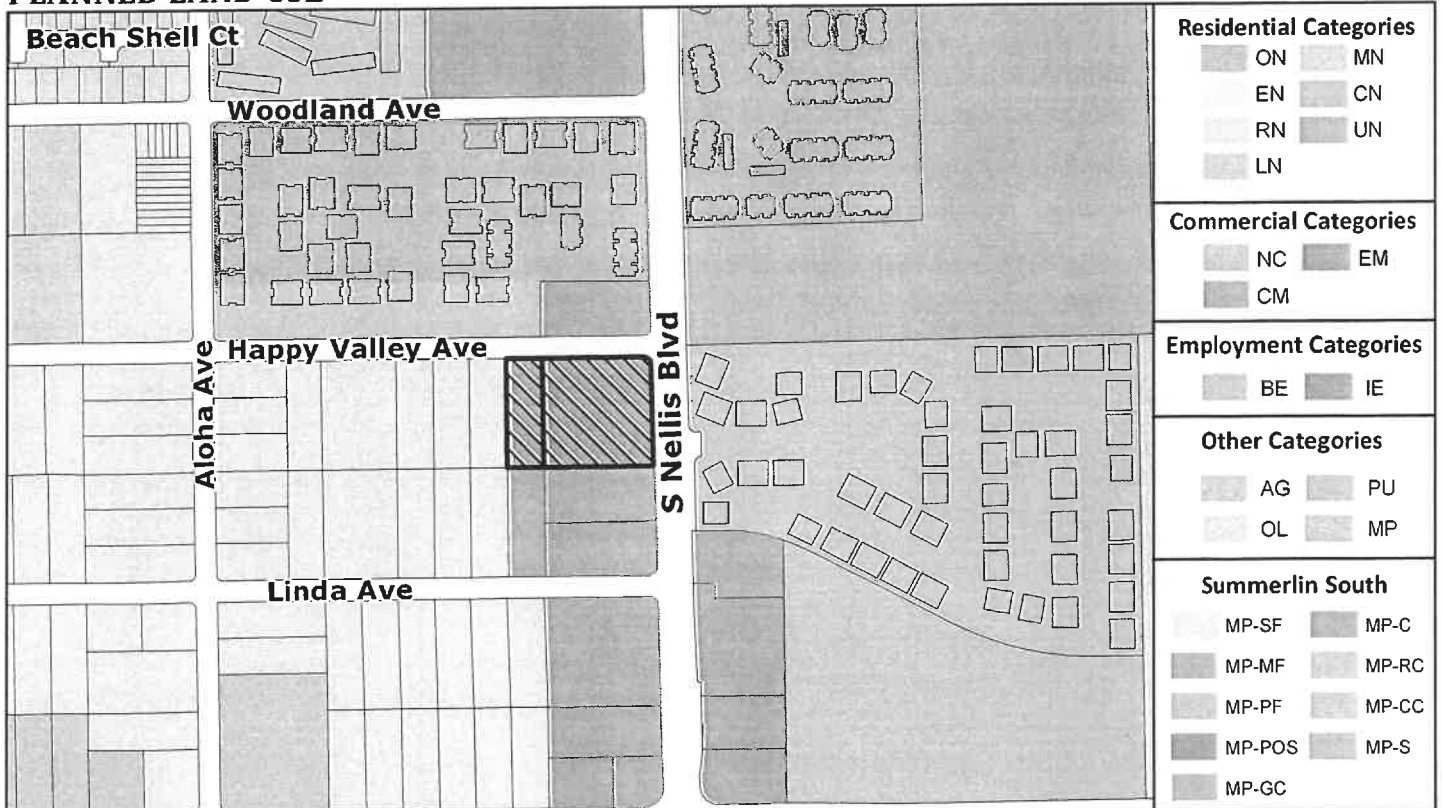
WS-24-0276

Clark County Department of Comprehensive Planning, Clark County, Nevada

ZONING

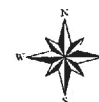


PLANNED LAND USE



This information is for display purposes only. No liability is assumed as to the accuracy of the data delineated hereon.

Subject Parcel(s)
16108810082
16108810083



0 125 250 500 Feet
Map Created on 7/30/2024



PPLRL_197

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-24-0276-PALM PROPERTIES, LLC:

WAIVER OF DEVELOPMENT STANDARDS to modify residential adjacency standards.

DESIGN REVIEW for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone.

Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor. TS/jor/syp (For possible action)

RELATED INFORMATION:

APN:

161-08-810-082; 161-08-810-083

WAIVER OF DEVELOPMENT STANDARDS:

Allow nonresidential vehicular access to a residential local street (Happy Valley Avenue) where not permissible per Section 30.04.06.D.

LAND USE PLAN:

SUNRISE MANOR - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 3125 S. Nellis Boulevard
- Site Acreage: 2.83
- Project Type: Commercial truck parking lot
- Number of Stories: 1 (Proposed guard building)
- Building Height (feet): 8 (Proposed guard building)/8 feet, 4 inches (Proposed carport north of guard building)
- Square Feet: 25 (Proposed guard building)/720 (Proposed carport north of guard building)
- Parking Provided: 99
- Sustainability Required/Provided: 7.5/7

History & Site Plan

Records show that as early as the 1980's, parcel 161-08-810-083 included an existing shopping center building (in-line rectangular building) adjacent to Nellis Boulevard. A vehicle sales lot was approved on the southern end of this parcel via DR-1464-97 but expired after 1 year.

ZC-0480-98 reclassified both subject parcels (161-08-810-082 and 161-08-810-083) to C-2 zoning (now CG zoning) for a proposed 34,000 square foot shopping center (L-shaped building along the south and west property lines) with a portion of the existing shopping center building along Nellis Boulevard to the east to be expanded as a grocery store. The proposed 34,000 square foot shopping center under the zone change did not commence. Additional land use applications were approved on-site for vehicle sales, check cashing, a communication tower, and a waiver of conditions of a zone change (WC-0025-99) which re-applied conditions related to landscaping, site circulation, parking, access, and screening. Under DR-0727-99 (a design review for vehicle sales), the conditions of approval under WC-0025-99 were complied with. The existing building and vehicle sales lot adjacent to Nellis Boulevard remained on-site until 2012 and has since been demolished.

Today, the applicant is requesting approval of a design review for a proposed commercial truck parking lot. A waiver of development standards related to modifying residential adjacency to allow access to a local street being Happy Valley Avenue is also part of this application. Access is provided via 1 driveway along the north property line adjacent to Happy Valley Avenue. Although Title 30 does not allow nonresidential vehicular access to a local street, access to Happy Valley Avenue has existed for more than 25 years. The Nevada Department of Transportation (NDOT) closed the existing driveways along the east property line adjacent to Nellis Boulevard, and NDOT reconstructed the attached sidewalk.

The site plan depicts a proposed parking lot with 99 commercial vehicle parking spaces, which are the following:

- 35 parking stalls (40 feet by 12 feet) are located along the north property line and on the southwest corner of the site.
- 17 parking stalls (35 feet by 12 feet) are located along the west property line.
- 42 tandem parking stalls (70 feet by 12 feet) are located along the east property line.
- 4 parking stalls (20 feet by 9 feet) are located east of the driveway along the north side of the site adjacent to Happy Valley Avenue.
- 1 accessible parking stall south of the 4 parking stalls, adjacent to the guard building.

The site plan also shows a proposed guard building adjacent to the driveway on the southeast corner of the driveway throat depth area. There is also a proposed carport north of the guard building to be constructed over 4 parking stalls. The existing communication tower along the south property line will remain, and the applicant will install a trash enclosure along the south property line. There is an existing 8 foot high CMU block wall which will remain on-site along the west property line adjacent to an existing residence. The existing 8 foot high CMU block wall along the south property line will also remain. Proposed light poles up to 18 feet high are located adjacent to the driveway along the north property line at the northeast corner, 2 at the southeast corner, and 2 additional light poles that are centrally located within the parking area. Lastly, proposed lighting meets residential adjacency standards per Title 30.

Landscaping

Detached sidewalks will be installed along the north property line along Happy Valley Avenue with an 8 foot high beige colored vinyl fence set back over 10 feet from the future property line (back of curb). The existing attached sidewalk will remain along the east property line along

Nellis Boulevard. The applicant will continue the 8 foot high beige colored vinyl fence behind the landscape area along Nellis Boulevard.

The applicant provided a landscape plan drafted by a licensed landscape architect. The proposed landscape plan shows that all existing palm trees will remain on-site. The street landscaping along the north property line includes detached sidewalks with 5 foot wide landscape strips on either side of the sidewalk which will feature large trees and shrubs. The west property line includes a 20 foot wide landscape buffer with a double row of large trees and shrubs. The east side of the site will include a 10 foot wide landscape area with large trees and shrubs adjacent to the existing attached sidewalk.

Elevations

The proposed guard building has an overall height of 8 feet and will be constructed of pre-manufactured steel. The exterior color of the guard building is blue and features 6 windows and 1 door. The proposed carport north of the guard building has an overall height of 8 feet, 4 inches. This carport is comprised of pre-treated cedarwood for outdoor durability.

Floor Plans

The proposed guard building has an overall area of 25 square feet. The proposed carport has an overall area of 720 square feet.

Applicant's Justification

The applicant is proposing a commercial truck parking lot which will enable truck drivers to have a place to legally park their local trucks (no long haul trucks). This will help keep trucks from parking on public streets creating enforcement and neighborhood issues. It will also provide a safer, more secure parking environment that will have solar powered cameras that the Las Vegas Metropolitan Police Department can access. Additionally, a security guard is always present. The site as proposed is compatible as a parking lot on an arterial street (Nellis Boulevard) with completion of infrastructure, lighting, landscaping, and fencing.

The site is zoned for commercial (CG), and the prior development had access from Happy Valley Avenue. The Nevada Department of Transportation (NDOT) closed previously existing driveways along Nellis Boulevard in 2021 during NDOT's improvements to Nellis Boulevard. Happy Valley is the sole means of access given this limitation. The proposed commercial truck parking lot use will provide a location for truck drivers to park their vehicles outside of residential subdivisions and not on public roadways. This will also help minimize safety hazards, trash dumping, graffiti control, homeless encampments, and Code citations. It will also add to the appearance with fencing and landscaping. The use is compatible with the surrounding commercial and residential development in the area as it is supported by the neighbors.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-19-0630	Temporary construction storage for an off-site Las Vegas Valley Water District project (main replacement and The Dales subdivision)	Approved by PC	October 2019

Prior Land Use Requests

Application Number	Request	Action	Date
UC-18-0578	Increased height of existing communication tower, and design review for additional antenna	Approved by PC	October 2018
ADR-0333-05	73 foot high monopole communication tower with an antenna array	Approved by ZA	April 2005
UC-0040-04	Vehicle, watercraft, and recreational vehicle sales	Approved by PC	February 2005
UC-0431-02	Check cashing facility	Approved By BCC	June 2002
ADR-1086-01	Communication facility	Approved by ZA	November 2001
DR-0727-99	Revised plans for a previously approved shopping center and to continue the use of a vehicle sales lot	Approved by BCC	June 1999
WC-0025-99 (ZC-0480-98)	Waiver of conditions of a zone change for the proposed shopping center with an existing restaurant building on site	Approved by BCC	March 1999
ZC-0480-98	Reclassified the site (both subject parcels- 161-08-810-082 and 161-08-810-083) to C-2 zoning (now CG) for a proposed 34,000 square foot shopping center	Approved by BCC	May 1998
DR-1464-97	Vehicle sales lot within an existing shopping center - expired	Approved by PC	September 1997

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Corridor Mixed-Use & Compact Neighborhood (up to 18 du/ac)	CG & RM18	Multi-family residential & a tavern
South	Corridor Mixed-Use	CG	Commercial center
East	Compact Neighborhood (up to 18 du/ac)	RM18	Multi-family residential
West	Ranch Estate Neighborhood (up to 2 du/ac)	RS20	Single-family residential

Related Applications

Application Number	Request
VS-24-0277	A request to vacate and abandon a portion of a right-of-way is a companion item on this agenda.

CLARK COUNTY PUBLIC RESPONSE OFFICE:

There is an active case, CE23-05369, for vehicles parked on unpaved areas.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Waiver of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

The applicant provided correspondence from NDOT which states that access to Nellis Boulevard is not required, and if access is requested in the future, the applicant must comply with NDOT's 2017 Access Management System and Standards with sufficient engineering justification. Per the correspondence on file, the applicant's engineer determined that the site does not meet NDOT's access location and spacing standards. Per photos on file, NDOT closed 3 driveways along the east property line of the site adjacent to Nellis Boulevard and NDOT reconstructed the attached sidewalk sometime in 2021. Today, Title 30 does not allow nonresidential access on a local street; although records show that access to Happy Valley Avenue has been in place for over 25 years and the access has been used by commercial vehicles for over 3 years with no impact to the residences. Also, the average daily trips for this use are expected to be less trips than for other commercial uses. Staff determines that the aforementioned circumstances warrant staff's support for the waiver of development standards.

Design Review

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

The proposed project complies with Policy 5.5.3 under the Master Plan which encourages the retention and revitalization of established local business districts. The site has been vacant since 2012 and the proposed improvements comply with today's Code. For example, the applicant is proposing detached sidewalks along Happy Valley Avenue with street landscaping, and since there is an existing attached sidewalk along Nellis Boulevard (NDOT right-of-way), the applicant will install a 10 foot wide landscape strip. The applicant is also providing a decorative fence along the north and east property lines to mitigate the view of any trucks parked on site. In addition, the site will be monitored by on site security. The applicant also provided 7.5 points worth of sustainability design features where 7 is required per Title 30. For these reasons staff recommends approval.

Staff Recommendation
Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Work with the Las Vegas Metropolitan Police Department for the installation and use of security cameras and surveillance operation;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Full off-site improvements.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that Nevada Department of Transportation (NDOT) permits may be required.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Sunrise Manor - denial.

APPROVALS:

PROTESTS:

APPLICANT: LEADING EDGE VENTURES, LLC

CONTACT: G.C. GARCIA, INC, 1055 WHITNEY RANCH DRIVE, SUITE 210,
HENDERSON, NV 89014

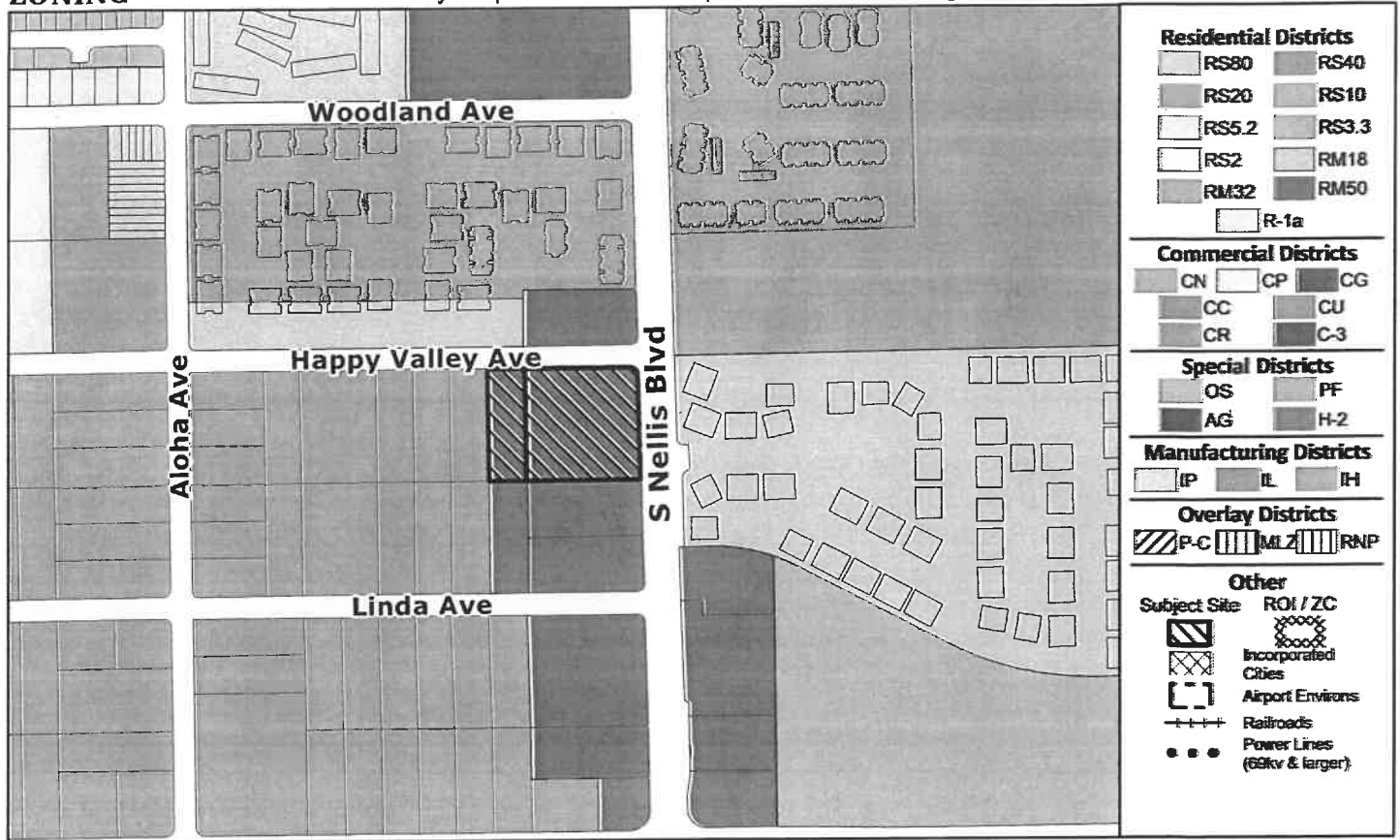
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Commission Agenda Map

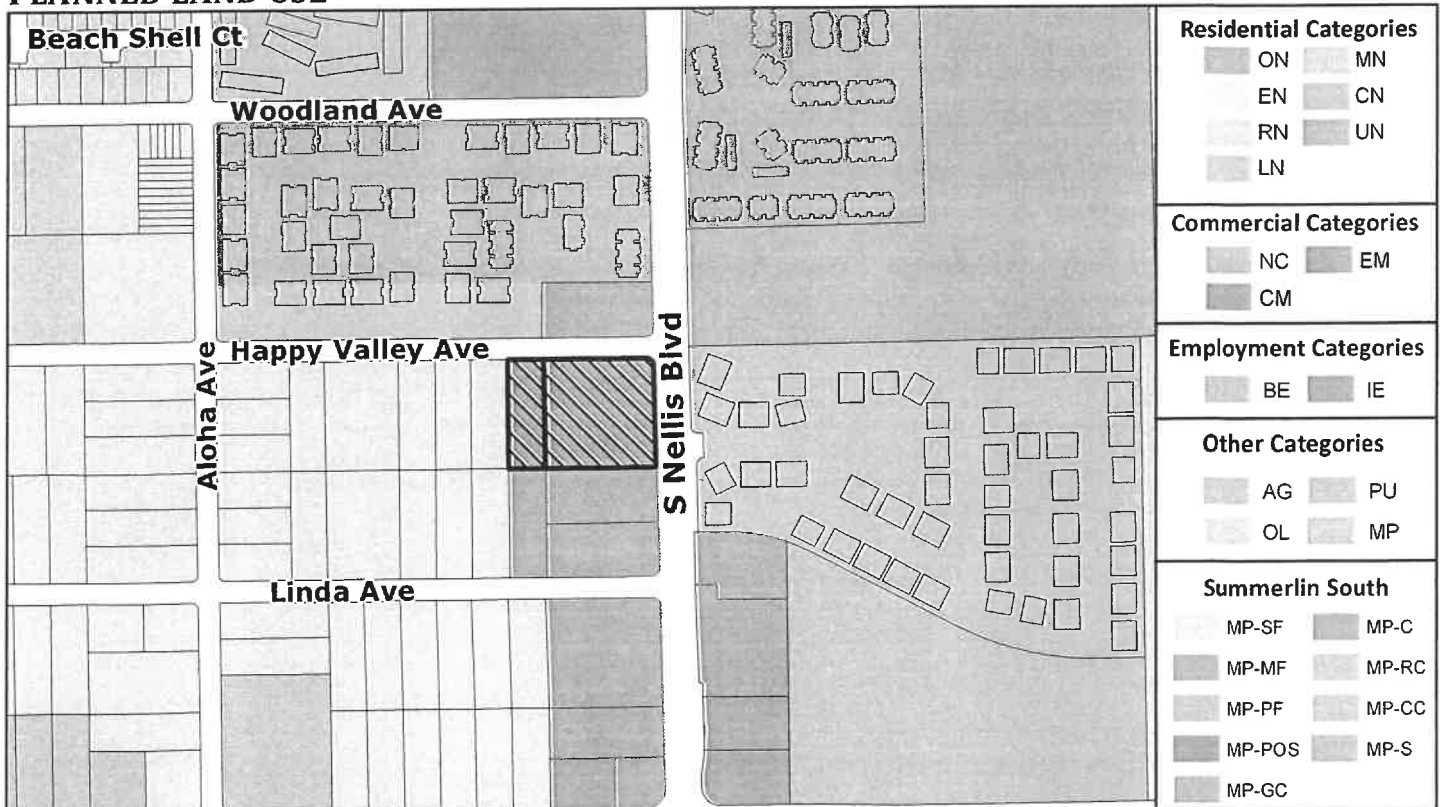
WS-24-0276

ZONING

Clark County Department of Comprehensive Planning, Clark County, Nevada

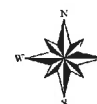


PLANNED LAND USE



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Subject Parcel(s)
16108810082
16108810083



0 125 250 500 Feet
Map Created on 7/30/2024



PPLRL_205

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-24-0276-PALM PROPERTIES, LLC:

HOLDOVER WAIVER OF DEVELOPMENT STANDARDS to modify residential adjacency standards.

DESIGN REVIEW for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone.

Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor. TS/jor/syp (For possible action)

RELATED INFORMATION:

APN:

161-08-810-082; 161-08-810-083

WAIVER OF DEVELOPMENT STANDARDS:

Allow nonresidential vehicular access to a residential local street (Happy Valley Avenue) where not permissible per Section 30.04.06.D.

LAND USE PLAN:

SUNRISE MANOR - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 3125 S. Nellis Boulevard
- Site Acreage: 2.83
- Project Type: Commercial truck parking lot
- Number of Stories: 1 (proposed guard building)
- Building Height (feet): 8 (proposed guard building)/8 feet, 4 inches (proposed carport north of guard building)
- Square Feet: 25 (proposed guard building)/720 (proposed carport north of guard building)
- Parking Provided: 99
- Sustainability Required/Provided: 7.5/7

History & Site Plan

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Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
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West	Ranch Estate Neighborhood (up to 2 du/ac)	RS20	Single-family residential

Related Applications

Application Number	Request
VS-24-0277	A request to vacate and abandon a portion of a right-of-way is a companion item on this agenda.

CLARK COUNTY PUBLIC RESPONSE OFFICE:

There is an active case, CE23-05369, for vehicles parked on unpaved areas.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Waiver of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

The applicant provided correspondence from NDOT which states that access to Nellis Boulevard is not required, and if access is requested in the future, the applicant must comply with NDOT's 2017 Access Management System and Standards with sufficient engineering justification. Per the correspondence on file, the applicant's engineer determined that the site does not meet NDOT's access location and spacing standards. Per photos on file, NDOT closed 3 driveways along the east property line of the site adjacent to Nellis Boulevard and NDOT reconstructed the attached sidewalk sometime in 2021. Today, Title 30 does not allow nonresidential access on a local street; although records show that access to Happy Valley Avenue has been in place for over 25 years and the access has been used by commercial vehicles for over 3 years with no impact to the residences. Also, the average daily trips for this use are expected to be less trips than for other commercial uses. Staff determines that the aforementioned circumstances warrant staff's support for the waiver of development standards.

Design Review

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

The proposed project complies with Policy 5.5.3 under the Master Plan which encourages the retention and revitalization of established local business districts. The site has been vacant since 2012 and the proposed improvements comply with today's Code. For example, the applicant is proposing detached sidewalks along Happy Valley Avenue with street landscaping, and since there is an existing attached sidewalk along Nellis Boulevard (NDOT right-of-way), the applicant will install a 10 foot wide landscape strip. The applicant is also providing a decorative fence along the north and east property lines to mitigate the view of any trucks parked on site. In addition, the site will be monitored by on site security. The applicant also provided 7.5 points worth of sustainability design features where 7 is required per Title 30. For these reasons staff recommends approval.

Staff Recommendation
Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Work with the Las Vegas Metropolitan Police Department for the installation and use of security cameras and surveillance operation;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Full off-site improvements.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that Nevada Department of Transportation (NDOT) permits may be required.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Sunrise Manor - denial.

APPROVALS:

PROTESTS: 5 cards, 2 letters

COUNTY COMMISSION ACTION: September 4, 2024 – HELD – To 10/02/24 – per the applicant.

APPLICANT: LEADING EDGE VENTURES, LLC

CONTACT: G.C. GARCIA, INC, 1055 WHITNEY RANCH DRIVE, SUITE 210,
HENDERSON, NV 89014

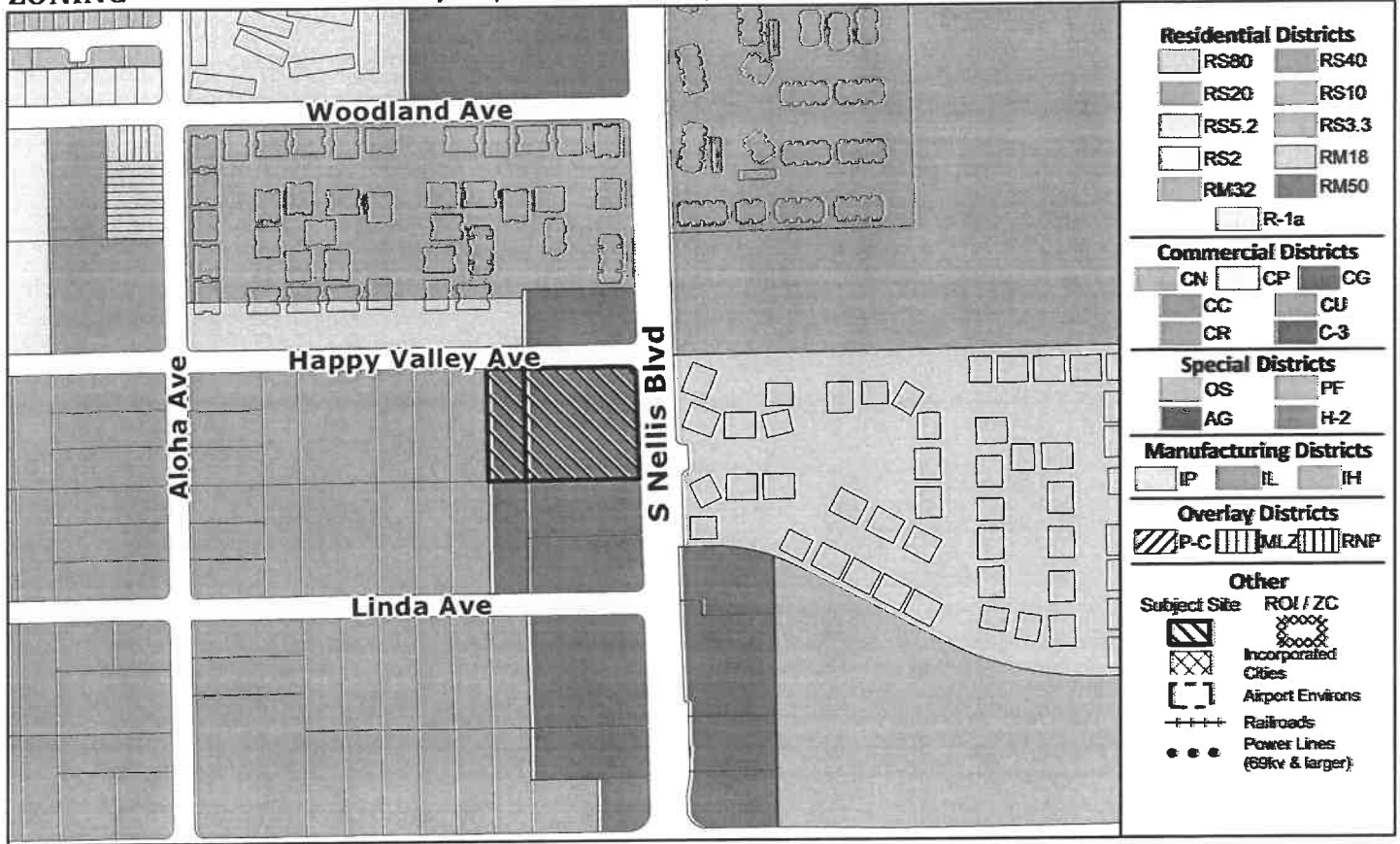
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Commission Agenda Map

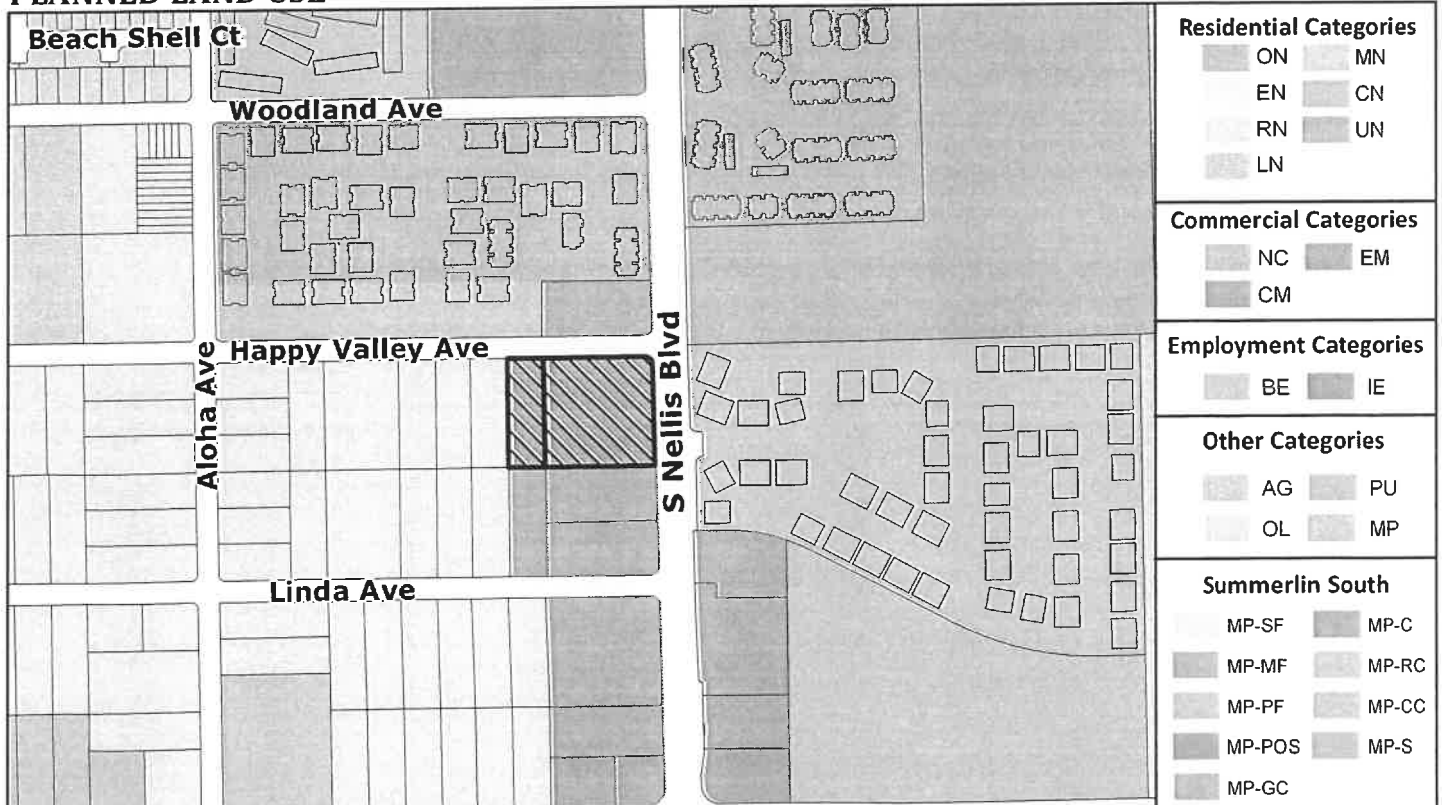
WS-24-0276

Clark County Department of Comprehensive Planning, Clark County, Nevada

ZONING

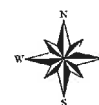


PLANNED LAND USE



This information is for display purposes only. No liability is assumed as to the accuracy of the data delineated hereon.

Subject Parcel(s)
16108810082
16108810083



0 125 250 500 Feet
Map Created on 7/30/2024



PPLRL_214

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-24-0276-PALM PROPERTIES, LLC:

HOLDOVER WAIVER OF DEVELOPMENT STANDARDS to modify residential adjacency standards.

DESIGN REVIEW for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone.

Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor. TS/jor/syp (For possible action)

RELATED INFORMATION:

APN:

161-08-810-082; 161-08-810-083

WAIVER OF DEVELOPMENT STANDARDS:

Allow nonresidential vehicular access to a residential local street (Happy Valley Avenue) where not permissible per Section 30.04.06.D.

LAND USE PLAN:

SUNRISE MANOR - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 3125 S. Nellis Boulevard
- Site Acreage: 2.83
- Project Type: Commercial truck parking lot
- Number of Stories: 1 (proposed guard building)
- Building Height (feet): 8 (proposed guard building)/8 feet, 4 inches (proposed carport north of guard building)
- Square Feet: 25 (proposed guard building)/720 (proposed carport north of guard building)
- Parking Provided: 99
- Sustainability Required/Provided: 7.5/7

History & Site Plan

Records show that as early as the 1980's, parcel 161-08-810-083 included an existing shopping center building (in-line rectangular building) adjacent to Nellis Boulevard. A vehicle sales lot was approved on the southern end of this parcel via DR-1464-97 but expired after 1 year.

ZC-0480-98 reclassified both subject parcels (161-08-810-082 and 161-08-810-083) to C-2 zoning (now CG zoning) for a proposed 34,000 square foot shopping center (L-shaped building along the south and west property lines) with a portion of the existing shopping center building along Nellis Boulevard to the east to be expanded as a grocery store. The proposed 34,000 square foot shopping center under the zone change did not commence. Additional land use applications were approved on-site for vehicle sales, check cashing, a communication tower, and a waiver of conditions of a zone change (WC-0025-99) which re-applied conditions related to landscaping, site circulation, parking, access, and screening. Under DR-0727-99 (a design review for vehicle sales), the conditions of approval under WC-0025-99 were complied with. The existing building and vehicle sales lot adjacent to Nellis Boulevard remained on-site until 2012 and has since been demolished.

Today, the applicant is requesting approval of a design review for a proposed commercial truck parking lot. A waiver of development standards related to modifying residential adjacency to allow access to a local street being Happy Valley Avenue is also part of this application. Access is provided via 1 driveway along the north property line adjacent to Happy Valley Avenue. Although Title 30 does not allow nonresidential vehicular access to a local street, access to Happy Valley Avenue has existed for more than 25 years. The Nevada Department of Transportation (NDOT) closed the existing driveways along the east property line adjacent to Nellis Boulevard, and NDOT reconstructed the attached sidewalk.

The site plan depicts a proposed parking lot with 99 commercial vehicle parking spaces, which are the following:

- 35 parking stalls (40 feet by 12 feet) are located along the north property line and on the southwest corner of the site.
- 17 parking stalls (35 feet by 12 feet) are located along the west property line.
- 42 tandem parking stalls (70 feet by 12 feet) are located along the east property line.
- 4 parking stalls (20 feet by 9 feet) are located east of the driveway along the north side of the site adjacent to Happy Valley Avenue.
- 1 accessible parking stall south of the 4 parking stalls, adjacent to the guard building.

The site plan also shows a proposed guard building adjacent to the driveway on the southeast corner of the driveway throat depth area. There is also a proposed carport north of the guard building to be constructed over 4 parking stalls. The existing communication tower along the south property line will remain, and the applicant will install a trash enclosure along the south property line. There is an existing 8 foot high CMU block wall which will remain on-site along the west property line adjacent to an existing residence. The existing 8 foot high CMU block wall along the south property line will also remain. Proposed light poles up to 18 feet high are located adjacent to the driveway along the north property line at the northeast corner, 2 at the southeast corner, and 2 additional light poles that are centrally located within the parking area. Lastly, proposed lighting meets residential adjacency standards per Title 30.

Landscaping

Detached sidewalks will be installed along the north property line along Happy Valley Avenue with an 8 foot high beige colored vinyl fence set back over 10 feet from the future property line (back of curb). The existing attached sidewalk will remain along the east property line along

Nellis Boulevard. The applicant will continue the 8 foot high beige colored vinyl fence behind the landscape area along Nellis Boulevard.

The applicant provided a landscape plan drafted by a licensed landscape architect. The proposed landscape plan shows that all existing palm trees will remain on-site. The street landscaping along the north property line includes detached sidewalks with 5 foot wide landscape strips on either side of the sidewalk which will feature large trees and shrubs. The west property line includes a 20 foot wide landscape buffer with a double row of large trees and shrubs. The east side of the site will include a 10 foot wide landscape area with large trees and shrubs adjacent to the existing attached sidewalk.

Elevations

The proposed guard building has an overall height of 8 feet and will be constructed of pre-manufactured steel. The exterior color of the guard building is blue and features 6 windows and 1 door. The proposed carport north of the guard building has an overall height of 8 feet, 4 inches. This carport is comprised of pre-treated cedarwood for outdoor durability.

Floor Plans

The proposed guard building has an overall area of 25 square feet. The proposed carport has an overall area of 720 square feet.

Applicant's Justification

The applicant is proposing a commercial truck parking lot which will enable truck drivers to have a place to legally park their local trucks (no long haul trucks). This will help keep trucks from parking on public streets creating enforcement and neighborhood issues. It will also provide a safer, more secure parking environment that will have solar powered cameras that the Las Vegas Metropolitan Police Department can access. Additionally, a security guard is always present. The site as proposed is compatible as a parking lot on an arterial street (Nellis Boulevard) with completion of infrastructure, lighting, landscaping, and fencing.

The site is zoned for commercial (CG), and the prior development had access from Happy Valley Avenue. The Nevada Department of Transportation (NDOT) closed previously existing driveways along Nellis Boulevard in 2021 during NDOT's improvements to Nellis Boulevard. Happy Valley is the sole means of access given this limitation. The proposed commercial truck parking lot use will provide a location for truck drivers to park their vehicles outside of residential subdivisions and not on public roadways. This will also help minimize safety hazards, trash dumping, graffiti control, homeless encampments, and Code citations. It will also add to the appearance with fencing and landscaping. The use is compatible with the surrounding commercial and residential development in the area as it is supported by the neighbors.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-19-0630	Temporary construction storage for an off-site Las Vegas Valley Water District project (main replacement and The Dales subdivision)	Approved by PC	October 2019

Prior Land Use Requests

Application Number	Request	Action	Date
UC-18-0578	Increased height of existing communication tower, and design review for additional antenna	Approved by PC	October 2018
ADR-0333-05	73 foot high monopole communication tower with an antenna array	Approved by ZA	April 2005
UC-0040-04	Vehicle, watercraft, and recreational vehicle sales	Approved by PC	February 2005
UC-0431-02	Check cashing facility	Approved By BCC	June 2002
ADR-1086-01	Communication facility	Approved by ZA	November 2001
DR-0727-99	Revised plans for a previously approved shopping center and to continue the use of a vehicle sales lot	Approved by BCC	June 1999
WC-0025-99 (ZC-0480-98)	Waiver of conditions of a zone change for the proposed shopping center with an existing restaurant building on site	Approved by BCC	March 1999
ZC-0480-98	Reclassified the site (both subject parcels- 161-08-810-082 and 161-08-810-083) to C-2 zoning (now CG) for a proposed 34,000 square foot shopping center	Approved by BCC	May 1998
DR-1464-97	Vehicle sales lot within an existing shopping center - expired	Approved by PC	September 1997

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Corridor Mixed-Use & Compact Neighborhood (up to 18 du/ac)	CG & RM18	Multi-family residential & tavern
South	Corridor Mixed-Use	CG	Commercial center
East	Compact Neighborhood (up to 18 du/ac)	RM18	Multi-family residential
West	Ranch Estate Neighborhood (up to 2 du/ac)	RS20	Single-family residential

Related Applications

Application Number	Request
VS-24-0277	A request to vacate and abandon a portion of a right-of-way is a companion item on this agenda.

CLARK COUNTY PUBLIC RESPONSE OFFICE:

There is an active case, CE23-05369, for vehicles parked on unpaved areas.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Waiver of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

The applicant provided correspondence from NDOT which states that access to Nellis Boulevard is not required, and if access is requested in the future, the applicant must comply with NDOT's 2017 Access Management System and Standards with sufficient engineering justification. Per the correspondence on file, the applicant's engineer determined that the site does not meet NDOT's access location and spacing standards. Per photos on file, NDOT closed 3 driveways along the east property line of the site adjacent to Nellis Boulevard and NDOT reconstructed the attached sidewalk sometime in 2021. Today, Title 30 does not allow nonresidential access on a local street; although records show that access to Happy Valley Avenue has been in place for over 25 years and the access has been used by commercial vehicles for over 3 years with no impact to the residences. Also, the average daily trips for this use are expected to be less trips than for other commercial uses. Staff determines that the aforementioned circumstances warrant staff's support for the waiver of development standards.

Design Review

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

The proposed project complies with Policy 5.5.3 under the Master Plan which encourages the retention and revitalization of established local business districts. The site has been vacant since 2012 and the proposed improvements comply with today's Code. For example, the applicant is proposing detached sidewalks along Happy Valley Avenue with street landscaping, and since there is an existing attached sidewalk along Nellis Boulevard (NDOT right-of-way), the applicant will install a 10 foot wide landscape strip. The applicant is also providing a decorative fence along the north and east property lines to mitigate the view of any trucks parked on site. In addition, the site will be monitored by on site security. The applicant also provided 7.5 points worth of sustainability design features where 7 is required per Title 30. For these reasons staff recommends approval.

Staff Recommendation

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Work with the Las Vegas Metropolitan Police Department for the installation and use of security cameras and surveillance operation;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Full off-site improvements.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that Nevada Department of Transportation (NDOT) permits may be required.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Sunrise Manor - denial.

APPROVALS:

PROTESTS: 5 cards, 2 letters

COUNTY COMMISSION ACTION: September 4, 2024 – HELD – To 10/02/24 – per the applicant.

COUNTY COMMISSION ACTION: October 2, 2024 – HELD – To 11/06/24 – per the applicant.

APPLICANT: LEADING EDGE VENTURES, LLC

CONTACT: G.C. GARCIA, INC, 1055 WHITNEY RANCH DRIVE, SUITE 210,
HENDERSON, NV 89014

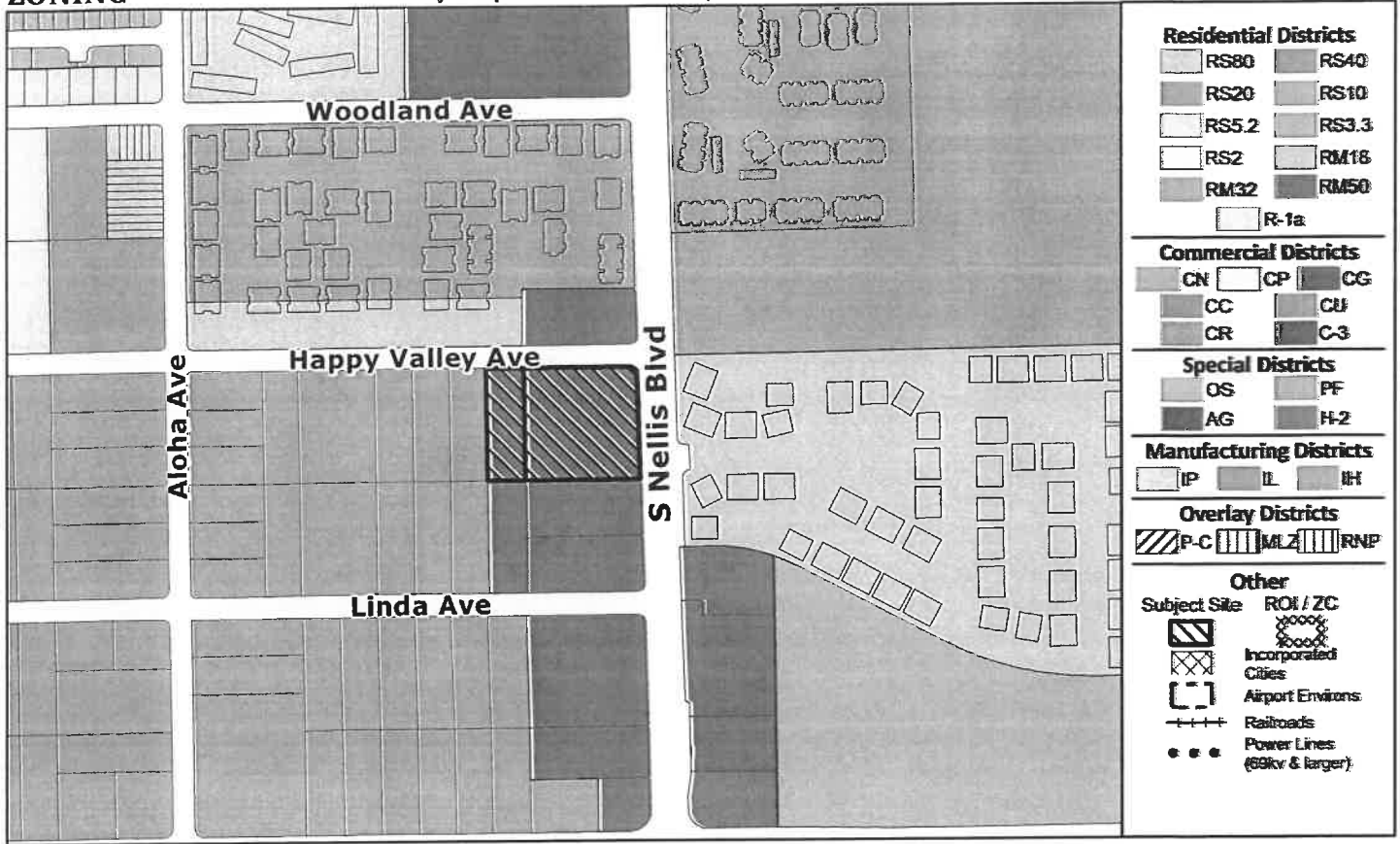
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Commission Agenda Map

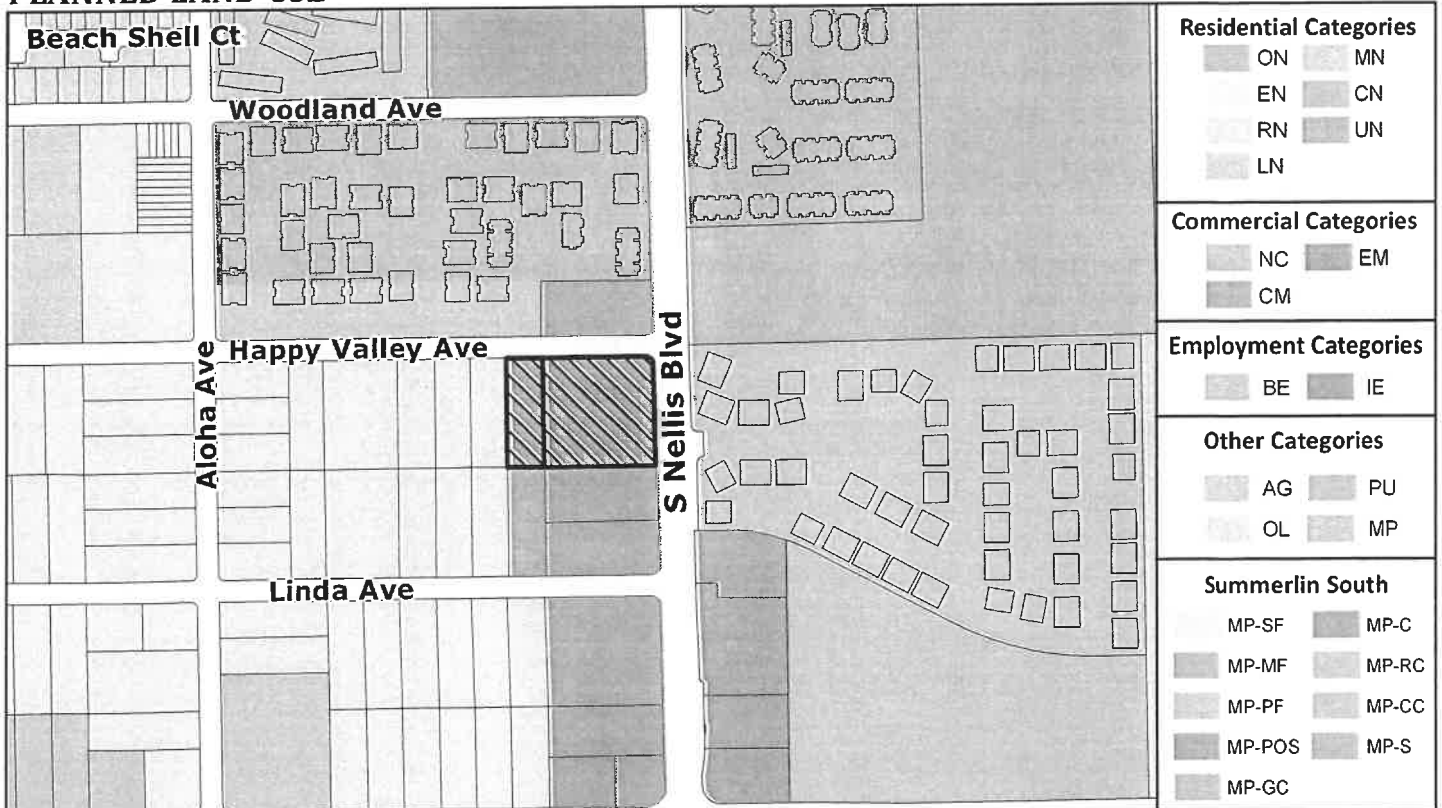
WS-24-0276

ZONING

Clark County Department of Comprehensive Planning, Clark County, Nevada



PLANNED LAND USE



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Subject Parcel(s)
16108810082
16108810083



0 125 250 500 Feet
Map Created on 7/30/2024



PPLRL_223

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-24-0276-PALM PROPERTIES, LLC:

HOLDOVER WAIVER OF DEVELOPMENT STANDARDS to modify residential adjacency standards.

DESIGN REVIEW for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone.

Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor. TS/jor/syp (For possible action)

RELATED INFORMATION:

APN:

161-08-810-082; 161-08-810-083

WAIVER OF DEVELOPMENT STANDARDS:

Allow nonresidential vehicular access to a residential local street (Happy Valley Avenue) where not permissible per Section 30.04.06.D.

LAND USE PLAN:

SUNRISE MANOR - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 3125 S. Nellis Boulevard
- Site Acreage: 2.83
- Project Type: Commercial truck parking lot
- Number of Stories: 1 (proposed guard building)
- Building Height (feet): 8 (proposed guard building)/8 feet, 4 inches (proposed carport north of guard building)
- Square Feet: 25 (proposed guard building)/720 (proposed carport north of guard building)
- Parking Provided: 99
- Sustainability Required/Provided: 7.5/7

History & Site Plan

Records show that as early as the 1980's, parcel 161-08-810-083 included an existing shopping center building (in-line rectangular building) adjacent to Nellis Boulevard. A vehicle sales lot was approved on the southern end of this parcel via DR-1464-97 but expired after 1 year.

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Floor Plans

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The site is zoned for commercial (CG), and the prior development had access from Happy Valley Avenue. The Nevada Department of Transportation (NDOT) closed previously existing driveways along Nellis Boulevard in 2021 during NDOT's improvements to Nellis Boulevard. Happy Valley is the sole means of access given this limitation. The proposed commercial truck parking lot use will provide a location for truck drivers to park their vehicles outside of residential subdivisions and not on public roadways. This will also help minimize safety hazards, trash dumping, graffiti control, homeless encampments, and Code citations. It will also add to the appearance with fencing and landscaping. The use is compatible with the surrounding commercial and residential development in the area as it is supported by the neighbors.

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Prior Land Use Requests

Application Number	Request	Action	Date
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DR-1464-97	Vehicle sales lot within an existing shopping center - expired	Approved by PC	September 1997

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Corridor Mixed-Use & Compact Neighborhood (up to 18 du/ac)	CG & RM18	Multi-family residential & tavern
South	Corridor Mixed-Use	CG	Commercial center
East	Compact Neighborhood (up to 18 du/ac)	RM18	Multi-family residential
West	Ranch Estate Neighborhood (up to 2 du/ac)	RS20	Single-family residential

Related Applications

Application Number	Request
VS-24-0277	A request to vacate and abandon a portion of a right-of-way is a companion item on this agenda.

CLARK COUNTY PUBLIC RESPONSE OFFICE:

There is an active case, CE23-05369, for vehicles parked on unpaved areas.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Waiver of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

The applicant provided correspondence from NDOT which states that access to Nellis Boulevard is not required, and if access is requested in the future, the applicant must comply with NDOT's 2017 Access Management System and Standards with sufficient engineering justification. Per the correspondence on file, the applicant's engineer determined that the site does not meet NDOT's access location and spacing standards. Per photos on file, NDOT closed 3 driveways along the east property line of the site adjacent to Nellis Boulevard and NDOT reconstructed the attached sidewalk sometime in 2021. Today, Title 30 does not allow nonresidential access on a local street; although records show that access to Happy Valley Avenue has been in place for over 25 years and the access has been used by commercial vehicles for over 3 years with no impact to the residences. Also, the average daily trips for this use are expected to be less trips than for other commercial uses. Staff determines that the aforementioned circumstances warrant staff's support for the waiver of development standards.

Design Review

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

The proposed project complies with Policy 5.5.3 under the Master Plan which encourages the retention and revitalization of established local business districts. The site has been vacant since 2012 and the proposed improvements comply with today's Code. For example, the applicant is proposing detached sidewalks along Happy Valley Avenue with street landscaping, and since there is an existing attached sidewalk along Nellis Boulevard (NDOT right-of-way), the applicant will install a 10 foot wide landscape strip. The applicant is also providing a decorative fence along the north and east property lines to mitigate the view of any trucks parked on site. In addition, the site will be monitored by on site security. The applicant also provided 7.5 points worth of sustainability design features where 7 is required per Title 30. For these reasons staff recommends approval.

Staff Recommendation
Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Work with the Las Vegas Metropolitan Police Department for the installation and use of security cameras and surveillance operation;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Full off-site improvements.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that Nevada Department of Transportation (NDOT) permits may be required.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Sunrise Manor - denial.

APPROVALS:

PROTESTS: 5 cards, 2 letters

COUNTY COMMISSION ACTION: September 4, 2024 – HELD – To 10/02/24 – per the applicant.

COUNTY COMMISSION ACTION: October 2, 2024 – HELD – To 11/06/24 – per the applicant.

COUNTY COMMISSION ACTION: October 2, 2024 – HELD – To 11/06/24 – per the applicant.

COUNTY COMMISSION ACTION: November 6, 2024 – HELD – To 11/20/24 – per Commissioner Segerblom.

APPLICANT: LEADING EDGE VENTURES, LLC

CONTACT: G.C. GARCIA, INC, 1055 WHITNEY RANCH DRIVE, SUITE 210,
HENDERSON, NV 89014



AUTHORIZATION TO SUBMIT APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

Application Pre-review (APR) record number: APR-23-101408

Application Materials have been deemed ready to submit ☐ without revisions ☒ with minor revisions.

Notes: L/S plan and JL revised

By: JUD

Date: 06/08/2024

Advisory Authorization to submit expires 2 weeks after determination is made. If all required documents are not provided to staff within this timeframe, an appointment to pre-review the application materials is required.

Required Application(s):

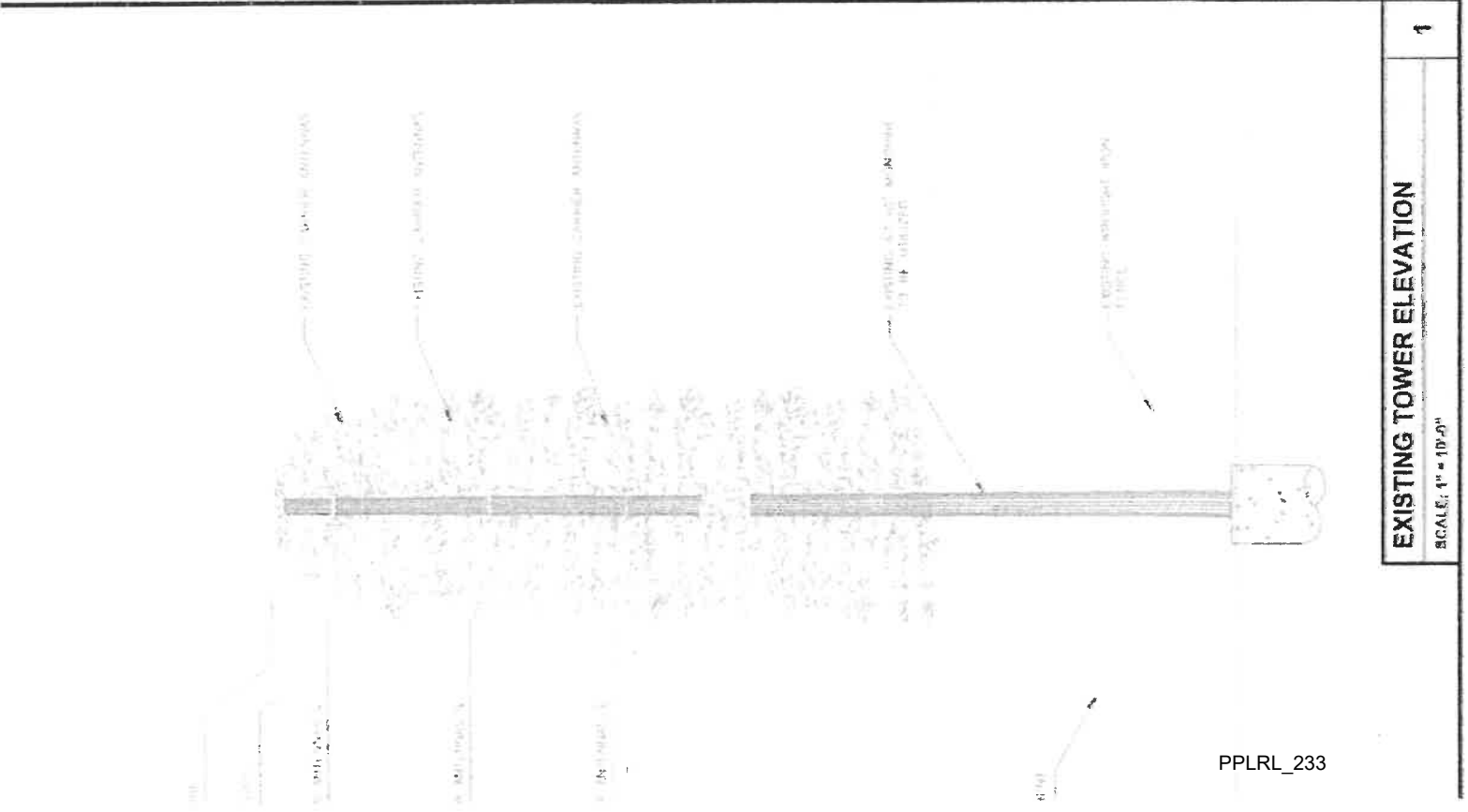
- | | | |
|--|--|---|
| <input type="checkbox"/> Master Plan Amendment | <input type="checkbox"/> Land Use – Administrative Design Review (ADR) | <input type="checkbox"/> Tentative Map (TM) |
| <input type="checkbox"/> Land Use | <input type="checkbox"/> Land Use – Waiver of Conditions (WC) | <input checked="" type="checkbox"/> Vacation and Abandonment (VS) |
| <input type="checkbox"/> Zone Change (ZC) | <input type="checkbox"/> Land Use – Application for Review (AR) | <input type="checkbox"/> Other: |
| <input type="checkbox"/> Special Use Permit (UC) | <input type="checkbox"/> Land Use – Extension of Time (ET) | |
| <input checked="" type="checkbox"/> Waiver of Development Standards (WS) | | |
| <input checked="" type="checkbox"/> Design Review (DR) | | |

Required Fees:

- Refer to the attached Fee Sheet.

Next Steps:

- Review the attached submittal requirements for the applicable application type(s).
- Go to the Application Pre-review record in the County's Citizen Access Portal (ACA) and upload all required application documents in PDF format (regardless of the format specified in the submittal requirements).
- Once all the application documents are uploaded, coordinate the transmittal of the required hard copy documents with the planner who authorized the submittal (see name above); all transmittals shall include a cover letter and/or transmittal memo and a copy of this form. The Personnel Contact Information list on Department's Contact Us webpage includes the phone number and email address for all planners.
- When the application package is received, the documents will be re-reviewed to ensure no changes except those noted above have been made and, if in an acceptable form, the planner will accept the application documents. Staff will then create the application records. If payment for the application fees was not included in the application package, an email notice will be sent to the record(s) contact indicating the application fees are due. This step may take up to 2 business days to complete.
- Once fees are paid, the application(s) will be considered "Submitted".



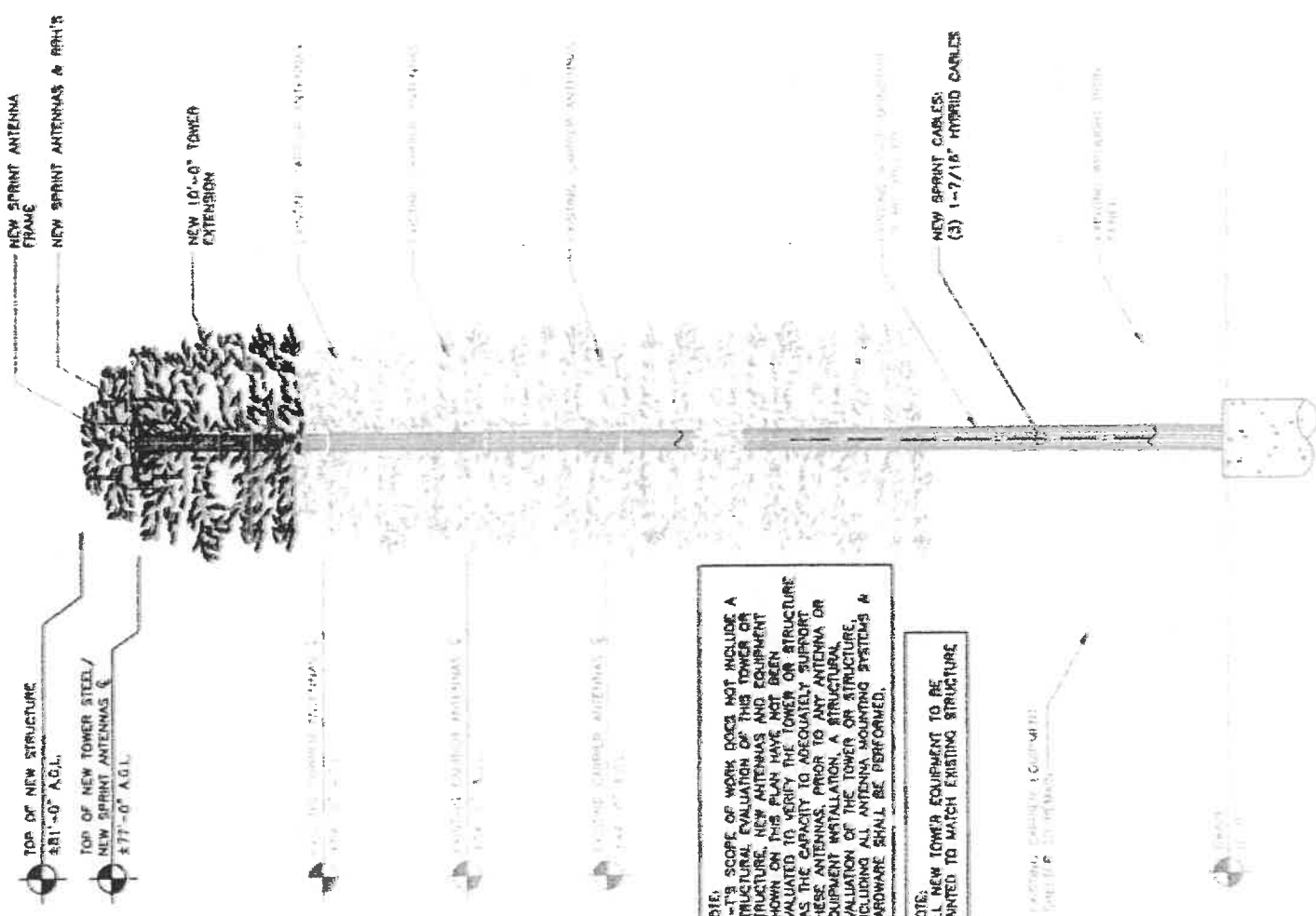
EXISTING TOWER ELEVATION

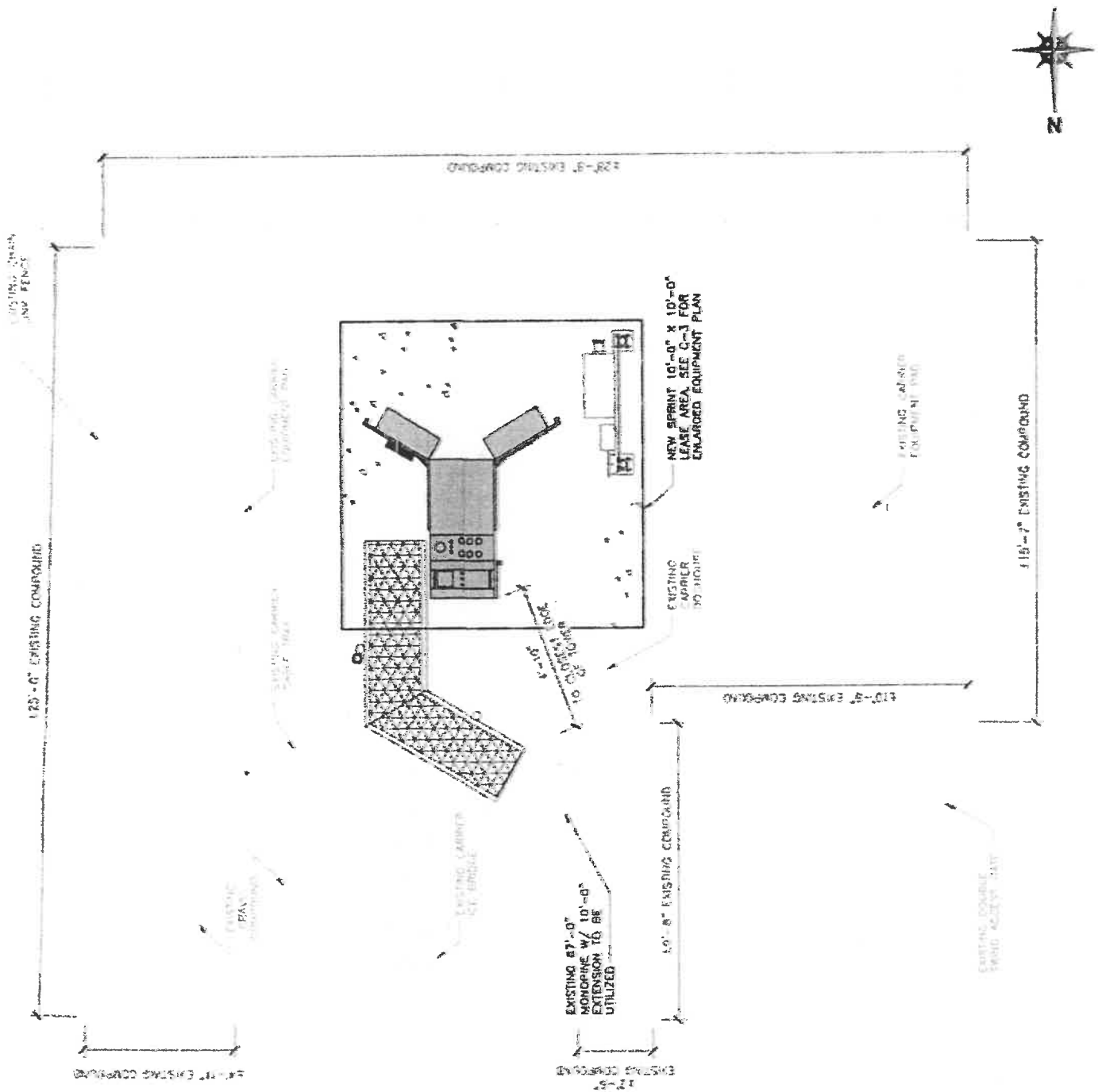
SCALE: 1" = 10' 0"

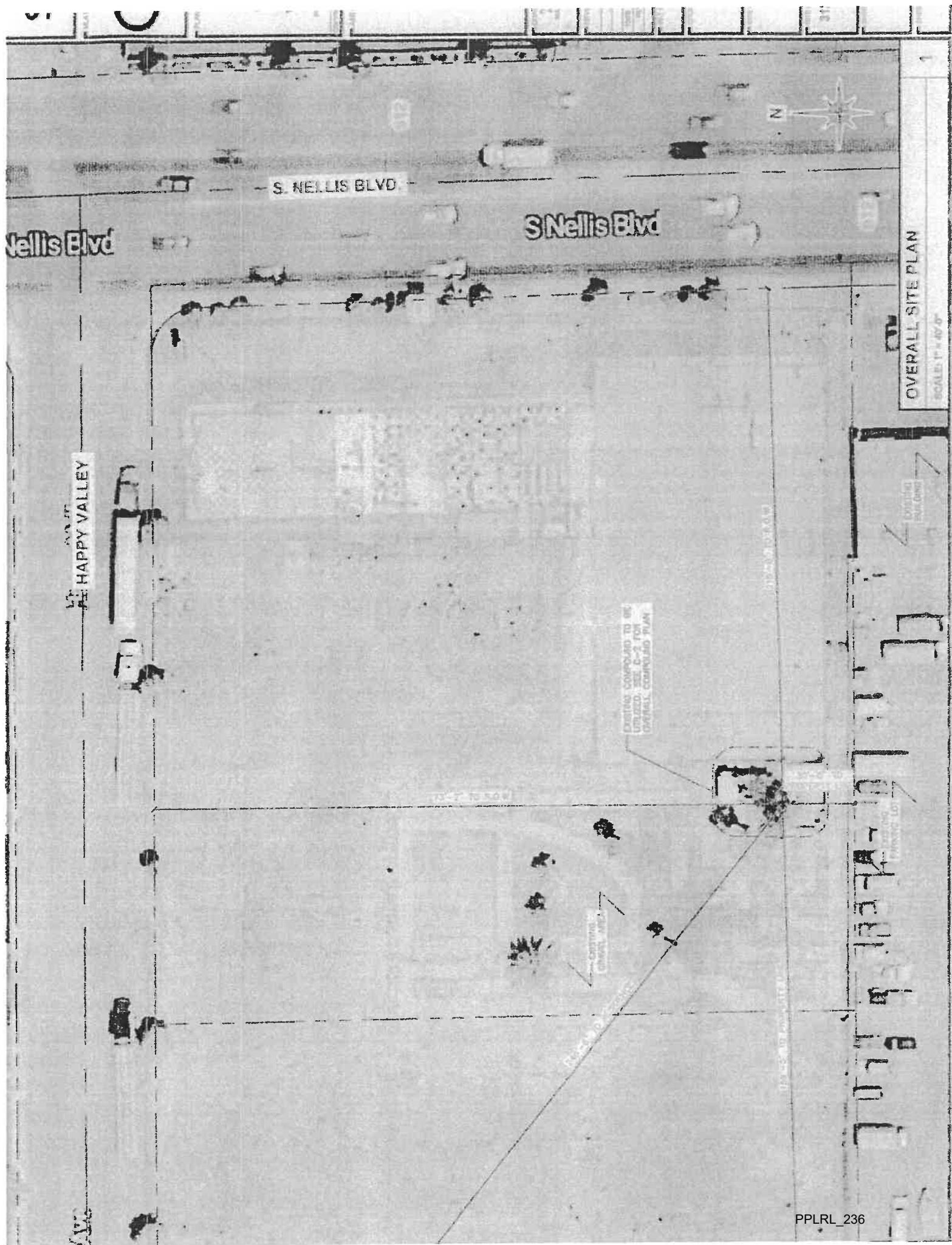
PPLRL 233

NOTE: A W-1'S SCOPE OF WORK DOES NOT INCLUDE A STRUCTURAL EVALUATION OF THE TOWER OR STRUCTURE. NEW ANTENNAS AND EQUIPMENT SHOWN ON THIS PLAN HAVE NOT BEEN EVALUATED TO VERIFY THE TOWER OR STRUCTURE HAS THE CAPACITY TO ADEQUATELY SUPPORT THESE ANTENNAS. PRIOR TO ANY ANTENNA OR EQUIPMENT INSTALLATION, A STRUCTURAL EVALUATION OF THE TOWER OR STRUCTURE, INCLUDING ALL ANTENNA MOUNTING SYSTEMS & HARDWARE SHALL BE PERFORMED.

NOTE:
ALL NEW TOWER EQUIPMENT TO BE
PAINTED TO MATCH EXISTING STRUCTURE







OVERALL SITE PLAN
SCALE: 1" = 40' 0"

PROJECT:
SITE CASCADE:
CROWN CASTLE

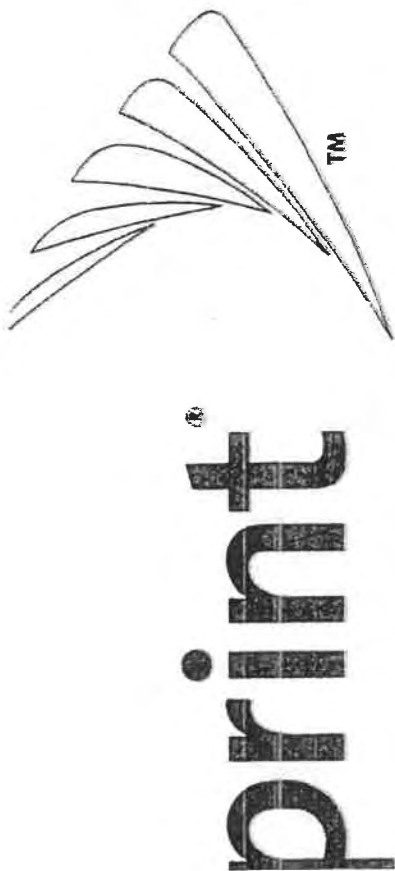
SITE NAME:
CROWN CASTLE
SITE NUMBER:
SITE ADDRESS:

SITE TYPE:

SPKIN INE PROJEI
VG90XC440

LV115 NELLIS & DI

825521
3125 S. NELLIS BOULEVARD
LAS VEGAS, NV 89121
67'-0" MONOPINE W/ 10'-0" EXTENSION



SHEET INDEX	
SHEET:	SHEET TITLE:
T-1	TIME SHEET
N-1	GENERAL NOTES
N-2	GENERAL NOTES
N-3	GENERAL NOTES
C-1	OVERALL SITE PLAN
C-2	OVERALL CONDUIT PLAN
C-3	ENLARGED EQUIPMENT PLAN
C-4	SITE DETAILS
C-5	CABINET DETAILS
C-6	CONCRETE PAD DETAILS
A-1	TOWER ELEVATIONS
A-2	TOWER ELEVATIONS
A-3	EQUIPMENT ELEVATION
A-4	ANTENNA PLAN
A-5	EQUIPMENT DETAILS
A-6	EQUIPMENT DETAILS
A-7	EQUIPMENT DETAILS
E-1	UTILITY PLAN
E-2	ELECTRICAL DETAILS
E-3	BATTERY SPECIFICATIONS
E-4	BATTERY SPECIFICATIONS
E-5	BATTERY SPECIFICATIONS
E-6	BATTERY SPECIFICATIONS
GR-1	GROUNDING PLAN
GR-2	GROUNDING DETAILS
GR-3	GROUNDING DETAILS

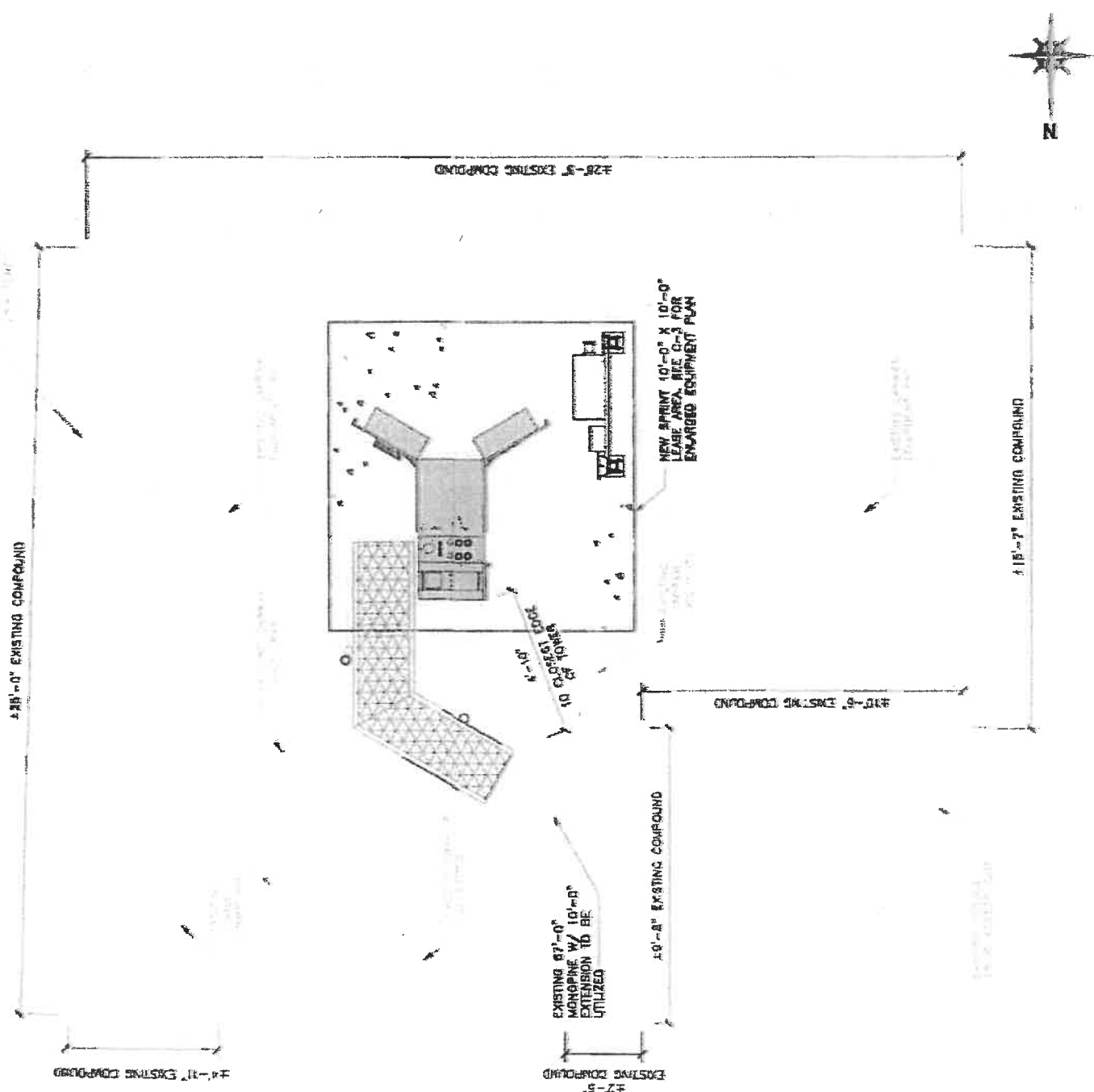
PROJECT DESCRIPTION	APPLICABLE CODES
<ul style="list-style-type: none">ALL NEW TOWER EQUIPMENT TO BE PAINTED TO MATCH EXISTING STRUCTUREINSTALL NEW 10'-0" x 10'-0" CONCRETE EQUIPMENT PADINSTALL (1) EQUIPMENT CABINET AT GRADEINSTALL (1) HOVEMAN JUNCTION BOX & (1) PWC CABINET MOUNTED ON NEW H-FRAME AT GRADEINSTALL 10'-0" TOWER EXTENSIONINSTALL (3) HYBRID CABLES ON EXISTING TOWERINSTALL (6) PANEL ANTENNAS ON EXISTING TOWERINSTALL (3) SECTOR FRAMES ON EXISTING TOWERINSTALL (8) 800MHZ RH'S AT ANTENNASINSTALL (3) 1800MHZ RH'S AT ANTENNASINSTALL (24) JUMPER'S	<p>ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE FOLLOWING CODES, AS ADOPTED BY THE LOCAL GOVERNING AUTHORITY. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES.</p> <p>BUILDING CODE: 2012 INTERNATIONAL BUILDING CODE PLUMBING CODE: 2012 UNIFORM PLUMBING CODE MECHANICAL CODE: 2012 UNIFORM MECHANICAL CODE ELECTRICAL CODE: 2011 NATIONAL ELECTRICAL CODE</p>

AREA MAP	AERIAL MAP

SITE CONTACTS	
CROWN CASTLE USA, INC.: CM: LUKE CHRISTIAN PHONE: (702) 408-5147 PM: TIMOTHY MILLER PHONE: (848) 938-0281	ZONING & PERMITTING SPECIALIST: CM: WILLIAM CAUL PHONE: (702) 518-4348 PM: BARBARA BROWN PHONE: (925) 484-5434

Know what's below.
Call before you dig.

NOTE:
48 HOURS PRIOR TO DIGGING,
CONTRACTOR TO NOTIFY ALL
UTILITY COMPANIES TO LOCATE
ALL UNDERGROUND UTILITIES.



OVERALL COMPOUND PLAN

SCALE: 1/4" = 1'-0"

Andrea Cole

From: Clark County <Clarkcounty-accela@clarkcountynv.gov>
Sent: Tuesday, February 27, 2024 4:47 PM
To: centurywest1@hotmail.com; Andrea Cole
Cc: PWLanduse@ClarkCountyNV.gov
Subject: New Submittal: APR-23-101485 - APN: 161-08-810-083 Public Works ok

Good afternoon,

Public Works has no further comments on this Application Pre-Review (APR). Please contact Comprehensive Planning at 702-455-4314 or zoning@ClarkCountyNV.gov for information on how to proceed.

Thank you
JaWaan Dodson

Important information:

Please note that although Public Works has no further comments on this APR, it does not mean that we will recommend approval.



June 4, 2024

Comprehensive Planning
Clark County
500 S. Grand Central Pkwy
Las Vegas, NV 89155

RE: Response to Planning Comments: Parking Lot for Commercial Vehicles
APN#s 161-08-810-082 & -083

Dear Judith:

On behalf of my client, Leading Edge Ventures LLC, we wish to address the 3rd round of comments received on February 20, 2024, for the application listed above.

02/20/24 Comments:

Please see the Current Planning comments below. Note, you must secure another appointment in order to address this APR.

- Vacation site plan
 1. Project information shall be updated to today's code zoning districts.
Response – Vacation Site plan has been revised with the current zoning districts
- Site Plan (did not review)
- Justification Letter
 1. Include language about the active CCPRO violation CE23-05369.
Response – Included In revised letter
 2. Include language regarding the proposed sustainability points and design review.
Response – Included in revised letter
 3. Address Sections 30.04.06 I (signs) & M (cut through traffic).
Response – Included in revised letter
 4. Include waiver of development standards request to allow access to a local street, see Section 30.04.06 D & 30.04.06 M.
Response – Included in revised letter
- Elevations
 1. Guard building does not provide the building height.
Response – Height added to exhibit
 2. The awning above the entry door must extend 3 feet in order to count towards sustainability.
Response – Awning added to exhibit



A Planning & Development Services Corporation

1055 Whitney Ranch Dr., Suite 210, Henderson, NV 89014

Telephone: (702) 435-0900 Fax: (702) 435-0457 Email: gcgarcia@cgarciainc.com

PPLRL_241

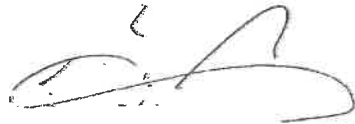
- Landscape Plan
 1. Buffering and screening shall to residential shall be 8-foot-high decorative wall.
Response – Landscape & Site plans revised to show the existing 8' high cmu wall
 2. A 15-foot landscaped buffer with a double row of evergreen trees planted offset from one another. In each row trees shall be planted 20 feet apart on center. (staff understands the applicant is providing 20 feet of LS; however, the proposed trees are not evergreen).
Response – Landscape plan revised to show the above.
 3. Mondel pines are not recommended per SNWA plant list.
Response – Mondel pines removed from plan
- Cross Sections (residential adjacency only)
 4. Site zoning district as well as surrounding zoning districts shall be labeled with the current zoning district names.
Response – Cross Sections exhibit has been revised to show current zoning districts.

Please e-mail PWLandUse@ClarkCountyNV.gov your application package as this application shall also be reviewed and concurrence shall be received from Public Works Development Review prior to its submittal. Make sure to include your APR number on the subject line when sending your APR to PW.

Response – PW's signed off on 02/28/24, see attached email

We respectfully request your consideration of the above responses and would appreciate any request for further clarification or expansion you may require.

Sincerely,



George Garcia
Founder

Andrea Cole

From: Andrea Cole
Sent: Tuesday, February 27, 2024 10:48 AM
To: PWLanduse@ClarkCountyNV.gov
Subject: New Submittal: APR-23-101485 - APN: 161-02-810-083 Public Works comments
Attachments: site-6-SP1.pdf; Map that dedicated the ROW for Happy Valley MapPL0040001.pdf

See below responses and the attached.

From: Clark County Clarkcounty-accela@clarkcountynv.gov
Sent: Tuesday, February 27, 2024 8:46 AM
To: centurywest1@hotmail.com; Andrea Cole acole@gcgarciainc.com
Cc: PWLanduse@ClarkCountyNV.gov
Subject: New Submittal: APR-23-101485 - APN: 161-02-810-083 Public Works comments

Good morning,

Please see the Public Works comments below:

The comments from 2/15/2024 are in black. My original responses are in blue. PW's comments from 2/27/2024 are in red. Additional responses in Green.

Be advised that Nellis Boulevard is a Nevada Department of Transportation (NDOT) right-of-way.

Detached sidewalks are required, this application will need to include a vacation of the right-of-way. Application revised to include the vacation.

Site Plan:

- The minimum required throat is 100 feet per Uniform Standard Drawing 222.1. Site Plan revised to show 100'. It looks like the parking was reduced with this revision and 75 feet is now the minimum. Resolved.
- Provide and show the back of curb radius on the east side of the Happy Valley Avenue commercial driveway and at the intersection. Shown on revised site plan. Not provided (2nd request). Previously provided, attached for reference.
- Correct the right-of-way width for Happy Valley Avenue. ROW corrected on revised site plan. Resolved.

Vacation:

- Provide a the record information for the right-of-way being vacated. See attached recorded map that dedicated the ROW on Happy Valley.

Thank you

JaWaan Dodson

-

Directions for when you make the necessary changes

- Email the following to Public Works – Development Review at PWLandUse@ClarkCountyNV.gov:
 - o A detailed written response to each of our comments.
 - o Copies of revised plans and documents.
 - o If you make changes other than those that are specified in our comments, provide a detailed list of the changes and an explanation for why the changes were made.

Contacts for the Public Works - Land Use Application Team

- Email:
 - o PWLandUse@ClarkCountyNV.gov
- Phone numbers:
 - o 702-455-4607 – Sarah Mabry-Padovese
 - o 702-455-6387 – JaWaan Dodson
 - o 702-455-6385 – Nick Goodman
 - o 702-455-4600 – Main number for Development Review



February 19, 2024

Comprehensive Planning
Clark County
500 S. Grand Central Pkwy
Las Vegas, NV 89155

RE: Response to Planning Comments: Parking Lot for Commercial Vehicles
APN#s 161-08-810-082 & -083

Dear Steve:

On behalf of my client, Leading Edge Ventures LLC, we wish to address the 2nd round of comments received on February 1, 2024, for the application listed above.

02/01/24 Comments:

Per our morning meeting for the parking lot for commercial trucks below is a summary of our discussion.

Comments:

- Parking lot for commercial trucks in CG zone and is permitted use. Design review required.
Response – A Design Review for Commercial Truck Parking is requested through a Design Review as well as a Vacation request.
- Possible waiver for ingress/egress onto residential street. Public Works will determine.
Response – Traffic believed retaining access on a low volume local street, Happy Valley, was acceptable but was Planning decision not Traffic. Putting an access drive onto a major arterial will cause more delays and potential for accidents on Nellis.
- Asked applicant to have their Engineer(s) to review the section in Title 30 30.04.07 on “Operational Standards” for requirements on lighting, including shielding, type of lighting, motion sensors etc.
Response – The requested code required section is referenced on the revised plans for this pre-submittal
- Provide elevations for the existing cell tower with setback dimensions and for the security building, including exterior materials and setbacks and height.
Response – Information from the County records is provided with the revised plans for this pre-submittal
- Will still need to provide vacation application for 5 feet of right-of-way being Happy Valley Lane. Will discuss with Public Works.
Response – A Vacation application for 5 feet of Happy Valley is included with this resubmittal.



A Planning & Development Services Corporation

1055 Whitney Ranch Dr., Suite 210, Henderson, NV 89014
Telephone: (702) 435-9909 Facsimile: (702) 435-0457 E-Mail: ggarcia@gcgarciainc.com

PPLRL_245

- Sustainability information provided on landscape plan.
Response – The sustainability information was previously provided and is on the landscape plans with this resubmittal.
- Applicant provided revised letter based upon first review of plans.
Response – Applicant has made minor revisions to the justification letter as part of this resubmittal.
Public Works will need to review these plans. Their email is PWLanduse@ClarkCountyNV.gov Provide them electronically with APN number, APR number and your contact information.
Response – The plans were submitted to PW and comments received and address per the provided revised plans and response letter as part of this revised pre-submittal
- Please setup your next appointment after comments are provided by Public Works with a Planner to provide for review.
Response – The next pre-submittal is February 20, 2024 in compliance with the above comment.

We respectfully request your consideration of the above responses and would appreciate any request for further clarification or expansion you may require.

Sincerely,

A handwritten signature in dark ink, appearing to read 'George Garcia', with a stylized flourish at the end.

George Garcia
Founder

WS-24-0276

BACK-UP (NDOT)

From: Andrea Cole <acole@gcgarciainc.com>
Sent: Tuesday, July 30, 2024 9:20 AM
To: Jillee Opiniano-Rowland
Cc: George Garcia; Melissa Eure
Subject: LEDGE - Nellis (WS-24-0276 & VS-24-0277): Engineer's assessment & Email from NDOT

J. Rowland

7/30/24

VTN as, our engineer, contacted NDOT and discussed the driveways. Below is the formal response from NDOT. The informal discussions and assessment by VTN, is that driveways will not get approved on Nellis per NDOT's 2017 Access Management System and Standards (see below).

If you have any questions please feel free to contact me at the number listed below.

Thanks and Best Regards.

Andrea Cole, Project Coordination Manager
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
(702) 435-9909 Phone
(702) 435-0457 Fax
acole@gcgarciainc.com E-mail
<https://gcgarciainc.com> Website

From: Robert Hosea <roberth@vtmnv.com>
Sent: Monday, July 29, 2024 5:05 PM
To: Andrea Cole <acole@gcgarciainc.com>
Cc: George Garcia <ggarcia@gcgarciainc.com>
Subject: RE: SWC of Nellis and Happy Valley NDOT

Nellis Boulevard has a functional classification of Other Principal Arterials.

An access on Nellis Boulevard would need to meet the following criteria:

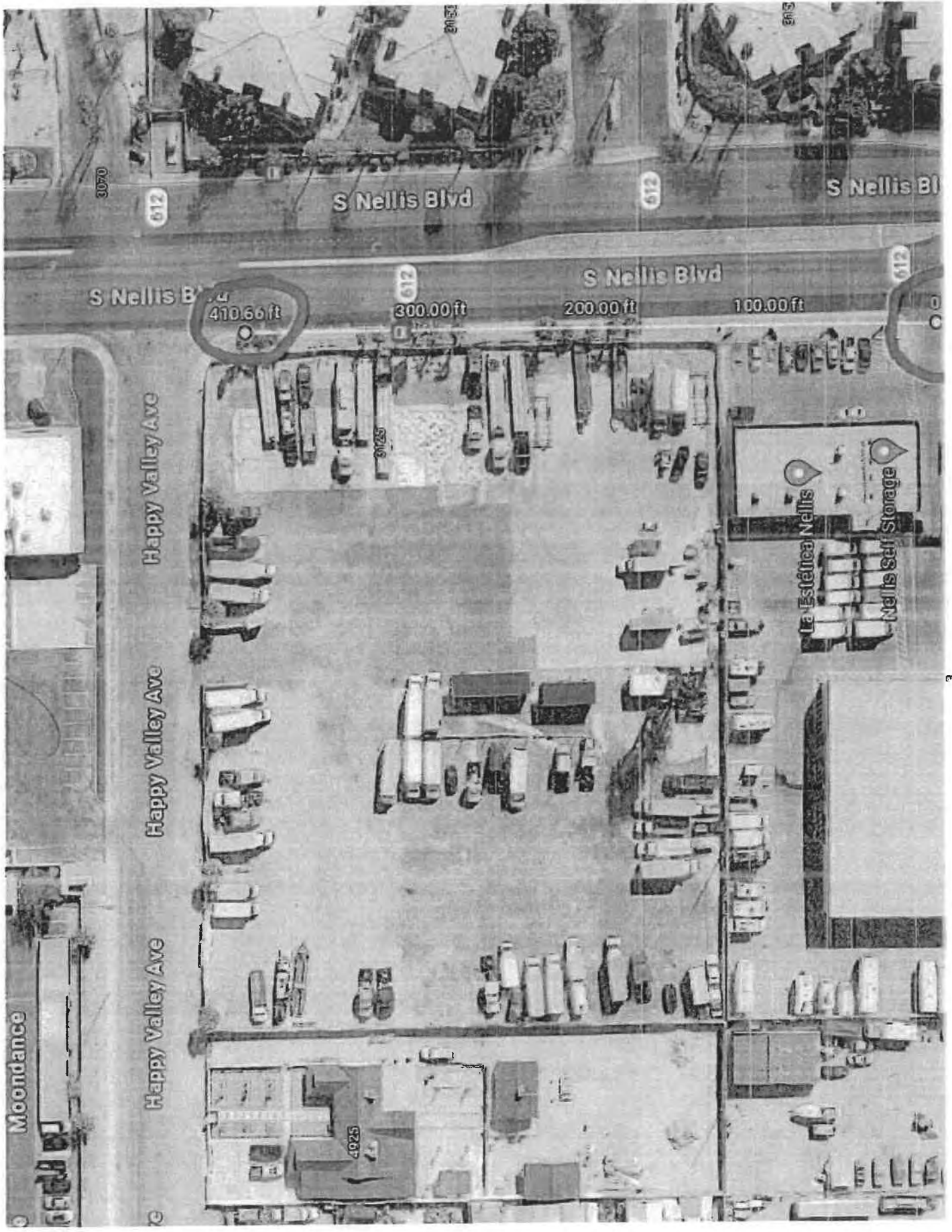
4.2. Access Location Standards

Table 4-1: Access Spacing Standards

3: Other Principal Arterials, 40-55 mph – Right-in/Right-out only Minimum Spacing is 660' (measured center to center).

There is only approximately 410' from Happy Valley to the existing access to the south.

Therefore any access to Nellis Blvd would not meet minimum access spacing.



4.2.3. Spacing Standards near Intersections

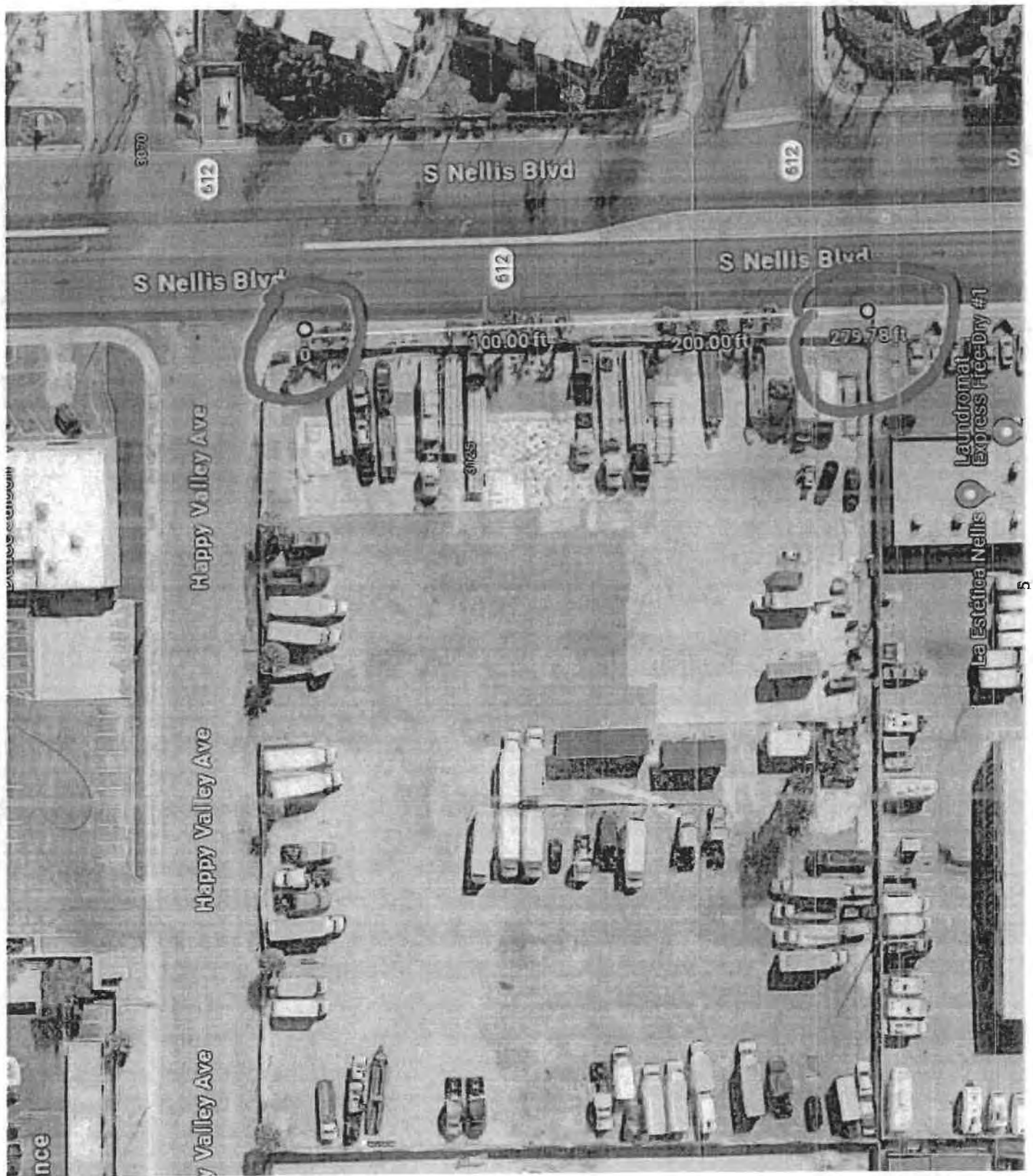
Figure 4-3: Intersection Corner Clearances

Downstream corner clearance along the major roadway Stopping sight distance (Section 4.3.1)

A 55 mph design speed level road, the Stopping Sight Distance is 495' (measured along the curb line from the point of curvature of the radius of the intersection to the point of curvature of the radius of the driveway).

There is only approximately 280' from the Happy Valley return to the southerly property line.

Therefore any access to Nellis Blvd would not meet intersection corner clearance spacing.





Robert C. Hosea, III, P.E., PTOE
Principal

Phone (702) 253-2477 Mobile (702) 497-7406
Web vtnnv.com Email roberth@vtnnv.com
2727 S Rainbow Blvd, Las Vegas, NV 89146
consulting engineers • planners • surveyors

From: Parsons, Angela <AParsons_dot.nv_ov>
Sent: Wednesday, February 28, 2024 5:22 PM
To: Robert Hosea <roberth@vtnnv.com>
Cc: Ken Nicholson <kenn@vtnnv.com>
Subject: RE: SWC of Nellis and Happy Valley

Hello Robert,

NDOT will not require that this parcel create access off of Nellis Blvd. However, if access is desired in the future, it will need to be requested through our 2017 AMSS process with sufficient engineering justification provided for all requests for major deviations to access spacing standards.

As to the sidewalk question, typically NDOT's involvement/review with respect to sidewalk requirements would be engaged upon submission of Encroachment Permit application(s) for work along Nellis Blvd, and if permits are being reviewed, there would likely be the requirement that ADA compliant sidewalk along the properties' Nellis Blvd frontage is provided. I did review with one of our Assistant District Engineers and he said that he does not anticipate that NDOT would condition any sidewalk alterations at this parcel.

Please feel free to contact me for additional clarification as needed.

Best regards,

Angela Parsons
Associate Engineer
District 1 Traffic Division

Nevada Department of Transportation
P 702.370.2219 | o 702.385.6408
e a Parsons_dot.nv_ov | w dot.nv.gov

252

From: Robert Hosea <roberth@vtnnv.com>
Sent: Friday, February 23, 2024 12:19 PM
To: Parsons, Angela <AParsons@dot.nv.gov>
Cc: Ken Nicholson <kenn@vtnnv.com>
Subject: SWC of Nellis and Happy Valley

Hi Angela,

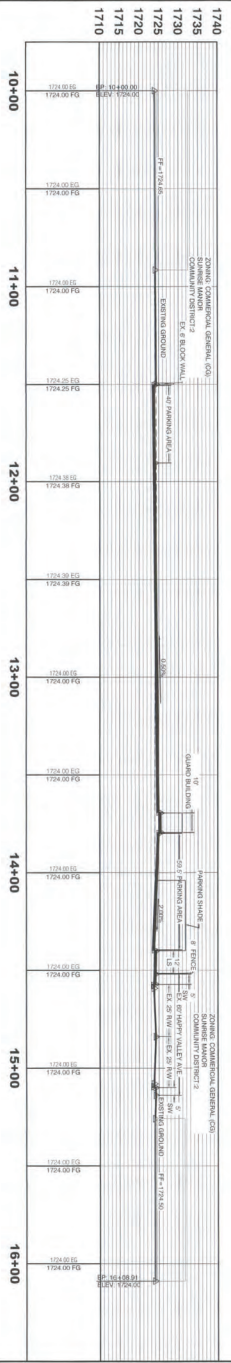
VTN is assisting a property owner with permitting for an existing outdoor storage yard on the SWC of Nellis Blvd and Happy Valley Ave. Access to the property is and will remain from Happy Valley Ave. Clark County Planning is requesting support and confirmation from NDOT that access for this property is not required and that keeping the existing sidewalk on Nellis Blvd attached to the curb is acceptable. Are you able to provide a statement indicating if NDOT supports these items?

Robert C. Hosea, III, P.E., PTOE
Principal

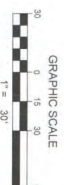
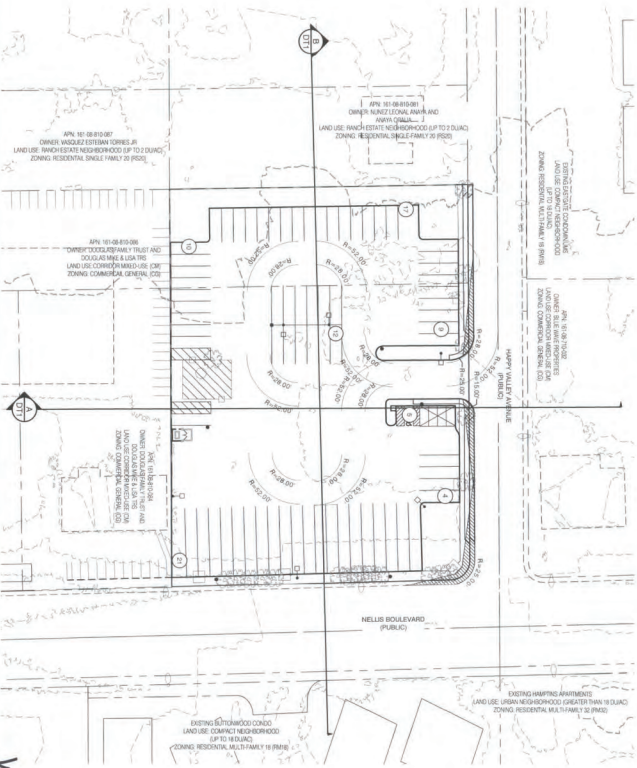
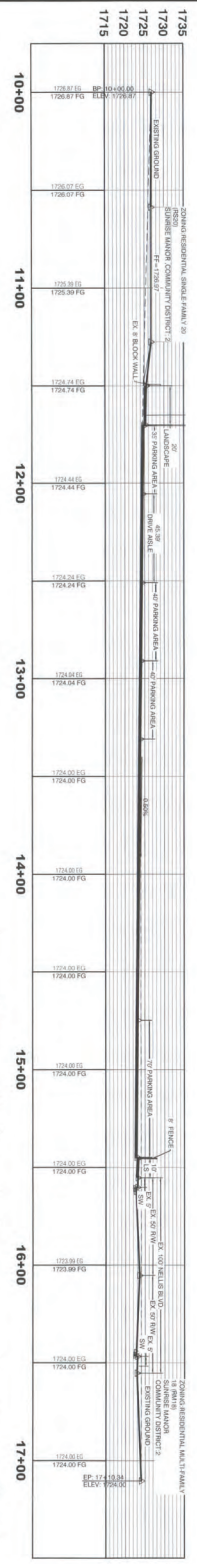
Phone (702) 253-2477 **Mobile** (702) 497-7406
Web vtnnv.com **Email** roberth@vtnnv.com
2727 S Rainbow Blvd, Las Vegas, NV 89146
consulting engineers • planners • surveyors



SECTION A



SECTION B



PPLRL_254

CROSS SECTION
APN:161-08-810-082, 083
NELLIS AND HAPPY VALLEY

DRAWN BY: R.M.S. NOV. 22
DESIGNED BY: R.M.S. NOV. 22
CHECKED BY: R.M.S.
PROJECT NO.: SCALE: 1"=30' HORIZ. VERT.

WS-24-0276 CSI - CS

Inst #: 20150911-0001608
Fees: \$20.00 N/C Fee: \$0.00
RPTT: \$3570.00 Ex: #
09/11/2015 01:08:51 PM
Receipt #: 2550965
Requestor:
FIDELITY NATIONAL TITLE - L
Recorded By: CYV Pgs: 5
DEBBIE CONWAY
CLARK COUNTY RECORDER

GBS Deed

A.P.N. 161-08-810-082 and
161-08-810-083

**RECORDING REQUESTED AND
WHEN RECORDED RETURN TO:**

Palm Properties, LLC
6050 S. Fort Apache Rd #100
Las Vegas, NV 89148

SEND TAX STATEMENTS TO:

SAME AS ABOVE

GRANT, BARGAIN, SALE DEED

THIS INDENTURE (this "Deed"), made and entered into on this 9th day of September, 2015, by RG Properties, LLC, a Nevada limited liability company ("Grantor"), in favor of Palm Properties, LLC, a Nevada limited liability company ("Grantee").

WITNESSETH:

The Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00), lawful money of the United States, to it in hand paid by the said Grantee, and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby GRANT, BARGAIN, SELL and convey unto the said Grantee, its respective successors and assigns forever, all of Grantor's rights, title, interests, and estate in and the real property more particularly described as follows:

See the Exhibit A attached hereto and incorporated herein by this reference

Subject To:

1. Taxes for the current fiscal year, and any and all taxes (including supplemental taxes) and assessments levied or assessed after the recording date of this document.
2. Rights of way, reservations, restrictions, easements and conditions of record.

//

//

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Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, remainders, rents, issues or profits thereof.

IN WITNESS WHEREOF, the Grantor has caused this Deed to be executed on the day and year first above written.

RG Properties, LLC, a Nevada limited liability company

Roula Grillas by Janina Jones her attorney in fact
By: Roula Grillas, Manager (by Janina Jones, her duly appointed attorney-in-fact)

STATE OF CA
COUNTY OF Los Angeles } ss.

This instrument was acknowledged before me on this 9th day of September, 2015, by Janina Jones as power of attorney for Roula Grillas, Manager of RG Properties, LLC, a Nevada limited liability company.

Please see

The attached
acknowledgment

Chap
Not
Seal
10/10

NOTARY PUBLIC

December 4, 2016

Commission expires

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

State of California

County of Los Angeles

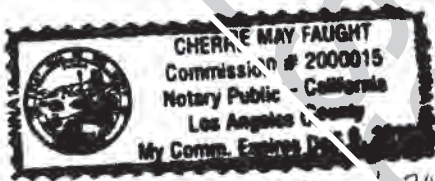
On Sept 9
Date

before me,

Cherne May Faught, Notary Public
Here Insert Name and Title of the Officer

personally appeared

Janina Maria Jones
Name(s) of Signer(s)



My Comm. Expires Dec 6, 2016

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature:

Cherne May Faught
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____

Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Individual

☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Individual

☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

EXHIBIT A

Parcel 1:

Lot One (1) in Block One (1) of Vegas Valley Estates Tract No. 2 as shown by map thereof on file in Book 4 of Plats, Page 1, in the Office of the County Recorder, Clark County, Nevada.

Excepting therefrom that portion as conveyed to the County of Clark by that certain deed recorded November 6, 1975 in Book 568 as Document No. 527120 of Official Records.

Parcel 2:

That portion of Lot Two (2) in Block One (1) of Vegas Valley Estates Tract No. 2, as shown by map thereof on file in Book 4 of Plats, Page 1, in the Office of the County Recorder of Clark County, Nevada described as follows:

Parcel One (1) as shown by map thereof on file in File 7 of Parcel Maps, Page 84, in the Office of the County Recorder of Clark County, Nevada.

Assessor's Parcel Number: 161-08-810-082, 161-08-810-083

**STATE OF NEVADA
DECLARATION OF VALUE FORM**

1. Assessor Parcel Number(s) ☐

a) 161-08-810-083

b) _____

c) 161-08-810-082

d) _____

2. Type of Property:

a) ☐ Vacant Land b) ☐ Single Fam. Res.

c) ☐ Condo/Townhouse d) ☐ 2-4 Plex

e) ☐ Apt. Bldg. f) ☒ Comm'l/Ind'l

g) ☐ Agricultural h) ☐ Mobile Home

i) ☐ Other _____

FOR RECORDER'S OPTIONAL USE ONLY

Document/Instrument # _____

Book: _____ Page: _____

Date of Recording: _____

Notes: _____

3. Total Value/Sales Price of Property: \$700,000.00

Deed in Lieu of Foreclosure Only (value of property): (0.00)

Transfer Tax Value: \$700,000.00

Real Property Transfer Tax Due: \$3,570.00

4. **If Exemption Claimed:**

a. Transfer Tax Exemption, per NRS 375.090, Section: _____

b. Explain Reason for Exemption: _____

5. Partial Interest: Percentage being transferred: %

The undersigned Seller/(Grantor)/Buyer (Grantee), declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the parties agree that disavowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month.

Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

Signature: _____

Capacity: Grantor

Signature: [Signature]

Capacity: Grantee

SELLER (GRANTOR) INFORMATION

BUYER (GRANTEE) INFORMATION

(REQUIRED)

(REQUIRED)

Print Name: RG Properties, LLC, a Nevada
limited liability company

Print Name: Palm Properties, LLC, a Nevada
limited liability company

Address: c/o Singer Burke 6345 Balboa
Blvd #375 Bldg 4

Address: 6050 S. Fort Apache Rd #100

City, St., Zip: Encino, CA 91316

City, St., Zip: Las Vegas, NV 89148

COMPANY REQUESTING RECORDING

Print Name: Fidelity National Title Agency of Nevada, Inc.

Escrow #: 00039824-118

Address: 2450 St. Rose Parkway, Suite 150

City/State/Zip: Henderson, NV 89074

AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED



DISCLOSURE FORM

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

OWNERSHIP/INTEREST FORM FOR APPLICANT AND PROPERTY OWNER

Clark County Unified Development Code (Title 30), Section 30.16.240(a)16, requires applicants to list the names of individuals holding more than 5% ownership or financial interest in the business entity appearing before the Board, except for publicly traded corporations as provided below. A disclosure form(s) shall be submitted with each application when required in accordance with the application submittal requirements. "Business entities" include all business associations organized under or governed by Title 7 of the Nevada Revised Statutes, including but not limited to private corporations, close corporations, foreign corporations, limited liability companies, partnerships, limited partnerships, and professional corporations. Publicly traded corporations shall list all Corporate Officers and Board of Directors in lieu of disclosing the names of individuals with ownership or financial interest.

The disclosure requirement extends to both applicant and the property owner.

Use the available fields below to list all names¹. Note: for a Non-Profit Organization, list all Directors; for Trusts, list Trustee(s)/Beneficiary(ies):

Names listed below are for ☒ Applicant, ☐ Property Owner, or ☐ Applicant and Property Owner

Full Name	Title
Leading Edge Ventures LLC	Applicant
- Robert Lauer	Manager

¹ Requires documentation evidencing listed names to be submitted concurrently with form.

☐ Additional list of names is attached hereto.

I certify under penalty of perjury, that all the information provided herein is current, complete, and accurate. I also understand final action on land use approvals will not occur without the completed disclosure form.

Robert Lauer

Print Name

1-10-23

Date

ENTITY INFORMATION**ENTITY INFORMATION****Entity Name:** LEADING EDGE VENTURES LLC**Entity Number:** E23741252022-9**Entity Type:** Domestic Limited-Liability Company
(86)**Entity Status:** Active**Formation Date:** 06/07/2022**NV Business ID:** NV20222470546**Termination Date:** Perpetual**Annual Report Due Date:** 6/30/2023**Series LLC:** ☐**Restricted LLC:** ☐**REGISTERED AGENT INFORMATION****Name of Individual or
Legal Entity:** The Corporate Experts Limited**Status:** Active**CRA Agent Entity Type:** CRA - LIMITED-LIABILITY
CORPORATION**Registered Agent Type:** Commercial Registered Agent**NV Business ID:** NV20181139686**Office or Position:****Jurisdiction:** NEVADA**Street Address:** 9708 GILLESPIE STREET, SUITE 104,
Las Vegas, NV, 89183, USA**Mailing Address:****Individual with
Authority to Act:** Barry Michaels**Fictitious Website or
Domain Name:****OFFICER INFORMATION**☐ **VIEW HISTORICAL DATA**

Title	Name	Address	Last Updated	Status
Manager	Robert Lauer	5001 East Gowan Ave, Las Vegas, NV, 89115, USA	01/11/2023	Active

Page 1 of 1, records 1 to 1 of 1

[Filing History](#) [Name History](#) [Mergers/Conversions](#)[Return to Search](#) [Return to Results](#)

ENTITY INFORMATION**ENTITY INFORMATION**

Entity Name:
PALM PROPERTIES, LLC
Entity Number:
E0342702013-6
Entity Type:
Domestic Limited Liability Company (88)
Entity Status:
Active
Formation Date:
07/16/2013
NV Business ID:
NV/20131420281
Termination Date:
Annual Report Due Date:
7/31/2024
Compliance Hold:
Status: LLC:
Restricted LLC:

REGISTERED AGENT INFORMATION

Name of Individual or Legal Entity:
DHANMINDER KDHALWAL
Status:
Active
CRS Agent Entity Type:
Registered Agent Type:
Non-Commercial Registered Agent
NV Business ID:
Office or Position:
Jurisdiction:
Street Address:
6050 S FORT APACHE RD STE 100, LAS VEGAS, NV, 89148, USA
Mailing Address:
Individual with Authority to Act:
Fictitious Website or Domain Name:

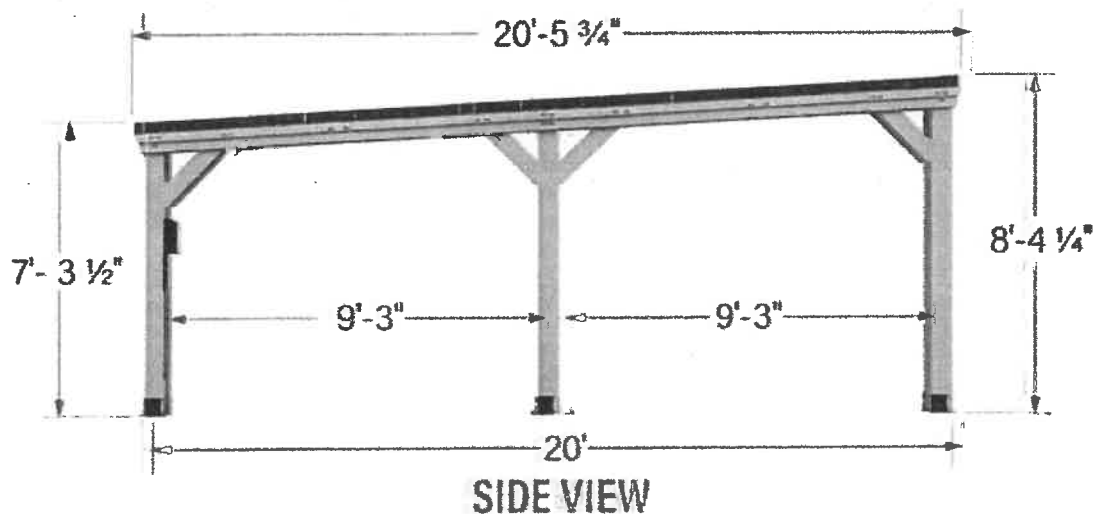
OFFICER INFORMATION☐ VIEW HISTORICAL DATA

Title	Name	Address	Last Updated	Status
Managing Member	RAJWINDER S DHALWAL	6050 S FORT APACHE RD, SUITE 100, LAS VEGAS, NV, 89148 - 5614, USA	05/04/2018	Active
Managing Member	DHANMINDER K DHALWAL	6050 S FORT APACHE RD, SUITE 100, LAS VEGAS, NV, 89148 - 5614, USA	06/04/2018	Active

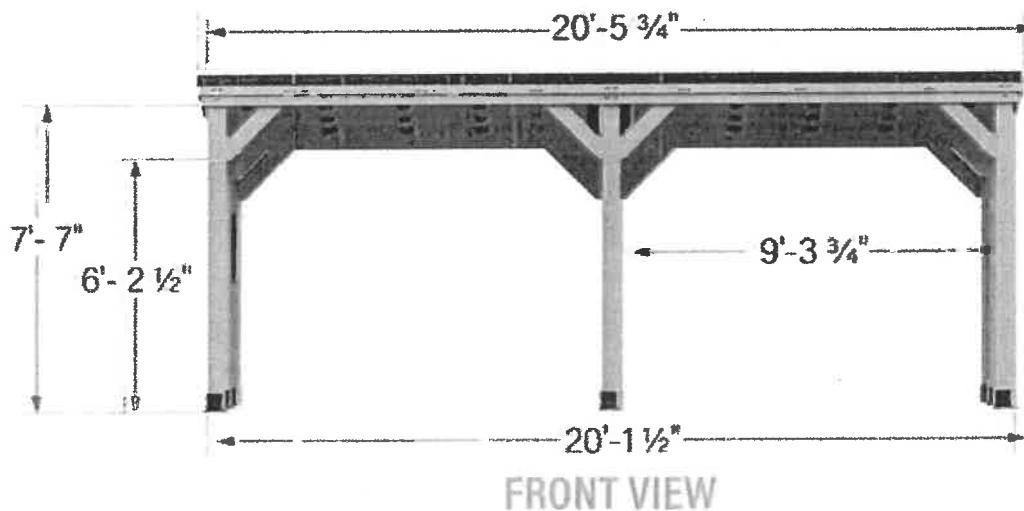
Page 1 of 1, records 1 to 2 of 2

[Filing History](#) [Name History](#) [Mergers/Conversions](#)[Return to Search](#) [Return to Results](#)

WS-24-0276



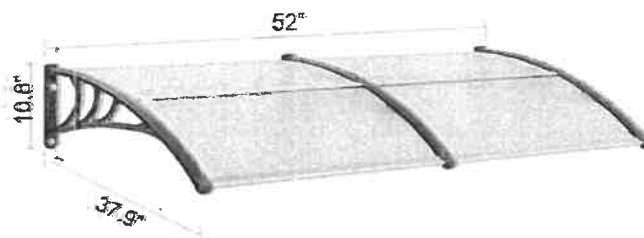
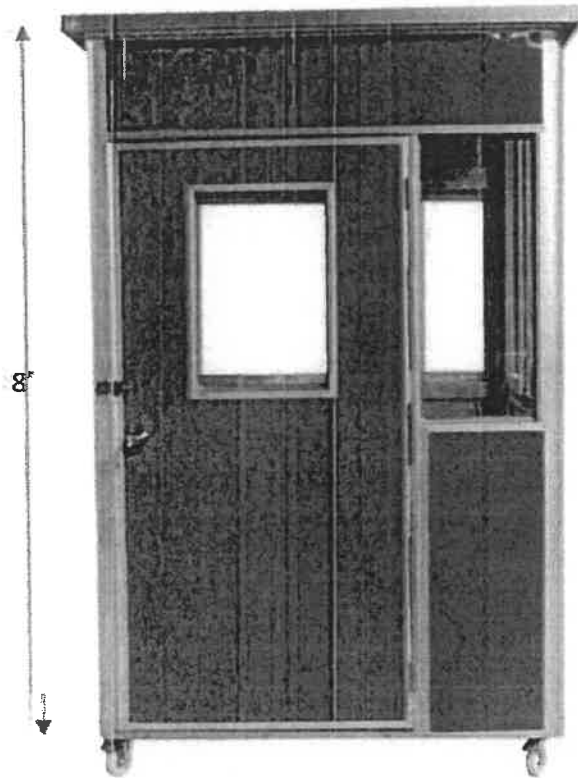
20X20 KINGSPORT CARPORT

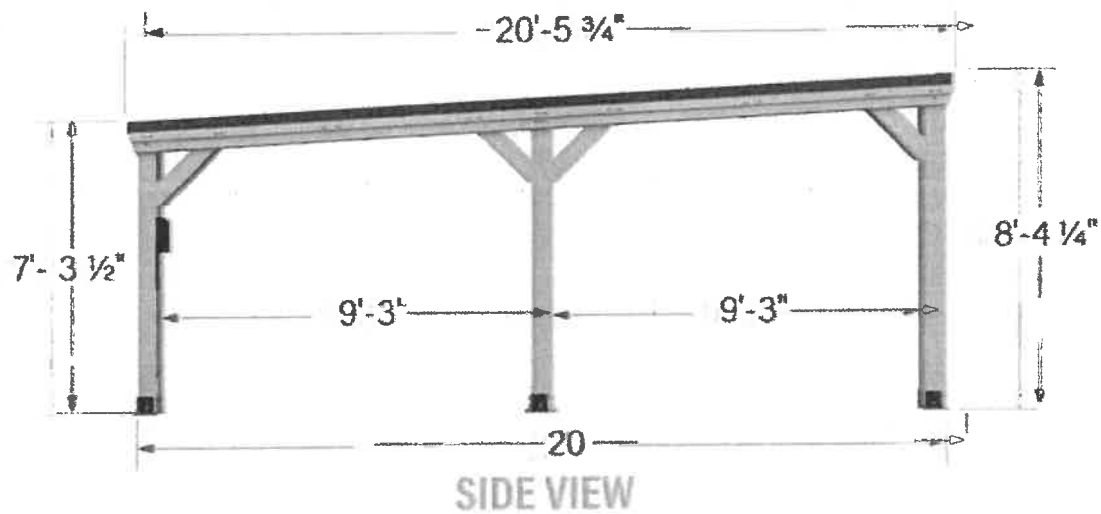


The 20x20 x 2 Kingsport Carport, fits all of your shade and element protection needs! This clean yet versatile slope roof design will minimize water from accumulating on the roof while complimenting any home's architectural style. The 20x20 Kingsport Carport is a reliable Pro-Tect® structure; certified to withstand a roof load of up to 20,000 pounds and up to 100 MPH winds. Naturally resistant to decay, the 100% Cedar Kingsport Carport includes our exclusive PowerPort with 3 electrical outlets and 3 USB ports to power up anything you might need while working outside. the 20x20 Kingsport

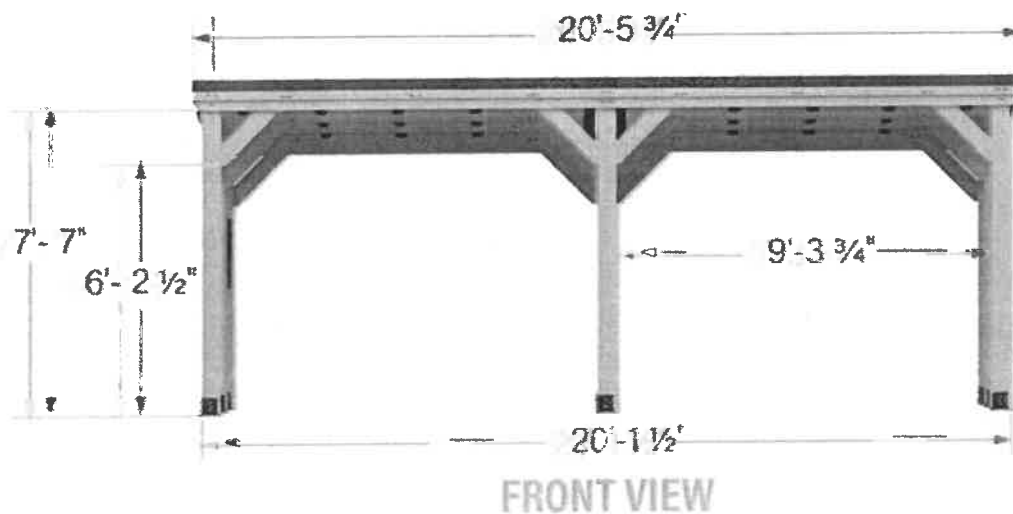
GUARD BUILDING

- **Color:** Blue
- **Size:** 5 ft. x 5 ft.
- **Material:** Steel
- **Door Size:** 80.75" x 36"
- **# of Windows:** 6
- **Lights:** LED
- **Electrical:** Solar & Battery Pack





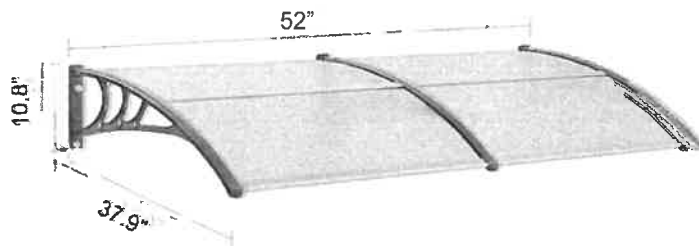
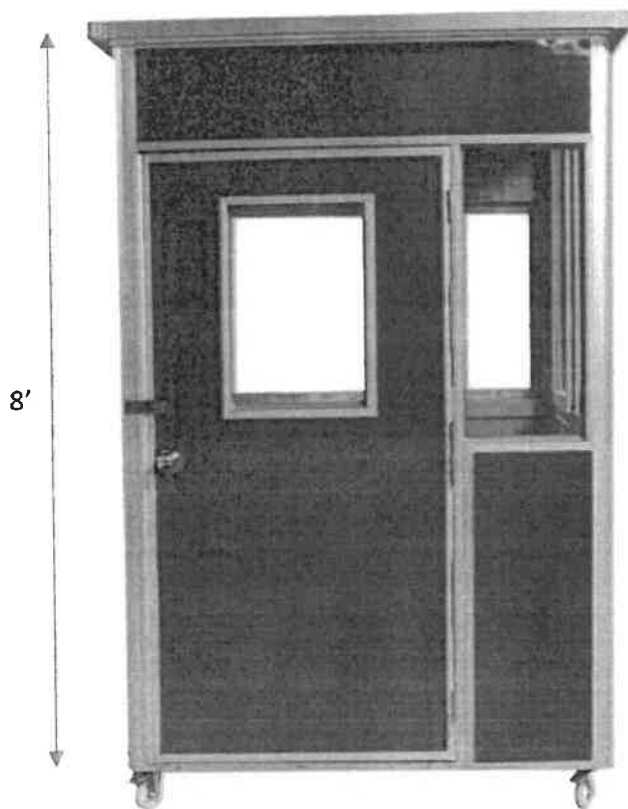
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HOLD

September 3, 2024

Clark County Board of County Commissioners
500 S. Grand Central Parkway
Las Vegas, NV

RE: Nellis & Happy Valley (#9 VS-24-0277 & #10 WS/DR-24-0276)

Dear Commissioner Segerblom:

Per communication with the District Commissioner's office, we are submitting a request for a continuance from the Board of County Commissioners meeting for items #9 and #10 on September 4, 2024, to the Board of County Commissioners meeting on October 2, 2024.

We respectfully request your consideration in the above-listed matter. If you have any questions, please feel free to contact us at (702) 435-9909.

Sincerely,

A handwritten signature in black ink, appearing to read 'G. Garcia'.

George C. Garcia
Founder

GCG: ag



A Planning & Development Services Corporation

1055 Whimpy Ranch Dr., Suite 210, Henderson, NV 89014
Telephone: (702) 435-9909 Facsimile: (702) 435-0457 E-Mail: ggarcia@gcgarciainc.com



9

September 24, 2024

HOLD

Tick Segerblom, Chairman
Clark County Board of County Commissioners
500 S. Grand Central Parkway
Las Vegas, NV

RE: Nellis & Happy Valley (VS-24-0277 & WS/DR-24-0276)

Dear Chairman Segerblom and Board of County Commissioners:

The following is a request for a continuance on items #8 and #9 (VS-24-0277 & WS/DR-24-0276) on the Board of County Commissioners hearing for October 2, 2024 to the Board of County Commissioners meeting on November 6, 2024. This will allow us additional time to work with the Commissioner's office.

We respectfully request your consideration in the above-listed matter. If you have any questions, please feel free to contact us at (702) 435-9909.

Sincerely,

George C. Garcia
Founder

GCG: ac



A Planning & Development Services Corporation

1055 Whitney Ranch Dr., Suite 210, Henderson, NV 89014
Telephone: (702) 435-9909 Facsimile: (702) 435-0457 E-Mail: ggarcia@gcgarciainc.com

PPLRL_269



HOLD

September 3, 2024

Clark County Board of County Commissioners
500 S. Grand Central Parkway
Las Vegas, NV

RE: Nellis & Happy Valley (#9 VS-24-0277 & #10 WS/DR-24-0276)

Dear Commissioner Segerblom:

Per communication with the District Commissioner's office, we are submitting a request for a continuance from the Board of County Commissioners meeting for items #9 and #10 on September 4, 2024, to the Board of County Commissioners meeting on October 2, 2024.

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Telephone: (702) 435-9909 Facsimile: (702) 435-0457 E-Mail: ggarcia@gcgarciainc.com

Katherine Corrow

From: Sami Real
Sent: Thursday, October 31, 2024 11:41 AM
To: CPAdmin
Subject: FW: HOLD Items VS-24-0277 and WS-24-0276

Please process this hold request from Commissioner Segerblom's office.
This hold is for two items, Items 7 and 8, on the 11/6 Zoning Agenda. The Commissioner is requesting these items be held until November 20, 2024.
Thank you.

Sami R. Real
Director, Department of Comprehensive Planning
Ph: (702) 455-3129
Business Hours: Mon. – Thurs., 7:30am to 5:30pm

From: Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Sent: Thursday, October 31, 2024 11:39 AM
To: Sami Real <Sami.Real@ClarkCountyNV.gov>
Cc: Jennifer Ammerman <jad@ClarkCountyNV.gov>; Tick Segerblom <Tsegerblom@ClarkCountyNV.gov>
Subject: RE: HOLD Items VS-24-0277 and WS-24-0276

Sorry about that! I will be to the second meeting in November.

Thank you!

Beatriz Martinez
Community Liaison | District E, Commissioner Tick Segerblom
500 S. Grand Central Parkway, 6th Floor, Las Vegas, NV 89155
Email: Beatriz.Martinez@ClarkCountyNV.gov
Office: 702.455.0560



From: Sami Real <Sami.Real@ClarkCountyNV.gov>
Sent: Thursday, October 31, 2024 11:37 AM
To: Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Cc: Jennifer Ammerman <jad@ClarkCountyNV.gov>; Tick Segerblom <Tsegerblom@ClarkCountyNV.gov>
Subject: RE: HOLD Items VS-24-0277 and WS-24-0276

Bea..
How long will these items be held for???
No date? Second meeting in November? Or???

Sami R. Real
Director, Department of Comprehensive Planning
Ph: (702) 455-3129
Business Hours: Mon. – Thurs., 7:30am to 5:30pm

From: Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Sent: Thursday, October 31, 2024 11:23 AM
To: Sami Real <Sami.Real@ClarkCountyNV.gov>
Cc: Jennifer Ammerman <jad@ClarkCountyNV.gov>; Tick Segerblom <Tsegerblom@ClarkCountyNV.gov>
Subject: HOLD Items VS-24-0277 and WS-24-0276

Hi Sami,

Commissioner Segerblom would like to hold items VS-24-0277 and WS-24-0276, we have made the consultant aware of the hold.

Thank you,

Beatriz Martinez
Community Liaison | District E, Commissioner Tick Segerblom
500 S. Grand Central Parkway, 6th Floor, Las Vegas, NV 89155
Email: Beatriz.Martinez@ClarkCountyNV.gov
Office: 702.455.0560





June 5, 2024

WS-24-0276

Clark County Current Planning
500 S. Grand Central Pkwy
Las Vegas, NV 89155

RE: Letter of Justification
Request for Design Review for Commercial Truck Parking – 3125 Nellis
APN#: 161-08-810-082 & -083

Dear Sami,

On behalf of the applicant, Leading Edge Ventures, LLC, please accept this letter and attached materials for a Design Review to create a Commercial Truck Parking Lot. This lot will enable truckers to have a place to legally park their local trucks (not long haul over-the-road). This will help keep trucks from parking on public streets creating enforcement and neighborhood issues. It will also provide a safer, more secure parking environment that always has solar powered cameras Metro can access. Additionally, a security guard is always present. The truck drivers arrive and park in the spaces vacated by their truck.

This also takes a site that previously occupied by a homeless encampment after the retail center was demolished. Their presence was a security and nuisance issue for the abutting residential and commercial. This use puts an active set of eyes on the street in an area that is relatively high in crime and will bring an informal parking lot into compliance after 3 years of operation. It also improves the tax value and employs a military veteran as the security guard.

The zoning of Commercial General (CG) and land use of Corridor Mixed-Use use designations provide for a Parking Lot as a permitted Commercial Use in CG. The zoning along Nellis, from Desert Inn to Vegas Valley Dr. is for Commercial General and Multifamily (RM32 & RM18). Happy Valley is RS20 on the south and RM-32 on the north.

This application will also resolve the pending CCPRO matter CE23-05369.
The site design meets both the Sustainability and Residential Adjacency requirements.

Design Review Approval Criteria 30.06.07-9(i)

1. Compatibility, in terms of scale and architectural features, with the site and surrounding area.

The site as proposed will be compatible as a parking lot on an arterial street with completion of infrastructure, lighting, landscaping and fencing. This will equal or exceed the rest of the older neighborhood. This replaces and is far more compatible than the prior homeless encampment and helps reduce crime in a high crime area.

Building and landscape materials are appropriate for the area and for the County;



A Planning & Development Services Corporation

1055 Whitney Ranch Dr., Suite 210, Henderson, NV 89014
Telephone: (702) 435-9909 Facsimile: (702) 435-0457 E-Mail: ggarcia@gcgarciainc.com PPLRL_273

Along with the parking lot there is a guard and shade building structures proposed. The buildings will have energy saving sustainability elements incorporated.

All new landscaping will be consistent with the current low watering flow planting and reduced heat island requirements. The mature existing palms will remain/ All new trees will be replaced new drought tolerant landscaping along with the completion of the curb, gutter and sidewalk to enhance the aesthetics, safety, drainage and heat island and provide the required Buffering & Screening for Residential Adjacency (UDC 30.04.06.L.2).

SUSTAINABLY CHECKLIST (see attached landscape plan and completed checklist). The plans meet the required points .As a synopsis, the plans includes a 20% larger Landscape Buffer, More Trees, Water-Efficient Plantings; Cool Roof; Awnings; & Alternative Energy to power the Solar Lighting and Security Cameras. This accounts for 7.5 points, and more points, if needed, can be added for a Battery Backup and Low E Glass for another 1.5 points..

2. Harmony with the character of the neighborhood

The proposed development is in harmony with the adjacent development and development in the area. The commercial neighbors to the north and south find the use compatible and support the truck parking lot, that has been operating for 3 years with only one complaint. They appreciate the applicants' desire to further enhance the lot width: lighting, security cameras, security guard, landscaping, paving and fencing and keep the prior homeless camp away.

The retail center on this site was demolished. The surrounding area has older commercial storage sites and apartments near the major streets and to the west some residential homes. Across Happy Valley to the north there is a saloon/tavern.

A. Sunrise Manor Policies:

- a) SM 1-1 Encourage Reinvestment and Revitalization – This will improve a highly visible vacant commercial property. It will help deter further deterioration, homeless encampment, and safety issues. It will provide an interim use that helps promote reinvestment until area economic conditions attract a higher use. The abutting neighbors find this use compatible.***
- b) SM-1.3 Corridor Revitalization – This use will support the revitalization and prevent further deterioration and supports a use and improvements that will help some existing businesses and create a more aesthetic and vibrant appearance to help attract greater investment to the area compared to a vacant lot with a homeless encampment.***

RESIDENTIAL ADJACENCY

The plan complies with the Residential Adjacency requirements. The proposed site design as depicted on the Site and Landscape plans meets the Residential Adjacency requirements of the code: There is an existing 8FT decorative wall. 1) Grading – Not more than 3 feet of fill within 50 feet of the residential; 2) Site and Building Orientation – the guard building is oriented well away from the residential and at the entry point from Happy Valley. a) Additional Buffering and Screening is provided with a 20' foot landscape buffer with an 8-foot wall. 3) Building Configuration – The guard building is tiny one-story building and moved to about 200 feet away from the residential property line. Building Height and Facades is about 8-9 feet in height, well below the allowable height 50 feet, with articulation and consistent roof lines and roof

treatments. 4) Setbacks – the building at nearly 200 feet from residential and 75 feet from the street easily meet setbacks. 5) Lighting will be solar and will comply with no spill over lighting and no light fixture above 18 height (show on plan). 6) Trash Receptacles are located well beyond 50 feet to the adjacent residential at about 200+ feet 7) Parking Area Screening is provided with 20 feet or 5 feet & 33% more than the minimum of 15 FT of landscaped buffer and a staggered double row of evergreen trees 20 feet on center 8) Cut-Through Traffic is not possible.

3. Impact on the surrounding land uses; and

Site access and circulation will not negatively impact adjacent roadways or any neighborhoods as this is not like the prior commercial, retail or office parking lot that have higher frequency and volume of trips. The proposed project has a single appropriately located driveway to control access. The site has far less average daily trips than other permissible CG uses. The proposed use will add minimal traffic to the area and will complete the offsite improvements to Happy Valley including curb, gutter, and street lighting. The existing commercial access drive on Happy Valley will be reconstructed to current commercial drive standards.

4. The health, safety and welfare of the inhabitants of the area.

Removing the homeless encampment, completing the street, sidewalk, addition of lighting, a 24/7 security guard, intense landscape buffer, defensive landscaping, fencing and security cameras coupled with cooperation with Metro on implementing its recommendations and access to camera recordings as well as helping illegal and unsafe truck parking & CCPRO code enforcement will in combination, greatly enhance the public health, safety and welfare. It will also help address trash dumping and graffiti control.

The proposed project is consistent with the zoning and regulations, plans and policies of the County.

B. (i) A Parking Lot is a Permitted Use in CG.

(ii) The parking lot design is intended to fully comply with all codes.

(iii) Illegal Parking of Commercial Trucks on public streets has become a significant issue putting residents, businesses, and truck drivers at risk.

(iv) Jason's Law is a federal law to encourage safe parking havens for truckers.

C. Sunrise Manor Policies:

c) SM 1-1 Encourage Reinvestment and Revitalization – This will improve a highly visible vacant commercial property. It will help deter further deterioration, homeless encampment, and safety issues. It will provide an interim use that helps promote reinvestment until area economic conditions attract a higher use. The abutting neighbors find this use compatible.

d) SM-1.3 Corridor Revitalization – This use will support the revitalization and prevent further deterioration and supports a use and improvements that will help some existing businesses and create a more aesthetic and vibrant appearance to help attract greater investment to the area compared to a vacant lot with a homeless encampment.

5. N/A as this is not a Comprehensive Sign Plan

Waiver of Standards

1. Request to allow continuation of commercial access from Happy Valley Avenue (30.04.06D).

The site is zoned for commercial (CG) and the prior development had its access from Happy Valley. NDOT does not want access to Nellis given the volumes of traffic on Nellis and location of a driveway so close to the signal and bus stop as well as the existing driveway to the south. Happy Valley is the sole means of access given this limitation. It also appears that the prior driveway with access on Nellis was closed in 2021 during NDOT's improvements to Nellis. This meets the basis for an exception under 30.04.06.D.2.

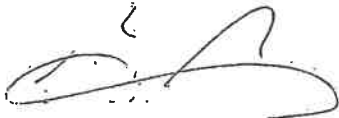
Summary

The proposed Commercial Truck parking Lot use will provide a location for truck drivers to park their vehicles outside of residential subdivisions and not on public roadways. This will also help minimize safety hazards, trash dumping, graffiti control, homeless encampments, and code citations. It will add to appearance with fencing and landscaping. It will enhance public safety by completing the road and sidewalk on Happy Valley. It will help with crime prevention.

The use is compatible with the surrounding commercial and residential development in the area as it is supported by the neighbors. It will not be detrimental to the surrounding properties; it will not overwhelm infrastructure and services; and will not negatively affect the public health, safety and welfare. We respectfully request your favorable consideration of this request.

Please do not hesitate to contact us if you have any questions or need additional information.

Sincerely,



George Garcia
Founder



June 5, 2024

Clark County Current Planning
500 S. Grand Central Pkwy
Las Vegas, NV 89155

RE: Letter of Justification
Request for Design Review for Commercial Truck Parking – 3125 Nellis
APN#: 161-08-810-082 & -083

Dear Sami,

On behalf of the applicant, Leading Edge Ventures, LLC, please accept this letter and attached materials for a Design Review to create a Commercial Truck Parking Lot. This lot will enable truckers to have a place to legally park their local trucks (not long haul over-the-road). This will help keep trucks from parking on public streets creating enforcement and neighborhood issues. It will also provide a safer, more secure parking environment that always has solar powered cameras Metro can access. Additionally, a security guard is always present. The truck drivers arrive and park in the spaces vacated by their truck.

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1055 Whitney Ranch Dr., Suite 210, Henderson, NV 89014
Telephone: (702) 435-9909 Facsimile: (702) 435-0457 E-Mail: aaarcia@acaarciainc.com

PPLRL_277

Along with the parking lot there is a guard and shade building structures proposed. The buildings will have energy saving sustainability elements incorporated.

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SUSTAINABLY CHECKLIST (see attached landscape plan and completed checklist). The plans meet the required points .As a synopsis, the plans includes a 20% larger Landscape Buffer, More Trees, Water-Efficient Plantings; Cool Roof; Awnings; & Alternative Energy to power the Solar Lighting and Security Cameras. This accounts for 7.5 points, and more points, if needed, can be added for a Battery Backup and Low E Glass for another 1.5 points..

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RESIDENTIAL ADJACENCY

The plan complies with the Residential Adjacency requirements. The proposed site design as depicted on the Site and Landscape plans meets the Residential Adjacency requirements of the code: There is an existing 8FT decorative wall. 1) Grading – Not more than 3 feet of fill within 50 feet of the residential; 2) Site and Building Orientation – the guard building is oriented well away from the residential and at the entry point from Happy Valley. a) Additional Buffering and Screening is provided with a 20' foot landscape buffer with an 8-foot wall. 3) Building Configuration – The guard building is tiny one-story building and moved to about 200 feet away from the residential property line. Building Height and Facades is about 8-9 feet in height, well below the allowable height 50 feet, with articulation and consistent roof lines and roof

treatments. 4) Setbacks – the building at nearly 200 feet from residential and 75 feet from the street easily meet setbacks. 5) Lighting will be solar and will comply with no spill over lighting and no light fixture above 18 height (show on plan). 6) Trash Receptacles are located well beyond 50 feet to the adjacent residential at about 200+ feet 7) Parking Area Screening is provided with 20 feet or 5 feet & 33% more than the minimum of 15 FT of landscaped buffer and a staggered double row of evergreen trees 20 feet on center 8) Cut-Through Traffic is not possible.

3. Impact on the surrounding land uses; and

Site access and circulation will not negatively impact adjacent roadways or any neighborhoods as this is not like the prior commercial, retail or office parking lot that have higher frequency and volume of trips. The proposed project has a single appropriately located driveway to control access. The site has far less average daily trips than other permissible CG uses. The proposed use will add minimal traffic to the area and will complete the offsite improvements to Happy Valley including curb, gutter, and street lighting. The existing commercial access drive on Happy Valley will be reconstructed to current commercial drive standards.

4. The health, safety and welfare of the inhabitants of the area.

Removing the homeless encampment, completing the street, sidewalk, addition of lighting, a 24/7 security guard, intense landscape buffer, defensive landscaping, fencing and security cameras coupled with cooperation with Metro on implementing its recommendations and access to camera recordings as well as helping illegal and unsafe truck parking & CCPRO code enforcement will in combination, greatly enhance the public health, safety and welfare. It will also help address trash dumping and graffiti control.

The proposed project is consistent with the zoning and regulations, plans and policies of the County.

B. (i) A Parking Lot is a Permitted Use in CG.

(ii) The parking lot design is intended to fully comply with all codes.

(iii) Illegal Parking of Commercial Trucks on public streets has become a significant issue putting residents, businesses, and truck drivers at risk.

(iv) Jason's Law is a federal law to encourage safe parking havens for truckers.

C. Sunrise Manor Policies:

c) SM 1-1 Encourage Reinvestment and Revitalization – This will improve a highly visible vacant commercial property. It will help deter further deterioration, homeless encampment, and safety issues. It will provide an interim use that helps promote reinvestment until area economic conditions attract a higher use. The abutting neighbors find this use compatible.

d) SM-1.3 Corridor Revitalization – This use will support the revitalization and prevent further deterioration and supports a use and improvements that will help some existing businesses and create a more aesthetic and vibrant appearance to help attract greater investment to the area compared to a vacant lot with a homeless encampment.

5. N/A as this is not a Comprehensive Sign Plan

Waiver of Standards

1. Request to allow continuation of commercial access from Happy Valley Avenue (30.04.06D).

The site is zoned for commercial (CG) and the prior development had its access from Happy Valley. NDOT does not want access to Nellis given the volumes of traffic on Nellis and location of a driveway so close to the signal and bus stop as well as the existing driveway to the south. Happy Valley is the sole means of access given this limitation. It also appears that the prior driveway with access on Nellis was closed in 2021 during NDOT's improvements to Nellis. This meets the basis for an exception under 30.04.06.D.2.

Summary

The proposed Commercial Truck parking Lot use will provide a location for truck drivers to park their vehicles outside of residential subdivisions and not on public roadways. This will also help minimize safety hazards, trash dumping, graffiti control, homeless encampments, and code citations. It will add to appearance with fencing and landscaping. It will enhance public safety by completing the road and sidewalk on Happy Valley. It will help with crime prevention.

The use is compatible with the surrounding commercial and residential development in the area as it is supported by the neighbors. It will not be detrimental to the surrounding properties; it will not overwhelm infrastructure and services; and will not negatively affect the public health, safety and welfare. We respectfully request your favorable consideration of this request.

Please do not hesitate to contact us if you have any questions or need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'George Garcia', with a stylized flourish at the end.

George Garcia
Founder

MA

MAILING AMOUNTS

PC - Tuesday 9/3/2024			
Application	Amount	Date Mailed	
DR-24-0374	X	579	
ET-24-400082	X	812	
UC-24-0345	X	2088	
UC-24-0353	X	120	
VS-24-0356	X	243	
WS-24-0346	X	252	
WS-24-0347	X	267	
WS-24-0355	X	243	
		4604	

BCC - Wednesday 8/21/2024			
Application	Amount	Date Mailed	
PA-24-700008	X	353	
PA-24-700009	X	1464	
PA-24-700010	X	439	
PUD-24-0237	X	1464	
UC-23-0859	X	379	
VS-24-0238	X	1464	
WS-24-0218	X	353	
ZC-24-0217	X	353	
ZC-24-0236	X	1464	
ZC-24-0241	X	439	
		8172	

NT081924:55 8/20
ZS081924:10
CPSZ

BCC - Wednesday 9/4/2024			
Application	Amount	Date Mailed	
AR-24-400079	X	2181	
ET-24-400083	X	415	
UC-24-0359	X	709	
UC-24-0367	X	1315	
VS-24-0277	X	1200	
VS-24-0369	X	122	
WS-24-0276	X	1200	
WS-24-0325	X	546	
WS-24-0354	X	351	
WS-24-0358	X	105	
WS-24-0364	X	256	
WS-24-0366	X	676	
WS-24-0370	X	122	
ZC-24-0324	X	546	
ZC-24-0348	X	107	
ZC-24-0349	X	507	
ZC-24-0350	X	104	
ZC-24-0351	X	101	
ZC-24-0352	X	107	
ZC-24-0357	X	105	
ZC-24-0363	X	256	
ZC-24-0365	X	746	
ZC-24-0368	X	122	
		11899	

JP 8/8/24

VS for Delivery Confirmation			
Application	Amount	Date Mailed	
AB-24-0356	X	20	
AB-24-0277	X	10	
AB-24-0369	X	14	
AB-24-0238	X	12	
		56	
Mobile Home Parks			
Park Name	Amount		
Casa Linda	107		
Pleasant Valley	300		
Fun n Sun	113		
Robbins Nest	151		
Silverado	289		
American	65		
Casa Linda	107		
AAA	54		
Sand Creek	324		
Miracle Mile	469		
Kings Row	199		
Sand Creek	324		
Miracle Mile	469		
Kings Row	199		
Sand Creek	324		
Miracle Mile	469		
Kings Row	199		
Casa Linda	107		
AAA	54		
Casa Linda	107		
AAA	54		
Sand Creek	324		
Miracle Mile	469		
Kings Row	199		
		5476	

MAILING AMOUNTS

PC - Tuesday 9/3/2024

Application	Amount	Date Mailed
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BCC - Wednesday 9/4/2024

Application	Amount	Date Mailed
DR-24-0305	X	609
PA-24-700011	X	245
PA-24-700014	X	609
VS-24-0267	X	245
VS-24-0306	X	609
WS-24-0266	X	245
• ZC-24-0265	X	245
• ZC-24-0304	X	472
		3279

VS for Delivery Confirmation

Application	Amount	Date Mailed
AB-24-0267	X	7
AB-24-0306	X	122
		129

Mobile Home Parks

Park Name	Amount
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f.wilbur 8/12

CPAdmin

From: CPAgendas
Sent: Monday, August 26, 2024 10:10 AM
To: CPAdmin
Subject: BCC Meeting Notification | September 4, 2024 at 9:00 a.m.

Correspondent Name: Records
Correspondent E-mail: cpadmin@clarkcountynv.gov

Application#:

Please be advised that your application will be presented to the Clark County Board of County Commissioners on **9/4/2024**, at the hour of **9:00 a.m.**, in the Commission Chambers, CLARK COUNTY GOVERNMENT CENTER, 500 S. Grand Central Parkway, Las Vegas, Nevada.

REPRESENTATION IS MANDATORY AT THE ABOVE MENTIONED MEETING.

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Hearing Date	Hearing Time	Application Number	Comm Dist	Correspondent Name	Correspondent Email	Town Board Meeting Dates
09/04/2024	9:00 a.m.			Records	cpadmin@clarkcountynv.gov	
09/04/2024	9:00 a.m.			Agenda Processing	cpagendas@clarkcountynv.gov	
09/04/2024	9:00 a.m.	AR-24-400079	E	Lora Dreja	lora@brownlawlv.com	Winchester 08/13/2024
09/04/2024	9:00 a.m.	DR-24-0305	E	Lucy Stewart	stewplan@gmail.com	Paradise 07/09/2024
09/04/2024	9:00 a.m.	ET-22-400017	E	Jay H. Brown	lohene@brownlawlv.com	Paradise 04/12/2022
09/04/2024	9:00 a.m.	ET-24-400057	F	Gwendolyn Fischer	gwen@landbaroninv.com	Red Rock 08/28/2024
09/04/2024	9:00 a.m.	ET-24-400083	E	Juan Lopez	lopeztruckparts@gmail.com	Sunrise Manor 8/15/2024
09/04/2024	9:00 a.m.	PA-24-700011	F	Taney Engineering	EmilyS@TaneyCorp.com	Enterprise 07/10/2024
09/04/2024	9:00 a.m.	PA-24-700014	E	Lucy Stewart	stewplan@gmail.com	Paradise 07/09/2024
09/04/2024	9:00 a.m.	TM-24-500064	B	Moapa Valley Builders	permits@moapavalleybuilders.com	Moapa Valley 08/14/2024
09/04/2024	9:00 a.m.	TM-24-500069	C	Jennifer Veras	JVERAS@GCWENGINEERING.COM	Lone Mountain 08/13/2024
09/04/2024	9:00 a.m.	TM-24-500072	A	JOHN VORNSAND	john@vornsandconsulting.com	Spring Valley 08/13/2024
09/04/2024	9:00 a.m.	UC-24-0268	A	Brown, Brown, & Premsrut	aharris@brownlawlv.com	Enterprise 08/28/2024
09/04/2024	9:00 a.m.	UC-24-0308	A	Cassandra Worrell	cworrell@brownlawlv.com	Enterprise 07/10/2024
09/04/2024	9:00 a.m.	UC-24-0359	A	Earleane Johnson	earleanej@firebirdllc.com	Enterprise 08/14/2024
09/04/2024	9:00 a.m.	UC-24-0367	E	David Brown	dbrown@brownlawlv.com	Winchester 08/13/2024
09/04/2024	9:00 a.m.	UC-24-0378	A	Cassandra Worrell	cworrell@brownlawlv.com	Paradise 08/27/2024
09/04/2024	9:00 a.m.	VS-24-0267	F	Taney Engineering	EmilyS@TaneyCorp.com	Enterprise 07/10/2024
09/04/2024	9:00 a.m.	VS-24-0277	E	G. C. GARCIA, INC.	ACOLE@GCGARCIINC.COM	Sunrise Manor 08/15/2024
09/04/2024	9:00 a.m.	VS-24-0306	E	Lucy Stewart	stewplan@gmail.com	Paradise 07/09/2024
09/04/2024	9:00 a.m.	VS-24-0309	A	Cassandra Worrell	cworrell@brownlawlv.com	Enterprise 07/10/2024
09/04/2024	9:00 a.m.	VS-24-0369	A	JOHN VORNSAND	john@vornsandconsulting.com	Spring Valley 08/13/2024
09/04/2024	9:00 a.m.	WC-24-400060	F	Lexa Green	lgreen@kcnvlaw.com	Enterprise 06/26/2024
09/04/2024	9:00 a.m.	WS-22-0147	E	Matthew Weinman	matthew.weinman@martinharris.com	Sunrise Manor 03/16/2023
09/04/2024	9:00 a.m.	WS-24-0266	F	Taney Engineering	EmilyS@TaneyCorp.com	Enterprise 07/10/2024
09/04/2024	9:00 a.m.	WS-24-0276	E	G. C. GARCIA, INC.	ACOLE@GCGARCIINC.COM	Sunrise Manor 08/15/2024
09/04/2024	9:00 a.m.	WS-24-0290	C	Tim Moreno	tim@morenopec.com	Lone Mountain 07/30/2024
09/04/2024	9:00 a.m.	WS-24-0312	B	Bulloch Brothers Engineering, Inc.	victor@bullochbrothers.com	Moapa Valley 07/31/2024
09/04/2024	9:00 a.m.	WS-24-0325	B	Moapa Valley Builders	permits@moapavalleybuilders.com	Moapa Valley 08/14/2024
09/04/2024	9:00 a.m.	WS-24-0354	C	Jennifer Veras	JVERAS@GCWENGINEERING.COM	Lone Mountain 08/13/2024
09/04/2024	9:00 a.m.	WS-24-0358	B	DLC Consulting	lchristopherson@novusvi.com	Sunrise Manor 08/15/2024
09/04/2024	9:00 a.m.	WS-24-0364	C	Tilson Technology Management	slusby@tilsontech.com	Lone Mountain 08/13/2024
09/04/2024	9:00 a.m.	WS-24-0366	E	David Brown	dbrown@brownlawlv.com	Paradise 08/13/2024
09/04/2024	9:00 a.m.	WS-24-0370	A	JOHN VORNSAND	john@vornsandconsulting.com	Spring Valley 08/13/2024
09/04/2024	9:00 a.m.	ZC-24-0265	F	Taney Engineering	EmilyS@TaneyCorp.com	Enterprise 07/10/2024
09/04/2024	9:00 a.m.	ZC-24-0304	E	Lucy Stewart	stewplan@gmail.com	Paradise 07/09/2024
09/04/2024	9:00 a.m.	ZC-24-0307	A	Cassandra Worrell	cworrell@brownlawlv.com	Enterprise 07/10/2024
09/04/2024	9:00 a.m.	ZC-24-0324	B	Moapa Valley Builders	permits@moapavalleybuilders.com	Moapa Valley 08/14/2024
09/04/2024	9:00 a.m.	ZC-24-0348	A	County of Clark (Aviation)	anthonyper@lasairport.com	Enterprise 08/14/2024
09/04/2024	9:00 a.m.	ZC-24-0349	G	County of Clark (Aviation)	anthonyper@lasairport.com	Paradise 08/13/2024
09/04/2024	9:00 a.m.	ZC-24-0350	G	County of Clark (Aviation)	anthonyper@lasairport.com	Paradise 08/13/2024
09/04/2024	9:00 a.m.	ZC-24-0351	G	County of Clark (Aviation)	anthonyper@lasairport.com	Paradise 08/13/2024
09/04/2024	9:00 a.m.	ZC-24-0352	A	County of Clark (Aviation)	anthonyper@lasairport.com	Paradise 08/13/2024
09/04/2024	9:00 a.m.	ZC-24-0357	B	DLC Consulting	lchristopherson@novusvi.com	Sunrise Manor 08/15/2024
09/04/2024	9:00 a.m.	ZC-24-0363	C	Tilson Technology Management	slusby@tilsontech.com	Lone Mountain 08/13/2024
09/04/2024	9:00 a.m.	ZC-24-0365	D	Dennis Rusk	denniserusk@gmail.com	Sunrise Manor 08/15/2024
09/04/2024	9:00 a.m.	ZC-24-0368	A	JOHN VORNSAND	john@vornsandconsulting.com	Spring Valley 08/13/2024

CPAdmin

From: CPAgendas
Sent: Tuesday, September 24, 2024 9:26 AM
To: CPAdmin
Subject: BCC Meeting Notification | October 2, 2024 at 9:00 a.m.

Correspondent Name: Records
Correspondent E-mail: cpadmin@clarkcountynv.gov

Application#:

Please be advised that your application will be presented to the Clark County Board of County Commissioners on **10/2/2024**, at the hour of **9:00 a.m.**, in the Commission Chambers, CLARK COUNTY GOVERNMENT CENTER, 500 S. Grand Central Parkway, Las Vegas, Nevada.

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10/02/2024	9:00 a.m.			Agenda Processing	cpagendas@clarkcountynv.gov	
10/02/2024	9:00 a.m.	AR-24-400090	G	Kaempfer Crowell	lkaempfer@kcnvlaw.com	Paradise 10/29/2026
10/02/2024	9:00 a.m.	SC-24-0261	A	Ed Garcia	egarcia@edgarcialaw.com	Spring Valley 07/09/2024
10/02/2024	9:00 a.m.	TM-24-500076	E	Cassandra Worrell	cworrell@brownlawlv.com	Sunrise Manor 08/29/2024
10/02/2024	9:00 a.m.	TM-24-500078	A	The WLB Group	mbangan@wlbgroup.com	Enterprise 09/11/2024
10/02/2024	9:00 a.m.	UC-24-0387	E	Cassandra Worrell	cworrell@brownlawlv.com	Sunrise Manor 08/29/2024
10/02/2024	9:00 a.m.	UC-24-0399	A	Marissa Fehrman	mfehrman@kcnvlaw.com	Spring Valley 08/27/2024
10/02/2024	9:00 a.m.	VS-24-0277	E	G.C. GARCIA, INC.	ACOLE@GCGARCIINC.COM	Sunrise Manor 08/15/2024
10/02/2024	9:00 a.m.	VS-24-0390	A	The WLB Group	mbangan@wlbgroup.com	Enterprise 09/11/2024
10/02/2024	9:00 a.m.	WS-24-0276	E	G.C. GARCIA, INC.	ACOLE@GCGARCIINC.COM	Sunrise Manor 08/15/2024
10/02/2024	9:00 a.m.	WS-24-0362	A	Janet Goyer	jang@ovationco.com	Enterprise 09/11/2024
10/02/2024	9:00 a.m.	WS-24-0391	A	The WLB Group	mbangan@wlbgroup.com	Enterprise 09/11/2024
10/02/2024	9:00 a.m.	WS-24-0419		G. C. GARCIA, INC.	ACOLE@GCGARCIINC.COM	Spring Valley 10/08/2024
10/02/2024	9:00 a.m.	WS-24-0437	F	JOHN VORNSAND	john@vornsandconsulting.com	Enterprise 09/11/2024
10/02/2024	9:00 a.m.	ZC-24-0394	A	Robert Messina	robert@jawastudio.com	Searchlight 09/11/2024

Katherine Corrow

From: CPAgendas
Sent: Tuesday, October 29, 2024 9:29 AM
To: CPAdmin
Subject: BCC Meeting Notification | November 6, 2024 at 9:00 a.m.

Correspondent Name: Records
Correspondent E-mail: cpadmin@clarkcountynv.gov

Application#:

Please be advised that your application will be presented to the Clark County Board of County Commissioners on **11/6/2024**, at the hour of **9:00 a.m.**, in the Commission Chambers, CLARK COUNTY GOVERNMENT CENTER, 500 S. Grand Central Parkway, Las Vegas, Nevada.

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11/06/2024	9:00 a.m.			Records	cpadmin@clarkcountynv.gov	
11/06/2024	9:00 a.m.			Agenda Processing	cpagendas@clarkcountynv.gov	
11/06/2024	9:00 a.m.	AR-24-400090	G	Kaempfer Crowell	lkaempfer@kcnvlaw.com	Paradise 10/29/2024
11/06/2024	9:00 a.m.	AR-24-400106	E	GARY LAKE	gdlake1@aol.com	Winchester 10/08/2024
11/06/2024	9:00 a.m.	ET-24-400101	E	Dwyer Engineering	bsoule@dwyerengineering.com	Sunrise Manor 10/10/2024
11/06/2024	9:00 a.m.	SC-24-0261	A	Ed Garcia	egarcia@edgarcialaw.com	Spring Valley 07/09/2024
11/06/2024	9:00 a.m.	TM-24-500106	F	Jessica Walesa	jessicaw@taneycorp.com	Enterprise 10/09/2024
11/06/2024	9:00 a.m.	TM-24-500109	B	Kimley Horn	eric.hopkins@kimley-horn.com	Lone Mountain 10/08/2024
11/06/2024	9:00 a.m.	UC-24-0436	E	Chris Hart	cmhart5@gmail.com	Paradise 10/08/2024
11/06/2024	9:00 a.m.	UC-24-0491	B	Bush Construction	jasonrbush@yahoo.com	Sunrise Manor 10/10/2024
11/06/2024	9:00 a.m.	VS-24-0277	E	G. C. GARCIA, INC.	ACOLE@GCGARCIINC.COM	Sunrise Manor 08/15/2024
11/06/2024	9:00 a.m.	VS-24-0494	F	Infinity Engineering, LLC	cseto@infinityengr.com	Spring Valley 10/08/2024
11/06/2024	9:00 a.m.	VS-24-0504	F	Jessica Walesa	jessicaw@taneycorp.com	Enterprise 10/09/2024
11/06/2024	9:00 a.m.	WC-24-400060	F	Lexa Green	lgreen@kcnvlaw.com	Enterprise 06/26/2024
11/06/2024	9:00 a.m.	WS-24-0276	E	G. C. GARCIA, INC.	ACOLE@GCGARCIINC.COM	Sunrise Manor 08/15/2024
11/06/2024	9:00 a.m.	WS-24-0419		G. C. GARCIA, INC.	ACOLE@GCGARCIINC.COM	Spring Valley 10/08/2024
11/06/2024	9:00 a.m.	WS-24-0473	A	JAVIER IBARRA	JAVIER@JJCONTRACTINGNV.COM	Enterprise 10/09/2024
11/06/2024	9:00 a.m.	WS-24-0475	A	ACG Design	acgdesignpermits@gmail.com	Enterprise 10/09/2024
11/06/2024	9:00 a.m.	WS-24-0484	A	CivilWorks, Inc.	gjp@civilworksonline.com	Enterprise 10/09/2024
11/06/2024	9:00 a.m.	WS-24-0488	F	George Rivera	Georgeriverajr@gmail.com	Enterprise 10/9/2024
11/06/2024	9:00 a.m.	WS-24-0489	B	Bryce Hardy	brycehardy1336@gmail.com	Moapa Valley 10/09/2024
11/06/2024	9:00 a.m.	WS-24-0495	F	MK Architecture	mk_arch@outlook.com	Spring Valley 10/08/2024
11/06/2024	9:00 a.m.	WS-24-0505	F	Jessica Walesa	jessicaw@taneycorp.com	Enterprise 10/09/2024
11/06/2024	9:00 a.m.	WS-24-0511	B	Kimley Horn	eric.hopkins@kimley-horn.com	Lone Mountain 10/08/2024

Katherine Corrow

From: CPAgendas
Sent: Tuesday, November 12, 2024 11:15 AM
To: CPAdmin
Subject: BCC Meeting Notification | November 20, 2024 at 9:00 a.m.

Correspondent Name: Records
Correspondent E-mail: cpadmin@clarkcountynv.gov

Application#:

Please be advised that your application will be presented to the Clark County Board of County Commissioners on **11/20/2024**, at the hour of **9:00 a.m.**, in the Commission Chambers, CLARK COUNTY GOVERNMENT CENTER, 500 S. Grand Central Parkway, Las Vegas, Nevada.

REPRESENTATION IS MANDATORY AT THE ABOVE MENTIONED MEETING.

To access your staff report, please click on the link below to be directed to the Clark County meeting agendas website.

DIRECT LINK:

<https://clark.legistar.com/Calendar.aspx>

Once the link is opened, select **Meeting Details** from your assigned meeting body, then select your **Application Number** to access staff report documents.

The staff report contains your **"Project Description," "Staff Recommendation," and "Preliminary Staff Conditions."** Please review the document for accuracy and for your concurrence. If you have any questions regarding this information, please notify this department prior to the meeting date by emailing zoningmeeting@clarkcountynv.gov.

Items on the agenda under the "Routine" header may be approved in one hearing and in one motion. Items on the agenda under the "Non-Routine" header will be considered separately.

Audio visual equipment is available in the chambers for your use in presenting the agenda item. Please be advised that any presentation materials, for which there is no duplicate on file, must be retained for public records. If you plan to use slides or DVD(s) to present your item, please call (702) 455-4320 at least 24 hours prior to the meeting. Please do not submit any original slides, DVD(s), renderings, photographs, or other exhibits, unless you have a copy for your records. Any items you submit at the meeting must be retained for public record.

It is the applicant's responsibility to keep the application current and to provide a current contact name, address (including email address), and phone number to this department at the address listed above. This information must be submitted in writing with the application number referenced.

PERMIT INFORMATION:

Any plans for construction that have had, or will have commission action, will require permits approved through the Permit Application Center (PAC). All building permit applications must be submitted to PAC and all applicable plan check fees paid before building/grading permit applications will be reviewed. You may submit to PAC while waiting for your commission hearing.

UPDATED PROCEDURE:

Please note that all Meeting Notification letters will now be e-mailed to the correspondent's e-mail address listed on file, these letters will no longer be mailed via the post office. There will be a link on the e-mail directing the correspondent to the Staff Report located on the Clark County webpage.

Hearing Date	Hearing Time	Application Number	Comm Dist	Correspondent Name	Correspondent Email	Town Board Meeting Dates
11/20/2024	9:00 a.m.			Records	cpadmin@clarkcountynv.gov	
11/20/2024	9:00 a.m.			Agenda Processing	cpagendas@clarkcountynv.gov	
11/20/2024	9:00 a.m.	DR-24-0335	G	GMRA	pac@gmralv.com	Paradise 01/28/2025
11/20/2024	9:00 a.m.	ET-24-400107	A	Kaempfer Crowell	apierce@kcnvlaw.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	ET-24-400110	G	Kaempfer Crowell - Anthony Celeste	apierce@kcnvlaw.com	Paradise 10/29/2024
11/20/2024	9:00 a.m.	PA-24-700015	F	Cassandra Worrell	cworrell@brownlawlv.com	Spring Valley 07/09/2024
11/20/2024	9:00 a.m.	PA-24-700020	F	Kimley Horn	eric.hopkins@kimley-horn.com	Enterprise 09/25/2024
11/20/2024	9:00 a.m.	SDR-24-0334	G	GMRA	pac@gmralv.com	Paradise 01/28/2025
11/20/2024	9:00 a.m.	TM-24-500096	A	The WLB Group	mbangan@wlbgroup.com	Enterprise 09/25/2024
11/20/2024	9:00 a.m.	TM-24-500099	A	The WLB Group	mbangan@wlbgroup.com	Enterprise 09/25/2024
11/20/2024	9:00 a.m.	TM-24-500101	F	Kimley Horn	eric.hopkins@kimley-horn.com	Enterprise 09/25/2024
11/20/2024	9:00 a.m.	TM-24-500108	C	Taney Engineering	emilys@taneycorp.com	Lone Mountain 10/29/2024
11/20/2024	9:00 a.m.	TM-24-500114	F	Jessica Walesa	jessicaw@taneycorp.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	TM-24-500117	F	Jessica Walesa	jessicaw@taneycorp.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	UC-24-0311	F	Cassandra Worrell	cworrell@brownlawlv.com	Spring Valley 07/09/2024
11/20/2024	9:00 a.m.	UC-24-0319	E	Kat Van Diepen	katvandiepen@gmail.com	Paradise 10/29/2024
11/20/2024	9:00 a.m.	UC-24-0436	E	Chris Hart	cmhart5@gmail.com	Paradise 10/08/2024
11/20/2024	9:00 a.m.	UC-24-0460	D	Ruth Rios	Ruthrios78@gmail.com	Sunrise Manor 09/26/2024
11/20/2024	9:00 a.m.	UC-24-0521	A	Janet Goyer	jang@ovationco.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	UC-24-0536	C	Jeanalin Rehm	jeanalinrehm@gmail.com	
11/20/2024	9:00 a.m.	VS-24-0277	E	G. C. GARCIA, INC	ACOLE@GCGARCIAINC.COM	Sunrise Manor 08/15/2024
11/20/2024	9:00 a.m.	VS-24-0457	A	The WLB Group	mbangan@wlbgroup.com	Enterprise 09/25/2024
11/20/2024	9:00 a.m.	VS-24-0462	A	The WLB Group	mbangan@wlbgroup.com	Enterprise 09/25/2024
11/20/2024	9:00 a.m.	VS-24-0486	F	Kimley Horn	eric.hopkins@kimley-horn.com	Enterprise 09/25/2024
11/20/2024	9:00 a.m.	VS-24-0509	C	Taney Engineering	emilys@taneycorp.com	Lone Mountain 10/29/2024
11/20/2024	9:00 a.m.	VS-24-0520	A	Janet Goyer	jang@ovationco.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	VS-24-0539	F	Jessica Walesa	jessicaw@taneycorp.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	VS-24-0542	F	Jessica Walesa	jessicaw@taneycorp.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	WC-24-400111	A	Janet Goyer	jang@ovationco.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	WS-24-0276	E	G. C. GARCIA, INC	ACOLE@GCGARCIAINC.COM	Sunrise Manor 08/15/2024
11/20/2024	9:00 a.m.	WS-24-0456	A	The WLB Group	mbangan@wlbgroup.com	Enterprise 09/25/2024
11/20/2024	9:00 a.m.	WS-24-0461	A	The WLB Group	mbangan@wlbgroup.com	Enterprise 09/25/2024
11/20/2024	9:00 a.m.	WS-24-0487	F	Kimley Horn	eric.hopkins@kimley-horn.com	Enterprise 09/25/2024
11/20/2024	9:00 a.m.	WS-24-0510	C	Taney Engineering	emilys@taneycorp.com	Lone Mountain 10/29/2024
11/20/2024	9:00 a.m.	WS-24-0522	C	Jamason Theodore	mktholdings@gmail.com	Lone Mountain 10/29/2024
11/20/2024	9:00 a.m.	WS-24-0523	A	carryn warren	carrynb@aol.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	WS-24-0525	A	G. C. GARCIA, INC	ACOLE@GCGARCIAINC.COM	Paradise 10/29/2024
11/20/2024	9:00 a.m.	WS-24-0526	A	VTN-Nevada	jeffreya@vtinnv.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	WS-24-0527	F	Jessica Walesa	jessicaw@taneycorp.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	WS-24-0535	F	Sean Thueson	SThueson@SiegelCompanies.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	WS-24-0538	F	Jessica Walesa	jessicaw@taneycorp.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	WS-24-0543	F	Jessica Walesa	jessicaw@taneycorp.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	ZC-24-0310	F	Cassandra Worrell	cworrell@brownlawlv.com	Spring Valley 07/09/2024
11/20/2024	9:00 a.m.	ZC-24-0518	B	Yvonne Hand	yvonne.hand@snwa.com	

lem
Notification Verified

M
Mailed

NOTIFICATION INFORMATION

Application Number: WS-24-0276

BCC Meeting Date: 09/04/2024

Is a sign required? No

Notification Radius: 1500

Town Board Name: Sunrise Manor ; 08/15/2024

Mobile Home Parks To be notified? YES/ NO

APN: 161-08-810-082
161-08-810-083

Valley Vista
River Oaks

Public Hearing Notice

Date Mailed: AUG 18 2024

Amount Mailed: 1200

APPLICATION INFORMATION

APPLICATION NUMBER: WS-24-0276

OWNER: PALM PROPERTIES, LLC:

WAIVER OF DEVELOPMENT STANDARDS to modify residential adjacency standards.

DESIGN REVIEW for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone. Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor. (For possible action)

RELATED INFORMATION:

APN: 161-08-810-082; 161-08-810-083

APPLICATION LOCATION



MEETING INFORMATION

Sunrise Manor Town Board

August 15, 2024, 6:30 pm
Hollywood Neighborhood
Services Center
1650 S. Hollywood Blvd
Las Vegas, Nevada

Board of County Commissioners

September 4, 2024, 9:00 am
Clark County Government Center
500 S. Grand Central Parkway
Las Vegas, Nevada

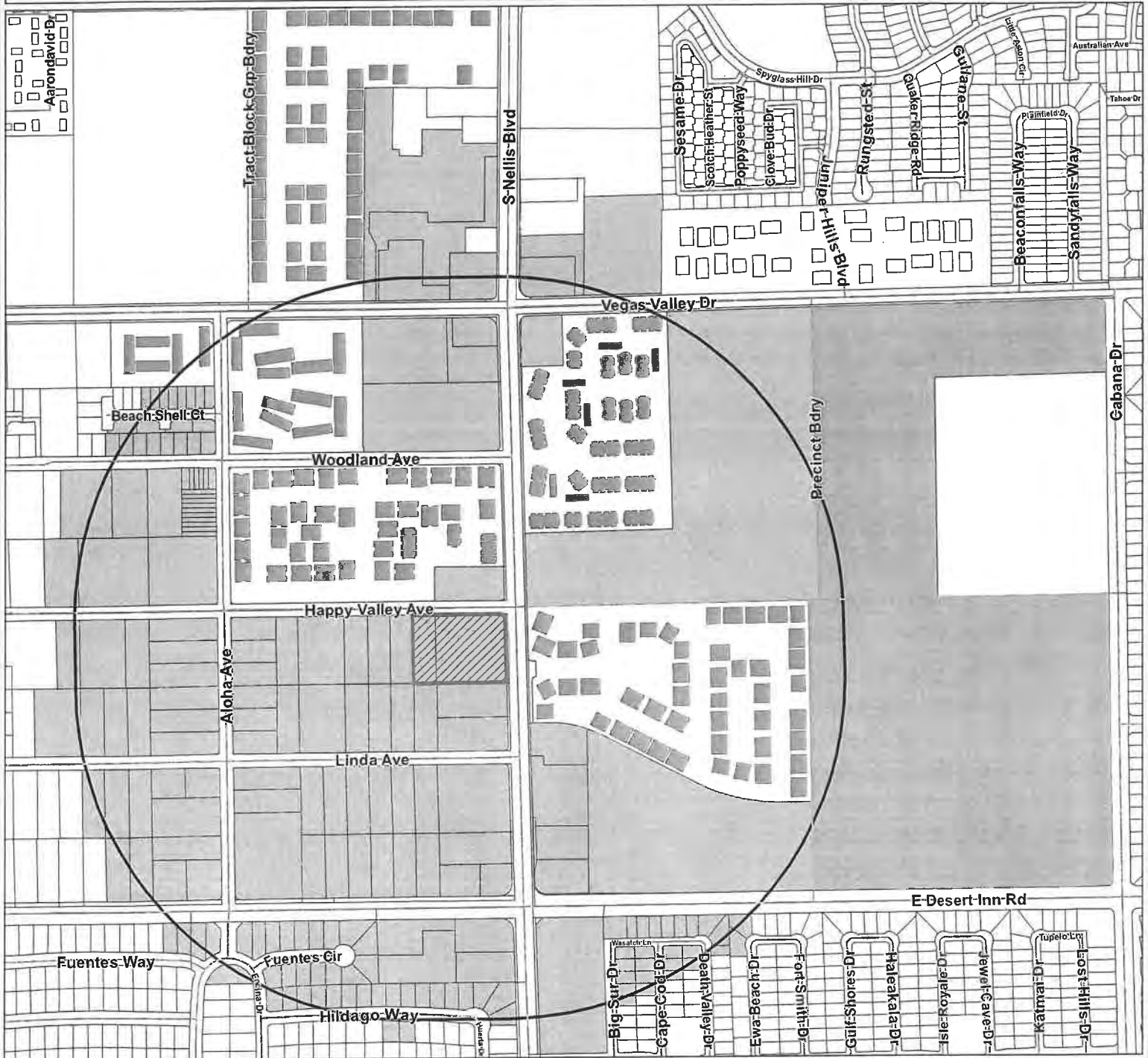
This information is considered accurate; however, minor variations may occur. Application documents are available for viewing online under the Clark County Comprehensive Planning Department by selecting "Services" on the left and selecting "Land Use Documents" from the drop-down. All persons interested may submit written support or opposition by email to zoningmeeting@clarkcountynv.gov. Include the item and application numbers on all emails. We suggest that you inform your lessee(s) of the matter. For more information, visit www.clarkcountynv.gov or call (702) 455-4314 (option 2, option 1).

Notification Radius Map



Department of Comprehensive Planning, Clark County Nevada

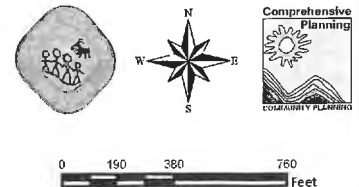
Application Number: WS-24-0276
Meeting Date: 090424
Notification Distance: 1500 feet
Subject Parcel(s): 2

Land Parcel(s) to be notified: 199
Condominiums to be notified: 412
Mobile Home Park(s) to be notified: 2
Owners to be notified: 588



Jurisdiction(s)
Paradise
Sunrise Manor

-  Subject Parcel(s)
-  Mobile Home Park Parcel(s)
-  Condominium Parcels
-  Land Parcel(s)



*This information is for display purposes only.
No liability is assumed as to the accuracy of
the data delineated herein.*

Map created on: July 30, 2024
PPLRL 296

Notification list for Application: WS-24-0276
Commission Meeting Date: 090424
Notification Distance: 1500 feet
Created on 07/30/2024

Application Parcel Numbers: 2

16108810082 16108810083

Land Parcel Numbers: 199

16108603004	16108712026	16108810039	16108810081	16116110098	16117511010
16108603005	16108715001	16108810040	16108810082	16116110099	16117511011
16108603007	16108715002	16108810041	16108810083	16116110109	16117511012
16108603008	16108715003	16108810042	16108810084	16116110110	16117511013
16108710018	16108715004	16108810043	16108810085	16116110111	16117511014
16108710019	16108715005	16108810044	16108810086	16116110112	16117511015
16108710020	16108715006	16108810045	16108810087	16116110113	16117511016
16108710022	16108715007	16108810051	16108810088	16116110114	16117511017
16108710023	16108715008	16108810052	16108810089	16116110115	16117511018
16108710024	16108715009	16108810055	16108810090	16116110116	16117511019
16108710032	16108715010	16108810056	16108810094	16116110117	16117511020
16108710033	16108715011	16108810057	16108810098	16116110118	16117511021
16108710034	16108715012	16108810058	16108810099	16116110119	16117511022
16108710035	16108715013	16108810059	16109201004	16116110120	16117511089
16108710036	16108715014	16108810060	16109217003	16116110121	16117511090
16108712001	16108715015	16108810061	16109217004	16116110122	16117511091
16108712002	16108715016	16108810062	16109301004	16116110123	16117512010
16108712003	16108810010	16108810063	16109301005	16116110186	16117512011
16108712004	16108810011	16108810064	16109301007	16116110187	16117512012
16108712005	16108810012	16108810065	16109401002	16117501005	16117512013
16108712006	16108810013	16108810066	16109401007	16117501006	16117512014
16108712007	16108810014	16108810067	16109411003	16117501010	16117512015
16108712008	16108810015	16108810068	16109411004	16117501011	16117512016
16108712015	16108810016	16108810069	16109411005	16117510023	16117512017
16108712016	16108810017	16108810070	16109411006	16117510024	16117512018
16108712017	16108810018	16108810072	16109411007	16117511001	16117512019
16108712018	16108810019	16108810073	16116101001	16117511002	16117512020
16108712019	16108810020	16108810074	16116110083	16117511003	16117512022
16108712020	16108810021	16108810075	16116110084	16117511004	16117512023
16108712021	16108810022	16108810076	16116110093	16117511005	
16108712022	16108810035	16108810077	16116110094	16117511006	
16108712023	16108810036	16108810078	16116110095	16117511007	
16108712024	16108810037	16108810079	16116110096	16117511008	
16108712025	16108810038	16108810080	16116110097	16117511009	

Condominium Parcel Numbers: 412

16108611001	16108611070	16108611139	16108611208	16108611277	16108611346
16108611002	16108611071	16108611140	16108611209	16108611278	16108611347
16108611003	16108611072	16108611141	16108611210	16108611279	16108611348
16108611004	16108611073	16108611142	16108611211	16108611280	16108611349
16108611005	16108611074	16108611143	16108611212	16108611281	16108611350
16108611006	16108611075	16108611144	16108611213	16108611282	16108611351
16108611007	16108611076	16108611145	16108611214	16108611283	16108611352
16108611008	16108611077	16108611146	16108611215	16108611284	16108611353
16108611009	16108611078	16108611147	16108611216	16108611285	16108611354
16108611010	16108611079	16108611148	16108611217	16108611286	16108611355
16108611011	16108611080	16108611149	16108611218	16108611287	16108611356

[illegible]

16109301005 Valley Vista Mobile Home Park 16109401002 River Oaks Mobile Home
Park

Homeowner / Neighborhood Associations: 0

Town Advisory Boards: 2

Paradise Sunrise Manor

Citizens Advisory Councils: 0

Cities: 0

Military Installations: 0

Notified Parcels list for Application: WS-24-0276
Commission Meeting Date: 090424
Notification Distance: 1500 feet
List created on: 07/30/2024

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	River Oaks Mobile Home Park	Resident Space # 1	5300 E Desert Inn Rd			Las Vegas	NV		89122-4034
	River Oaks Mobile Home Park	Resident Space # 2	5300 E Desert Inn Rd			Las Vegas	NV		89122-4034
	River Oaks Mobile Home Park	Resident Space # 3	5300 E Desert Inn Rd			Las Vegas	NV		89122-4034
	River Oaks Mobile Home Park	Resident Space # 4	5300 E Desert Inn Rd			Las Vegas	NV		89122-4034
	River Oaks Mobile Home Park	Resident Space # 5	5300 E Desert Inn Rd			Las Vegas	NV		89122-4034
	River Oaks Mobile Home Park	Resident Space # 6	5300 E Desert Inn Rd			Las Vegas	NV		89122-4034
	River Oaks Mobile Home Park	Resident Space # 7	5300 E Desert Inn Rd			Las Vegas	NV		89122-4034
	River Oaks Mobile Home Park	Resident Space # 8	5300 E Desert Inn Rd			Las Vegas	NV		89122-4034
	River Oaks Mobile Home Park	Resident Space # 9	5300 E Desert Inn Rd			Las Vegas	NV		89122-4034
	River Oaks Mobile Home Park	Resident Space # 10	5300 E Desert Inn Rd			Las Vegas	NV		89122-4034
	River Oaks Mobile Home Park	Resident Space # 11	5300 E Desert Inn Rd			Las Vegas	NV		89122-4079
	River Oaks Mobile Home Park	Resident Space # 12	5300 E Desert Inn Rd			Las Vegas	NV		89122-4079
	River Oaks Mobile Home Park	Resident Space # 13	5300 E Desert Inn Rd			Las Vegas	NV		89122-4079
	River Oaks Mobile Home Park	Resident Space # 14	5300 E Desert Inn Rd			Las Vegas	NV		89122-4079
	River Oaks Mobile Home Park	Resident Space # 15	5300 E Desert Inn Rd			Las Vegas	NV		89122-4079
	River Oaks Mobile Home Park	Resident Space # 16	5300 E Desert Inn Rd			Las Vegas	NV		89122-4079
	River Oaks Mobile Home Park	Resident Space # 17	5300 E Desert Inn Rd			Las Vegas	NV		89122-4079
	River Oaks Mobile Home Park	Resident Space # 18	5300 E Desert Inn Rd			Las Vegas	NV		89122-4079
	River Oaks Mobile Home Park	Resident Space # 19	5300 E Desert Inn Rd			Las Vegas	NV		89122-4079
	River Oaks Mobile Home Park	Resident Space # 20	5300 E Desert Inn Rd			Las Vegas	NV		89122-4079
	River Oaks Mobile Home Park	Resident Space # 21	5300 E Desert Inn Rd			Las Vegas	NV		89122-4081
	River Oaks Mobile Home Park	Resident Space # 22	5300 E Desert Inn Rd			Las Vegas	NV		89122-4081
	River Oaks Mobile Home Park	Resident Space # 23	5300 E Desert Inn Rd			Las Vegas	NV		89122-4081

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	River Oaks Mobile Home Park	Resident	Space # 24	5300 E Desert Inn Rd		Las Vegas	NV		89122-4081
	River Oaks Mobile Home Park	Resident	Space # 25	5300 E Desert Inn Rd		Las Vegas	NV		89122-4081
	River Oaks Mobile Home Park	Resident	Space # 26	5300 E Desert Inn Rd		Las Vegas	NV		89122-4081
	River Oaks Mobile Home Park	Resident	Space # 27	5300 E Desert Inn Rd		Las Vegas	NV		89122-4081
	River Oaks Mobile Home Park	Resident	Space # 28	5300 E Desert Inn Rd		Las Vegas	NV		89122-4081
	River Oaks Mobile Home Park	Resident	Space # 29	5300 E Desert Inn Rd		Las Vegas	NV		89122-4081
	River Oaks Mobile Home Park	Resident	Space # 30	5300 E Desert Inn Rd		Las Vegas	NV		89122-4081
	River Oaks Mobile Home Park	Resident	Space # 31	5300 E Desert Inn Rd		Las Vegas	NV		89122-4082
	River Oaks Mobile Home Park	Resident	Space # 32	5300 E Desert Inn Rd		Las Vegas	NV		89122-4082
	River Oaks Mobile Home Park	Resident	Space # 33	5300 E Desert Inn Rd		Las Vegas	NV		89122-4082
	River Oaks Mobile Home Park	Resident	Space # 34	5300 E Desert Inn Rd		Las Vegas	NV		89122-4082
	River Oaks Mobile Home Park	Resident	Space # 35	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 36	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 37	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 38	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 39	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 40	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 41	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 42	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 43	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 44	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 45	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 46	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 47	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 48	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 49	5300 E Desert Inn Rd		Las Vegas	NV		89122-4083
	River Oaks Mobile Home Park	Resident	Space # 50	5300 E Desert Inn Rd		Las Vegas	NV		89122-4083
	River Oaks Mobile Home Park	Resident	Space # 51	5300 E Desert Inn Rd		Las Vegas	NV		89122-4083

PPLRL_301

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	River Oaks Mobile Home Park	Resident Space # 52	5300 E Desert Inn Rd			Las Vegas	NV		89122-4083
	River Oaks Mobile Home Park	Resident Space # 53	5300 E Desert Inn Rd			Las Vegas	NV		89122-4083
	River Oaks Mobile Home Park	Resident Space # 54	5300 E Desert Inn Rd			Las Vegas	NV		89122-4083
	River Oaks Mobile Home Park	Resident Space # 55	5300 E Desert Inn Rd			Las Vegas	NV		89122-4083
	River Oaks Mobile Home Park	Resident Space # 56	5300 E Desert Inn Rd			Las Vegas	NV		89122-4083
	River Oaks Mobile Home Park	Resident Space # 57	5300 E Desert Inn Rd			Las Vegas	NV		89122-4083
	River Oaks Mobile Home Park	Resident Space # 58	5300 E Desert Inn Rd			Las Vegas	NV		89122-4083
	River Oaks Mobile Home Park	Resident Space # 59	5300 E Desert Inn Rd			Las Vegas	NV		89122-4084
	River Oaks Mobile Home Park	Resident Space # 60	5300 E Desert Inn Rd			Las Vegas	NV		89122-4084
	River Oaks Mobile Home Park	Resident Space # 61	5300 E Desert Inn Rd			Las Vegas	NV		89122-4084
	River Oaks Mobile Home Park	Resident Space # 62	5300 E Desert Inn Rd			Las Vegas	NV		89122-4084
	River Oaks Mobile Home Park	Resident Space # 63	5300 E Desert Inn Rd			Las Vegas	NV		89122-4084
	River Oaks Mobile Home Park	Resident Space # 64	5300 E Desert Inn Rd			Las Vegas	NV		89122-4084
	River Oaks Mobile Home Park	Resident Space # 65	5300 E Desert Inn Rd			Las Vegas	NV		89122-4084
	River Oaks Mobile Home Park	Resident Space # 66	5300 E Desert Inn Rd			Las Vegas	NV		89122-4084
	River Oaks Mobile Home Park	Resident Space # 67	5300 E Desert Inn Rd			Las Vegas	NV		89122-4084
	River Oaks Mobile Home Park	Resident Space # 68	5300 E Desert Inn Rd			Las Vegas	NV		89122-4084
	River Oaks Mobile Home Park	Resident Space # 69	5300 E Desert Inn Rd			Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident Space # 70	5300 E Desert Inn Rd			Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident Space # 71	5300 E Desert Inn Rd			Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident Space # 72	5300 E Desert Inn Rd			Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident Space # 73	5300 E Desert Inn Rd			Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident Space # 74	5300 E Desert Inn Rd			Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident Space # 75	5300 E Desert Inn Rd			Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident Space # 76	5300 E Desert Inn Rd			Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident Space # 77	5300 E Desert Inn Rd			Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident Space # 78	5300 E Desert Inn Rd			Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident Space # 79	5300 E Desert Inn Rd			Las Vegas	NV		89122-4076

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	River Oaks Mobile Home Park	Resident	Space # 80	5300 E Desert Inn Rd	.	Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 81	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 82	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 83	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 84	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 85	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 86	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 87	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 88	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 89	5300 E Desert Inn Rd		Las Vegas	NV		89122-4096
	River Oaks Mobile Home Park	Resident	Space # 90	5300 E Desert Inn Rd		Las Vegas	NV		89122-4096
	River Oaks Mobile Home Park	Resident	Space # 91	5300 E Desert Inn Rd		Las Vegas	NV		89122-4096
	River Oaks Mobile Home Park	Resident	Space # 92	5300 E Desert Inn Rd		Las Vegas	NV		89122-4096
	River Oaks Mobile Home Park	Resident	Space # 93	5300 E Desert Inn Rd		Las Vegas	NV		89122-4096
	River Oaks Mobile Home Park	Resident	Space # 94	5300 E Desert Inn Rd		Las Vegas	NV		89122-4096
	River Oaks Mobile Home Park	Resident	Space # 95	5300 E Desert Inn Rd		Las Vegas	NV		89122-4096
	River Oaks Mobile Home Park	Resident	Space # 96	5300 E Desert Inn Rd		Las Vegas	NV		89122-4096
	River Oaks Mobile Home Park	Resident	Space # 97	5300 E Desert Inn Rd		Las Vegas	NV		89122-4096
	River Oaks Mobile Home Park	Resident	Space # 98	5300 E Desert Inn Rd		Las Vegas	NV		89122-4096
	River Oaks Mobile Home Park	Resident	Space # 99	5300 E Desert Inn Rd		Las Vegas	NV		89122-4097
	River Oaks Mobile Home Park	Resident	Space # 100	5300 E Desert Inn Rd		Las Vegas	NV		89122-4097
	River Oaks Mobile Home Park	Resident	Space # 101	5300 E Desert Inn Rd		Las Vegas	NV		89122-4097
	River Oaks Mobile Home Park	Resident	Space # 102	5300 E Desert Inn Rd		Las Vegas	NV		89122-4097
	River Oaks Mobile Home Park	Resident	Space # 103	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident	Space # 104	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident	Space # 105	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident	Space # 106	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident	Space # 107	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	River Oaks Mobile Home Park	Resident Space # 108	5300 E Desert Inn Rd			Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident Space # 109	5300 E Desert Inn Rd			Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident Space # 110	5300 E Desert Inn Rd			Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident Space # 111	5300 E Desert Inn Rd			Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident Space # 112	5300 E Desert Inn Rd			Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident Space # 113	5300 E Desert Inn Rd			Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident Space # 114	5300 E Desert Inn Rd			Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident Space # 115	5300 E Desert Inn Rd			Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident Space # 116	5300 E Desert Inn Rd			Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident Space # 117	5300 E Desert Inn Rd			Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident Space # 118	5300 E Desert Inn Rd			Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident Space # 119	5300 E Desert Inn Rd			Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident Space # 120	5300 E Desert Inn Rd			Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident Space # 121	5300 E Desert Inn Rd			Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident Space # 122	5300 E Desert Inn Rd			Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident Space # 123	5300 E Desert Inn Rd			Las Vegas	NV		89122-4085
	River Oaks Mobile Home Park	Resident Space # 124	5300 E Desert Inn Rd			Las Vegas	NV		89122-4085
	River Oaks Mobile Home Park	Resident Space # 125	5300 E Desert Inn Rd			Las Vegas	NV		89122-4250
	River Oaks Mobile Home Park	Resident Space # 126	5300 E Desert Inn Rd			Las Vegas	NV		89122-4250
	River Oaks Mobile Home Park	Resident Space # 127	5300 E Desert Inn Rd			Las Vegas	NV		89122-4221
	River Oaks Mobile Home Park	Resident Space # 128	5300 E Desert Inn Rd			Las Vegas	NV		89122-4221
	River Oaks Mobile Home Park	Resident Space # 129	5300 E Desert Inn Rd			Las Vegas	NV		89122-4221
	River Oaks Mobile Home Park	Resident Space # 130	5300 E Desert Inn Rd			Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident Space # 131	5300 E Desert Inn Rd			Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident Space # 132	5300 E Desert Inn Rd			Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident Space # 133	5300 E Desert Inn Rd			Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident Space # 134	5300 E Desert Inn Rd			Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident Space # 135	5300 E Desert Inn Rd			Las Vegas	NV		89122-4038

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	River Oaks Mobile Home Park	Resident Space # 136	5300 E Desert Inn Rd			Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident Space # 137	5300 E Desert Inn Rd			Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident Space # 138	5300 E Desert Inn Rd			Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident Space # 139	5300 E Desert Inn Rd			Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident Space # 140	5300 E Desert Inn Rd			Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident Space # 141	5300 E Desert Inn Rd			Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident Space # 142	5300 E Desert Inn Rd			Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident Space # 143	5300 E Desert Inn Rd			Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident Space # 144	5300 E Desert Inn Rd			Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident Space # 145	5300 E Desert Inn Rd			Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident Space # 146	5300 E Desert Inn Rd			Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident Space # 147	5300 E Desert Inn Rd			Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident Space # 148	5300 E Desert Inn Rd			Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident Space # 149	5300 E Desert Inn Rd			Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident Space # 150	5300 E Desert Inn Rd			Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident Space # 151	5300 E Desert Inn Rd			Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident Space # 152	5300 E Desert Inn Rd			Las Vegas	NV		89122-4222
	River Oaks Mobile Home Park	Resident Space # 153	5300 E Desert Inn Rd			Las Vegas	NV		89122-4222
	River Oaks Mobile Home Park	Resident Space # 154	5300 E Desert Inn Rd			Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident Space # 155	5300 E Desert Inn Rd			Las Vegas	NV		89122-4039
	River Oaks Mobile Home Park	Resident Space # 156	5300 E Desert Inn Rd			Las Vegas	NV		89122-4039
	River Oaks Mobile Home Park	Resident Space # 157	5300 E Desert Inn Rd			Las Vegas	NV		89122-4039
	River Oaks Mobile Home Park	Resident Space # 158	5300 E Desert Inn Rd			Las Vegas	NV		89122-4039
	River Oaks Mobile Home Park	Resident Space # 159	5300 E Desert Inn Rd			Las Vegas	NV		89122-4039
	River Oaks Mobile Home Park	Resident Space # 160	5300 E Desert Inn Rd			Las Vegas	NV		89122-4039
	River Oaks Mobile Home Park	Resident Space # 161	5300 E Desert Inn Rd			Las Vegas	NV		89122-4039
	River Oaks Mobile Home Park	Resident Space # 162	5300 E Desert Inn Rd			Las Vegas	NV		89122-4039
	River Oaks Mobile Home Park	Resident Space # 163	5300 E Desert Inn Rd			Las Vegas	NV		89122-4039

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	River Oaks Mobile Home Park	Resident	Space # 164	5300 E Desert Inn Rd		Las Vegas	NV		89122-4039
	River Oaks Mobile Home Park	Resident	Space # 165	5300 E Desert Inn Rd		Las Vegas	NV		89122-4087
	River Oaks Mobile Home Park	Resident	Space # 166	5300 E Desert Inn Rd		Las Vegas	NV		89122-4087
	River Oaks Mobile Home Park	Resident	Space # 167	5300 E Desert Inn Rd		Las Vegas	NV		89122-4087
	River Oaks Mobile Home Park	Resident	Space # 168	5300 E Desert Inn Rd		Las Vegas	NV		89122-4087
	River Oaks Mobile Home Park	Resident	Space # 169	5300 E Desert Inn Rd		Las Vegas	NV		89122-4087
	River Oaks Mobile Home Park	Resident	Space # 170	5300 E Desert Inn Rd		Las Vegas	NV		89122-4087
	River Oaks Mobile Home Park	Resident	Space # 171	5300 E Desert Inn Rd		Las Vegas	NV		89122-4087
	River Oaks Mobile Home Park	Resident	Space # 172	5300 E Desert Inn Rd		Las Vegas	NV		89122-4087
	River Oaks Mobile Home Park	Resident	Space # 173	5300 E Desert Inn Rd		Las Vegas	NV		89122-4087
	River Oaks Mobile Home Park	Resident	Space # 174	5300 E Desert Inn Rd		Las Vegas	NV		89122-4087
	River Oaks Mobile Home Park	Resident	Space # 175	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 176	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 177	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 178	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 179	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 180	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 181	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 182	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 183	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 184	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 185	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 186	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 187	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 188	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 189	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 190	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 191	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	River Oaks Mobile Home Park	Resident	Space # 192	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 193	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 194	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 195	5300 E Desert Inn Rd		Las Vegas	NV		89122-4088
	River Oaks Mobile Home Park	Resident	Space # 196	5300 E Desert Inn Rd		Las Vegas	NV		89122-4088
	River Oaks Mobile Home Park	Resident	Space # 197	5300 E Desert Inn Rd		Las Vegas	NV		89122-4088
	River Oaks Mobile Home Park	Resident	Space # 198	5300 E Desert Inn Rd		Las Vegas	NV		89122-4088
	River Oaks Mobile Home Park	Resident	Space # 199	5300 E Desert Inn Rd		Las Vegas	NV		89122-4088
	River Oaks Mobile Home Park	Resident	Space # 200	5300 E Desert Inn Rd		Las Vegas	NV		89122-4088
	River Oaks Mobile Home Park	Resident	Space # 201	5300 E Desert Inn Rd		Las Vegas	NV		89122-4088
	River Oaks Mobile Home Park	Resident	Space # 202	5300 E Desert Inn Rd		Las Vegas	NV		89122-4223
	River Oaks Mobile Home Park	Resident	Space # 203	5300 E Desert Inn Rd		Las Vegas	NV		89122-4223
	River Oaks Mobile Home Park	Resident	Space # 204	5300 E Desert Inn Rd		Las Vegas	NV		89122-4074
	River Oaks Mobile Home Park	Resident	Space # 205	5300 E Desert Inn Rd		Las Vegas	NV		89122-4074
	River Oaks Mobile Home Park	Resident	Space # 206	5300 E Desert Inn Rd		Las Vegas	NV		89122-4074
	River Oaks Mobile Home Park	Resident	Space # 207	5300 E Desert Inn Rd		Las Vegas	NV		89122-4074
	River Oaks Mobile Home Park	Resident	Space # 208	5300 E Desert Inn Rd		Las Vegas	NV		89122-4074
	River Oaks Mobile Home Park	Resident	Space # 209	5300 E Desert Inn Rd		Las Vegas	NV		89122-4074
	River Oaks Mobile Home Park	Resident	Space # 210	5300 E Desert Inn Rd		Las Vegas	NV		89122-4074
	River Oaks Mobile Home Park	Resident	Space # 211	5300 E Desert Inn Rd		Las Vegas	NV		89122-4074
	River Oaks Mobile Home Park	Resident	Space # 212	5300 E Desert Inn Rd		Las Vegas	NV		89122-4093
	River Oaks Mobile Home Park	Resident	Space # 213	5300 E Desert Inn Rd		Las Vegas	NV		89122-4093
	River Oaks Mobile Home Park	Resident	Space # 214	5300 E Desert Inn Rd		Las Vegas	NV		89122-4093
	River Oaks Mobile Home Park	Resident	Space # 215	5300 E Desert Inn Rd		Las Vegas	NV		89122-4093
	River Oaks Mobile Home Park	Resident	Space # 216	5300 E Desert Inn Rd		Las Vegas	NV		89122-4093
	River Oaks Mobile Home Park	Resident	Space # 217	5300 E Desert Inn Rd		Las Vegas	NV		89122-4093
	River Oaks Mobile Home Park	Resident	Space # 218	5300 E Desert Inn Rd		Las Vegas	NV		89122-4093
	River Oaks Mobile Home Park	Resident	Space # 219	5300 E Desert Inn Rd		Las Vegas	NV		89122-4093

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	River Oaks Mobile Home Park	Resident	Space # 220	5300 E Desert Inn Rd		Las Vegas	NV		89122-4093
	River Oaks Mobile Home Park	Resident	Space # 221	5300 E Desert Inn Rd		Las Vegas	NV		89122-4093
	River Oaks Mobile Home Park	Resident	Space # 222	5300 E Desert Inn Rd		Las Vegas	NV		89122-4094
	River Oaks Mobile Home Park	Resident	Space # 223	5300 E Desert Inn Rd		Las Vegas	NV		89122-4094
	River Oaks Mobile Home Park	Resident	Space # 224	5300 E Desert Inn Rd		Las Vegas	NV		89122-4094
	River Oaks Mobile Home Park	Resident	Space # 225	5300 E Desert Inn Rd		Las Vegas	NV		89122-4074
	River Oaks Mobile Home Park	Resident	Space # 226	5300 E Desert Inn Rd		Las Vegas	NV		89122-4074
	River Oaks Mobile Home Park	Resident	Space # 227	5300 E Desert Inn Rd		Las Vegas	NV		89122-4224
	River Oaks Mobile Home Park	Resident	Space # 228	5300 E Desert Inn Rd		Las Vegas	NV		89122-4224
	River Oaks Mobile Home Park	Resident	Space # 229	5300 E Desert Inn Rd		Las Vegas	NV		89122-4056
	River Oaks Mobile Home Park	Resident	Space # 230	5300 E Desert Inn Rd		Las Vegas	NV		89122-4056
	River Oaks Mobile Home Park	Resident	Space # 231	5300 E Desert Inn Rd		Las Vegas	NV		89122-4056
	River Oaks Mobile Home Park	Resident	Space # 232	5300 E Desert Inn Rd		Las Vegas	NV		89122-4056
	River Oaks Mobile Home Park	Resident	Space # 233	5300 E Desert Inn Rd		Las Vegas	NV		89122-4056
	River Oaks Mobile Home Park	Resident	Space # 234	5300 E Desert Inn Rd		Las Vegas	NV		89122-4056
	River Oaks Mobile Home Park	Resident	Space # 235	5300 E Desert Inn Rd		Las Vegas	NV		89122-4056
	River Oaks Mobile Home Park	Resident	Space # 236	5300 E Desert Inn Rd		Las Vegas	NV		89122-4056
	River Oaks Mobile Home Park	Resident	Space # 237	5300 E Desert Inn Rd		Las Vegas	NV		89122-4056
	River Oaks Mobile Home Park	Resident	Space # 238	5300 E Desert Inn Rd		Las Vegas	NV		89122-4056
	River Oaks Mobile Home Park	Resident	Space # 239	5300 E Desert Inn Rd		Las Vegas	NV		89122-4089
	River Oaks Mobile Home Park	Resident	Space # 240	5300 E Desert Inn Rd		Las Vegas	NV		89122-4089
	River Oaks Mobile Home Park	Resident	Space # 241	5300 E Desert Inn Rd		Las Vegas	NV		89122-4089
	River Oaks Mobile Home Park	Resident	Space # 242	5300 E Desert Inn Rd		Las Vegas	NV		89122-4089
	River Oaks Mobile Home Park	Resident	Space # 243	5300 E Desert Inn Rd		Las Vegas	NV		89122-4089
	River Oaks Mobile Home Park	Resident	Space # 244	5300 E Desert Inn Rd		Las Vegas	NV		89122-4089
	River Oaks Mobile Home Park	Resident	Space # 245	5300 E Desert Inn Rd		Las Vegas	NV		89122-4089
	River Oaks Mobile Home Park	Resident	Space # 246	5300 E Desert Inn Rd		Las Vegas	NV		89122-4089
	River Oaks Mobile Home Park	Resident	Space # 247	5300 E Desert Inn Rd		Las Vegas	NV		89122-4089

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	River Oaks Mobile Home Park	Resident	Space # 248	5300 E Desert Inn Rd		Las Vegas	NV		89122-4089
	River Oaks Mobile Home Park	Resident	Space # 249	5300 E Desert Inn Rd		Las Vegas	NV		89122-4090
	River Oaks Mobile Home Park	Resident	Space # 250	5300 E Desert Inn Rd		Las Vegas	NV		89122-4090
	River Oaks Mobile Home Park	Resident	Space # 251	5300 E Desert Inn Rd		Las Vegas	NV		89122-4090
	River Oaks Mobile Home Park	Resident	Space # 252	5300 E Desert Inn Rd		Las Vegas	NV		89122-4090
	River Oaks Mobile Home Park	Resident	Space # 253	5300 E Desert Inn Rd		Las Vegas	NV		89122-4090
	River Oaks Mobile Home Park	Resident	Space # 254	5300 E Desert Inn Rd		Las Vegas	NV		89122-4090
	River Oaks Mobile Home Park	Resident	Space # 255	5300 E Desert Inn Rd		Las Vegas	NV		89122-4090
	River Oaks Mobile Home Park	Resident	Space # 256	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 257	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 258	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 259	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 260	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 261	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 262	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 263	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 264	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 265	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 266	5300 E Desert Inn Rd		Las Vegas	NV		89122-4091
	River Oaks Mobile Home Park	Resident	Space # 267	5300 E Desert Inn Rd		Las Vegas	NV		89122-4091
	River Oaks Mobile Home Park	Resident	Space # 268	5300 E Desert Inn Rd		Las Vegas	NV		89122-4091
	River Oaks Mobile Home Park	Resident	Space # 269	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 270	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 271	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 272	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 273	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 274	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 275	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	River Oaks Mobile Home Park	Resident Space # 276	5300 E Desert Inn Rd			Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident Space # 277	5300 E Desert Inn Rd			Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident Space # 278	5300 E Desert Inn Rd			Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident Space # 279	5300 E Desert Inn Rd			Las Vegas	NV		89122-4217
	River Oaks Mobile Home Park	Resident Space # 280	5300 E Desert Inn Rd			Las Vegas	NV		89122-4217
	River Oaks Mobile Home Park	Resident Space # 281	5300 E Desert Inn Rd			Las Vegas	NV		89122-4092
	River Oaks Mobile Home Park	Resident Space # 282	5300 E Desert Inn Rd			Las Vegas	NV		89122-4092
	River Oaks Mobile Home Park	Resident Space # 283	5300 E Desert Inn Rd			Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident Space # 284	5300 E Desert Inn Rd			Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident Space # 285	5300 E Desert Inn Rd			Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident Space # 286	5300 E Desert Inn Rd			Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident Space # 287	5300 E Desert Inn Rd			Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident Space # 288	5300 E Desert Inn Rd			Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident Space # 289	5300 E Desert Inn Rd			Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident Space # 290	5300 E Desert Inn Rd			Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident Space # 291	5300 E Desert Inn Rd			Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident Space # 292	5300 E Desert Inn Rd			Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident Space # 293	5300 E Desert Inn Rd			Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident Space # 294	5300 E Desert Inn Rd			Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident Space # 295	5300 E Desert Inn Rd			Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident Space # 296	5300 E Desert Inn Rd			Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident Space # 297	5300 E Desert Inn Rd			Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident Space # 298	5300 E Desert Inn Rd			Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident Space # 299	5300 E Desert Inn Rd			Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident Space # 300	5300 E Desert Inn Rd			Las Vegas	NV		89122-4095
	River Oaks Mobile Home Park	Resident Space # 301	5300 E Desert Inn Rd			Las Vegas	NV		89122-4095
	River Oaks Mobile Home Park	Resident Space # 302	5300 E Desert Inn Rd			Las Vegas	NV		89122-4095
	River Oaks Mobile Home Park	Resident Space # 303	5300 E Desert Inn Rd			Las Vegas	NV		89122-4095

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	River Oaks Mobile Home Park	Resident	Space # 304	5300 E Desert Inn Rd		Las Vegas	NV		89122-4095
	River Oaks Mobile Home Park	Resident	Space # 305	5300 E Desert Inn Rd		Las Vegas	NV		89122-4095
	River Oaks Mobile Home Park	Resident	Space # 306	5300 E Desert Inn Rd		Las Vegas	NV		89122-4095
	Valley Vista Mobile Home Park	Resident	Space # 1	3001 Cabana Dr		Las Vegas	NV		89122-4062
	Valley Vista Mobile Home Park	Resident	Space # 2	3001 Cabana Dr		Las Vegas	NV		89122-4062
	Valley Vista Mobile Home Park	Resident	Space # 3	3001 Cabana Dr		Las Vegas	NV		89122-4062
	Valley Vista Mobile Home Park	Resident	Space # 4	3001 Cabana Dr		Las Vegas	NV		89122-4062
	Valley Vista Mobile Home Park	Resident	Space # 5	3001 Cabana Dr		Las Vegas	NV		89122-4062
	Valley Vista Mobile Home Park	Resident	Space # 6	3001 Cabana Dr		Las Vegas	NV		89122-4062
	Valley Vista Mobile Home Park	Resident	Space # 7	3001 Cabana Dr		Las Vegas	NV		89122-4062
	Valley Vista Mobile Home Park	Resident	Space # 8	3001 Cabana Dr		Las Vegas	NV		89122-4062
	Valley Vista Mobile Home Park	Resident	Space # 9	3001 Cabana Dr		Las Vegas	NV		89122-4062
	Valley Vista Mobile Home Park	Resident	Space # 10	3001 Cabana Dr		Las Vegas	NV		89122-4062
	Valley Vista Mobile Home Park	Resident	Space # 11	3001 Cabana Dr		Las Vegas	NV		89122-4098
	Valley Vista Mobile Home Park	Resident	Space # 12	3001 Cabana Dr		Las Vegas	NV		89122-4098
	Valley Vista Mobile Home Park	Resident	Space # 13	3001 Cabana Dr		Las Vegas	NV		89122-4098
	Valley Vista Mobile Home Park	Resident	Space # 14	3001 Cabana Dr		Las Vegas	NV		89122-4098
	Valley Vista Mobile Home Park	Resident	Space # 15	3001 Cabana Dr		Las Vegas	NV		89122-4098
	Valley Vista Mobile Home Park	Resident	Space # 16	3001 Cabana Dr		Las Vegas	NV		89122-4098
	Valley Vista Mobile Home Park	Resident	Space # 17	3001 Cabana Dr		Las Vegas	NV		89122-4098
	Valley Vista Mobile Home Park	Resident	Space # 18	3001 Cabana Dr		Las Vegas	NV		89122-4098
	Valley Vista Mobile Home Park	Resident	Space # 19	3001 Cabana Dr		Las Vegas	NV		89122-4098
	Valley Vista Mobile Home Park	Resident	Space # 20	3001 Cabana Dr		Las Vegas	NV		89122-4098
	Valley Vista Mobile Home Park	Resident	Space # 21	3001 Cabana Dr		Las Vegas	NV		89122-4099
	Valley Vista Mobile Home Park	Resident	Space # 22	3001 Cabana Dr		Las Vegas	NV		89122-4099
	Valley Vista Mobile Home Park	Resident	Space # 23	3001 Cabana Dr		Las Vegas	NV		89122-4099
	Valley Vista Mobile Home Park	Resident	Space # 24	3001 Cabana Dr		Las Vegas	NV		89122-4099
	Valley Vista Mobile Home Park	Resident	Space # 25	3001 Cabana Dr		Las Vegas	NV		89122-4099

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	Valley Vista Mobile Home Park	Resident	Space # 26	3001 Cabana Dr		Las Vegas	NV		89122-4099
	Valley Vista Mobile Home Park	Resident	Space # 27	3001 Cabana Dr		Las Vegas	NV		89122-4099
	Valley Vista Mobile Home Park	Resident	Space # 28	3001 Cabana Dr		Las Vegas	NV		89122-4099
	Valley Vista Mobile Home Park	Resident	Space # 29	3001 Cabana Dr		Las Vegas	NV		89122-4099
	Valley Vista Mobile Home Park	Resident	Space # 30	3001 Cabana Dr		Las Vegas	NV		89122-4099
	Valley Vista Mobile Home Park	Resident	Space # 31	3001 Cabana Dr		Las Vegas	NV		89122-4200
	Valley Vista Mobile Home Park	Resident	Space # 32	3001 Cabana Dr		Las Vegas	NV		89122-4200
	Valley Vista Mobile Home Park	Resident	Space # 33	3001 Cabana Dr		Las Vegas	NV		89122-4200
	Valley Vista Mobile Home Park	Resident	Space # 34	3001 Cabana Dr		Las Vegas	NV		89122-4200
	Valley Vista Mobile Home Park	Resident	Space # 35	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 36	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 37	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 38	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 39	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 40	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 41	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 42	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 43	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 44	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 45	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 46	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 47	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 48	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 49	3001 Cabana Dr		Las Vegas	NV		89122-4201
	Valley Vista Mobile Home Park	Resident	Space # 50	3001 Cabana Dr		Las Vegas	NV		89122-4201
	Valley Vista Mobile Home Park	Resident	Space # 51	3001 Cabana Dr		Las Vegas	NV		89122-4201
	Valley Vista Mobile Home Park	Resident	Space # 52	3001 Cabana Dr		Las Vegas	NV		89122-4201
	Valley Vista Mobile Home Park	Resident	Space # 53	3001 Cabana Dr		Las Vegas	NV		89122-4201

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	Valley Vista Mobile Home Park	Resident	Space # 54	3001 Cabana Dr		Las Vegas	NV		89122-4201
	Valley Vista Mobile Home Park	Resident	Space # 55	3001 Cabana Dr		Las Vegas	NV		89122-4201
	Valley Vista Mobile Home Park	Resident	Space # 56	3001 Cabana Dr		Las Vegas	NV		89122-4201
	Valley Vista Mobile Home Park	Resident	Space # 57	3001 Cabana Dr		Las Vegas	NV		89122-4201
	Valley Vista Mobile Home Park	Resident	Space # 58	3001 Cabana Dr		Las Vegas	NV		89122-4201
	Valley Vista Mobile Home Park	Resident	Space # 59	3001 Cabana Dr		Las Vegas	NV		89122-4202
	Valley Vista Mobile Home Park	Resident	Space # 60	3001 Cabana Dr		Las Vegas	NV		89122-4202
	Valley Vista Mobile Home Park	Resident	Space # 61	3001 Cabana Dr		Las Vegas	NV		89122-4202
	Valley Vista Mobile Home Park	Resident	Space # 62	3001 Cabana Dr		Las Vegas	NV		89122-4202
	Valley Vista Mobile Home Park	Resident	Space # 63	3001 Cabana Dr		Las Vegas	NV		89122-4202
	Valley Vista Mobile Home Park	Resident	Space # 64	3001 Cabana Dr		Las Vegas	NV		89122-4202
	Valley Vista Mobile Home Park	Resident	Space # 65	3001 Cabana Dr		Las Vegas	NV		89122-4202
	Valley Vista Mobile Home Park	Resident	Space # 66	3001 Cabana Dr		Las Vegas	NV		89122-4202
	Valley Vista Mobile Home Park	Resident	Space # 67	3001 Cabana Dr		Las Vegas	NV		89122-4202
	Valley Vista Mobile Home Park	Resident	Space # 68	3001 Cabana Dr		Las Vegas	NV		89122-4202
	Valley Vista Mobile Home Park	Resident	Space # 69	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 70	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 71	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 72	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 73	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 74	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 75	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 76	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 77	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 78	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 79	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 80	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 81	3001 Cabana Dr		Las Vegas	NV		89122-4064

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	Valley Vista Mobile Home Park	Resident	Space # 82	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 83	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 84	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 85	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 86	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 87	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 88	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 89	3001 Cabana Dr		Las Vegas	NV		89122-4203
	Valley Vista Mobile Home Park	Resident	Space # 90	3001 Cabana Dr		Las Vegas	NV		89122-4203
	Valley Vista Mobile Home Park	Resident	Space # 91	3001 Cabana Dr		Las Vegas	NV		89122-4203
	Valley Vista Mobile Home Park	Resident	Space # 92	3001 Cabana Dr		Las Vegas	NV		89122-4203
	Valley Vista Mobile Home Park	Resident	Space # 93	3001 Cabana Dr		Las Vegas	NV		89122-4203
	Valley Vista Mobile Home Park	Resident	Space # 94	3001 Cabana Dr		Las Vegas	NV		89122-4203
	Valley Vista Mobile Home Park	Resident	Space # 95	3001 Cabana Dr		Las Vegas	NV		89122-4203
	Valley Vista Mobile Home Park	Resident	Space # 96	3001 Cabana Dr		Las Vegas	NV		89122-4203
	Valley Vista Mobile Home Park	Resident	Space # 97	3001 Cabana Dr		Las Vegas	NV		89122-4203
	Valley Vista Mobile Home Park	Resident	Space # 98	3001 Cabana Dr		Las Vegas	NV		89122-4203
	Valley Vista Mobile Home Park	Resident	Space # 99	3001 Cabana Dr		Las Vegas	NV		89122-4204
	Valley Vista Mobile Home Park	Resident	Space # 100	3001 Cabana Dr		Las Vegas	NV		89122-4204
	Valley Vista Mobile Home Park	Resident	Space # 101	3001 Cabana Dr		Las Vegas	NV		89122-4204
	Valley Vista Mobile Home Park	Resident	Space # 102	3001 Cabana Dr		Las Vegas	NV		89122-4204
	Valley Vista Mobile Home Park	Resident	Space # 103	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 104	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 105	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 106	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 107	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 108	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 109	3001 Cabana Dr		Las Vegas	NV		89122-4065

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	Valley Vista Mobile Home Park	Resident	Space # 110	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 111	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 112	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 113	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 114	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 115	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 116	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 117	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 118	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 119	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 120	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 121	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 122	3001 Cabana Dr		Las Vegas	NV		89122-4205
	Valley Vista Mobile Home Park	Resident	Space # 123	3001 Cabana Dr		Las Vegas	NV		89122-4205
	Valley Vista Mobile Home Park	Resident	Space # 124	3001 Cabana Dr		Las Vegas	NV		89122-4205
	Valley Vista Mobile Home Park	Resident	Space # 125	3001 Cabana Dr		Las Vegas	NV		89122-4251
	Valley Vista Mobile Home Park	Resident	Space # 126	3001 Cabana Dr		Las Vegas	NV		89122-4251
	Valley Vista Mobile Home Park	Resident	Space # 127	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 128	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 129	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 130	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 131	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 132	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 133	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 134	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 135	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 136	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 137	3001 Cabana Dr		Las Vegas	NV		89122-4206

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	Valley Vista Mobile Home Park	Resident	Space # 138	3001 Cabana Dr		Las Vegas	NV		89122-4206
	Valley Vista Mobile Home Park	Resident	Space # 139	3001 Cabana Dr		Las Vegas	NV		89122-4206
	Valley Vista Mobile Home Park	Resident	Space # 140	3001 Cabana Dr		Las Vegas	NV		89122-4206
	Valley Vista Mobile Home Park	Resident	Space # 141	3001 Cabana Dr		Las Vegas	NV		89122-4206
	Valley Vista Mobile Home Park	Resident	Space # 142	3001 Cabana Dr		Las Vegas	NV		89122-4206
	Valley Vista Mobile Home Park	Resident	Space # 143	3001 Cabana Dr		Las Vegas	NV		89122-4206
	Valley Vista Mobile Home Park	Resident	Space # 144	3001 Cabana Dr		Las Vegas	NV		89122-4206
	Valley Vista Mobile Home Park	Resident	Space # 145	3001 Cabana Dr		Las Vegas	NV		89122-4206
	Valley Vista Mobile Home Park	Resident	Space # 146	3001 Cabana Dr		Las Vegas	NV		89122-4206
	Valley Vista Mobile Home Park	Resident	Space # 147	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 148	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 149	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 150	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 151	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 152	3001 Cabana Dr		Las Vegas	NV		89122-4225
	Valley Vista Mobile Home Park	Resident	Space # 153	3001 Cabana Dr		Las Vegas	NV		89122-4225
	Valley Vista Mobile Home Park	Resident	Space # 154	3001 Cabana Dr		Las Vegas	NV		89122-4225
	Valley Vista Mobile Home Park	Resident	Space # 155	3001 Cabana Dr		Las Vegas	NV		89122-4225
	Valley Vista Mobile Home Park	Resident	Space # 156	3001 Cabana Dr		Las Vegas	NV		89122-4225
	Valley Vista Mobile Home Park	Resident	Space # 157	3001 Cabana Dr		Las Vegas	NV		89122-4225
	Valley Vista Mobile Home Park	Resident	Space # 158	3001 Cabana Dr		Las Vegas	NV		89122-4225
	Valley Vista Mobile Home Park	Resident	Space # 159	3001 Cabana Dr		Las Vegas	NV		89122-4067
	Valley Vista Mobile Home Park	Resident	Space # 160	3001 Cabana Dr		Las Vegas	NV		89122-4067
	Valley Vista Mobile Home Park	Resident	Space # 161	3001 Cabana Dr		Las Vegas	NV		89122-4067
	Valley Vista Mobile Home Park	Resident	Space # 162	3001 Cabana Dr		Las Vegas	NV		89122-4067
	Valley Vista Mobile Home Park	Resident	Space # 163	3001 Cabana Dr		Las Vegas	NV		89122-4067
	Valley Vista Mobile Home Park	Resident	Space # 164	3001 Cabana Dr		Las Vegas	NV		89122-4067
	Valley Vista Mobile Home Park	Resident	Space # 165	3001 Cabana Dr		Las Vegas	NV		89122-4207

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	Valley Vista Mobile Home Park	Resident	Space # 166	3001 Cabana Dr		Las Vegas	NV		89122-4207
	Valley Vista Mobile Home Park	Resident	Space # 167	3001 Cabana Dr		Las Vegas	NV		89122-4207
	Valley Vista Mobile Home Park	Resident	Space # 168	3001 Cabana Dr		Las Vegas	NV		89122-4207
	Valley Vista Mobile Home Park	Resident	Space # 169	3001 Cabana Dr		Las Vegas	NV		89122-4207
	Valley Vista Mobile Home Park	Resident	Space # 170	3001 Cabana Dr		Las Vegas	NV		89122-4207
	Valley Vista Mobile Home Park	Resident	Space # 171	3001 Cabana Dr		Las Vegas	NV		89122-4207
	Valley Vista Mobile Home Park	Resident	Space # 172	3001 Cabana Dr		Las Vegas	NV		89122-4207
	Valley Vista Mobile Home Park	Resident	Space # 173	3001 Cabana Dr		Las Vegas	NV		89122-4207
	Valley Vista Mobile Home Park	Resident	Space # 174	3001 Cabana Dr		Las Vegas	NV		89122-4207
	Valley Vista Mobile Home Park	Resident	Space # 175	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 176	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 177	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 178	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 179	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 180	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 181	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 182	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 183	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 184	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 185	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 186	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 187	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 188	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 189	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 190	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 191	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 192	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 193	3001 Cabana Dr		Las Vegas	NV		89122-4068

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	Valley Vista Mobile Home Park	Resident	Space # 194	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 195	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 196	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 197	3001 Cabana Dr		Las Vegas	NV		89122-4209
	Valley Vista Mobile Home Park	Resident	Space # 198	3001 Cabana Dr		Las Vegas	NV		89122-4209
	Valley Vista Mobile Home Park	Resident	Space # 199	3001 Cabana Dr		Las Vegas	NV		89122-4209
	Valley Vista Mobile Home Park	Resident	Space # 200	3001 Cabana Dr		Las Vegas	NV		89122-4209
	Valley Vista Mobile Home Park	Resident	Space # 201	3001 Cabana Dr		Las Vegas	NV		89122-4209
	Valley Vista Mobile Home Park	Resident	Space # 202	3001 Cabana Dr		Las Vegas	NV		89122-4226
	Valley Vista Mobile Home Park	Resident	Space # 203	3001 Cabana Dr		Las Vegas	NV		89122-4226
	Valley Vista Mobile Home Park	Resident	Space # 204	3001 Cabana Dr		Las Vegas	NV		89122-4069
	Valley Vista Mobile Home Park	Resident	Space # 205	3001 Cabana Dr		Las Vegas	NV		89122-4069
	Valley Vista Mobile Home Park	Resident	Space # 206	3001 Cabana Dr		Las Vegas	NV		89122-4069
	Valley Vista Mobile Home Park	Resident	Space # 207	3001 Cabana Dr		Las Vegas	NV		89122-4069
	Valley Vista Mobile Home Park	Resident	Space # 208	3001 Cabana Dr		Las Vegas	NV		89122-4069
	Valley Vista Mobile Home Park	Resident	Space # 209	3001 Cabana Dr		Las Vegas	NV		89122-4069
	Valley Vista Mobile Home Park	Resident	Space # 210	3001 Cabana Dr		Las Vegas	NV		89122-4069
	Valley Vista Mobile Home Park	Resident	Space # 211	3001 Cabana Dr		Las Vegas	NV		89122-4069
	Valley Vista Mobile Home Park	Resident	Space # 212	3001 Cabana Dr		Las Vegas	NV		89122-4210
	Valley Vista Mobile Home Park	Resident	Space # 213	3001 Cabana Dr		Las Vegas	NV		89122-4210
	Valley Vista Mobile Home Park	Resident	Space # 214	3001 Cabana Dr		Las Vegas	NV		89122-4210
	Valley Vista Mobile Home Park	Resident	Space # 215	3001 Cabana Dr		Las Vegas	NV		89122-4210
	Valley Vista Mobile Home Park	Resident	Space # 216	3001 Cabana Dr		Las Vegas	NV		89122-4210
	Valley Vista Mobile Home Park	Resident	Space # 217	3001 Cabana Dr		Las Vegas	NV		89122-4210
	Valley Vista Mobile Home Park	Resident	Space # 218	3001 Cabana Dr		Las Vegas	NV		89122-4210
	Valley Vista Mobile Home Park	Resident	Space # 219	3001 Cabana Dr		Las Vegas	NV		89122-4210
	Valley Vista Mobile Home Park	Resident	Space # 220	3001 Cabana Dr		Las Vegas	NV		89122-4210
	Valley Vista Mobile Home Park	Resident	Space # 221	3001 Cabana Dr		Las Vegas	NV		89122-4210

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	Valley Vista Mobile Home Park	Resident	Space # 222	3001 Cabana Dr		Las Vegas	NV		89122-4211
	Valley Vista Mobile Home Park	Resident	Space # 223	3001 Cabana Dr		Las Vegas	NV		89122-4211
	Valley Vista Mobile Home Park	Resident	Space # 224	3001 Cabana Dr		Las Vegas	NV		89122-4211
	Valley Vista Mobile Home Park	Resident	Space # 225	3001 Cabana Dr		Las Vegas	NV		89122-4211
	Valley Vista Mobile Home Park	Resident	Space # 226	3001 Cabana Dr		Las Vegas	NV		89122-4069
	Valley Vista Mobile Home Park	Resident	Space # 227	3001 Cabana Dr		Las Vegas	NV		89122-4069
	Valley Vista Mobile Home Park	Resident	Space # 228	3001 Cabana Dr		Las Vegas	NV		89122-4069
	Valley Vista Mobile Home Park	Resident	Space # 229	3001 Cabana Dr		Las Vegas	NV		89122-4070
	Valley Vista Mobile Home Park	Resident	Space # 230	3001 Cabana Dr		Las Vegas	NV		89122-4070
	Valley Vista Mobile Home Park	Resident	Space # 231	3001 Cabana Dr		Las Vegas	NV		89122-4070
	Valley Vista Mobile Home Park	Resident	Space # 232	3001 Cabana Dr		Las Vegas	NV		89122-4070
	Valley Vista Mobile Home Park	Resident	Space # 233	3001 Cabana Dr		Las Vegas	NV		89122-4070
	Valley Vista Mobile Home Park	Resident	Space # 234	3001 Cabana Dr		Las Vegas	NV		89122-4070
	Valley Vista Mobile Home Park	Resident	Space # 235	3001 Cabana Dr		Las Vegas	NV		89122-4070
	Valley Vista Mobile Home Park	Resident	Space # 236	3001 Cabana Dr		Las Vegas	NV		89122-4070
	Valley Vista Mobile Home Park	Resident	Space # 237	3001 Cabana Dr		Las Vegas	NV		89122-4070
	Valley Vista Mobile Home Park	Resident	Space # 238	3001 Cabana Dr		Las Vegas	NV		89122-4070
	Valley Vista Mobile Home Park	Resident	Space # 239	3001 Cabana Dr		Las Vegas	NV		89122-4212
	Valley Vista Mobile Home Park	Resident	Space # 240	3001 Cabana Dr		Las Vegas	NV		89122-4212
	Valley Vista Mobile Home Park	Resident	Space # 241	3001 Cabana Dr		Las Vegas	NV		89122-4212
	Valley Vista Mobile Home Park	Resident	Space # 242	3001 Cabana Dr		Las Vegas	NV		89122-4212
	Valley Vista Mobile Home Park	Resident	Space # 243	3001 Cabana Dr		Las Vegas	NV		89122-4212
	Valley Vista Mobile Home Park	Resident	Space # 244	3001 Cabana Dr		Las Vegas	NV		89122-4212
	Valley Vista Mobile Home Park	Resident	Space # 245	3001 Cabana Dr		Las Vegas	NV		89122-4212
	Valley Vista Mobile Home Park	Resident	Space # 246	3001 Cabana Dr		Las Vegas	NV		89122-4212
	Valley Vista Mobile Home Park	Resident	Space # 247	3001 Cabana Dr		Las Vegas	NV		89122-4212
	Valley Vista Mobile Home Park	Resident	Space # 248	3001 Cabana Dr		Las Vegas	NV		89122-4212
	Valley Vista Mobile Home Park	Resident	Space # 249	3001 Cabana Dr		Las Vegas	NV		89122-4213

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	Valley Vista Mobile Home Park	Resident	Space # 250	3001 Cabana Dr		Las Vegas	NV		89122-4213
	Valley Vista Mobile Home Park	Resident	Space # 251	3001 Cabana Dr		Las Vegas	NV		89122-4213
	Valley Vista Mobile Home Park	Resident	Space # 252	3001 Cabana Dr		Las Vegas	NV		89122-4213
	Valley Vista Mobile Home Park	Resident	Space # 253	3001 Cabana Dr		Las Vegas	NV		89122-4213
	Valley Vista Mobile Home Park	Resident	Space # 254	3001 Cabana Dr		Las Vegas	NV		89122-4213
	Valley Vista Mobile Home Park	Resident	Space # 255	3001 Cabana Dr		Las Vegas	NV		89122-4213
	Valley Vista Mobile Home Park	Resident	Space # 256	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 257	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 258	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 259	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 260	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 261	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 262	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 263	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 264	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 265	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 266	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 267	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 268	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 269	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 270	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 271	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 272	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 273	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 274	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 275	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 276	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 277	3001 Cabana Dr		Las Vegas	NV		89122-4071

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	Valley Vista Mobile Home Park	Resident	Space # 278	3001 Cabana Dr		Las Vegas	NV		89122-4214
	Valley Vista Mobile Home Park	Resident	Space # 279	3001 Cabana Dr		Las Vegas	NV		89122-4214
	Valley Vista Mobile Home Park	Resident	Space # 280	3001 Cabana Dr		Las Vegas	NV		89122-4214
	Valley Vista Mobile Home Park	Resident	Space # 281	3001 Cabana Dr		Las Vegas	NV		89122-4214
	Valley Vista Mobile Home Park	Resident	Space # 282	3001 Cabana Dr		Las Vegas	NV		89122-4227
	Valley Vista Mobile Home Park	Resident	Space # 283	3001 Cabana Dr		Las Vegas	NV		89122-4072
	Valley Vista Mobile Home Park	Resident	Space # 284	3001 Cabana Dr		Las Vegas	NV		89122-4072
	Valley Vista Mobile Home Park	Resident	Space # 285	3001 Cabana Dr		Las Vegas	NV		89122-4072
	Valley Vista Mobile Home Park	Resident	Space # 286	3001 Cabana Dr		Las Vegas	NV		89122-4072
	Valley Vista Mobile Home Park	Resident	Space # 287	3001 Cabana Dr		Las Vegas	NV		89122-4072
	Valley Vista Mobile Home Park	Resident	Space # 288	3001 Cabana Dr		Las Vegas	NV		89122-4072
	Valley Vista Mobile Home Park	Resident	Space # 289	3001 Cabana Dr		Las Vegas	NV		89122-4072
	Valley Vista Mobile Home Park	Resident	Space # 290	3001 Cabana Dr		Las Vegas	NV		89122-4072
	Valley Vista Mobile Home Park	Resident	Space # 291	3001 Cabana Dr		Las Vegas	NV		89122-4072
	Valley Vista Mobile Home Park	Resident	Space # 292	3001 Cabana Dr		Las Vegas	NV		89122-4072
	Valley Vista Mobile Home Park	Resident	Space # 293	3001 Cabana Dr		Las Vegas	NV		89122-4215
	Valley Vista Mobile Home Park	Resident	Space # 294	3001 Cabana Dr		Las Vegas	NV		89122-4215
	Valley Vista Mobile Home Park	Resident	Space # 295	3001 Cabana Dr		Las Vegas	NV		89122-4215
	Valley Vista Mobile Home Park	Resident	Space # 296	3001 Cabana Dr		Las Vegas	NV		89122-4215
	Valley Vista Mobile Home Park	Resident	Space # 297	3001 Cabana Dr		Las Vegas	NV		89122-4215
	Valley Vista Mobile Home Park	Resident	Space # 298	3001 Cabana Dr		Las Vegas	NV		89122-4215
	Valley Vista Mobile Home Park	Resident	Space # 299	3001 Cabana Dr		Las Vegas	NV		89122-4215
	Valley Vista Mobile Home Park	Resident	Space # 300	3001 Cabana Dr		Las Vegas	NV		89122-4215
	Valley Vista Mobile Home Park	Resident	Space # 301	3001 Cabana Dr		Las Vegas	NV		89122-4215
	Valley Vista Mobile Home Park	Resident	Space # 302	3001 Cabana Dr		Las Vegas	NV		89122-4215
	Valley Vista Mobile Home Park	Resident	Space # 303	3001 Cabana Dr		Las Vegas	NV		89122-4216
	Paradise Town Advisory Board	Attn: Maureen Helm		4713 Canna Drive	<null>	Las Vegas	NV		89122
	Sunrise Manor Town Advisory Board	Attn: Jill Nikovis-Leiva		10741 New Boro Avenue	<null>	Las Vegas	NV		89144

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
16108603004	ALBERTSON'S STORES SUB L L C		C/O PARADIGM TAX GROUP PO BOX 800729			DALLAS	TX		75380-0729
16108603005	VISTA CONVOY REALTY LTD		PO BOX 1610			COCKEYSVILLE	MD		21030
16108603007	L D NELLIS L L C		PO BOX 97821			LAS VEGAS	NV		89193-7821
16108603008	C A C L L C		2231 E DESERT INN RD			LAS VEGAS	NV		89169
16108611001	ELATION PROPERTIES L L C		3475 E TOMPKINS AVE			LAS VEGAS	NV		89121
16108611002	BALBASTRO RUBEN C & AMELIA A		2725 S NELLIS BLVD # 1117			LAS VEGAS	NV		89121
16108611003	SPERO SHANE E		2725 S NELLIS BLVD # 1120			LAS VEGAS	NV		89121-2094
16108611004	BARTHMAX LIVING TRUST	BARTH TETSUKO TRS	2725 S NELLIS BLVD UNIT 1119			LAS VEGAS	NV		89121
16108611005	PEREIRA ANA LUCIA		2725 S NELLIS BLVD # 2118			LAS VEGAS	NV		89121-7500
16108611006	GUZMAN PAUL G & SHERI L		1861 NAPOLEON DR			LAS VEGAS	NV		89156
16108611007	DORFF KEVIN		4537 POLK ST NE			COLUMBIA HEIGHTS	MN		55421
16108611008	CRUZ MARIANA		2725 S NELLIS BLVD # 2119			LAS VEGAS	NV		89121
16108611009	ORTIZ ALBERTINA MARIA		2725 S NELLIS BLVD			LAS VEGAS	NV		89121-2093
16108611010	GARBE REINHOLD G ETAL	KARWACKI-GARBE THERESA A	3226 WOODY LN			SAN JOSE	CA		95132
16108611011	CASTILLO ALEX R & SONIA P		2725 S NELLIS BLVD # 1108.			LAS VEGAS	NV		89121
16108611012	ALVAREZ GLADYS F		2725 S NELLIS BLVD # 1107			LAS VEGAS	NV		89121-2093
16108611013	IVALDY PHILLIP	PFUSTERER MARIA	2725 S NELLIS BLVD # 2106			LAS VEGAS	NV		89121
16108611014	SORIA HENRY G		2725 S NELLIS BLVD # 2105			LAS VEGAS	NV		89121-7500
16108611015	EVERETT PERRY		2725 S NELLIS BLVD # 2108			LAS VEGAS	NV		89121
16108611016	GILES EVA		2725 S NELLIS BLVD # 2107			LAS VEGAS	NV		89121
16108611017	DAYBREAK FAMILY TRUST		2922 SALTILLO LN			LAS VEGAS	NV		89121
16108611018	SALOMONS BRUCE & SANDRA	SALOMONS JESSE	46 KING CLOSE			RED DEER	AB	CANADA	T4P 3P5
16108611019	CLEMENTE FAMILY TRUST	CLEMENTE DOMINIC MICHAEL & KATHRYN MARIE TRS	2725 S NELLIS BLVD # 1104			LAS VEGAS	NV		89121
16108611020	CLEMENTE RALPH		2725 S NELLIS BLVD # 1103			LAS VEGAS	NV		89121-2093
16108611021	DEAN LAMBUS FREDERICK		2725 S NELLIS BLVD # 2102			LAS VEGAS	NV		89121
16108611022	WOODS BARBARA		2072 82ND AVENUE			OAKLAND	CA		94621-2225
16108611023	STRINGER JASON		2725 S NELLIS BLVD # 2104			LAS VEGAS	NV		89121

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
16108611024	BOWENS BRYANT L & ALISHEA		2725 S NELLIS BLVD # 2103			LAS VEGAS	NV		89121-7500
16108611025	GILREATH UNTOK		2725 S NELLIS BLVD 1098			LAS VEGAS	NV		89121
16108611026	MOLINA ANDRES		6912 ADOBE VILLA			LAS VEGAS	NV		89142-3710
16108611027	GONZALEZ JORGAN		30338 LAPASSADE CT			MURRIETA	CA		92563
16108611028	COURTIER BRIAN L	BIXLER LINDA D	2725 S NELLIS BLVD # 1099			LAS VEGAS	NV		89121
16108611029	MERCADO MARK ANTHONY ORDONA & EVERLY		2725 S NELLIS BLVD # 2098			LAS VEGAS	NV		89121
16108611030	THAYER FAMILY TRUST	THAYER DENNIS & SHIRLEY TRS	UNIT 117	2020 MULDOON RD		ANCHORAGE	AK		99504-3665
16108611031	MILLER WILLIAM C		2725 S NELLIS BLVD # 2100			LAS VEGAS	NV		89121
16108611032	HENDERSON EMMITT JR & ELIBERTA R		PO BOX 473			LA MESA	CA		91944-0473
16108611033	BLOCHBERGER CHARLES		2490 OAKCREST DR			PALM SPRINGS	CA		92264
16108611034	GRAY GERALD & JOY FAMILY TRUST	GRAY GERALD R & JOY TRS	2187 VALLEY DR			IDAHO FALLS	ID		83401-3232
16108611035	ROSS LONNIE C & SONYA I		2725 S NELLIS BLVD # 1088			LAS VEGAS	NV		89121
16108611036	GRADY ANTHONY DARNEL	ALEX- GRADY MERDEC MARIA	2725 S NELLIS BLVD UNIT 1087			LAS VEGAS	NV		89121-2093
16108611037	BROWN JAMES L & ROZA PETRIVNA		2725 S NELLIS BLVD UNIT 2086			LAS VEGAS	NV		89121
16108611038	CASALE JOHN G TRUST	CASALE JOHN G TRS	4935 MONTELEONE AVE			LAS VEGAS	NV		89141
16108611039	HUNT ROSEMARIE		2725 S NELLIS BLVD # 2088			LAS VEGAS	NV		89121
16108611040	LOONEY ALBERT ROE III		2725 S NELLIS BLVD # 2087			LAS VEGAS	NV		89121
16108611041	HENRY ROBERT THRALLS & NANCY M		2725 S NELLIS BLVD # 1082			LAS VEGAS	NV		89121-7724
16108611042	WELLS ALASKA COMMUNITY PPTY TR	WELLS RICHARD B & P K TRS	34411 KEYSTONE DR			SOLDOTNA	AK		99669
16108611043	BROWN JAMES L & ROZA P		2725 S NELLIS BLVD # 1084			LAS VEGAS	NV		89121-2093
16108611044	RODRIGUEZ JULIO CESAR		2725 NELLIS BLVD # 1083			LAS VEGAS	NV		89121
16108611045	REINER BRUCE		2725 S NELLIS BLVD # 2082			LAS VEGAS	NV		89121
16108611046	JOVIC JELENA		2725 S NELLIS BLVD # 2081			LAS VEGAS	NV		89121-7729
16108611047	KRAWCZYK BOGDAN		2725 S NELLIS BLVD # 2084			LAS VEGAS	NV		89121
16108611048	O'GRADY TARA		2725 S NELLIS BLVD # 2083			LAS VEGAS	NV		89121-7729
16108611049	BRILEY RUSSELL		2725 S NELLIS BLVD # 1078			LAS VEGAS	NV		89121

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
16108611050	GARCIA LILLIAN & JOAQUIN		2725 S NELLIS BLVD # 1077			LAS VEGAS	NV		89121
16108611051	GALINDO JOSE		2725 S NELLIS BLVD # 1080			LAS VEGAS	NV		89121-7724
16108611052	IKEDA KENT J		2725 S NELLIS BLVD # 1079			LAS VEGAS	NV		89121
16108611053	SMITH SELENE		423 BROADWAY # 305			MILLBRAE	CA		94030
16108611054	DURHAM KEVIN		34 BELCHER ST APT 5			SAN FRANCISCO	CA		94114
16108611055	STERLING ROBERT & MARTHA TRUST		2725 S NELLIS BLVD # 2080			LAS VEGAS	NV		89121-7729
16108611056	GARCIA RICHARD TRUST	GARCIA RICHARD TRS	2725 S NELLIS BLVD # 2079			LAS VEGAS	NV		89121-2099
16108611057	BRYANT WILLIAM R		2725 S NELLIS BLVD # 1074			LAS VEGAS	NV		89121
16108611058	ALLEN LARRY BERNARD		2149 DALEY ST C			NORTH LAS VEGAS	NV		89030
16108611059	GAMA CHRISTIAN		2725 S NELLIS BLVD # 1076			LAS VEGAS	NV		89121
16108611060	VALDES ISABEL		2725 S NELLIS BLVD # 1075			LAS VEGAS	NV		89121-7724
16108611061	AL-TURKMANI & AYMAN		2725 S NELLIS BLVD # 2074			LAS VEGAS	NV		89121
16108611062	FERNANDEZ ISABEL MARIA		2725 S NELLIS BLVD # 2073			LAS VEGAS	NV		89121-2099
16108611063	FRAGAKIS JEAN		2725 NELLIS BLVD # 2076			LAS VEGAS	NV		89121-2099
16108611064	SMITH JEFFERY		2725 NELLIS BLVD 2075			LAS VEGAS	NV		89121
16108611065	BARRERA JESUS		1117 PLEASANT BROOK ST			LAS VEGAS	NV		89142
16108611066	BELLEROSE EDWARD J & JUANITA K		2725 S NELLIS BLVD # 1061			LAS VEGAS	NV		89121-2092
16108611067	BAKER RICHARD L		2725 S NELLIS BLVD # 1064			LAS VEGAS	NV		89121
16108611068	BRYAN-WHITE ANNISE		2725 S NELLIS BLVD # 1063			LAS VEGAS	NV		89121
16108611069	CASH LARRY DARNEL	CORBIN GLENDA LAGAR	2725 S NELLIS BLVD # 2062			LAS VEGAS	NV		89121-2099
16108611070	FELLER ANTHONY		2725 S NELLIS BLVD # 2061			LAS VEGAS	NV		89121-2099
16108611071	HURSH DALVANTE DUANE	HARPER BONNIE MAE	2725 S NELLIS BLVD # 2064			LAS VEGAS	NV		89121
16108611072	MARSHALL PHYLLIS J	SHIRKEY ANDREW W	2725 S NELLIS BLVD UNIT 2063			LAS VEGAS	NV		89121-2099
16108611073	IBARRA MAYLENIS PIEDRA		2725 S NELLIS BLVD # 1058			LAS VEGAS	NV		89121
16108611074	HERNANDEZ EVANGELINA		2725 S NELLIS BLVD UNIT 1057			LAS VEGAS	NV		89121
16108611075	MORALES GILBERT		2725 S NELLIS BLVD UNIT 1060			LAS VEGAS	NV		89121

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
16108611076	PATTON SATONYA L ETAL	BELL LOUISE TRUST	2725 S NELLIS BLVD UNIT 1059			LAS VEGAS	NV		89121
16108611077	ZASADA ANTHONY	HOOK TIMOTHY TAI	2725 S NELLIS BLVD # 2058			LAS VEGAS	NV		89121-7502
16108611078	KOUNTZ DEBRA D		2725 S NELLIS BLVD UNIT 2057			LAS VEGAS	NV		89121
16108611079	VILLACARLOS ROMEO & GENEROSA		2725 S NELLIS BLVD # 2060			LAS VEGAS	NV		89121-2099
16108611080	SPROUL KRISTINA		2725 S NELLIS BLVD # 2059			LAS VEGAS	NV		89121
16108611081	VICUNA OSCAR		2725 S NELLIS BLVD # 1054			LAS VEGAS	NV		89121-2092
16108611082	REED PATTIE	DAVIS JAMES	2725 S NELLIS BLVD # 1053			LAS VEGAS	NV		89121-2092
16108611083	ELLIOTT RICHARD HARVEY		2725 S NELLIS BLVD UNIT 1056			LAS VEGAS	NV		89121
16108611084	LOTUS TRUST	NEHRU KUMUDA LOTUS TRS	2725 S NELLIS BLVD UNIT 1055			LAS VEGAS	NV		89121
16108611085	CRUZ NIKLWILLI L		2725 S NELLIS BLVD # 2054			LAS VEGAS	NV		89121
16108611086	RODRIGUEZ MARIBEL & LUIS		6159 HAYS COVE CT			LAS VEGAS	NV		89148
16108611087	SABEDRA DAVID		6518 PECAN GROVE CT			LAS VEGAS	NV		89142
16108611088	SACKS EMILIANO ADRIAN		2725 S NELLIS BLVD UNIT 2055			LAS VEGAS	NV		89121
16108611089	DANIGGELIS MONICA D REVOCABLE LIVING TRUST	DANIGGELIS MONICA D TRS	2725 S NELLIS BLVD # 1042			LAS VEGAS	NV		89121
16108611090	ALLEN LORIS		10620 VILLAGE RD			MORENO VALLEY	CA		92557-3959
16108611091	AZUCENA MARITZA L		7006 MURIETTA AVE			VAN NUYS	CA		91405-3316
16108611092	GUERRERO ERIKA R		2725 S NELLIS BLVD # 1043			LAS VEGAS	NV		89121
16108611093	SMITH ROBERT LEWIS & MARTHA ESTHER		2725 S NELLIS BLVD UNIT 2042			LAS VEGAS	NV		89121
16108611094	TROMP PAULA	JONES PAULETTE	4915 MAJOR DR			NEW ORLEANS	LA		70128
16108611095	SUMNER APRIL LEE & LEONARD ARTHUR JR		2725 S NELLIS BLVD # 2044			LAS VEGAS	NV		89121
16108611096	NEUSCHWANDER GERALD		2725 S NELLIS BLVD # 2043			LAS VEGAS	NV		89121
16108611097	MONTAGUE CAROLYN		2725 S NELLIS # 1038			LAS VEGAS	NV		89121
16108611098	KIPLING CHERYL A	DASCH ROBERT T	2725 S NELLIS BLVD # 1037			LAS VEGAS	NV		89121
16108611099	FAVORS YVETTE J	HARDIN LYNETTE	9323 S PEORIA ST			CHICAGO	IL		60620
16108611100	ASPEN SUMMIT VENTURES L L C		3137 E WARM SPRINGS RD # 100			LAS VEGAS	NV		89120

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16108611101	MAYNARD RONALD AUSTIN	FRASER LESLIE ANN	2725 S NELLIS BLVD # 2038			LAS VEGAS	NV		89121-2098
16108611102	CORBETT CHELSEA E		2725 S NELLIS BLVD # 2037			LAS VEGAS	NV		89121
16108611103	CALDERON SANDRA D FAMILY TRUST	CALDERON SANDRA D TRS	260 HALEY WAY UNIT 140			MESQUITE	NV		89027
16108611104	TURMAN FAMILY TRUST	TURMAN MARIA M TRS	3835 WAYNESVILL ST			LAS VEGAS	NV		89122-4732
16108611105	PATRICK JUDY KAY REVOCABLE LIVING TRUST	PATRICK JUDY KAY TRS	2725 S NELLIS BLVD # 1034			LAS VEGAS	NV		89121
16108611106	WOLFE DIANE N		2725 S NELLIS BLVD # 1033			LAS VEGAS	NV		89121
16108611107	ONUS EDWARD		2725 S NELLIS BLVD # 1036			LAS VEGAS	NV		89121-2091
16108611108	ANDERSON BRAD & JEANNIFER		2725 S NELLIS BLVD # 1035			LAS VEGAS	NV		89121
16108611109	GARLIT FLORENCE		1304 OLIVIA PKWY			HENDERSON	NV		89011
16108611110	HALL MAYRA		4008 EL SEGUNDO AVE			LAS VEGAS	NV		89121
16108611111	THUNSTROM STEPHEN W		2725 S NELLIS BLVD # 2036			LAS VEGAS	NV		89121-2098
16108611112	GUTIERREZ HECTOR	ALVARADO MARIA DE REFUGIO	2725 S NELLIS BLVD # 2035			LAS VEGAS	NV		89121-2098
16108611113	LEE ERIN		5433 OVERLOOK VALLEY ST			NORTH LAS VEGAS	NV		89081
16108611114	GONZALEZ CARLOS RUIZ		2725 S NELLIS BLVD # 1029			LAS VEGAS	NV		89121
16108611115	MENOR GUY M Y	HAUMEA ELEANOR M	6231 OLOHENA RD			KAPAA	HI		96746
16108611116	FRANCIA CATHERINE		2725 S NELLIS BLVD # 1031			LAS VEGAS	NV		89121
16108611117	GUTIERREZ DIANA		2725 S NELLIS BLVD # 2030			LAS VEGAS	NV		89121-2098
16108611118	GOLDFARB RONALD I & RANDALL S		6 LARCH CIR			HOLLAND	PA		18966
16108611119	MUSTERED JOHN L & FLOR F		2725 S NELLIS BLVD # 2032			LAS VEGAS	NV		89121
16108611120	OWENS CRISTAL N		2725 S NELLIS BLVD # 2031			LAS VEGAS	NV		89121
16108611121	SULLIVAN BENJAMIN EDWARD		2725 S NELLIS BLVD # 1026			LAS VEGAS	NV		89121-2091
16108611122	HAYES THOMAS RAY & DANA MARIE		2725 S NELLIS BLVD # 1025			LAS VEGAS	NV		89121
16108611123	SCOTT TONI		2725 S NELLIS BLVD # 1028			LAS VEGAS	NV		89121
16108611124	GARCIA MARIA YSABEL SANCHEZ REVOCABLE LIVING TRUST	GARCIA MARIA YSABEL SANCHEZ TRS	1579 FALLING LEAF LANE			LAS VEGAS	NV		89142
16108611125	WILEY JOAN		2725 S NELLIS BLVD # 2026			LAS VEGAS	NV		89121-7727
16108611126	FISTER KATHRYN C		2725 S NELLIS BLVD # 2025			LAS VEGAS	NV		89121-2097

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16108611127	LEWIS SPENCER & LORCESA		2725 S NELLIS BLVD UT 2028			LAS VEGAS	NV		89121
16108611128	VANPOOL REVOCABLE FAMILY LIVING TRUST	VANPOOL ANNABELLE LEE TRS	3553 ATLANTIC AVE STE A 666			LONG BEACH	CA		90807
16108611129	DELAROSA CRISTIAN ROJAS		2725 S NELLIS BLVD # 1022			LAS VEGAS	NV		89121
16108611130	GONZALEZ HERIBERTO ETAL	LOPEZ MARIA OLGA GONZALEZ	4134 ORANGE MIST WAY			LAS VEGAS	NV		89122
16108611131	BAEZ JOSEPH		2725 S NELLIS BLVD UNIT 1024			LAS VEGAS	NV		89121
16108611132	LOWE TYNISHA TRUST	LOWE DENISE CO-TRS	2725 S NELLIS BLVD # 1023			LAS VEGAS	NV		89121
16108611133	VENA EMILY & WILLIAM		2725 S NELLIS BLVD # 2022			LAS VEGAS	NV		89121
16108611134	SHPRINTZ JASON MICHAEL LIVING TRUST	SHPRINTZ JASON MICHAEL TRS	2725 S NELLIS BLVD # 2021			LAS VEGAS	NV		89121
16108611135	VAZQUEZ JESUS		2725 S NELLIS BLVD 2024			LAS VEGAS	NV		89121
16108611136	BARROS RACHEL CHRISTINE		2725 S NELLIS BLVD # 2023			LAS VEGAS	NV		89121-2097
16108611137	JOHNSON FAMILY TRUST	JOHNSON ELIJAH M TRS	2323 PROMETHEUS CT			HENDERSON	NV		89074
16108611138	MERCER ALFRED		2725 S NELLIS BLVD # 1017			LAS VEGAS	NV		89121
16108611139	VOGEL MARILYN FAMILY TRUST	VOGEL MARILYN TRS	2725 S NELLIS BLVD # 1020			LAS VEGAS	NV		89121-2090
16108611140	URBAN JEROME R & MARIA E		2725 S NELLIS BLVD # 1019			LAS VEGAS	NV		89121-2090
16108611141	FARMER STEVEN S		2725 S NELLIS # 2018			LAS VEGAS	NV		89121-2097
16108611142	NORIEGA FELIPE V JR & JULIANNA	NORIEGA JOANNA	2725 S NELLIS BLVD # 2017			LAS VEGAS	NV		89121
16108611143	BONILLA JENNIFER		2725 S NELLIS BLVD # 2020			LAS VEGAS	NV		89121-2097
16108611144	DOLAN JOHN P		702 W THOMAS RD			WHEATON	IL		60187-3162
16108611145	GONZALEZ RODRIGO R JR & ERMALINDA S		3713 SHAVING SHADOWS AVE			NORTH LAS VEGAS	NV		89032
16108611146	GROTE DONALD J & BECKY J		4703 384TH ST			NORTH BRANCH	MN		55056
16108611147	KELLER MARK		2725 S NELLIS BLVD # 1016			LAS VEGAS	NV		89121
16108611148	ALEXANDER JOHNNY & HSIANG CHI		2725 S NELLIS BLVD # 1015			LAS VEGAS	NV		89121
16108611149	SALAZAR-DIAZ LIZBETT		2725 S NELLIS BLVD # 2014			LAS VEGAS	NV		89121
16108611150	TRENT ASSETS L L C		7310 SOUTHERN MAGNOLIA ST			LAS VEGAS	NV		89149
16108611151	MARKEE JEFFREY DAVID	BUSCH BARBARA J	2725 S NELLIS BLVD UNIT 2016			LAS VEGAS	NV		89121

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16108611152	STEWART SANDI J		14 CEDAR CLOSE			LACOMBE	AB	CANADA	T4L 1P5
16108611153	CARDENAS-MENDOZA VICTOR OMAR		2725 S NELLIS BLVD # 1010			LAS VEGAS	NV		89121
16108611154	BELLIVEAU JOHN		2725 S NELLIS BLVD # 1009			LAS VEGAS	NV		89121-2090
16108611155	PEREYRA CRYSTAL VERONIQUE		2725 S NELLIS BLVD # 1012			LAS VEGAS	NV		89121
16108611156	WEST GINA LEE		2725 S NELLIS BLVD # 1011			LAS VEGAS	NV		89121
16108611157	KEEN TERESA		2725 S NELLIS BLVD # 2010			LAS VEGAS	NV		89121-2097
16108611158	KIRBY TERESA D		11859 SWILLY CT			ORLAND PARK	IL		60467
16108611159	HENRY SUSANNA M SEPARATE PPTY TR	HENRY SUSANNA M TRS	2725 S NELLIS BLVD # 2012			LAS VEGAS	NV		89121-2097
16108611160	MARTINEZ TAYMI RODRIGUEZ		2725 S NELLIS BLVD # 2011			LAS VEGAS	NV		89121
16108611161	SOUZA JESSICA R TRUST	SOUZA JESSICA R TRS	17305 SE 91ST LEE AVE			THE VILLAGES	FL		32162
16108611162	DOUGLAS MITCHELL LIVING TRUST	DOUGLAS MITCHELL TRS	2725 S NELLIS BLVD # 1005			LAS VEGAS	NV		89121-2090
16108611163	BELLIVEAU JOHN		PO BOX 178			KAPAA	HI		96746
16108611164	WEDGE MARGARET A REVOCABLE TRUST	WEDGE MARGARET A TRS	PO BOX 152			CARPENTERSVILLE	IL		60110
16108611165	CORTEZ MIGUEL A SARMIENTO		2725 S NELLIS BLVD # 2006			LAS VEGAS	NV		89121-2097
16108611166	ROBERTS MERRISSA		2725 S NELLIS BLVD # 2005			LAS VEGAS	NV		89121
16108611167	RODRIGUEZ-GOMEZ ANTONIO		2725 S NELLIS BLVD # 2008			LAS VEGAS	NV		89121
16108611168	FERRER RENE & RENE JR		2725 S NELLIS BLVD # 2007			LAS VEGAS	NV		89121
16108611169	JOHNSON YRASHHEMA		2725 S NELLIS BLVD # 1004			LAS VEGAS	NV		89121-2090
16108611170	FORESTAL ELDOUTE		2725 S NELLIS BLVD # 1003			LAS VEGAS	NV		89121
16108611171	KYLE JAMES MELVIN LIVING TRUST	KYLE JAMES MELVIN TRS	2725 S NELLIS BLVD # 1002			LAS VEGAS	NV		89121
16108611172	MORALES EDGAR E	MAYORGA ROSA E	2725 S NELLIS BLVD UNIT 1001			LAS VEGAS	NV		89121
16108611173	MILLS NORMA TRUST	MILLS NORMA TRS	2725 S NELLIS BLVD # 2004			LAS VEGAS	NV		89121-2097
16108611174	NIETO MARTHA E DIAZ		2725 S NELLIS BLVD # 2003			LAS VEGAS	NV		89121
16108611175	CRUZ EDGARDO C	DECRUZ FRANCISCA SANDOVAL	2725 S NELLIS BLVD # 2002			LAS VEGAS	NV		89121-2097
16108611176	MARINO THOMAS J		2725 S NELLIS BLVD # 2001			LAS VEGAS	NV		89121
16108611177	ESPINOZA ARMANDO		2725 S NELLIS BLVD # 1202			LAS VEGAS	NV		89121

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16108611178	ESCUERO ARIES VICENCIO		1405 S NELLIS BLVD # 1021			LAS VEGAS	NV		89104
16108611179	RENTERIA ANNA MARIE		2725 S NELLIS BLVD # 1204			LAS VEGAS	NV		89121-2096
16108611180	GARCIA MARIA SOLEDAD PANTOJA		2725 S NELLIS BLVD # 1203			LAS VEGAS	NV		89121
16108611181	BELLOTTO TANYA L		2725 S NELLIS BLVD # 2202			LAS VEGAS	NV		89121-7503
16108611182	RUBALCABA MARIA E LOPEZ		2725 S NELLIS BLVD # 2201			LAS VEGAS	NV		89121-7503
16108611183	WAGNER JOHN		626 CRESTWAY DR			SAN ANTONIO	TX		78239-2152
16108611184	ROMERO-GONZALEZ MANUEL ETAL	FREGOSO-GONZALEZ MARIBEL & YASAIRA	2725 S NELLIS BLVD 2203			LAS VEGAS	NV		89121
16108611185	JOHNSON MARIBEL & JAMES		2725 S NELLIS BLVD 1198			LAS VEGAS	NV		89121
16108611186	MCKAY JENNY L		2725 S NELLIS BLVD UNIT # 1197			LAS VEGAS	NV		89121
16108611187	VONG JODIE		9405 STONE SPRINGS DR			ELK GROVE	CA		95624
16108611188	TOMKO PATRICIA & MICHAEL		2725 S NELLIS BLVD # 1199			LAS VEGAS	NV		89121
16108611189	CANTRELL DANIEL & LINDA		2725 S NELLIS BLVD # 2198			LAS VEGAS	NV		89121-7503
16108611190	GEHRMAN ANN LIVING TRUST	GEHRMAN ANN TRS	9216 BLACK SLATE ST			LAS VEGAS	NV		89123
16108611191	BURDETTE JOHN L		2725 S NELLIS BLVD UT 2200			LAS VEGAS	NV		89121
16108611192	SCHNOCK-SOILEAU CLAIRA A		2725 S NELLIS BLVD # 2199			LAS VEGAS	NV		89121
16108611193	JAVINAR ANGEL JR & MARILYN N		2725 S NELLIS BLVD # 1196			LAS VEGAS	NV		89121
16108611194	HERIGSTAD BRETT & BRIAN		2725 S NELLIS BLVD # 1195			LAS VEGAS	NV		89121-2096
16108611195	PACELLI JANICE LYNNE PARLIN		2725 S NELLIS BLVD # 1194			LAS VEGAS	NV		89121-2096
16108611196	MAGANA-RANGEL MARIA DOLORES		2725 S NELLIS BLVD # 1193			LAS VEGAS	NV		89121
16108611197	MARTIATU DANNIA & DANIEL	MARTIATU DAYSI B	2725 S NELLIS BLVD # 2196			LAS VEGAS	NV		89121
16108611198	VONG BRITTANEY E		2725 S NELLIS BLVD UNIT 2195			LAS VEGAS	NV		89121
16108611199	OSTRANSKY MARVIN J		14002 S 108TH ST			SPRINGFIELD	NE		68059
16108611200	TRUJILLO DEIVIS BETANCOURT		2725 S NELLIS BLVD # 2193			LAS VEGAS	NV		89121
16108611201	DIAZ MAYBEL		2725 S NELLIS BLVD # 1184			LAS VEGAS	NV		89121-2096
16108611202	MATTIN JOSHUA ALAN & MONALISA TUTOR		2725 S NELLIS BLVD # 1183			LAS VEGAS	NV		89121
16108611203	MAROPULOS WILLIAM P &		4930 LEEDS ST			SIMI VALLEY	CA		93063-3054

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16108611204	ARMANNO TOMMASO LIVING TRUST	ARMANNO TOMMASO TRS	2725 S NELLIS BLVD # 1181			LAS VEGAS	NV		89121-2096
16108611205	NEWMAN JOEL B & JOAN E		2725 S NELLIS BLVD # 2184			LAS VEGAS	NV		89121-7503
16108611206	SULLIVAN BERRIE & CELESTINE		2725 S NELLIS BLVD UNIT 2183			LAS VEGAS	NV		89121
16108611207	RODRIGUEZ DANAY VARELA	JIMENEZ-VARELA ARIEL	2725 S NELLIS BLVD # 2182			LAS VEGAS	NV		89121
16108611208	YURGA PAUL S & HICKEY VICTORIA A LIVING TRUST		10245 E THISTLE AVE			MESA	AZ		85212
16108611209	SORIA ALBERTO		2725 S NELLIS BLVD # 1180			LAS VEGAS	NV		89121
16108611210	MATURAN NATIVIDAD ARRIETA		2725 S NELLIS BLVD UNIT 1179			LAS VEGAS	NV		89121
16108611211	MARTORANA ANDREW	SCHENK-MARTORANA AUBREY	4954 JUPITER HILLS DR			IDAHO FALLS	ID		83401
16108611212	MEDLIN DEBRA ELAINE		2725 S NELLIS BLVD # 1177			LAS VEGAS	NV		89121
16108611213	LEON KEVIN JAIR		2725 S NELLIS BLVD # 2180			LAS VEGAS	NV		89121
16108611214	SANCHEZ MA DEL REFUGIO ALBA		2725 S NELLIS BLVD # 2179			LAS VEGAS	NV		89121
16108611215	CHAN ANTONY TIN LING		2725 S NELLIS BLVD # 2178			LAS VEGAS	NV		89121
16108611216	OHREN FAMILY TRUST	OHREN MICHAEL MARK & JOAN E TRS	PO BOX 1153			HELENDALE	CA		92342
16108611217	POTTS MARGARET N & GEOFFREY A		2725 S NELLIS BLVD # 1176			LAS VEGAS	NV		89121-7726
16108611218	KUMAR FAMILY REVOCABLE LIVING TR	KUMAR NARESH TRS	PO BOX 270361			LAS VEGAS	NV		89127-4361
16108611219	BAKER RICHARD F REVOCABLE TRUST	BRYANT ELIZABETH TRS	2573 EAGLE ST			LAS VEGAS	NV		89142-2544
16108611220	POPE ROBERT H	YAGER-POPE CHRISTINE	2725 S NELLIS BLVD # 1173			LAS VEGAS	NV		89121-2095
16108611221	SMITH RICHARD A & DONNA M		2725 S NELLIS BLVD # 2176			LAS VEGAS	NV		89121-7502
16108611222	SOOKRAJ INDERA REVOCABLE LIV TR	SOOKRAJ INDERA TRS	2725 S NELLIS BLVD # 2175			LAS VEGAS	NV		89121
16108611223	DOTSON ROSELA R		2725 S NELLIS BLVD # 2174			LAS VEGAS	NV		89121
16108611224	HIET JANICE A	HUMES JOHN W	2725 S NELLIS BLVD # 2173			LAS VEGAS	NV		89121-7502
16108611225	M & G HERNANDEZ REVOCABLE LIVING TRUST	HERNANDEZ MOISES & GLORIA E 3847 VENTURA WAY CO-TRS				LAS VEGAS	NV		89121-6154
16108611226	HENLEY CAROL ANN		2725 S NELLIS BLVD # 1163			LAS VEGAS	NV		89121
16108611227	BAILIE DAVID E		2725 S NELLIS BLVD # 1162			LAS VEGAS	NV		89121

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16108611228	ROJAS LILIA		2725 S NELLIS BLVD UNIT 1161			LAS VEGAS	NV		89121
16108611229	CARPENTER SCOTT J & CYNTHIA S	CARPENTER MARK K & LINDA J	1306 CHASE AVE			CREIGHTON	NE		68729
16108611230	POSEY GLENN		6895 E LAKE MEAD BLVD # 167			LAS VEGAS	NV		89156
16108611231	BURTNICK ARLENE R		2725 S NELLIS BLVD # 2162			LAS VEGAS	NV		89121-7502
16108611232	MIRANDA MANUEL & AMANDA		2725 S NELLIS BLVD # 2161			LAS VEGAS	NV		89121
16108611233	NEDEAU FREDERICK D & ELIZABETH A		2725 S NELLIS BLVD # 1160			LAS VEGAS	NV		89121-2095
16108611234	KUETEMAN JODI M		2725 S NELLIS BLVD # 1159			LAS VEGAS	NV		89121
16108611235	SATICOY BAY LLC SERIES 2725		PO BOX 36208			LAS VEGAS	NV		89133
16108611236	ADANALIAN LENA GRACE		18 HAVENWOOD			IRVINE	CA		92614
16108611237	FISHER RYAN S		2725 S NELLIS BLVD # 2160			LAS VEGAS	NV		89121-7502
16108611238	PERALES CARLOS ALEJANDRO		2725 S NELLIS BLVD # 2159			LAS VEGAS	NV		89121
16108611239	DIAZ CARMEN C		2725 S NELLIS BLVD # 2158			LAS VEGAS	NV		89121
16108611240	AGUILAR JOSE M GARCIA		5189 VARSITY AVE			LAS VEGAS	NV		89146-7051
16108611241	K & P LACY FAMILY TRUST		5145 ARVILLE ST STE C			LAS VEGAS	NV		89118
16108611242	GARCIA ARLEY PADRON		2725 S NELLIS BLVD 1155			LAS VEGAS	NV		89121-2099
16108611243	LOPEZ ANTONIO S		2725 S NELLIS # 1154			LAS VEGAS	NV		89121-2095
16108611244	GLOVER JAMES C & BONNIE L		910 ELMHUST DR			PAPILLION	NE		68046
16108611245	MICKELSEN LONEY B		2725 S NELLIS BLVD # 2156			LAS VEGAS	NV		89121-7730
16108611246	YEE FAMILY TRUST	YEE DAVID T & DORINA FAZ TRS	2534 TALISKER AVE			HENDERSON	NV		89044
16108611247	GRAY PAMELA C		2725 S NELLIS BLVD # 2154			LAS VEGAS	NV		89121-7730
16108611248	BRADY PAUL & MANDY		515 S JACKSON ST			PAPILLION	NE		68046
16108611249	ALCANTARA RICARDO	SHENSHAW MARY LOU	2725 S NELLIS BLVD # 1152			LAS VEGAS	NV		89121
16108611250	WILLIAMS SARAH ANN		2725 S NELLIS BLVD # 1151			LAS VEGAS	NV		89121
16108611251	BURRELL ANDREW JR		2725 S NELLIS BLVD UNIT 1150			LAS VEGAS	NV		89121
16108611252	M & G HERNANDEZ REVOCABLE LIVING TRUST	HERNANDEZ MOISES & GLORIA E CO-TRS	3847 VENTURA WAY			LAS VEGAS	NV		89121
16108611253	MIRANDA AMANDA M		2725 S NELLIS BLVD # 2152			LAS VEGAS	NV		89121

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16108611254	BALLESTEROS GABRIELA 2023 LIVING TRUST	BALLESTEROS GABRIELA TRS	968 W 11TH ST			POMONA	CA		91766
16108611255	WEST TERESA L		2725 S NELLIS BLVD # 2150			LAS VEGAS	NV		89121-7730
16108611256	NANA BABETTE ALEXANDRALE SEUMAN		2725 S NELLIS BLVD # 2149			LAS VEGAS	NV		89121
16108611257	NATIVIDAD AZUCENA P & ROMEO F		2725 S NELLIS BLVD # 1140			LAS VEGAS	NV		89121
16108611258	SPERANZA GEORGE & SUSAN		2725 S NELLIS BLVD # 1139			LAS VEGAS	NV		89124
16108611259	LEE KELSEY LYNNE		2725 S NELLIS BLVD # 1138			LAS VEGAS	NV		89121
16108611260	KOSKI JANICE		2725 S NELLIS BLVD UNIT 1137			LAS VEGAS	NV		89121
16108611261	VENTURA ALEJANDRO		2725 S NELLIS BLVD # 2140			LAS VEGAS	NV		89121
16108611262	CONTRERAS ROBERTO & ANA		2725 S NELLIS BLVD # 2139			LAS VEGAS	NV		89121
16108611263	HILL KILBY LYN	HILL PETER R & CHERYL L	2725 S NELLIS BLVD # 2138			LAS VEGAS	NV		89121-7501
16108611264	NELSON MICHAEL E & MICHAEL II		861 E 2620 N			PROVO	UT		84604
16108611265	HAMAN STANLEY S		2725 S NELLIS BLVD # 1136			LAS VEGAS	NV		89121-2094
16108611266	KOSKI DAVE & BARBARA		2725 S NELLIS BLVD # 1135			LAS VEGAS	NV		89121
16108611267	HARRIS LEROY		2725 S NELLIS BLVD # 1134			LAS VEGAS	NV		89121-2094
16108611268	OPHEIM KIM & VIRGINIA MARIE		232130 R R 284			ROCKY VIEW	AB	CANADA	T1X 0K7
16108611269	EGAN ELENA		2725 S NELLIS BLVD # 2136			LAS VEGAS	NV		89121
16108611270	LINDO DAVID		2725 S NELLIS BLVD # 2135			LAS VEGAS	NV		89121
16108611271	SAPPHIRE TRUST	VILLA VIANCA TRS	3670 STARBRIGHT LN			LAS VEGAS	NV		89147
16108611272	BAEZ JULIE V		2725 S NELLIS BLVD UNIT 2133			LAS VEGAS	NV		89121
16108611273	MORALES DIANNE F & JOHN A		2725 S NELLIS BLVD # 1124			LAS VEGAS	NV		89121-2094
16108611274	NGUYEN THOI THI REVOCABLE LIVING TRUST	NGUYEN THOI THI TRS	2725 S NELLIS BLVD # 1123			LAS VEGAS	NV		89121-2094
16108611275	SMART JAMES R		2725 S NELLIS BLVD # 1122			LAS VEGAS	NV		89121-2094
16108611276	QUIJANO MICKYL ANTHONY RODRIGUEZ	AVILA JOANNA MARLEN MORA	2725 S NELLIS BLVD # 1121			LAS VEGAS	NV		89121
16108611277	PETTY BRENDA		2725 S NELLIS BLVD # 2124			LAS VEGAS	NV		89121-7501
16108611278	STCLAIR VICTORIA M		2725 S NELLIS BLVD # 2123			LAS VEGAS	NV		89121-7501

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16108611279	SHIRKEY ANDREW W		2725 S NELLIS BLVD # 2122			LAS VEGAS	NV		89121-7500
16108611280	VALENZUELA FAMILY TRUST ETAL	CASTRO RAUL VALENZUELA TRS	2725 S NELLIS BLVD # 2121			LAS VEGAS	NV		89121-7500
16108611281	MILLER EUNICE DARLENE TURNER		37114 CALLE REAL			PALMDALE	CA		93550
16108611282	MALIWAT ANTHONY & EILEEN		2725 S NELLIS BLVD 1125			LAS VEGAS	NV		89121
16108611283	CARREON LORENA AMBATALI & FRANCES		2725 S NELLIS BLVD UNIT 1128			LAS VEGAS	NV		89121
16108611284	CANNON MARK ALAN		2725 S NELLIS BLVD # 1127			LAS VEGAS	NV		89121
16108611285	BARRERA JESUS		6857 WISPY SKY CT			LAS VEGAS	NV		89142
16108611286	PERRY CHUN		2725 S NELLIS BLVD # 2125			LAS VEGAS	NV		89121
16108611287	GILBERT RALPH		33222 GERALD ST			WAYNE	MI		48184
16108611288	CRUZE TANYA R	CRUZ TANYA R	2725 S NELLIS BLVD # 1127			LAS VEGAS	NV		89120
16108611289	TOMKO MICHAEL	ALVAREZ-GARCIA NADIA	2725 S NELLIS BLVD # 1130			LAS VEGAS	NV		89121
16108611290	REBER CYNTHIA		2725 S NELLIS BLVD # 1129			LAS VEGAS	NV		89121-2094
16108611291	CORAL KEY L L C		3225 MCLEOD DR			LAS VEGAS	NV		89121
16108611292	TEETER KAY F		2725 S NELLIS BLVD # 1131			LAS VEGAS	NV		89121-2094
16108611293	VAZQUEZ-LOPEZ HECTOR	PACHECO-ROJAS EVA	10556 EL CERRITO CHICO ST			LAS VEGAS	NV		89179-1827
16108611294	HALE CASSANDRA L		2725 S NELLIS BLVD # 2129			LAS VEGAS	NV		89121
16108611295	JAIRAJ SEEROJINI REVOCABLE TRUST	JAIRAJ SEEROJINI TRS	2725 S NELLIS BLVD UNIT 2132			LAS VEGAS	NV		89121
16108611296	MILLER LANAYA		540 ELM DR UNIT 105			LAS VEGAS	NV		89169
16108611297	WAGNER JOHN OTTO & ENCARNACION M		626 CRESTWAY DR			SAN ANTONIO	TX		78239-2152
16108611298	GRUBE ARTHUR D & DONNA R		911 WICKLOW RD			PAPILLION	NE		68046-7050
16108611299	GRAHAM FAMILY TRUST		2725 S NELLIS BLVD # 2142			LAS VEGAS	NV		89121-7501
16108611300	LEE BRYAN J		PO BOX 660283			ARCADIA	CA		91066
16108611301	THOMAS LARONDAE		2725 S NELLIS BLVD # 2144			LAS VEGAS	NV		89121
16108611302	KINNEY AMELIA	KINNEY ROGER & MICHELLE	2725 S NELLIS BLVD # 2143			LAS VEGAS	NV		89121
16108611303	GRAHAM FAMILY TRUST		2725 S NELLIS BLVD # 2142			LAS VEGAS	NV		89121-7501
16108611304	MAGLIARDITI NICHOLAS J	FROSTAD JOANNE	2725 S NELLIS BLVD # 2141			LAS VEGAS	NV		89121-7501

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16108611305	MONTAGUE CALVIN		2725 S NELLIS BLVD # 1146			LAS VEGAS	NV		89121
16108611306	CATES HEDY T		1050 W COOLIDGE ST			BITELY	MI		49309
16108611307	D R M P B A TRUST	MARSHALL CALVIN ALI TRS	2725 S NELLIS BLVD # 1148			LAS VEGAS	NV		89121
16108611308	THOMPSON RONNIE		2725 S NELLIS BLVD # 1147			LAS VEGAS	NV		89121
16108611309	DURANT JERRY JR		2725 S NELLIS BLVD UNIT 2146			LAS VEGAS	NV		89121
16108611310	PRANDECKI TGA E		2725 S NELLIS BLVD # 2145			LAS VEGAS	NV		89121-7501
16108611311	MAHESHWARI FAMILY TRUST	MAHESHWARI ANOOP KUMAR & MEENU TRS	1157 W GRAND BLVD			CORONA	CA		92882
16108611312	EDMUNDS DARIUS D		1433 LIME POINT ST			LAS VEGAS	NV		89110
16108611313	ASTORGA-RAMIREZ MARIA CONSUELO		2725 S NELLIS BLVD # 1166			LAS VEGAS	NV		89121
16108611314	POWELL ROBERT JR & ZILA		2725 S NELLIS BLVD # 1165			LAS VEGAS	NV		89121-2095
16108611315	GLASSMAN JOHN D & JENICE V		PO BOX 8521			TACOMA	WA		98419-0521
16108611316	SERNA GERARDO		2725 S NELLIS BLVD # 1167			LAS VEGAS	NV		89121
16108611317	QUINTERO CARLOS HUMBERTO		2725 S NELLIS BLVD # 2166			LAS VEGAS	NV		89121-7502
16108611318	REED DANIELLE S		2725 S NELLIS BLVD # 2165			LAS VEGAS	NV		89121
16108611319	VALENTINE IYESHIA C		2725 S NELLIS BLVD # 2168			LAS VEGAS	NV		89121
16108611320	POWELL PATRICK & NAOMI		4022 FOXGROVE DR			LAS VEGAS	NV		89147
16108611321	JOHNSON ROBERT L		2725 S NELLIS BLVD # 1170			LAS VEGAS	NV		89121-2095
16108611322	CHAFF ESTRELLITA LIVING TRUST	CHAFF ESTRELLITA L TRS	2725 S NELLIS BLVD # 1169			LAS VEGAS	NV		89121
16108611323	KNOX MONA L		2725 S NELLIS BLVD UNIT 1172			LAS VEGAS	NV		89121
16108611324	RIER MICHAEL		2725 S NELLIS BLVD # 1171			LAS VEGAS	NV		89121-2095
16108611325	COMPLIT ANDRE ABEL		2725 S NELLIS BLVD # 2170			LAS VEGAS	NV		89121-7502
16108611326	CADENA ISIDRO ARMANDO MEJIA	HERNANDEZ FATIMA MEJIA	2725 S NELLIS BLVD # 2169			LAS VEGAS	NV		89121
16108611327	DEELY KEVIN & NANCY	DEELY DAVID	2725 S NELLIS BLVD # 2172			LAS VEGAS	NV		89121
16108611328	QUIMSON RIZA C		2725 S NELLIS BLVD # 2171			LAS VEGAS	NV		89121-7502
16108611329	ROBBINS TOBY		2725 S NELLIS BLVD UNIT 1186			LAS VEGAS	NV		89121-2096
16108611330	GONZALEZ-KEELING MAGALY		2725 S NELLIS BLVD # 1185			LAS VEGAS	NV		89121

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16108611331	VELAZQUEZ JOEL TRUST	VELAZQUEZ JOEL MERAZ TRS	2725 S NELLIS BLVD UNIT 1188			LAS VEGAS	NV		89122
16108611332	HAYASE JAY S		2725 S NELLIS BLVD # 1187			LAS VEGAS	NV		89121-2096
16108611333	BILDERBACK KIMBERLY KAY	TSCHEITTER DANIEL GILBERT	2725 S NELLIS BLVD # 2186			LAS VEGAS	NV		89121
16108611334	LONG SHADOW HOLDINGS L L C		2950 TIFFANY CIR			LOS ANGELES	CA		90077
16108611335	ROTH ROBERT		2725 S NELLIS BLVD # 2188			LAS VEGAS	NV		89121
16108611336	KEBLER JANICE		2725 S NELLIS BLVD # 2187			LAS VEGAS	NV		89121
16108611337	SMITH CRAIG A & JAYME L		2725 S NELLIS BLVD # 1190			LAS VEGAS	NV		89121-2096
16108611338	LISAC FAMILY TRUST ETAL	LISAC JOHN D TRS	2725 S NELLIS BLVD # 1189			LAS VEGAS	NV		89121
16108611339	PASQUINELLI JAMES TRUST	PASQUINELLI JAMES ALFRED TRS	2725 S NELLIS BLVD UNIT 1192			LAS VEGAS	NV		89121
16108611340	MITCHELL ANISSA		2725 S NELLIS BLVD 1191			LAS VEGAS	NV		89121
16108611341	YAMKA SAULINE REVOCABLE LIVING TRUST ETAL	KEISER DINA TRS	2725 S NELLIS BLVD UNIT 2190			LAS VEGAS	NV		89121
16108611342	PELLONI DEBORAH J & JACALYN J		2725 S NELLIS # 2189			LAS VEGAS	NV		89121-7503
16108611343	CHEN ZHIQIANG		2725 S NELLIS BLVD # 43-2192			LAS VEGAS	NV		89121
16108611344	CAMPISI GARY T	ANIES-CAMPISI CATHERINE	PSC 517 BOX 5628R			FPO	AP		96517
16108611345	ANDRES ANGELA LUCINICIO		2725 S NELLIS BLVD UNIT 1046			LAS VEGAS	NV		89121
16108611346	DEATON DEBRA ANN		2725 S NELLIS BLVD # 1045			LAS VEGAS	NV		89121
16108611347	GAIGNARD ARTHUR		2725 S NELLIS BLVD # 1048			LAS VEGAS	NV		89121
16108611348	WIERCYSKI JANE E		2725 S NELLIS BLVD # 1047			LAS VEGAS	NV		89121-7723
16108611349	CHON YONG SUK	WONG TA SUN	2725 SOUTH NELLIS BLVD # 2046			LAS VEGAS	NV		89121
16108611350	WILCOX NATHANIEL		2725 S NELLIS BLVD # 2045			LAS VEGAS	NV		89121
16108611351	A E CONCEPTS L L C		2510 W HORIZON RIDGE PKWY # 100			HENDERSON	NV		89052
16108611352	HASLEY MARTIN		2725 S NELLIS BLVD # 2047			LAS VEGAS	NV		89121
16108611353	MARTINEZ FAMILIA TRUST ETAL	MARTINEZ-RODRIGUEZ LORENA TRS	2725 S NELLIS BLVD UNIT 1052			LAS VEGAS	NV		89121
16108611354	PASTWA PAUL		2725 S NELLIS BLVD # 1051			LAS VEGAS	NV		89121-2092
16108611355	WARD ERIK GRANT		2725 S NELLIS BLVD # 1050			LAS VEGAS	NV		89121-2092

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16108611356	2002 NAKAMURA FAMILY REVOCABLE LIVING TRUST	NAKAMURA HERBERT M & ANITA K-O-K AKANA TRS	41-620 BELL ST			WAIMANALO	HI		96795
16108611357	PINKHAM ALEX ANN		2725 S NELLIS BLVD # 2052			LAS VEGAS	NV		89121-2098
16108611358	BAI DUOJIAO		2725 S NELLIS BLVD # 2051			LAS VEGAS	NV		89121
16108611359	YOUNG MICHAEL		3839 VENTURA WAY			LAS VEGAS	NV		89121
16108611360	BOREN RHONDA L		2725 S NELLIS BLVD # 2049			LAS VEGAS	NV		89121-2098
16108611361	LIPPE FRANCES L TRUST ETAL	GILLIS CYNTHIA LYNETTE TRS	3680 UNDERBUSH AVE			PAHRUMP	NV		89048
16108611362	FERRARO THOMAS D & JOSEPHINE L		2725 S NELLIS BLVD # 1065			LAS VEGAS	NV		89121
16108611363	CARNERO MINERVA		2725 S NELLIS BLVD UNIT 1068			LAS VEGAS	NV		89121
16108611364	ROMERO JEFFREY V		2725 S NELLIS BLVD # 1067			LAS VEGAS	NV		89121-2092
16108611365	CHAVIANO-AGUIAR GUILLERMO	FERNANDEZ-RODRIGUEZ EMMA	2725 S NELLIS BLVD # 2066			LAS VEGAS	NV		89121
16108611366	LAUDON JOHN		2725 S NELLIS BLVD # 2065			LAS VEGAS	NV		89121-2099
16108611367	KIMES KAREN		4538 REGALO BELLO ST			LAS VEGAS	NV		89135
16108611368	CANTAVE ALEXANDRE & SHEVONIE		2725 S NELLIS BLVD # 2067			LAS VEGAS	NV		89121
16108611369	EARLY ELIZABETH		2725 S NELLIS BLVD # 1072			LAS VEGAS	NV		89121
16108611370	MATTEUCCI JOAN D		2725 S NELLIS BLVD UNIT 1177			LAS VEGAS	NV		89121
16108611371	GARCIA LETICIA		2725 S NELLIS BLVD # 1070			LAS VEGAS	NV		89121
16108611372	HERNANDEZ DIANNA		4537 TOADSTOOL LN			LAS VEGAS	NV		89110
16108611373	LEWIS GLENDA		215 SILVERCREEK C1 NW			CALGARY	AB	CANADA	T3B 4G4
16108611374	SHRYACK RODNEY O & CONNIE M		2725 S NELLIS BLVD # 2071			LAS VEGAS	NV		89121-2099
16108611375	GRABEL SHARON E		2725 S NELLIS BLVD # 2070			LAS VEGAS	NV		89121-2099
16108611376	FOLEY HAROLD C & SUSAN F		1150 S COLONY WAY # 3-246			PALMER	AK		99645
16108611377	QUIMSON LILIAN A		2725 S NELLIS BLVD # 1092			LAS VEGAS	NV		89121
16108611378	SUMMERS JEFFREY		8395 LOST LAKE CT			LAS VEGAS	NV		89147-6140
16108611379	WINNIK FILIP M & KRISTYNA		2725 S NELLIS BLVD UNIT 1090			LAS VEGAS	NV		89121
16108611380	PRANDECKI IGA		9811 W CHARLESTON BLVD # 2			LAS VEGAS	NV		89117

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16108611381	CATAPANO ANTHONY J JR		2725 S NELLIS BLVD # 2092			LAS VEGAS	NV		89121-7500
16108611382	ALVAREZ JOSE		1323 BURNHAM AVE			LAS VEGAS	NV		89104
16108611383	CAMP WILLIAM R		2725 S NELLIS BLVD UNIT 2090			LAS VEGAS	NV		89121
16108611384	PANASIUK ROMANA		2725 S NELLIS BLVD # 2089			LAS VEGAS	NV		89121
16108611385	MAIONE JOANNE CONSTANCE REVOCABLE LIVING TRUST	MAIONE JOANNE CONSTANCE TRS	2725 S NELLIS BLVD # 1096			LAS VEGAS	NV		89121
16108611386	ZAVARELLA FAMILY REVOCABLE LIVING TRUST ETAL	ZAVARELLA NICHOLAS & SHIRLEY TRS	2725 S NELLIS # 1096			LAS VEGAS	NV		89121
16108611387	HAFNER CHARLES V		29162 WAGNER ST			WARREN	MI		48093-8627
16108611388	ZAVARELLA FAMILY REVOCABLE LIVING TRUST	ZAVARELLA NICHOLAS & SHIRLEY TRS	2836 SAN MARTIN CT			LAS VEGAS	NV		89121
16108611389	MAIONE JOANNE CONSTANCE REVOCABLE LIVING TRUST	MAIONE JOANNE CONSTANCE TRS	2725 S NELLIS BLVD # 1096			LAS VEGAS	NV		89121
16108611390	SYSIOC VIRGINIA		2725 S NELLIS BLVD # 2095			LAS VEGAS	NV		89121
16108611391	BROWN CATHERINE		2725 S NELLIS BLVD UNIT 2094			LAS VEGAS	NV		89121-7500
16108611392	PALESTINA JOSE J		1681 PENTECOST WAY # 1			SAN DIEGO	CA		92105-7714
16108611393	MARIN MARTA ARELY		6857 WISPY SKY CT			LAS VEGAS	NV		89142
16108611394	VALDES RODRIGUEZ JOSE	HERNANDEZ ANA ODELYS GOMEZ	2725 S NELLIS BLVD # 1109			LAS VEGAS	NV		89121
16108611395	HARTMANN DMARIE G		2725 S NELLIS BLVD # 1112			LAS VEGAS	NV		89121
16108611396	JAUREGUI SAUL		4820 MONTEBELLO AVE			LAS VEGAS	NV		89110
16108611397	MASON DORLISA I		2725 S NELLIS BLVD # 2110			LAS VEGAS	NV		89121
16108611398	FOULK SCOTT B		2725 S NELLIS BLVD UNIT 2109			LAS VEGAS	NV		89121
16108611399	MCKELLIER DENISE		2725 S NELLIS BLVD # 2112			LAS VEGAS	NV		89121
16108611400	GONZALEZ MARCO ANTONIO		2725 S NELLIS BLVD # 2111			LAS VEGAS	NV		89121-7500
16108611401	FARNSWORTH KEVIN D		2725 S NELLIS BLVD # 1116			LAS VEGAS	NV		89121-2093
16108611402	TRAUFER SUSAN DELORES		2725 S NELLIS BLVD # 1115			LAS VEGAS	NV		89121
16108611403	ALFECH NELSON	ABRAGAN RENA	3403 GREENWOOD SPRINGS DR			LAS VEGAS	NV		89122
16108611404	RODRIGUEZ SUSANA & HUGO HECTOR		18034 VENTURA BLVD # 476			ENCINO	CA		91316

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16108611405	HOLMES RODERICK W		2725 S NELLIS BLVD # 2116			LAS VEGAS	NV		89121
16108611406	DANIGGELIS MONICA & ELIZABETH P		2725 S NELLIS BLVD # 2115			LAS VEGAS	NV		89121
16108611407	SNODGRASS BRANDON LEE & JENNIFER MARIE		4830 CAROUSEL CIR			ANCHORAGE	AK		99502
16108611408	HOMESTEAD INDUSTRIES L L C		2725 S NELLIS BLVD UNIT 2113			LAS VEGAS	NV		89121
16108710018	RUIZ BLANCA DEL ROCIO		4686 HAPPY VALLEY AVE			LAS VEGAS	NV		89121-7110
16108710019	BEAZER HOMES HOLDINGS L L C		2490 PASEO VERDE PKWY STE 120			HENDERSON	NV		89074
16108710020	APOSTOLIC ASSEMBLY FAITH CHRIST JESUS		10807 LAUREL ST			RANCHO CUCAMONGA	CA		91730
16108710022	MORALES JOSE R		2000 LAS VEGAS BLVD # C2			LAS VEGAS	NV		89104
16108710023	BEAZER HOMES HOLDINGS L L C		2490 PASEO VERDE PKWY STE 120			HENDERSON	NV		89074
16108710024	BEAZER HOMES HOLDINGS L L C		2490 PASEO VERDE PKWY STE 120			HENDERSON	NV		89074
16108710032	BLUE WAVE PROPERTIES INC		3085 S NELLIS BLVD			LAS VEGAS	NV		89121-2020
16108710033	BRISTOL SUNRISE L L C		PO BOX 800729			DALLAS	TX		75380
16108710034	AMIGO REALTY CORP		4186 TATTERSALL PL			LAS VEGAS	NV		89115
16108710035	TABORLAND L L C		2444 WILSHIRE BLVD STE 601			SANTA MONICA	CA		90403
16108710036	A S I VEGAS VALLEY L P		2550 UNIVERSITY AVE STE 330N			SAINT PAUL	MN		55114
16108711217	4855 VEGAS VALLEY OWNER L L C		2002 N TAMPA ST STE 110			TAMPA	FL		33602
16108712001	VALDES ADA	BAUTISTA-PEREZ YONNEY	4798 BEACH SHELL CT			LAS VEGAS	NV		89121
16108712002	CESPEDES-TRIANA GLADYS		4790 BEACH SHELL CT			LAS VEGAS	NV		89121-7160
16108712003	HERNANDEZ LESLIE DENNIS MARTINEZ	HURTADO ROSMELYS CHACON	4782 BEACH SHELL CT			LAS VEGAS	NV		89121
16108712004	DEBLU TRUST	LUJAN DEBORAH TRS	4774 BEACH SHELL CT			LAS VEGAS	NV		89121
16108712005	IGNACIO LESLIE-ANNE V		4766 BEACH SHELL CT			LAS VEGAS	NV		89121
16108712006	KAPUNO ROLANDO & CYNTHIA		4758 BEACH SHELL CT			LAS VEGAS	NV		89121-7159
16108712007	SEVEN POINTS BORROWER L L C		PO BOX 4090			SCOTTSDALE	AZ		85261
16108712008	DHILLON HARJIT S		4742 BEACH SHELL CT			LAS VEGAS	NV		89121-7159
16108712015	VALDOVINOS BRENDA L		4715 BEACH SHELL CT			LAS VEGAS	NV		89121-7159

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
16108712016	SANDHU GURINDER KAUR REVOCABLE FAMILY TRUST		2933 CRYSTAL BAY DR			LAS VEGAS	NV		89117-2256
16108712017	MABALOT JASON D		1090 ALA NAPUNANI ST # 407			HONOLULU	HI		96818-1792
16108712018	PYRENEES INVESTMENT II L L C		209 S STEPHANIE ST # B251			HENDERSON	NV		89012
16108712019	ESPIRITU JESSIE		4796 WOODLAND AVE			LAS VEGAS	NV		89121
16108712020	VARGAS PAOLA	DELGADILLO-ALVAREZ ANTONIO	4786 WOODLAND AVE			LAS VEGAS	NV		89121
16108712021	JEFFRIES JORMA T		4776 WOODLAND AVE			LAS VEGAS	NV		89121-7134
16108712022	ORELLANO-CIENFUEGOS IRIS ADALGIZA		4760 WOODLAND AVE			LAS VEGAS	NV		89121
16108712023	RODARTE JONATHAN & LAURA O ACOSTA		4748 WOODLAND AVE			LAS VEGAS	NV		89121
16108712024	MALAN RACHEL J		231 E STRAWBERRY DR			MILL VALLEY	CA		94941-2506
16108712025	CANDELARIO YOEL FRAGA & ADISLEY FRAGA		4724 WOODLAND AVE			LAS VEGAS	NV		89121
16108712026	PETERSMAN ROBERT C		1135 DEL ORO WAY			GILROY	CA		95020
16108714322	B M F IV NV 3055 LAS VEGAS L L C		111 E SEGO LILY DR STE 400			SANDY	UT		84070
16108715001	AVENDANO'S PPTY DEVELOPMENT INC		631 LOS FELIZ ST			LAS VEGAS	NV		89110
16108715002	BUSTAMANTE DANIEL HERNANDEZ	GUERRERO-RAMIREZ BRENDA JUDITH	4781 WOODLAND AVE			LAS VEGAS	NV		89121
16108715003	JAVIER RENATO		4787 WOODLAND AVE			LAS VEGAS	NV		89121
16108715004	SORIANO LOURDES Q	IBUAN GERARDO	4789 WOODLAND AVE			LAS VEGAS	NV		89121
16108715005	TORRALBA PRECY C & ROY CORTES		4793 WOODLAND AVE			LAS VEGAS	NV		89121
16108715006	CHAVARRO MICHAEL ANGELO	OLEJUA EDELIN BEATRIZ	4795 WOODLAND AVE			LAS VEGAS	NV		89147
16108715007	AVENDANO'S PROPERTY DEV INC		631 LOS FELIZ ST			LAS VEGAS	NV		89110
16108715008	AVENDANO'S PROPERTY DEV INC		631 LOS FELIZ ST			LAS VEGAS	NV		89110
16108715009	AVENDANO'S PROPERTY DEV INC		631 LOS FELIZ ST			LAS VEGAS	NV		89110
16108715010	AVENDANO'S PROPERTY DEV INC		631 LOS FELIZ ST			LAS VEGAS	NV		89110
16108715011	AVENDANO'S PROPERTY DEV INC		631 LOS FELIZ ST			LAS VEGAS	NV		89110
16108715012	AVENDANO'S PROPERTY DEV INC		631 LOS FELIZ ST			LAS VEGAS	NV		89110
16108715013	AVENDANO'S PROPERTY DEV INC		631 LOS FELIZ ST			LAS VEGAS	NV		89110

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
16108715014	AVENDANO'S PROPERTY DEV INC		631 LOS FELIZ ST			LAS VEGAS	NV		89110
16108715015	AVENDANO'S PROPERTY DEV INC		631 LOS FELIZ ST			LAS VEGAS	NV		89110
16108715016	AVENDANO'S PROPERTY DEV INC		631 LOS FELIZ ST			LAS VEGAS	NV		89110
16108810010	REED RONALD G & ANGELA M		4674 LINDA AVE			LAS VEGAS	NV		89121-7114
16108810011	CARRASCO ARTURO & YESENIA		4710 LINDA LN			LAS VEGAS	NV		89121-7115
16108810012	HIGGINS GEORGE RICHARD & DARLA DEANNA TRUST AGTMT DARLA DEANNA TRS		4724 LINDA AVE			LAS VEGAS	NV		89121
16108810013	VASQUEZ JESUS T & BERTHA		4742 LINDA AVE			LAS VEGAS	NV		89121
16108810014	MCDONALD JAMES & CHARLEEN FAM TR		2301 PINTO RD			HENDERSON	NV		89002
16108810015	GERMAN JUAN L	GARCIA ANAY	5384 SILVERHEART AVE			LAS VEGAS	NV		89142-0187
16108810016	LEE RANCH TRUST		3137 ALOHA AVE			LAS VEGAS	NV		89121-7105
16108810017	LEE RANCH TRUST		3137 ALOHA AVE			LAS VEGAS	NV		89121-7105
16108810018	CARRERA FRANCISCO		2927 ALOHA AVE			LAS VEGAS	NV		89121-7101
16108810019	DE CRISTO REY DIOCESIS		PO BOX 570201			LAS VEGAS	NV		89157
16108810020	STANFORD JERRY D & CYNTHIA A		4741 E HAPPY VALLEY AVE			LAS VEGAS	NV		89121-7121
16108810021	REED RONALD G & ANGELA M		4725 HAPPY VALLEY AVE			LAS VEGAS	NV		89121-7121
16108810022	REED SARA ELIZABETH & DEREK R	REED TREVER EDGAR	4674 LINDA AVE			LAS VEGAS	NV		89121-7114
16108810035	ISLAMIC SOCIETY NEVADA		4730 E DESERT INN RD			LAS VEGAS	NV		89121-2804
16108810036	ISLAMIC SOCIETY NEVADA		4730 E DESERT INN RD			LAS VEGAS	NV		89121-2804
16108810037	ISLAMIC SOCIETY NEVADA		4730 E DESERT INN RD			LAS VEGAS	NV		89121-2804
16108810038	YATES INN L L C		8102 S TELFORD WAY			SANDY	UT		84093-6309
16108810039	BASHIR A CHOWDHY FAMILY FOUNDATION		605 QUEENSRIDGE CT			LAS VEGAS	NV		89145
16108810040	GONZALEZ-RODRIGUEZ SALVADOR	PARGA-FLORES MONICA	3239 ALOHA AVE			LAS VEGAS	NV		89121-7107
16108810041	FUERTE IGLESIA APOSTOLICA TORRE		3701 BETHEL BAY ST			NORTH LAS VEGAS	NV		89032
16108810042	FUERTE IGLESIA APOSTOLICA TORRE		3701 BETHEL BAY ST			NORTH LAS VEGAS	NV		89032
16108810043	LOPEZ VIANEY		4741 LINDA AVE			LAS VEGAS	NV		89121-7116
16108810044	MARTINEZ FRANCISCO TRUST		4725 LINDA AVE			LAS VEGAS	NV		89121-7116

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
16108810045	MARTINEZ FRANCISCO	ERIVES GUADALUPE	6715 FOX RD			LAS CRUCES	NM		88012
16108810051	GUERRERO JOSE L RINCON		4825 LINDA AVE			LAS VEGAS	NV		89121-2005
16108810052	SANTIAGO EMILY		3220 ALOHA AVE			LAS VEGAS	NV		89121
16108810055	IRLAS FERNANDO D SR & SAN J		4860 E DESERT INN RD			LAS VEGAS	NV		89121-2855
16108810056	MAGDALENO JAVIER		4874 E DESERT INN RD			LAS VEGAS	NV		89121
16108810057	PHILLIPS GORDON R & NANCY LIV TR	PHILLIPS GORDON R & NANCY S TRS	4906 E DESERT INN RD			LAS VEGAS	NV		89121-2808
16108810058	ARANA BOCHE TRUST ETAL	ARANA-ORELLANA CARLOS MANUEL TRS	4906 E DESERT INN RD			LAS VEGAS	NV		89121
16108810059	FELLER MICHAEL E TRUST	FELLER MICHAEL E TRS	4924 E DESERT INN RD			LAS VEGAS	NV		89121-2808
16108810060	STEVENS BARBARA J & SCOTT C		4934 E DESERT INN RD			LAS VEGAS	NV		89121-2808
16108810061	DESERT INN CAPITAL MANAGEMENT L L C		3755 BREAKTHROUGH WAY # 250			LAS VEGAS	NV		89135
16108810062	3285 S NELLIS L L C		PO BOX 100843			FORT WORTH	TX		76184
16108810063	GETTY LEASING INC		292 MADISON AVE 9TH FLR			NEW YORK	NY		10017-6318
16108810064	S G N V 3225 S NELLIS BLVD L L C		PO BOX 71870	6890 S 2300 E		SALT LAKE CITY	UT		84171
16108810065	HOLYOAK 1982 TRUST	HOLYOAK CHARLEEN TRS	4925 LINDA AVE			LAS VEGAS	NV		89121-2040
16108810066	GUTIERREZ LOZANO TRUST	GUTIERREZ CESARIO C & BRAULIA TRS	4915 LINDA AVE			LAS VEGAS	NV		89121
16108810067	ARANA BOCHE TRUST ETAL	ARANA-ORELLANA CARLOS MANUEL TRS	4906 E DESERT INN RD			LAS VEGAS	NV		89121
16108810068	LEGUEN RAUL IVAN GUERRA		4879 LINDA AVE			LAS VEGAS	NV		89121
16108810069	BARRIENTOS EMMANUEL	CAZARES BELEM	4940 EL CAPITAN WAY			LAS VEGAS	NV		89149
16108810070	ALLEN EVA MARIE		4875 LINDA AVE			LAS VEGAS	NV		89121
16108810072	PARRALES OMAR IVAN	PIEDRA MARIA GUADALUPE ROBERTO	3180 ALOHA AVE			LAS VEGAS	NV		89121-7106
16108810073	GONZALEZ-HEREDIA MARINA		3160 ALOHA AVE			LAS VEGAS	NV		89121
16108810074	RODKOFF-YOSEE FAMILY TRUST		15455 SHERMAN WAY UNIT 28			VAN NUYS	CA		91406
16108810075	MURRAY GEORGE THOMAS JR TR	MURRAY GEORGE THOMAS JR TRS	3130 ALOHA			LAS VEGAS	NV		89121-7106
16108810076	HERMANSON DAVE		3120 ALOHA AVE			LAS VEGAS	NV		89121
16108810077	ARIAS HUGO & LETICIA		4754 FUENTES WAY			LAS VEGAS	NV		89121

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
16108810078	CARVAJAL BEVERLY REBECCA	MARTINEZ GUILLERMO A	7342 SUNRAY POINT ST			NORTH LAS VEGAS	NV		89084
16108810079	SIGRETTO MICHAEL P & ROBIN L REYNOLDS		4895 HAPPY VALLEY AVE			LAS VEGAS	NV		89121-2037
16108810080	ESCALERA JUAN		4951 HAPPY VALLEY AVE			LAS VEGAS	NV		89121-2038
16108810081	NUNEZ LEONEL ANAYA	ANAYA ORALIA	4925 HAPPY VALLEY AVE			LAS VEGAS	NV		89121-2038
16108810082	PALM PROPERTIES L L C		6050 S FORT APACHE RD # 100			LAS VEGAS	NV		89148
16108810083	PALM PROPERTIES L L C		6050 S FORT APACHE RD # 100			LAS VEGAS	NV		89148
16108810084	DOUGLAS FAMILY TRUST	DOUGLAS MIKE & LISA TRS	490 MOORE RD			WOODSIDE	CA		94062
16108810085	DOUGLAS FAMILY TRUST	DOUGLAS MIKE & LISA TRS	490 MOORE RD			WOODSIDE	CA		94062
16108810086	DOUGLAS FAMILY TRUST	DOUGLAS MIKE & LISA TRS	490 MOORE RD			WOODSIDE	CA		94062
16108810087	VASQUEZ ESTABAN TORRES JR		2045 WESTERN			LAS VEGAS	NV		89102-4608
16108810088	WOOD THOMAS F		4906 LINDA AVE			LAS VEGAS	NV		89121
16108810089	HEWES MARILYN & PATRICK		4878 LINDA AVE			LAS VEGAS	NV		89121
16108810090	AHUMADA JOSE R		4864 LINDA AVE			LAS VEGAS	NV		89121
16108810094	CHURCH UNIVERSAL INC		100 MULBERRY ST 14TH FL			NEWARK	NJ		07102
16108810098	LEE MICHELLE		8461 FARM RD # 120-277			LAS VEGAS	NV		89131
16108810099	880 E SAHARA L L C - SERIES 3		880 E SAHARA AVE			LAS VEGAS	NV		89104
16109201004	CHEVMAC 1 L L C		110 N CARPENTER ST			CHICAGO	IL		60607
16109217003	USA POSTAL SERVICE		8055 E TUFTS AVENUE PKWY # 400			DENVER	CO		80237-2881
16109217004	G S K I L L C		955 TEMPLE VIEW DR			LAS VEGAS	NV		89110-2900
16109301004	HAMPTON APTS INC		2016 RIVERSIDE DR			LOS ANGELES	CA		90039-3707
16109301005	VALLEY VISTA M H C L L C		31200 NORTHWESTERN HWY			FARMINGTON HILLS	MI		48334
16109301007	REBEL LAND AND DEVELOPMENT L L C		2424 RIDGE RD			ROCKWALL	TX		75087
16109310345	3050 S NELLIS D B L L C		1880 CENTURY PARK E STE 300			LOS ANGELES	CA		90067
16109401002	VALLEY VISTA M H C L L C		31200 NORTHWESTERN HWY			FARMINGTON HILLS	MI		48334
16109401007	SCHOOL BOARD OF TRUSTEES		1180 MILITARY TRIBUTE PL			HENDERSON	NV		89074

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
16109410385	U S M F MEADOWS PROPCO L L C		6191 STATE HIGHWAY 161 STE 100			IRVING	TX		75038
16109411003	S S B PROPCO L L C		465 FIRST ST WEST 2ND FL			SONOMA	CA		95476
16109411004	BECKMAN CHARLES & LOLING		1265 CASIANO RD			LOS ANGELES	CA		90049
16109411005	M D C COASTAL 20 L L C		11995 EL CAMINO REAL			SAN DIEGO	CA		92130
16109411006	CY HOMA L L C		3721 CANARY PALM			LAS VEGAS	NV		89121-7239
16109411007	S S B PROPCO L L C		465 FIRST ST W 2ND FLR			SONOMA	CA		95476
16116101001	KHARBANDA SANJEEV LIVING TRUST	KHARBANDA SANJEEV TRS	5469 SIGNAL HILL DR			DUBLIN	CA		94568
16116110083	SOTO-SUASTIGUI EDUARDO		5075 BROWNWOOD AVE			LAS VEGAS	NV		89122
16116110084	MAZZONNE ROSALIE		3311 DEATH VALLEY DR			LAS VEGAS	NV		89122
16116110093	ALCHEMY INVESTMENT L L C		8978 SPANISH RIDGE # 102			LAS VEGAS	NV		89148
16116110094	BOYLE MICHAEL		3312 CAPE COD DR			LAS VEGAS	NV		89122
16116110095	DEAMER 1993 TRUST	DEAMER FLORENCE L TRS	3306 CAPE COD DR			LAS VEGAS	NV		89122-3909
16116110096	3303 CAPE COD TRUST	CHRISTIE K L TRS	3225 MCLEOD DR			LAS VEGAS	NV		89121
16116110097	VARGAS MARIA		3309 CAPE COD DR			LAS VEGAS	NV		89122
16116110098	MORENO-FRAUSTO RAMON		3315 CAPE COD DR			LAS VEGAS	NV		89122-3950
16116110099	HILDENBRAND ALAN THOMAS	BROWN REGINA LEE	3323 CAPE COD DR			LAS VEGAS	NV		89122
16116110109	GUERRERO EDLIN		3332 BIG SUR DR			LAS VEGAS	NV		89122
16116110110	GIANINETTO STELLA M		3324 BIG SUR DR			LAS VEGAS	NV		89122-3905
16116110111	BROCKMAN JOSEPH & ADORA		3316 BIG SUR DR			LAS VEGAS	NV		89122-3905
16116110112	HOUSTON LARRY D & DEBORAH J		3310 BIG SUR DR			LAS VEGAS	NV		89122-3905
16116110113	SERPAS JUAN CARLOS		3304 BIG SUR DR			LAS VEGAS	NV		89122
16116110114	DESERT INN MOBILE FAM ESTS ASSN		5100 BLUE RIDGE PKWY			LAS VEGAS	NV		89122-3924
16116110115	YAMAGUCHI L L C		1723 FRANKLIN CHASE			HENDERSON	NV		89012
16116110116	DEWEGELI ELIZABETH RUTH	RUTH HARMONY	5150 SPYGLASS HILL DR # 177			LAS VEGAS	NV		89142
16116110117	GREEN BRENDA KAY		5068 WASATCH LN			LAS VEGAS	NV		89122
16116110118	SHUIT HEATHER N & DAVID V	HELMAN-SHUIT BERTHA L	5072 WASATCH LN			LAS VEGAS	NV		89122-4055

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
16116110119	MITCHELL ROBERT J		5110 WASATCH LN			LAS VEGAS	NV		89122-4055
16116110120	FISHER JASON H & ALLYSON S		14 DOVETAIL CIR			HENDERSON	NV		89014
16116110121	MACIEL-GIL ANGEL		5122 WASATCH LN			LAS VEGAS	NV		89122
16116110122	HADDAD MICHAEL		PO BOX 691960			STOCKTON	CA		95269
16116110123	EDWARDS RONALD T	ERLANO EULALIA C	6110 ORANGE HILL DR			LAS VEGAS	NV		89142-0604
16116110186	MARTINEZ ALFREDO		3305 EWA BEACH DR			LAS VEGAS	NV		89122
16116110187	BROCCOLINO JAMES J & SHIRLEY A		5130 TUPELO LN			LAS VEGAS	NV		89122-4054
16117501005	CHAN ALVIN B INC		PO BOX 4900			SCOTTSDALE	AZ		85261-4900
16117501006	RAINBOW MARKET #8 L L C		1281 TERMINAL WAY # 115			RENO	NV		89502
16117501010	WANG FAMILY LIVING TRUST	WANG SUNG-VUM TRS	PO BOX 17535			ANAHEIM	CA		92817
16117501011	SPACE PROVIDERS ASHEVILLE L L C	C CAROLINA VEGAS L L C	1300 TUNNEL RD			ASHVILLE	NC		28805-1629
16117510023	ALVI KHIZAR		22 ABBEY RD			NEWARK	DE		19702
16117510024	ORTEGA PAUL	ZARATE YOLANDA	4802 FUENTES WAY			LAS VEGAS	NV		89121
16117511001	DESILVA MARIA A HERNANDEZ		4840 FUENTES CIR			LAS VEGAS	NV		89121-2816
16117511002	BACON JOANNE LIVING TRUST	BACON JOANNE TRS	2800 CONGRESS AVE			LAS VEGAS	NV		89121
16117511003	ROMERO GRACIELA FIGUEROA		4856 FUENTES CIR			LAS VEGAS	NV		89121-2816
16117511004	BARRETT KEVIN & LORINDA		4866 FUENTES CIR			LAS VEGAS	NV		89121
16117511005	PORCILLO DAVID O		4874 FUENTES CIR			LAS VEGAS	NV		89121
16117511006	GARCIA YOANDY LUIS CUETO		4882 FUENTES CIR			LAS VEGAS	NV		89121
16117511007	AGUIRRE JUVENIO A		4890 FUENTES CIR			LAS VEGAS	NV		89121
16117511008	CONTRERAS SARAI JACO	RODRIGUEZ DAVID SANTANA	4972 HIDALGO WAY			LAS VEGAS	NV		89121
16117511009	PADOVICH DAVID A		4906 FUENTES CIR			LAS VEGAS	NV		89121
16117511010	HALLEWELL MICHAEL H & NANCY L		5841 E CHARLESTON BLVD # 230-265			LAS VEGAS	NV		89142
16117511011	DISABATO DAVID		4897 FUENTES CIR			LAS VEGAS	NV		89121
16117511012	BELLA JULIE	LOPEZ CHASE	4889 FUENTES CIR			LAS VEGAS	NV		89121
16117511013	ALVEY LAWRENCE E & ROBERTA J		4881 FUENTES CIR			LAS VEGAS	NV		89121-2827
16117511014	MARTINEZ SYMONE	SALINAS PEDRO	4873 FUENTES CIR			LAS VEGAS	NV		89121-2827

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
16117511015	J C L L C		4144 COMB CIR			LAS VEGAS	NV		89104
16117511016	SPINARD CYNTHIA		4855 FUENTES CIR			LAS VEGAS	NV		89121-2827
16117511017	AVILA JULIO CESAR VELASCO		4856 HILDAGO WAY			LAS VEGAS	NV		89121
16117511018	DUSENBERY JOSEPH A & PATRICIA A		4866 HILDAGO WAY			LAS VEGAS	NV		89121-2847
16117511019	DOMINGUEZ DAMACIO PEREZ		913 S ROANNE ST			ANAHEIM	CA		92804
16117511020	ROSAS VICTOR MANUEL & ESMERALDA		6414 ENCHANTING CT			LAS VEGAS	NV		89156
16117511021	PINZON-GARCIA OMAR DAVID	PINZON FEDERICO GARCIA	3602 HUERTA DR			LAS VEGAS	NV		89121
16117511022	KELMAN DANIEL		4898 HILDAGO WAY			LAS VEGAS	NV		89121
16117511089	STICKNEY MICHAEL & DARLENE G		4814 FUENTES WAY			LAS VEGAS	NV		89121-2810
16117511090	JOVEL GLORIA ARACELY		3315 VISTA DEL MONTE DR			LAS VEGAS	NV		89121
16117511091	COUNTY OF CLARK(PK & COMM SERV)		500 S GRAND CENTRAL PKWY			LAS VEGAS	NV		89155
16117512010	OLIVARES-MURGUIA LUIS	RODRIGUEZ ELIDA FLORES	3364 HUERTA DR			LAS VEGAS	NV		89121
16117512011	FLORES JOSE MANUEL OLIVARES	AGUILAR VANESSA HERNANDEZ	3350 HUERTA DR			LAS VEGAS	NV		89121
16117512012	PERDOMO SERGIO		4972 HILDAGO WAY			LAS VEGAS	NV		89121
16117512013	MCMILLIAN NANCY ANN		325 LEHMAN ST			LAS VEGAS	NV		89122
16117512014	VILLANUEVA ARMANDO & MARIA		4956 HILDAGO WAY			LAS VEGAS	NV		89121-2864
16117512015	CUELLAR-MORONES LUIS A		4948 HILDAGO WAY			LAS VEGAS	NV		89121
16117512016	FINLULO L L C		3255 LINDELL RD			LAS VEGAS	NV		89145
16117512017	RIPPEL NICHOLAS S & DEBORAH L		4932 HILDAGO WAY			LAS VEGAS	NV		89121-2864
16117512018	BOBADILLA-GARCIA RUBEN	BOBADILLA BERTHA	4921 HILDAGO WAY			LAS VEGAS	NV		89121
16117512019	CUEVAS GABRIELA	LONA CIRIACO CUEVAS	4916 HILDAGO WAY			LAS VEGAS	NV		89121-2864
16117512020	FONGER KARLYLE B		4908 HILDAGO WAY			LAS VEGAS	NV		89121-2864
16117512022	BOBADILLA-GARCIA RUBEN	BOBADILLA BERTHA LETICIA	4924 HILDAGO WAY			LAS VEGAS	NV		89121
16117512023	HUPP FRED & JANICE E		4933 HILDAGO WAY			LAS VEGAS	NV		89121-2863



— **WLA PARTNER**



PLANS PREPARED BY

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REVISIONS	DATE	BY	REV
DESCRIPTION			
FOR CLIENT REVIEW	04.18.18	JTB	A
CLIENT COMMENTS	08.09.18	EMH	B

WILEY-INTERSCIENCE
T 1800432

PUNYA SUTRA 3157CJ (6X8B)

LV115 NELLIS & DI

STEEL CASES

VG90XC440

CITE ALWAYS: www.mhhe.com

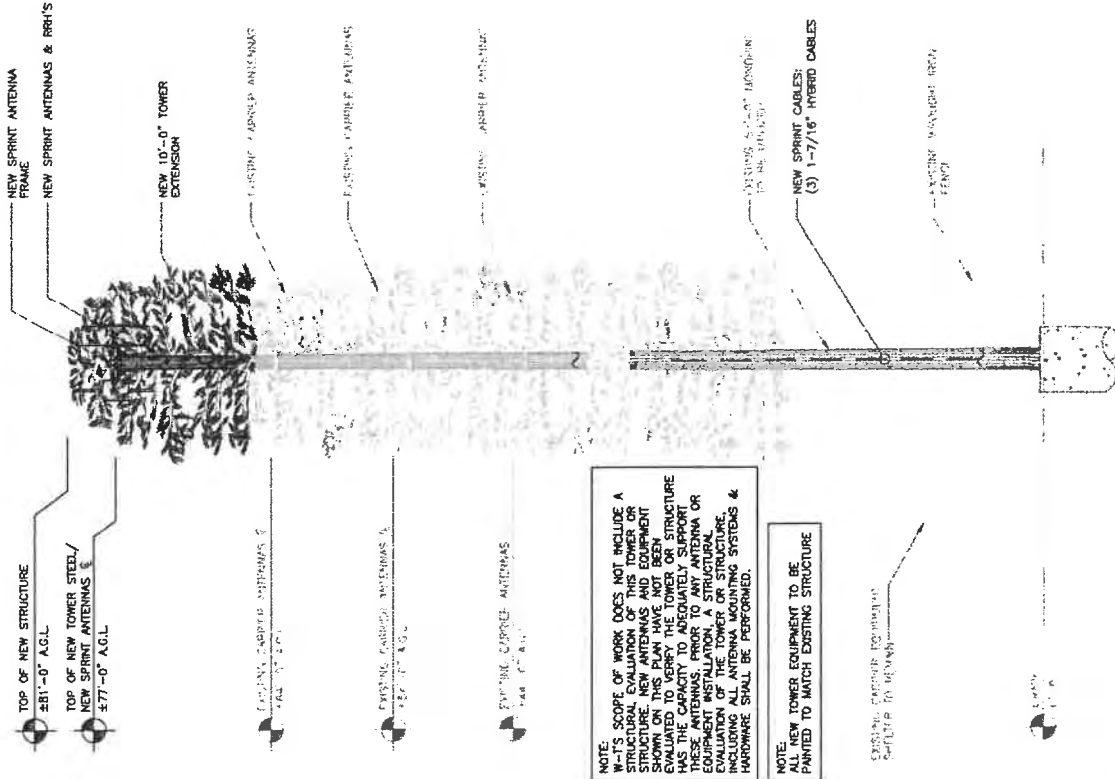
3125 S. NELLIS BOULEVARD
LAS VEGAS, NV 89121

Send it to: **McGraw-Hill**

TOWER ELEVATIONS

05000000 1.3375

A-1



NOTE: W-1'S SCOPE OF WORK DOES NOT INCLUDE A STRUCTURAL EVALUATION OF THIS TOWER OR STRUCTURE. NEW ANTENNAS AND EQUIPMENT SHOWN ON THIS PLAN HAVE NOT BEEN EVALUATED TO VERIFY THE TOWER OR STRUCTURE HAS THE CAPACITY TO ADEQUATELY SUPPORT EQUIPMENT INSTALLATION. A STRUCTURAL EVALUATION OF THE TOWER OR STRUCTURE, INCLUDING ANTENNA MOUNTING SYSTEMS & HARDWARE, SHALL BE PERFORMED.

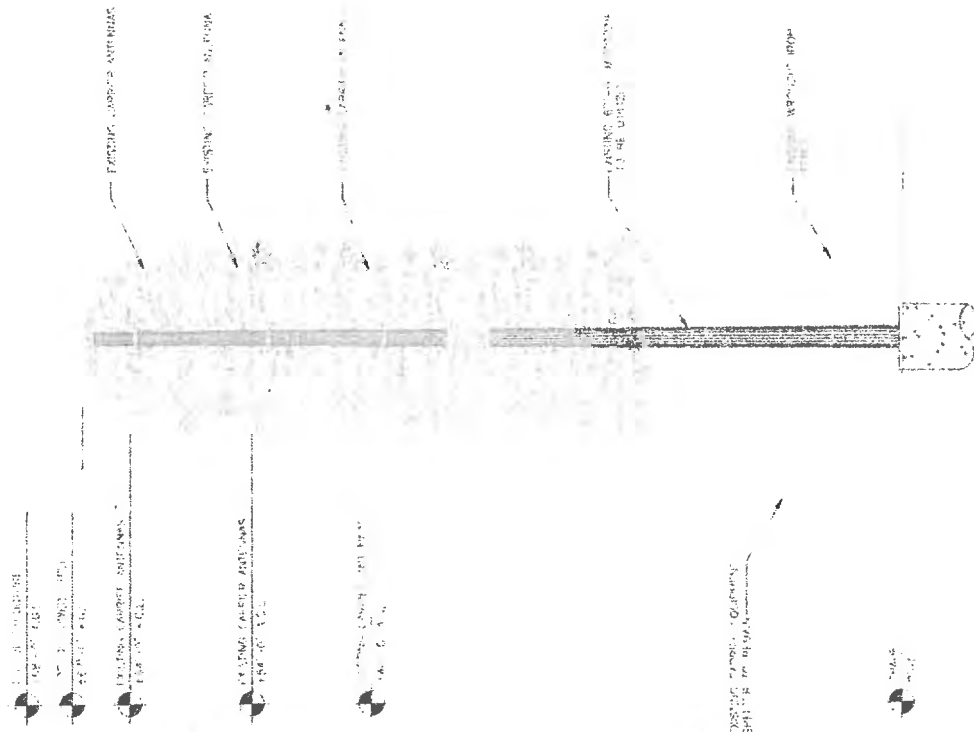
NOTE:
ALL NEW TOWER EQUIPMENT TO BE
PAINTED TO MATCH EXISTING STRUCTURE

10.1016/j.jmb.2005.04.011

PROPOSED TOWER ELEVATION

SCALE: 1" = 10'-0"

2



EXISTING TOWER ELEVATION

SCALE: 1" = 10'-0"

1

SCALE: 1" = 10'-0"



—MAY PARTNER—



— DR. AUGUST BERKELEY



**W-T COMMUNICATION
DESIGN GROUP, LLC.**

WHEELER HOFNATH
8550 S Eastern Avenue Suite 270
Las Vegas, NV 89123
PH: (702) 988-1000 FAX: (702) 988-1010

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REVISIONS	DESCRIPTION	DATE	BY	REV
	FOR CLIENT REVIEW	04.18.18	JTB	A
	CLIENT COMMENTS	05.09.18	ERM	B

W-1 PROJECT NUMBER
T1800432

1

LV115 NELLIS & DI

in situ *in situ*

VG90XC440

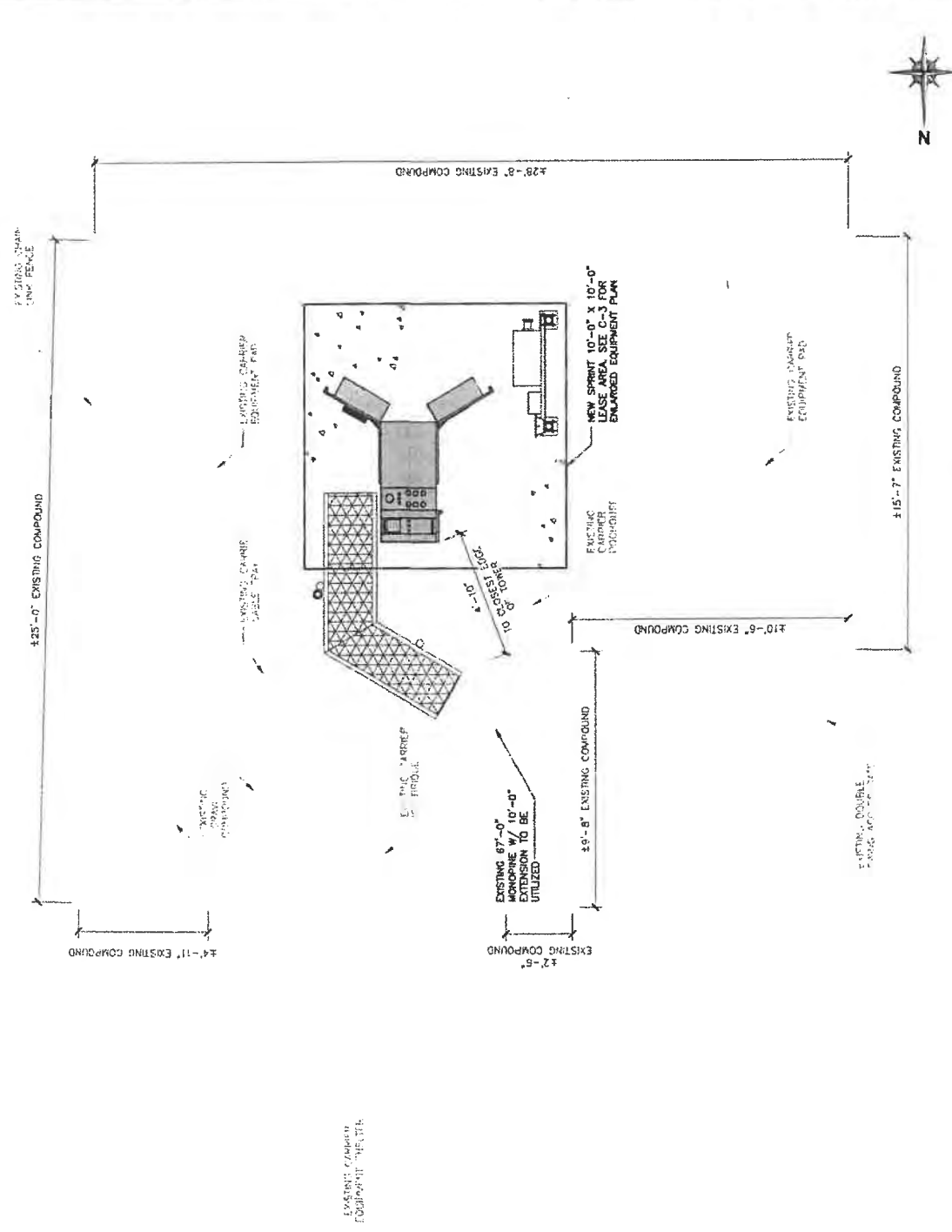
SITE ADDRESS
3125 S. NELLIS BOULEVARE
LAS VEGAS, NV 89121

THE GREAT AMERICAN

OVERALL COMPOUND PLAN

1


C-2




OVERALL COMPOUND PLAN

SCAF: 1/20 - 1/20


UC-18-0578



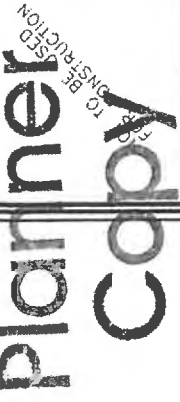
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LAS VEGAS, NV 89121
PH: (702) 416-7530
WWW.WTDESIGNGROUP.COM



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LAS VEGAS, NV 89121
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WWW.WTDESIGNGROUP.COM



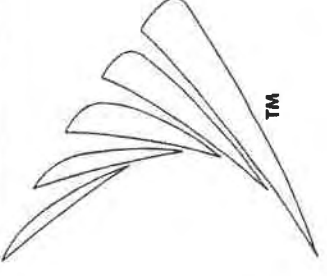
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PH: (702) 416-7530
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LAS VEGAS, NV 89121
PH: (702) 416-7530
WWW.WTDESIGNGROUP.COM

DATE: 04/18/18
BY: JAB
FOR CLIENT REVIEW: 06/08/18
CLIENT COMMENTS: 06/08/18 ERM: B

PROJECT NUMBER: 1180032
CLIENT NAME: LV115 NELLIS & DI
SHEET NUMBER: T-1



PROJECT:
SITE CASCADE:
CROWN CASTLE

SITE NAME:
CROWN CASTLE

SITE NUMBER:
CROWN CASTLE

SITE ADDRESS:
CROWN CASTLE

SITE TYPE:
CROWN CASTLE

PROJECT DESCRIPTION

ALL NEW TOWER EQUIPMENT TO BE PAINTED TO MATCH EXISTING STRUCTURE.

INSTALL NEW 10'-0" x 10'-0" CONCRETE EQUIPMENT PAD

INSTALL (1) EQUIPMENT CABINET AT GRADE

INSTALL (1) HOFFMAN JUNCTION BOX & (1) PPC CABINET MOUNTED ON NEW H-FRAME AT GRADE

INSTALL 10'-0" TOWER EXTENSION

INSTALL (3) HYBRID CABLES ON EXISTING TOWER

INSTALL (6) PANEL ANTENNAS ON EXISTING TOWER

INSTALL (3) SECTOR FRAMES ON EXISTING TOWER

INSTALL (6) BOOMZ RHYS AT ANTENNAS

INSTALL (3) 1900MHZ RHYS AT ANTENNAS

INSTALL (24) JUMPERS

APPLICABLE CODES

ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES.

BUILDING CODE: 2012 INTERNATIONAL BUILDING CODE
PLUMBING CODE: 2012 UNIFORM PLUMBING CODE
MECHANICAL CODE: 2012 INTERNATIONAL MECHANICAL CODE
ELECTRICAL CODE: 2011 NATIONAL ELECTRICAL CODE

SITE INFORMATION

PROPERTY OWNER:
PALM PROPERTIES, LLC
6050 S. FORT APACHE ROAD, SUITE 100
LAS VEGAS, NV 89146

CROWN CASTLE SITE NUMBER:
825521

CROWN CASTLE SITE NAME:
LV115 NELLIS & DI

CROWN CASTLE APPLICATION ID:
430989

SITE ADDRESS:
3125 S. NELLIS BOULEVARD
LAS VEGAS, NV 89121
CLARK COUNTY

GEOGRAPHIC COORDINATES:
LATITUDE: 36.137429°
LONGITUDE: -115.08627°
ALTITUDE (MSL): 1724'

JURISDICTION:
CLARK COUNTY

APN:
181-08-810-083

POWER COMPANY:
NV ENERGY

SITE ACQUISITION CONTACT:
CROWN CASTLE USA, INC.
3125 S. NELLIS BOULEVARD
LAS VEGAS, NV 89121
PH: (702) 408-5147
FAX: (702) 408-5147
CONTACT: ERICK ROMERO
WWW.WTDESIGNGROUP.COM

STRUCTURAL ENGINEER:
BOCK & YEATCH
3125 S. NELLIS BOULEVARD
SUITE 2292
CARLISLE PARK, KS 66211
TEL: (913) 438-8145

AREA MAP

MAP DATA © 2018 GOOGLE

AERIAL MAP

MAP DATA © 2018 GOOGLE

SHEET INDEX

SHEET:	SHEET TITLE:
T-1	TITLE SHEET
N-1	GENERAL NOTES
N-2	GENERAL NOTES
N-3	GENERAL NOTES
C-1	OVERALL SITE PLAN
C-2	OVERALL COMPOUND PLAN
C-3	ENLARGED EQUIPMENT PLAN
C-4	SITE DETAILS
C-5	CABINET DETAILS
C-6	CONCRETE PAD DETAILS
A-1	TOWER ELEVATIONS
A-2	TOWER ELEVATIONS
A-3	EQUIPMENT ELEVATION
A-4	ANTENNA PLAN
A-5	EQUIPMENT DETAILS
A-6	EQUIPMENT DETAILS
A-7	EQUIPMENT DETAILS
E-1	UTILITY PLAN
E-2	ELECTRICAL DETAILS
E-3	BATTERY SPECIFICATIONS
E-4	BATTERY SPECIFICATIONS
E-5	BATTERY SPECIFICATIONS
GR-1	GROUNDING PLAN
GR-2	GROUNDING DETAILS
GR-3	GROUNDING DETAILS

SITE CONTACTS

CROWN CASTLE USA, INC.
CM: LUISE CHRISTIAN
PHONE: (702) 408-5147

PH: TIMOTHY MILLER
PHONE: (949) 938-0221

ZONING & PERMITTING SPECIALIST:
CM: WILLIAM GAUL
PHONE: (702) 518-4348

PH: BARBARA BOON
PHONE: (949) 464-3434



811
Call before you dig



MIA PARTNER:



PLANS PREPARED BY:



**W-T COMMUNICATIONS
DESIGN GROUP, LLC**
WIRELESS INFRASTRUCTURE
8500 S Eastern Avenue Suite 250
Las Vegas, NV 89123
PH: (702) 898-1000 FAX: (702) 898-1010
www.wtdesigngroup.com

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REVISIONS:	DESCRIPTION	DATE	BY	REV
	FOR CLIENT REVIEW	04/18/18	JTB	A
	CLIENT COMMENTS	06/09/18	ESM	B

W-T PROJECT NUMBER T1600432

CROWN CASTLE SITE NAME:

LV115 NELLIS & DI

1000

SITE CASCADE www.sitecascade.com

VG90XC440

SITE ADDRESS. _____

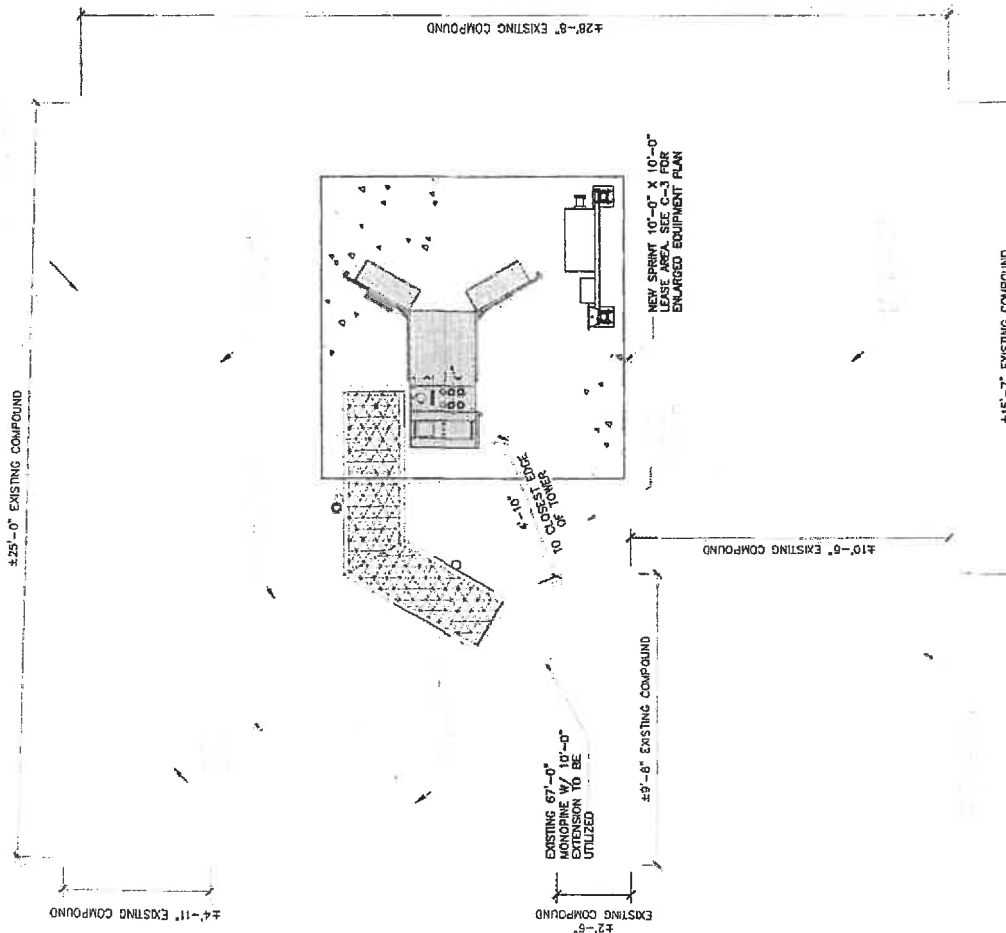
3125 S. NELLIS BOULEVARD
LAS VEGAS, NV 89121

1216917, N/A Q312

OVERALL COMPOUND

PLAN

C-2



OVERALL COMPOUND PLAN

SCALE: 1/4" = 1'-0"

—

PLANS PROVIDED FOR:



M.A. PARTNER



PLANS PREPARED BY:



**W-T COMMUNICATIONS
DESIGN GROUP, LLC**

WIRELESS COMMUNICATIONS
6500 S. Eastern Avenue, Suite 220
Las Vegas, NV 89123
PH: (702) 385-1000 FAX: (702) 385-1010
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FROM
STATE OF NEVADA
LICENSE # 019008

EXPIRES 07/27/14 09:00 07/27/14

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REVISION	DESCRIPTION	DATE	BY	REV
1	ISSUED FOR PERMIT	06/14/10	JB	A
2	ISSUED FOR PERMIT	06/14/10	JB	B
3	ISSUED FOR PERMIT	06/14/10	JB	C
4	ISSUED FOR PERMIT	06/14/10	JB	D
5	ISSUED FOR PERMIT	06/14/10	JB	E

WT PROJECT NUMBER: T1800432

CROWN CASTLE SITE NAME:

LV115 NELLIS & DI

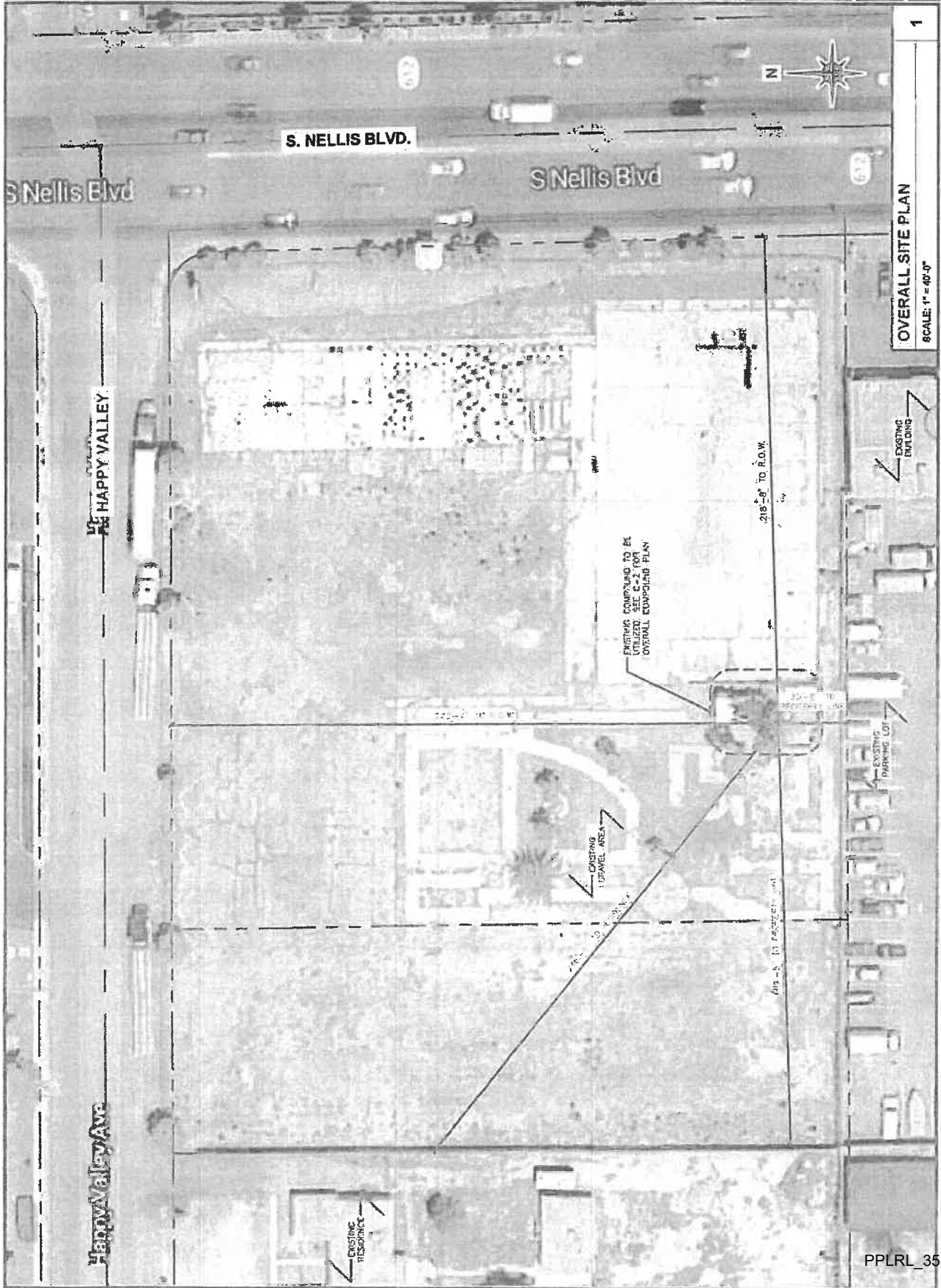
SITE CUSCODE

VG00XC440

SITE ADDRESS
3125 S. NELLIS BOULEVARD
LAS VEGAS, NV 89121

SHEET DESCRIPTION:
OVERALL SITE PLAN

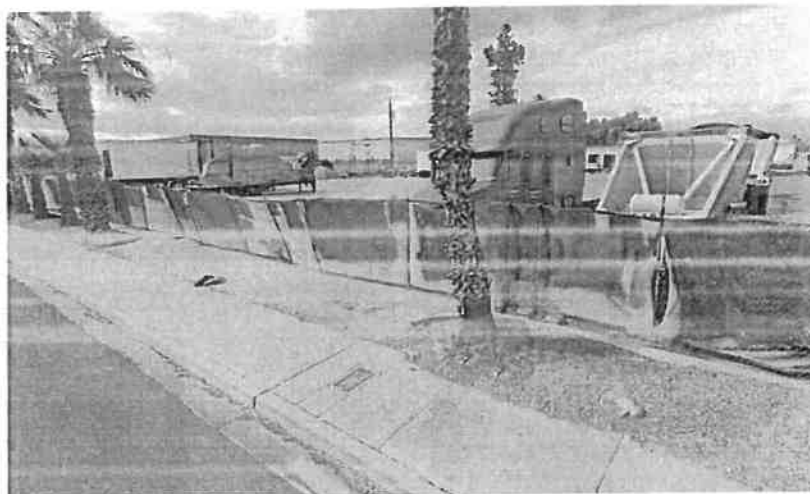
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C-1





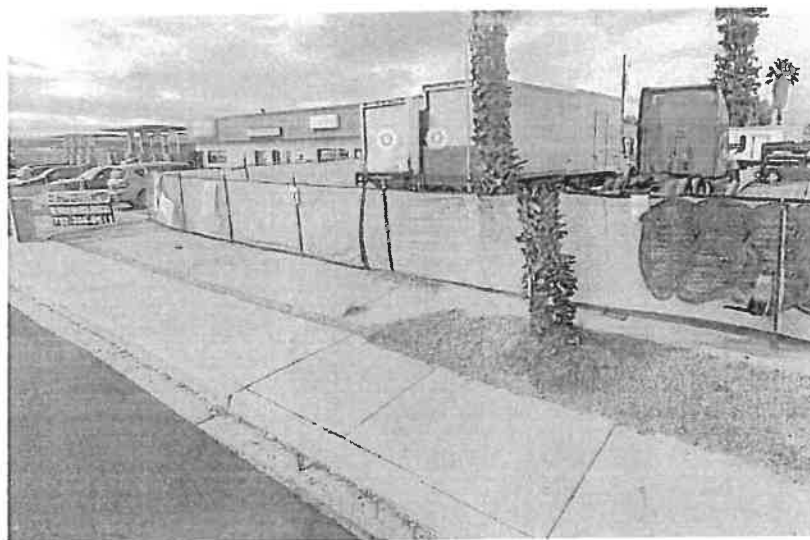
2024

Closed driveway #1 on Nellis (NE Corner)



2024

Closed driveway #2 center of east PL along Nellis.



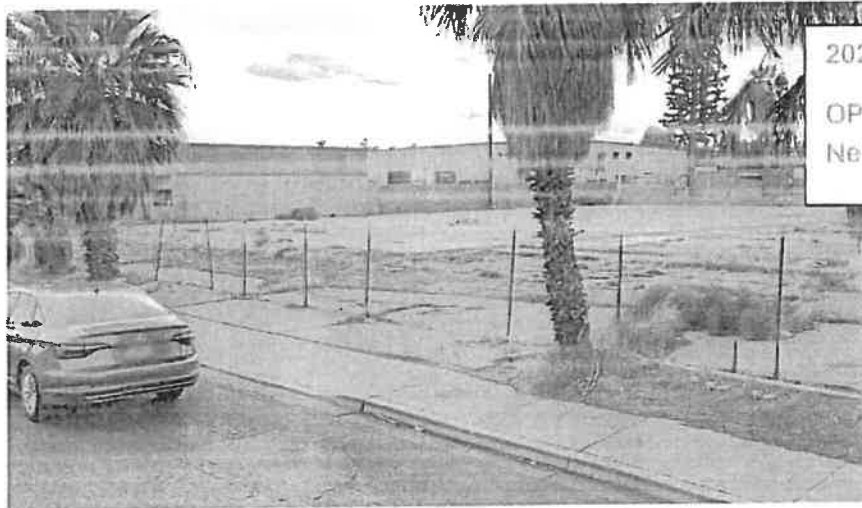
2024

Closed driveway #3 south east corner along Nellis.



2021

OPEN driveway #1 on Nellis (NE Corner)



2021

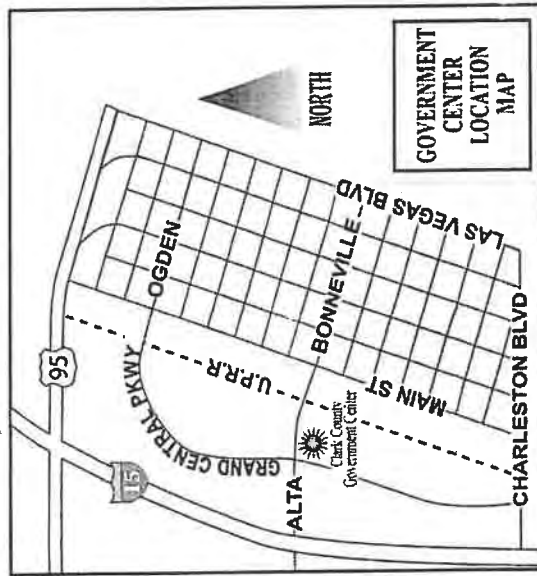
OPEN driveway #2 center of east PL along Nellis.



2021

OPEN driveway #3 south east corner along Nellis.

DEPARTMENT OF COMPREHENSIVE PLANNING
LAND USE PLANNING
(702) 455-4314
CLARK COUNTY GOVERNMENT CENTER
500 S. GRAND CENTRAL PARKWAY
BOX 551741
LAS VEGAS, NEVADA 89155-1741



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☐ I SUPPORT this request

☒ I OPPOSE this request



WS-24-0276 090424
GARBE REINHOLD G ETAL
KARWACKI-GARBE THERESA A
3226 WOODY LN
SAN JOSE, CA 95132

1 2 2 4 PPLRL-141P 955 1 322

APPLICATION INFORMATION

APPLICATION NUMBER: WS-24-0276
OWNER: PALM PROPERTIES, LLC:

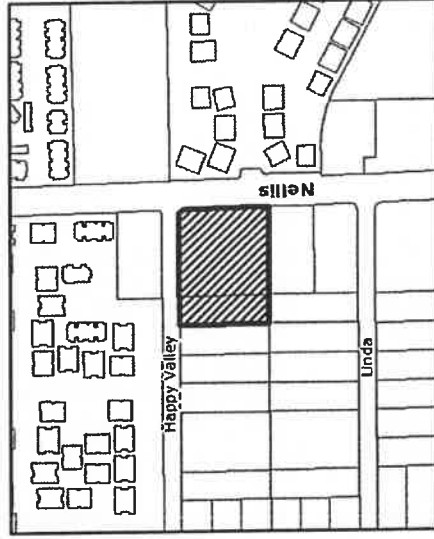
WAIVER OF DEVELOPMENT STANDARDS to modify residential adjacency standards.

DESIGN REVIEW for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone. Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor. (For possible action)

RELATED INFORMATION:

APN: 161-08-810-082; 161-08-810-083

APPLICATION LOCATION



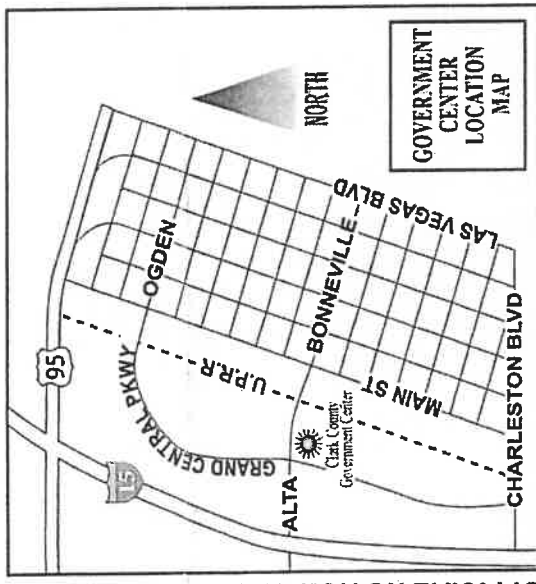
MEETING INFORMATION

Sunrise Manor Town Board
August 15, 2024, 6:30 pm
Hollywood Neighborhood
Services Center
1650 S. Hollywood Blvd
Las Vegas, Nevada

Board of County Commissioners
September 4, 2024, 9:00 am
Clark County Government Center
500 S. Grand Central Parkway
Las Vegas, Nevada

This information is considered accurate; however, minor variations may occur. Application documents are available for viewing online under the Clark County Comprehensive Planning Department by selecting "Services" on the left and selecting "Land Use Documents" from the drop-down. All persons interested may submit written support or opposition by email to zoningmeeting@clarkcountynv.gov. Include the item and application numbers on all emails. We suggest that you inform your lessee(s) of the matter. For more information, visit www.clarkcountynv.gov or call (702) 455-4314 (option 2, option 1).

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 LAND USE PLANNING
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 CLARK COUNTY GOVERNMENT CENTER
 500 S. GRAND CENTRAL PARKWAY
 BOX 551741
 LAS VEGAS, NEVADA 89155-1741



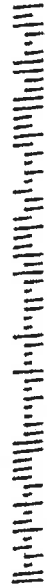
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☒ I OPPOSE this request

ES PREPARE 09121



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 02 4W
 0000362055 AUG 08 2024

WS-24-0276 090424
 SIGRETTO MICHAEL P & ROBIN L REYNOLDS
 4895 HAPPY VALLEY AVE
 LAS VEGAS, NV 89121-2037

APPLICATION INFORMATION

APPLICATION NUMBER: WS-24-0276
OWNER: PALM PROPERTIES, LLC:

WAIVER OF DEVELOPMENT STANDARDS to modify residential adjacency standards.

DESIGN REVIEW for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone. Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor. (For possible action)

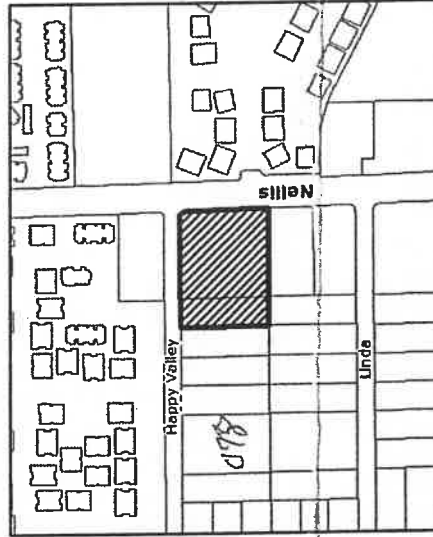
RELATED INFORMATION:

APN: 161-08-810-082; 161-08-810-083

*IF WS-24-0276 & VS 24-0277 PASS, NEXT
THEY WILL TRY THIS ON LOT 161-08-810-078*

*THIS LOT IS NOT
COMMERCIAL PROPERTY.*

APPLICATION LOCATION



MEETING INFORMATION

Sunrise Manor Town Board
August 15, 2024, 6:30 pm
Hollywood Neighborhood
Services Center
1650 S. Hollywood Blvd
Las Vegas, Nevada

Board of County Commissioners
September 4, 2024, 9:00 am
Clark County Government Center
500 S. Grand Central Parkway
Las Vegas, Nevada

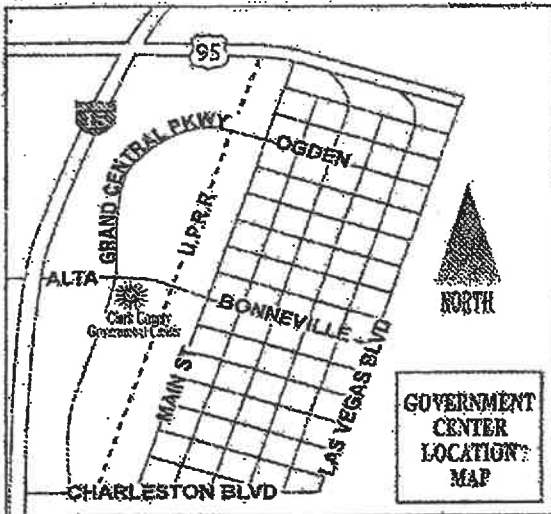
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LAS VEGAS, NEVADA 89155-1741

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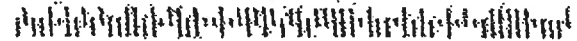
☐ I SUPPORT
this request

☒ I OPPOSE
this request

126 PRDFMMP 24082

Application # WS-24-0277
WS-24-0276
Item # APN# 161-08-810-082
161-08-810-083

→ WS-24-0276 090424
DOUGLAS FAMILY TRUST
DOUGLAS MIKE & LISA TRS
490 MOORE RD
WOODSIDE, CA 94062



APPLICATION INFORMATION

APPLICATION NUMBER: WS-24-0276
OWNER: PALM PROPERTIES, LLC:

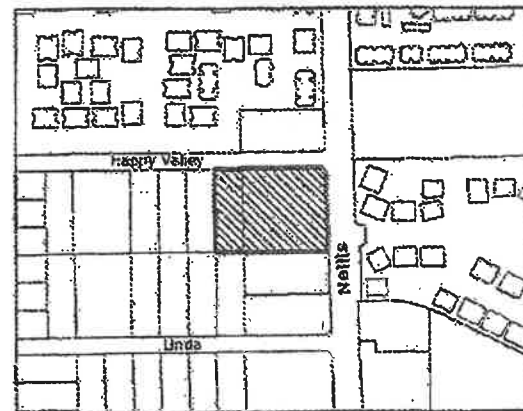
WAIVER OF DEVELOPMENT STANDARDS to modify residential adjacency standards.

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RELATED INFORMATION:

APN: 161-08-810-082; 161-08-810-083

APPLICATION LOCATION



MEETING INFORMATION

Sunrise Manor Town Board
August 15, 2024, 6:30 pm
Hollywood Neighborhood
Services Center
1650 S. Hollywood Blvd
Las Vegas, Nevada

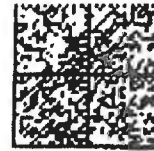
Board of County Commissioners
September 4, 2024, 9:00 am
Clark County Government Center
500 S. Grand Central Parkway
Las Vegas, Nevada

This information is considered accurate; however, minor variations may occur. Application documents are available for viewing online under the Clark County Comprehensive Planning Department by selecting "Services" on the left and selecting "Land Use Documents" from the drop-down. All persons interested may submit written support or opposition by email to zonemeeting@clarkcountynv.gov. Include the item and application numbers on all emails. We suggest that you inform your lessee(s) of the matter. For more information, visit www.clarkcountynv.gov or call (702) 455-4314 (option 2, option 1).

PLRL 360

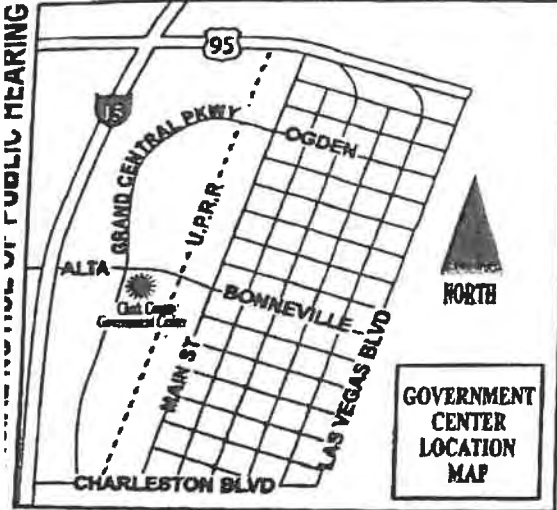
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 (702) 455-4314
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WS-24-0276 090424
 AL-TURKMANI & AYMAN
 2725 S NELLIS BLVD # 2074
 LAS VEGAS, NV 89121

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☐ I SUPPORT
 this request

☒ I OPPOSE
 this request

69 FROFNM 89121

Aug. 14. 2024 12:13PM

MD Investments

DEPARTMENT OF COMPREHENSIVE PLANNING
LAND USE PLANNING
(702) 455-4314
CLARK COUNTY GOVERNMENT CENTER
500 S. GRAND CENTRAL PARKWAY
BOX 551741
LAS VEGAS, NEVADA 89155-1741

No. 8135 P. 3/3

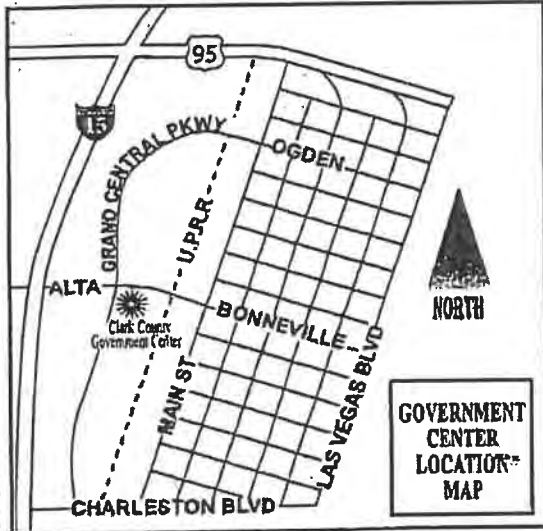
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ZIP 89120 \$ 000.43⁵
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0000362065 AUG 08 2024

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☐ I SUPPORT
this request

☒ I OPPOSE
this request

126 FREDMMP 94062

WS-24-0276 090424
DOUGLAS FAMILY TRUST
DOUGLAS MIKE & LISA TRS
490 MOORE RD
WOODSIDE, CA 94062



CPAdmin

Subject: FW: Application Number:VS-24-0277 and WS-24-0276 APN: 161-08-810-082: 161-08-810-083

From: ZoningMeeting <ZoningMeeting@ClarkCountyNV.gov>
Sent: Wednesday, August 14, 2024 1:42 PM
To: CPAdmin <CPAdmin@clarkcountynv.gov>
Subject: FW: Application Number:VS-24-0277 and WS-24-0276 APN: 161-08-810-082: 161-08-810-083

From: Nellis Storage <nellisstorage@gmail.com>
Sent: Wednesday, August 14, 2024 1:41:36 PM (UTC-08:00) Pacific Time (US & Canada)
To: ZoningMeeting <ZoningMeeting@ClarkCountyNV.gov>
Cc: Lisa Douglas <lisa@mdinvests.com>; Emma Santana <emma@mdinvests.com>
Subject: Application Number:VS-24-0277 and WS-24-0276 APN: 161-08-810-082: 161-08-810-083

To Whom This May Concern,

Our position is to oppose the development of a commercial truck parking lot located at 3125 S. Nellis Blvd, Las Vegas, NV 89121.

In the last 3 years, the address stated in this letter has had activity other than commercial parking.

The building of structures, spray painting the new buildings and vehicles with no cover to catch the paint spray particles or containing the fumes that have been placed in the air for hours, sometimes days. These types of fumes were heavy in the air and did affect my breathing on the days this would take place. I do offer parking next door at 3175 S. Nellis Blvd. Las Vegas, NV 89121. Not once were we notified of this activity or had a visit from Robert explaining when such building of structures or spraying would be taking place. We offer parking spots for monthly parking and we also have public parking for the laundry mat, the hair salon and for a law office. We also offer parking for the customers that rent Budget Truck Rental for the local day use.

Robert visited Nellis Self Storage asking if I would hand out flyers to people that were looking for parking. He explained to me that there would be a security officer there in the guard shack 24 hours a day, guard shack located at the entrance. The guard was to check people in and out and keep the vehicles safe and their contents. I have never seen a security guard over there in my passing on different occasions. I never handed out the flyers.

I have had several customers in the past few years come to Nellis Self Storage after storing with Robert. The customers have stated they never saw a security officer. They would call the number posted and Robert would meet them and take their money and sign a lease.

What I do know is vehicles that have been stored there have been broken into and their contents in the vehicle and their catalytic converters were stolen. This is when I would meet those customers due to trying to find safe parking.

My concern is the safety for Nellis Self Storage employees, our customers and our surrounding businesses connected to the facility and the community in the surrounding area. The reckless behavior of what Robert is allowing on the property located at 3125 S. Nellis BLVD is way more than just commercial parking.

My name is Rebecca Breckon, Property Manager of the Nellis Self Storage. I am standing in for the Owners Mike and Lisa Douglas. The Douglas Family Trust.

--

We appreciate you,
Rebecca Breckon,
Property Manager

Nellis Self Storage
3175 South Nellis Blvd.
Las Vegas, NV 89121
(702) 440-6440

CPAdmin

Subject: FW: APPLICATION NUMBER VS-24-0277: WS-24-0276 - APN:161-08-810-082: 161-08-810-083

From: ZoningMeeting <ZoningMeeting@ClarkCountyNV.gov>
Sent: Thursday, August 15, 2024 1:12 PM
To: CPAdmin <CPAdmin@clarkcountynv.gov>
Subject: FW: APPLICATION NUMBER VS-24-0277: WS-24-0276 - APN:161-08-810-082: 161-08-810-083

From: Nellis Storage <nellisstorage@gmail.com>
Sent: Thursday, August 15, 2024 1:12:04 PM (UTC-08:00) Pacific Time (US & Canada)
To: ZoningMeeting <ZoningMeeting@ClarkCountyNV.gov>
Cc: Lisa Douglas <lisa@mdinvests.com>; Emma Santana <emma@mdinvests.com>
Subject: APPLICATION NUMBER VS-24-0277: WS-24-0276 - APN:161-08-810-082: 161-08-810-083

To Whom It May Concern,

We strongly oppose the development of a commercial truck parking lot at 3125 S. Nellis Blvd, Las Vegas, NV 89121.

Over the past three years, the property at this address has been used for activities beyond commercial parking. Structures have been built, and spray painting of buildings and vehicles has occurred without proper containment of fumes or particles. These activities have negatively impacted air quality and, on several occasions, caused respiratory issues.

Despite numerous issues raised, the property owners have not demonstrated good neighbor practices. It appears that they are only now seeking compliance because they have been caught conducting business without adhering to city regulations. The neighborhood is already undergoing significant transition and has experienced a tremendous increase in homelessness and crime. The last thing we need is a business with a checkered past, which has contributed to the decline of the area.

There are additional concerns regarding the property at 3125 S. Nellis Blvd:

- The presence of chemicals and hazardous materials stored without proper oversight.
- Inadequate fencing, which fails to secure the property and allows unauthorized access.
- A lack of security, despite promises of a 24-hour guard.
- The type of trucks using the facility, with no clear information on what they are carrying, including the risk of transporting hazardous materials.
- No transparency around office hours or the management of the property.

- No inspections or regulation of out-of-state trucks, raising concerns about what is being transported into our community.
- The presence of “lot lizards,” which further degrades the safety and reputation of the neighborhood.

Most critically, the proximity of several schools poses a severe risk to children and families. The potential exposure to hazardous materials, increased traffic, and the associated dangers make this proposed development especially unsafe for the most vulnerable members of our community. The thought of hazardous materials being stored or transported so close to schools is alarming and unacceptable.

Additionally, there are serious concerns regarding fire safety and emergency preparedness. What measures are in place for fire prevention, especially concerning chemical fires? Are there adequate alarms for potential chemical explosions? Can emergency vehicles access the site in compliance with regulations? We also question whether the property has obtained all necessary permits for its operations, as these are crucial for ensuring safety and compliance.

We were hopeful that the planned new housing development would bring positive change and reassurance to the community. This business, however, has been a detractor, bringing down the neighborhood. With the new housing development on the horizon, we have an opportunity to revitalize this area, and allowing this business to continue would be a step in the wrong direction.

As the Property Manager of Nellis Self Storage, located next door at 3175 S. Nellis Blvd, Las Vegas, NV 89121, I am deeply concerned about the safety and well-being of our employees, customers, and surrounding businesses. Despite assurances from the property manager, Robert, about security measures, these have not been observed. Furthermore, several customers have reported thefts, including break-ins and catalytic converter thefts, after storing their vehicles at 3125 S. Nellis Blvd.

We are committed to ensuring the safety and security of our facility and the surrounding community. The activities taking place at 3125 S. Nellis Blvd go beyond the scope of commercial parking and raise significant concerns.

Thank you for your attention to this matter.

Sincerely,

*Rebecca Breckon
Property Manager
Nellis Self Storage
(702)440-6440
On behalf of the Douglas Family Trust*

**Nellis Self Storage
3175 South Nellis Blvd.**

Las Vegas, NV 89121
(702) 440-6440

WEDNESDAY
BOARD OF COUNTY COMMISSIONERS AGENDA
OCTOBER 02, 2024

RECOMMENDATIONS FROM: SOUTHERN NEVADA WATER AUTHORITY
Patrick Denison, Right-of-Way Agent
702-862-3474.

ITEM #	APPLICATION NUMBER	COMMENTS	CONTACT NAME
4.	AR-24-400090 (UC-0849-14)	Not reviewed	P. Denison
5.	UC-24-0387 HOLDOVER	Not reviewed	P. Denison
6.	TM-24-500076 HOLDOVER	No objection	P. Denison
7.	UC-24-0399 HOLDOVER	Not reviewed	P. Denison
8.	VS-24-0277 HOLDOVER	No objection	P. Denison
9.	WS-24-0276 HOLDOVER	Not reviewed	P. Denison
10.	WS-24-0362	Not reviewed	P. Denison
11.	ZC-24-0394	Not reviewed	P. Denison
12.	ORD-24-900412	Not reviewed	P. Denison
13.	ORD-24-900463	Not reviewed	P. Denison
14.	ORD-24-900551	Not reviewed	P. Denison
15.	ORD-24-900578	Not reviewed	P. Denison
<u>NON-ROUTINE</u>			
16.	SC-24-0261 HOLDOVER	Not reviewed	P. Denison
17.	VS-24-0390	No objection	P. Denison
18.	WS-24-0391	Not reviewed	P. Denison
19.	TM-24-500078	No objection	P. Denison
20.	WS-24-0419	Not reviewed	P. Denison

WEDNESDAY
BOARD OF COUNTY COMMISSIONERS AGENDA
OCTOBER 02, 2024

RECOMMENDATIONS FROM: SOUTHERN NEVADA WATER AUTHORITY
Patrick Denison, Right-of-Way Agent
702-862-3474

ITEM #	APPLICATION NUMBER	COMMENTS	CONTACT NAME
21.	WS-24-0437	Not reviewed	P. Denison
<u>AGENDA ITEM</u>			
22.	AG-24-900634	Not reviewed	P. Denison
<u>ORDINANCES - INTRODUCTION</u>			
23.	ORD-24-900471	Not reviewed	P. Denison
24.	ORD-24-900591	Not reviewed	P. Denison

WEDNESDAY
BOARD OF COUNTY COMMISSIONERS AGENDA
NOVEMBER 6, 2024

RECOMMENDATIONS FROM: SOUTHERN NEVADA WATER AUTHORITY
Patrick Denison, Right-of-Way
702-862-3474

ITEM #	APPLICATION NUMBER	COMMENTS	CONTACT NAME
4.	AR-24-400090 (UC-0849-14) HOLDOVER	Not reviewed	P. Denison
5.	AR-24-400106 (UC-22-0498)	Not reviewed	P. Denison
6.	ET-24-400101 (UC-22-0403)	Not reviewed	P. Denison
7.	VS-24-0277 HOLDOVER	No objection	P. Denison
8.	WS-24-0276 HOLDOVER	Not reviewed	P. Denison
9.	WS-24-0419 HOLDOVER	Not reviewed	P. Denison
10.	WS-24-0473	Not reviewed	P. Denison
<u>NON-ROUTINE</u>			
11.	SC-24-0261 HOLDOVER	Not reviewed	P. Denison
12.	UC-24-0436	Not reviewed	P. Denison
13.	UC-24-0491	Not reviewed	P. Denison
14.	VS-24-0494	No objection	P. Denison
15.	WS-24-0495	Not reviewed	P. Denison
16.	VS-24-0504	No objection	P. Denison
17.	WS-24-0505	Not reviewed	P. Denison
18.	TM-24-500106	No objection	P. Denison
19.	WC-24-400060 (NZC-22-0028) HOLDOVER	Not reviewed	P. Denison

WEDNESDAY
BOARD OF COUNTY COMMISSIONERS AGENDA
NOVEMBER 6, 2024

RECOMMENDATIONS FROM: SOUTHERN NEVADA WATER AUTHORITY
Patrick Denison, Right-of-Way
702-862-3474

ITEM #	APPLICATION NUMBER	COMMENTS	CONTACT NAME
20.	WS-24-0475	Not reviewed	P. Denison
21.	WS-24-0484	Not reviewed	P. Denison
22.	WS-24-0488	Not reviewed	P. Denison
23.	WS-24-0489	Not reviewed	P. Denison
24.	WS-24-0511	Not reviewed	P. Denison
25.	TM-24-500109	No objection	P. Denison
<u>AGENDA ITEM</u>			
26.	AG-24-900729	Not reviewed	P. Denison
<u>ORDINANCES - INTRODUCTION</u>			
27.	ORD-24-900529	Not reviewed	P. Denison
28.	ORD-24-900546	Not reviewed	P. Denison
29.	ORD-24-900599	Not reviewed	P. Denison
30.	ORD-24-900699	Not reviewed	P. Denison
31.	ORD-24-900708	Not reviewed	P. Denison
32.	ORD-24-900710	Not reviewed	P. Denison
33.	ORD-24-900725	Not reviewed	P. Denison

10/29/2024 7:21 AM

BOARD OF COUNTY COMMISSIONERS
NOVEMBER 6, 2024, 9:00 A.M.

VS – VACATION AND ABANDONMENTS
RECOMMENDATIONS FROM: SOUTHERN NEVADA WATER AUTHORITY
Patrick Denison, Right-of-Way Agent
702-862-3474

APPLICATION	COMMENTS	CONTACT NAME
VS-24-0494	No objection	P. Denison
VS-24-0504	No objection	P. Denison

WEDNESDAY
BOARD OF COUNTY COMMISSIONERS AGENDA
NOVEMBER 20, 2024

RECOMMENDATIONS FROM: SOUTHERN NEVADA WATER AUTHORITY
Patrick Denison, Right-of-Way Agent
702-862-3474

ITEM #	APPLICATION NUMBER	COMMENTS	CONTACT NAME
4.	SDR-24-0334 HOLDOVER	Not reviewed	P. Denison
5.	DR-24-0335 HOLDOVER	Not reviewed	P. Denison
6.	ET-24-400107 (UC-20-0288)	Not reviewed	P. Denison
7.	WC-24-400111 (ZC-1965-04)	Not reviewed	P. Denison
8.	VS-24-0520	No objection	P. Denison
9.	UC-24-0521	Not reviewed	P. Denison
10.	ZC-24-0518	Not reviewed	P. Denison
11.	ORD-24-900529	Not reviewed	P. Denison
12.	ORD-24-900546	Not reviewed	P. Denison
13.	ORD-24-900599	Not reviewed	P. Denison
14.	ORD-24-900699	Not reviewed	P. Denison
15.	ORD-24-900708	Not reviewed	P. Denison
16.	ORD-24-900710	Not reviewed	P. Denison
17.	ORD-24-900725	Not reviewed	P. Denison
<u>NON-ROUTINE</u>			
18.	CP-24-900629	Not reviewed	P. Denison
19.	ET-24-400110 (UC-20-0493)	Not reviewed	P. Denison
20.	UC-24-0319	Not reviewed	P. Denison

WEDNESDAY
BOARD OF COUNTY COMMISSIONERS AGENDA
NOVEMBER 20, 2024

RECOMMENDATIONS FROM: SOUTHERN NEVADA WATER AUTHORITY
Patrick Denison, Right-of-Way Agent
702-862-3474

ITEM #	APPLICATION NUMBER	COMMENTS	CONTACT NAME
21.	UC-24-0436 HOLDOVER	Not reviewed	P. Denison
22.	UC-24-0460 HOLDOVER	Not reviewed	P. Denison
23.	UC-24-0536	Not reviewed	P. Denison
24.	VS-24-0277 HOLDOVER	No objection	P. Denison
25.	WS-24-0276 HOLDOVER	Not reviewed	P. Denison
26.	VS-24-0457 HOLDOVER	No objection	P. Denison
27.	WS-24-0456 HOLDOVER	Not reviewed	P. Denison
28.	TM-24-500096 HOLDOVER	No objection	P. Denison
29.	VS-24-0462 HOLDOVER	No objection	P. Denison
30.	WS-24-0461 HOLDOVER	Not reviewed	P. Denison
31.	TM-24-500099 HOLDOVER	No objection	P. Denison
32.	VS-24-0509	No objection	P. Denison
33.	WS-24-0510	Not reviewed	P. Denison
34.	TM-24-500108	No objection	P. Denison
35.	VS-24-0539	No objection	P. Denison
36.	WS-24-0538	Not reviewed	P. Denison
37.	VS-24-0542	No objection	P. Denison
38.	WS-24-0543	Not reviewed	P. Denison

WEDNESDAY
BOARD OF COUNTY COMMISSIONERS AGENDA
NOVEMBER 20, 2024

RECOMMENDATIONS FROM: SOUTHERN NEVADA WATER AUTHORITY
Patrick Denison, Right-of-Way Agent
702-862-3474

ITEM #	APPLICATION NUMBER	COMMENTS	CONTACT NAME
39.	TM-24-500117	No objection	P. Denison
40.	WS-24-0522	Not reviewed	P. Denison
41.	WS-24-0523	Not reviewed	P. Denison
42.	WS-24-0525	Not reviewed	P. Denison
43.	WS-24-0526	Not reviewed	P. Denison
44.	WS-24-0527	Not reviewed	P. Denison
45.	TM-24-500114	No objection	P. Denison
46.	WS-24-0535	Not reviewed	P. Denison
47.	PA-24-700015	Not reviewed	P. Denison
48.	ZC-24-0310	Not reviewed	P. Denison
49.	UC-24-0311	Not reviewed	P. Denison
50.	PA-24-700020	Not reviewed	P. Denison
51.	ZC-24-0485	Not reviewed	P. Denison
52.	VS-24-0486	No objection	P. Denison
53.	WS-24-0487	Not reviewed	P. Denison
54.	TM-24-500101	No objection	P. Denison
<u>AGENDA ITEM</u>			
55.	AG-24-900729 HOLDOVER	Not reviewed	P. Denison

WEDNESDAY
BOARD OF COUNTY COMMISSIONERS AGENDA
NOVEMBER 20, 2024

RECOMMENDATIONS FROM: SOUTHERN NEVADA WATER AUTHORITY
Patrick Denison, Right-of-Way Agent
702-862-3474

ITEM #	APPLICATION NUMBER	COMMENTS	CONTACT NAME
<u>ORDINANCES - INTRODUCTION</u>			
56.	ORD-24-900565	Not reviewed	P. Denison
57.	ORD-24-900572	Not reviewed	P. Denison
58.	ORD-24-900582	Not reviewed	P. Denison
59.	ORD-24-900734	Not reviewed	P. Denison
60.	ORD-24-900758	Not reviewed	P. Denison
61.	ORD-24-900766	Not reviewed	P. Denison

11/13/2024 8:01 AM

PW - ROW

<input type="checkbox"/> MANAGERS	<input type="checkbox"/> DONE
<input checked="" type="checkbox"/> ARTERIALS	<input checked="" type="checkbox"/> DONE
<input type="checkbox"/> VACATIONS	<input type="checkbox"/> DONE

161-08-800-082 1083

APP #: WS-24-0276

DESCRIPTION: Truck parking lot

ZC UC WS DR VC

09/04/2024 BCC

08/15/2024 Sunrise Manor

CONCURRENT APPS:

PREVIOUS APPS:

WAIVERS/DRS:

VS-24-0277

APP-24-100004

NO ROW
errors

UC-19-0630

APP-23-101485

UC/DR-18-0578

ADR-06-900333

UC-04-0040

NOTES:

* Patrick checking. YES
update needed.

☐ ANALYSIS: ☐ RECOMMENDATION: ☐ APPROVAL ☐ DENIAL ☐ OTHER

☐ CONDITIONS: Rev Patrick ☒ D/S NO Per ☐ T/S K & J ☒ O/S Varak ☒ DET SW ☐ LVBS ☐ L & M ☐ BUS STOP
☐ DR #2 ☒ NDOT ☐ NDOT/BLUE DIAMOND ☐ RES. COVENANT
☐ VS LEGAL ☐ VS REC PERMIT/MAP ☐ VS REC O/S INSPECT
☐ ROW 30/90 FOR ALL ☐ ROW 30/90 FOR 80+

☐ ROW:

☐ OTHER:

☐ ADVISORY:

☐ ETs/ARS: ☐ ANALYSIS NEEDED? ☐ PREVIOUS ☐ NEW CONDITIONS?

☐ NO COMMENT

SCAN TO FILE

11100

**CLARK COUNTY
COMPREHENSIVE PLANNING LAND USE APPLICATIONS
LAND USE APPLICATION ANALYSIS/CONDITIONS**

APPLICATION NUMBER/OWNER
WS-24-0276/PALM PROPERTIES L L C

The following has been entered to Accela for the above referenced land use application for **Public Works**
- Development Review.

Preliminary Conditions

- Drainage study and compliance;
- Full off-site improvements.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that Nevada Department of Transportation (NDOT) permits may be required.
/syp

Applied by: Sarah Mabry-Padovese
Date entered: 7/31/2024

APN(s):
161-08-810-082 through 161-08-810-083

VS-24-0277

**CLARK COUNTY
COMPREHENSIVE PLANNING LAND USE APPLICATIONS
LAND USE APPLICATION ANALYSIS/CONDITIONS**

APPLICATION NUMBER/OWNER
WS-24-0276/PALM PROPERTIES L L C

The following has been entered to Accela for the above referenced land use application for **Public Works**
- Development Review.

Preliminary Conditions

~~NOT READY TO MERGE~~

- Drainage study and compliance:
- Full off-site improvements.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that Nevada Department of Transportation (NDOT) permits may be required.
/syp

Applied by: Sarah Mabry-Padovese
Date entered: 7/22/2024

APN(s):
161-08-810-082 through 161-08-810-083

Sarah Y. Mabry-Padovese

From: Clark County <Clarkcounty-accela@clarkcountynv.gov>
Sent: Tuesday, February 27, 2024 4:47 PM
To: centurywest1@hotmail.com; ACOLE@GCGARCIINC.COM
Cc: PWLanduse
Subject: New Submittal: APR-23-101485 - APN: 161-08-810-083 Public Works ok

Good afternoon,

Public Works has no further comments on this Application Pre-Review (APR). Please contact Comprehensive Planning at 702-455-4314 or zoning@ClarkCountyNV.gov for information on how to proceed.

Thank you
JaWaan Dodson

Important information:

Please note that although Public Works has no further comments on this APR, it does not mean that we will recommend approval.

Sarah Y. Mabry-Padovese

From: Andrea Cole <acole@gcgarciainc.com>
Sent: Tuesday, February 27, 2024 10:48 AM
To: PWLanduse
Subject: New Submittal: APR-23-101485 - APN: 161-02-810-083 Public Works comments
Attachments: site-6-SP1.pdf; Map that dedicated the ROW for Happy Valley MapPL0040001.pdf

Categories: JaWaan

See below responses and the attached.

From: Clark County Clarkcounty-accela@clarkcountynv.gov
Sent: Tuesday, February 27, 2024 8:46 AM
To: centurywest1@hotmail.com; Andrea Cole acole@gcgarciainc.com
Cc: PWLanduse@ClarkCountyNV.gov
Subject: New Submittal: APR-23-101485 - APN: 161-02-810-083 Public Works comments

Good morning,

Please see the Public Works comments below:

The comments from 2/15/2024 are in black. My original responses are in blue. PW's comments from 2/27/2024 are in red. Additional responses in Green.

Be advised that Nellis Boulevard is a Nevada Department of Transportation (NDOT) right-of-way.

Detached sidewalks are required, this application will need to include a vacation of the right-of-way. Application revised to include the vacation.

Site Plan:

- The minimum required throat is 100 feet per Uniform Standard Drawing 222.1. Site Plan revised to show 100'. It looks like the parking was reduced with this revision and 75 feet is now the minimum. Resolved.
- Provide and show the back of curb radius on the east side of the Happy Valley Avenue commercial driveway and at the intersection. Shown on revised site plan. Not provided (2nd request). Previously provided, attached for reference.
- Correct the right-of-way width for Happy Valley Avenue. ROW corrected on revised site plan. Resolved.

Vacation:

- Provide a the record information for the right-of-way being vacated. See attached recorded map that dedicated the ROW on Happy Valley.

Thank you

JaWaan Dodson

Directions for when you make the necessary changes

- Email the following to Public Works – Development Review at PWLandUse@ClarkCountyNV.gov:
 - o A detailed written response to each of our comments.
 - o Copies of revised plans and documents.
 - o If you make changes other than those that are specified in our comments, provide a detailed list of the changes and an explanation for why the changes were made.

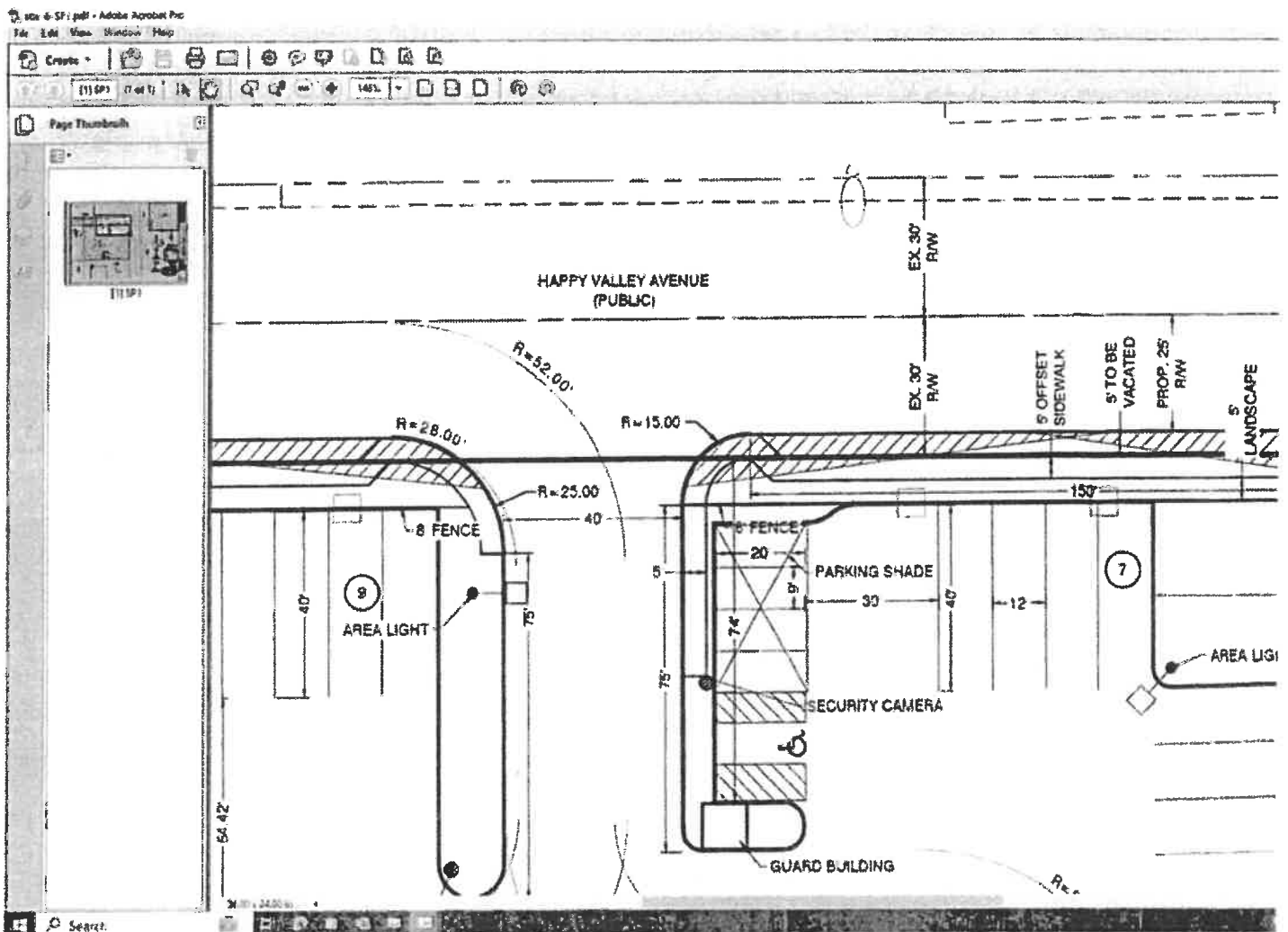
Contacts for the Public Works - Land Use Application Team

- **Email:**
 - o PWLandUse@ClarkCountyNV.gov
- **Phone numbers:**
 - o 702-455-4607 – Sarah Mabry-Padovese
 - o 702-455-6387 – JaWaan Dodson
 - o 702-455-6385 – Nick Goodman
 - o 702-455-4600 – Main number for Development Review

Sarah Y. Mabry-Padovese

From: Andrea Cole <acole@gcgarciainc.com>
Sent: Tuesday, February 27, 2024 10:09 AM
To: PWLanduse
Subject: New Submittal: APR-23-101485 - APN: 161-02-810-083 Public Works comments

I'm slightly confused by the comment asking for the back of curb radius on the plan. I re-reviewed the site plan provided and all of the radii's appear to be there (see below print screen). Is there something I am missing?



If you have any questions please feel free to contact me at the number listed below.

Thanks and Best Regards.

Andrea Cole, Project Coordination Manager
G.C. Garcia, Inc.

1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
(702) 435-9909 Phone
(702) 435-0457 Fax
acole@gcgarciainc.com E-mail
<https://gcgarciainc.com> Website

From: Clark County <Clarkcounty-accela@clarkcountynv.gov>
Sent: Tuesday, February 27, 2024 8:46 AM
To: centurywest1@hotmail.com; Andrea Cole <acole@gcgarciainc.com>
Cc: PWLanduse@ClarkCountyNV.gov
Subject: New Submittal: APR-23-101485 - APN: 161-02-810-083 Public Works comments

Good morning,

Please see the Public Works comments below:

The comments from 2/15/2024 are in black. Your responses are in blue. The new comments from 2/27/2024 are in red.

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- Correct the right-of-way width for Happy Valley Avenue. ROW corrected on revised site plan. Resolved.

Vacation:

- Provide a the record information for the right-of-way being vacated.

Thank you

JaWaan Dodson

Directions for when you make the necessary changes

- Email the following to Public Works - Development Review at PWLandUse@ClarkCountyNV.gov:
 - o A detailed written response to each of our comments.
 - o Copies of revised plans and documents.
 - o If you make changes other than those that are specified in our comments, provide a detailed list of the changes and an explanation for why the changes were made.

Contacts for the Public Works - Land Use Application Team

- **Email:**
 - o PWLandUse@ClarkCountyNV.gov
- **Phone numbers:**
 - o 702-455-4607 - Sarah Mabry-Padovese
 - o 702-455-6387 - JaWaan Dodson
 - o 702-455-6385 - Nick Goodman
 - o 702-455-4600 - Main number for Development Review

Sarah Y. Mabry-Padovese

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Sent: Tuesday, February 27, 2024 8:46 AM
To: centurywest1@hotmail.com; ACOLE@GCGARCIINC.COM
Cc: PWLanduse
Subject: New Submittal: APR-23-101485 - APN: 161-02-810-083 Public Works comments

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Thank you

JaWaan Dodson

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- o A detailed written response to each of our comments.
- o Copies of revised plans and documents.
- o If you make changes other than those that are specified in our comments, provide a detailed list of the changes and an explanation for why the changes were made.

Contacts for the Public Works - Land Use Application Team

- **Email:**
 - o PWLandUse@ClarkCountyNV.gov
- **Phone numbers:**
 - o 702-455-4607 - Sarah Mabry-Padovese
 - o 702-455-6387 - JaWaan Dodson
 - o 702-455-6385 - Nick Goodman
 - o 702-455-4600 - Main number for Development Review

Sarah Y. Mabry-Padovese

From: Andrea Cole <acole@gcgarciainc.com>
Sent: Tuesday, February 20, 2024 4:01 PM
To: PWLanduse
Subject: New Submittal: APR-23-101485 - APN: 161-02-810-093 Public Works comments

Categories: JaWaan

Apologize, I replied incorrectly in my original email to the below.

- The minimum required throat is 100 feet per Uniform Standard Drawing 222.1. Site Plan revised to show 100'

Should have stated:

- The minimum required throat is 100 feet per Uniform Standard Drawing 222.1. Parking was reduced to 99 stalls, and depth of throat for driveway is 75' as required per uniform standard drawing 222.1.

If you have any questions please feel free to contact me at the number listed below.

Thanks and Best Regards.

Andrea Cole, Project Coordination Manager
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
(702) 435-9909 Phone
(702) 435-0457 Fax
acole@gcgarciainc.com E-mail
<https://gcgarciainc.com> Website

From: Andrea Cole
Sent: Tuesday, February 20, 2024 1:07 PM
To: PWLanduse@ClarkCountyNV.gov
Subject: New Submittal: APR-23-101485 - APN: 161-02-810-093 Public Works comments

Please see attached revised drawings, added Vacation application, and responses below.

If you have any questions please feel free to contact me at the number listed below.

Thanks and Best Regards.

Andrea Cole, Project Coordination Manager
G.C. Garcia, Inc.
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Henderson, NV 89014
(702) 435-9909 Phone
(702) 435-0457 Fax
acole@gcgarciainc.com E-mail
<https://gcgarciainc.com> Website

From: Clark County <Clarkcounty-accela@clarkcountynv.gov>
Sent: Thursday, February 15, 2024 2:32 PM
To: centurywest1@hotmail.com; Andrea Cole <acole@gcgarciainc.com>
Cc: PWLanduse@ClarkCountyNV.gov
Subject: New Submittal: APR-23-101485 - APN: 161-02-810-093 Public Works comments

Good afternoon,

Please see the Public Works comments below:

Be advised that Nellis Boulevard is a Nevada Department of Transportation (NDOT) right-of-way.

Detached sidewalks are required, this application will need to include a vacation of the right-of-way.
Application revised to include the vacation.

Site Plan:

- The minimum required throat is 100 feet per Uniform Standard Drawing 222.1. Site Plan revised to show 100'
- Provide and show the back of curb radius on the east side of the Happy Valley Avenue commercial driveway and at the intersection. Shown on revised site plan.
- Correct the right-of-way width for Happy Valley Avenue. ROW corrected on revised site plan

Thank you

JaWaan Dodson

Directions for when you make the necessary changes

- Email the following to Public Works – Development Review at PWLandUse@ClarkCountyNV.gov:
 - o A detailed written response to each of our comments.
 - o Copies of revised plans and documents.

- o If you make changes other than those that are specified in our comments, provide a detailed list of the changes and an explanation for why the changes were made.

Contacts for the Public Works - Land Use Application Team

- **Email:**
 - o PWLandUse@ClarkCountyNV.gov
- **Phone numbers:**
 - o 702-455-4607 – Sarah Mabry-Padovese
 - o 702-455-6387 – JaWaan Dodson
 - o 702-455-6385 – Nick Goodman
 - o 702-455-4600 – Main number for Development Review

Sarah Y. Mabry-Padovese

From: Andrea Cole <acole@gcgarciainc.com>
Sent: Tuesday, February 20, 2024 1:07 PM
To: PWLanduse
Subject: New Submittal: APR-23-101485 - APN: 161-02-810-093 Public Works comments
Attachments: 18-0578_Cell Tower Plans (Sprint)_59419011_2.pdf; Carport w Solar.pdf; Cross Sections_Happy Valley Nellis_20240219.pdf; Elevation - Guard Building.pdf; Ltr-Just ADR 2-20-24.pdf; Ltr-Response to 2nd round of Planning Comments 02-01-24.pdf; Ltr-Just VAC 02-19-24.pdf; Vacation Legal ROW_20240219.pdf; Vacation Site Plan_20240219.pdf; site-6-SP1.pdf

Categories: JaWaan

Please see attached revised drawings, added Vacation application, and responses below.

If you have any questions please feel free to contact me at the number listed below.

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 - o 702-455-6385 – Nick Goodman
 - o 702-455-4600 – Main number for Development Review

Sarah Y. Mabry-Padovese

From: Diane Scarcelli
Sent: Tuesday, February 20, 2024 7:26 AM
To: Al Laird; Brady Bernhart; Dane Detommaso; Danielle Weible; Diane Scarcelli; Dominique Williams; Greg Cerven; Hunter White; Jason Allswang; Jazmine Harris; Jennifer Ammerman; Jillee Opiniano-Rowland; Jonathan Marenfeld; Judith M. Rodriguez; Katherine Corrow; Loren Graham; Lorna Phegley; Mara Weber; Mark Donohue; Martin Gies; Matt Young; Michael Huling; Nairee Agulian; Negar Masoomi; PWLanduse; Richard Ruggles; Robert Kaminski; Roxy Pais-Evia; Steven De Merritt; Tyler Delorenzo
Subject: Appointments for today 2/20/24
Attachments: Appointments 2-20-24 (2).xlsx

Please find these attached. Thank you.

Sincerely,

Diane Scarcelli
Senior Office Specialist
Department of Comprehensive Planning
T: 702-455-1599
dzwa@ClarkCountyNV.gov



Sarah Y. Mabry-Padovese

From: Clark County <Clarkcounty-accela@clarkcountynv.gov>
Sent: Thursday, February 15, 2024 2:32 PM
To: centurywest1@hotmail.com; ACOLE@GCGARCIAINC.COM
Cc: PWLanduse
Subject: New Submittal: APR-23-101485 - APN: 161-02-810-093 Public Works comments

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- o 702-455-6385 – Nick Goodman
- o 702-455-4600 – Main number for Development Review

Sarah Y. Mabry-Padovese

From: Diane Scarcelli
Sent: Wednesday, February 14, 2024 4:48 PM
To: Al Laird; Brady Bernhart; Dane Detommaso; Danielle Weible; Diane Scarcelli; Dominique Williams; Greg Cerven; Hunter White; Jason Allswang; Jazmine Harris; Jennifer Ammerman; Jillee Opiniano-Rowland; Jonathan Marenfeld; Judith M. Rodriguez; Katherine Corrow; Loren Graham; Lorna Phegley; Mara Weber; Mark Donohue; Martin Gies; Matt Young; Michael Huling; Nairee Agulian; Negar Masoomi; PWLanduse; Richard Ruggles; Robert Kaminski; Roxy Pais-Evia; Steven De Merritt; Tyler Delorenzo
Subject: Appointment list for Tuesday 2/20/24
Attachments: Appointments 2-20-24 (1).xlsx

With Monday 2/19 being a holiday, I am sending out the list for Tuesday 2/20/24 today. Please find the upcoming appointments attached, and thank you.

Sincerely,

Diane Scarcelli
Senior Office Specialist
Department of Comprehensive Planning
T: 702-455-1599
dzwa@ClarkCountyNV.gov



Sarah Y. Mabry-Padovese

From: PWLanduse
Sent: Wednesday, February 14, 2024 10:32 AM
To: Andrea Cole; PWLanduse
Cc: Melissa Eure; George Garcia
Subject: RE: APR-23-101485 LEDGE Nellis & Happy Valley: Submittal Pckg

Please note that we have 10 business days (2.5 weeks) to review your application. There are currently 8 head of you in the queue at this time.

Thanks

Sarah Y. Mabry-Padovese

Plan Checker

Public Works – Development Review

(702)455-4607

From: Andrea Cole <acole@gcgarciainc.com>
Sent: Wednesday, February 14, 2024 10:24 AM
To: PWLanduse <PWLanduse@ClarkCountyNV.gov>
Cc: Melissa Eure <meure@gcgarciainc.com>; George Garcia <ggarcia@gcgarciainc.com>
Subject: APR-23-101485 LEDGE Nellis & Happy Valley: Submittal Pckg

I just wanted to follow up on the below that was submitted on 02/06/24. Do we know where it is in the pile of items to be reviewed? Please advise.

If you have any questions please feel free to contact me at the number listed below.

Thanks and Best Regards.

Andrea Cole, Project Coordination Manager

G.C. Garcia, Inc.

1055 Whitney Ranch Dr., Suite 210

Henderson, NV 89014

(702) 435-9909 Phone

(702) 435-0457 Fax

acole@gcgarciainc.com E-mail

<https://gcgarciainc.com> Website

From: Andrea Cole
Sent: Tuesday, February 6, 2024 3:49 PM
To: 'Pwlanduse@clarkcountynv.gov' <Pwlanduse@clarkcountynv.gov>
Cc: Melissa Eure <meure@gcgarciainc.com>; George Garcia <ggarcia@gcgarciainc.com>
Subject: APR-23-101485 LEDGE Nellis & Happy Valley: Submittal Pckg

Please see attached proposed application for APR-23-101485 for your review and comment. The proposed use is a Commercial Truck Parking Lot at 3125 Nellis APN#s: 161-08-810-082 & -083.

If you have any questions please feel free to contact me at the number listed below.

Thanks and Best Regards.

Andrea Cole, Project Coordination Manager

G.C. Garcia, Inc.

1055 Whitney Ranch Dr., Suite 210

Henderson, NV 89014

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From: Andrea Cole
Sent: Tuesday, February 6, 2024 3:49 PM
To: 'Pwlanduse@clarkcountynv.gov' <Pwlanduse@clarkcountynv.gov>
Cc: Melissa Eure <meure@gcgarciainc.com>; George Garcia <ggarcia@gcgarciainc.com>
Subject: APR-23-101485 LEDGE Nellis & Happy Valley: Submittal Pckg

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Sarah Y. Mabry-Padovese

From: Andrea Cole <acole@gcgarciainc.com>
Sent: Tuesday, February 6, 2024 3:49 PM
To: PWLanduse
Cc: Melissa Eure; George Garcia
Subject: APR-23-101485 LEDGE Nellis & Happy Valley: Submittal Pckg
Attachments: site-5-SP1-rev-carport.pdf; site-5-CS.pdf; Ledge Planning 1 Plans.pdf; Ltr-Just ADR 2-1-24.pdf; SSI-Palm Properties LLC as of 01-09-24.pdf; APN map as of 10-25-23.pdf; Application & Ownership forms from property owner - ADR Signed.pdf; Deed as of 04-04-23.pdf; Ownership form (Leading Edge Ventures) (signed).jpeg; Ownership form (Leading Edge Ventures) (signed).pdf; SSI for Leading Edge Ventures, LLC.pdf

Categories: NEW PROCESS

Please see attached proposed application for APR-23-101485 for your review and comment. The proposed use is a Commercial Truck Parking Lot at 3125 Nellis APN#s: 161-08-810-082 & -083.

If you have any questions please feel free to contact me at the number listed below.

Thanks and Best Regards.

Andrea Cole, Project Coordination Manager
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Department of Comprehensive Planning Application Form

CIVIL
ENGINEERING

ASSESSOR PARCEL #(s): 161-08-810-082 & -083

PROPERTY ADDRESS/ CROSS STREETS: Nellis & Happy Valley Ave (3125 S Nellis Blvd)

DETAILED SUMMARY PROJECT DESCRIPTION

Parking Lot for Commercial Vehicles and a vacation of 5' on Happy Valley

PROPERTY OWNER INFORMATION

NAME: Palm Properties LLC

ADDRESS: 6050 S FORT APACHE RD STE 100

CITY: Las Vegas

STATE: NV

ZIP CODE: 89148

TELEPHONE: _____ CELL 702-429-7354 EMAIL: rai@milestoneconst.us

APPLICANT INFORMATION

NAME: Leading Edge Ventures LLC

ADDRESS: 850 E Desert Inn #PH3

CITY: Las Vegas

STATE: NV

ZIP CODE: 89148

REF CONTACT ID # _____

TELEPHONE: _____ CELL _____ EMAIL: centurywest1@hotmail.com

CORRESPONDENT INFORMATION

NAME: G.C. Garcia, Inc c/o George Garcia

ADDRESS: 1055 Whitney Ranch Dr, Suite 210

CITY: Henderson

STATE: NV

ZIP CODE: 89014

REF CONTACT ID # _____

TELEPHONE: 7024359909 CELL 7023408042 EMAIL: acole@gcgarciainc.com

*Correspondent will receive all project communication

(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Clark County Comprehensive Planning Department, or its designee, to enter the premises and to install any required signs on said property for the purpose of advising the public of the proposed application.

Property Owner (Signature)*

Property Owner (Print)

Date

DEPARTMENT USE ONLY:

<input type="checkbox"/> AC	<input type="checkbox"/> AR	<input type="checkbox"/> ET	<input type="checkbox"/> PUDD	<input type="checkbox"/> SN	<input type="checkbox"/> UC	<input type="checkbox"/> WS
<input type="checkbox"/> ADR	<input type="checkbox"/> AV	<input type="checkbox"/> PA	<input type="checkbox"/> SC	<input type="checkbox"/> TC	<input type="checkbox"/> VS	<input type="checkbox"/> ZC
<input type="checkbox"/> AG	<input checked="" type="checkbox"/> DR	<input type="checkbox"/> PUD	<input type="checkbox"/> SDR	<input type="checkbox"/> TM	<input type="checkbox"/> WC	OTHER _____

APPLICATION # (s) WS-24-0276

ACCEPTED BY JUD

PC MEETING DATE _____

DATE

07/08/24

BCC MEETING DATE 09/04/24

TAB/CAC LOCATION

Sunrise Manor DATE 08/15/24



June 5, 2024

Clark County Current Planning
500 S. Grand Central Pkwy
Las Vegas, NV 89155

WS-24-0276

CIVIL
ENGINEERING

RE: Letter of Justification
Request for Design Review for Commercial Truck Parking – 3125 Nellis
APN#: 161-08-810-082 & -083

Dear Sami,

On behalf of the applicant, Leading Edge Ventures, LLC, please accept this letter and attached materials for a Design Review to create a Commercial Truck Parking Lot. This lot will enable truckers to have a place to legally park their local trucks (not long haul over-the-road). This will help keep trucks from parking on public streets creating enforcement and neighborhood issues. It will also provide a safer, more secure parking environment that always has solar powered cameras Metro can access. Additionally, a security guard is always present. The truck drivers arrive and park in the spaces vacated by their truck.

This also takes a site that previously occupied by a homeless encampment after the retail center was demolished. Their presence was a security and nuisance issue for the abutting residential and commercial. This use puts an active set of eyes on the street in an area that is relatively high in crime and will bring an informal parking lot into compliance after 3 years of operation. It also improves the tax value and employs a military veteran as the security guard.

The zoning of Commercial General (CG) and land use of Corridor Mixed-Use use designations provide for a Parking Lot as a permitted Commercial Use in CG. The zoning along Nellis, from Desert Inn to Vegas Valley Dr. is for Commercial General and Multifamily (RM32 & RM18). Happy Valley is RS20 on the south and RM-32 on the north.

This application will also resolve the pending CCPRO matter CE23-05369.
The site design meets both the Sustainability and Residential Adjacency requirements.

Design Review Approval Criteria 30.06.07-9(i)

1. Compatibility, in terms of scale and architectural features, with the site and surrounding area.

The site as proposed will be compatible as a parking lot on an arterial street with completion of infrastructure, lighting, landscaping and fencing. This will equal or exceed the rest of the older neighborhood. This replaces and is far more compatible than the prior homeless encampment and helps reduce crime in a high crime area.

Building and landscape materials are appropriate for the area and for the County;



A Planning & Development Services Corporation

1055 Whitney Ranch Dr., Suite 210, Henderson, NV 89014
Telephone: (702) 435-9909 Facsimile: (702) 435-0457 E-Mail: ggarcia@gcgarciainc.com

PPLRL_403

Along with the parking lot there is a guard and shade building structures proposed. The buildings will have energy saving sustainability elements incorporated.

All new landscaping will be consistent with the current low watering flow planting and reduced heat island requirements. The mature existing palms will remain/ All new trees will be replaced new drought tolerant landscaping along with the completion of the curb, gutter and sidewalk to enhance the aesthetics, safety, drainage and heat island and provide the required Buffering & Screening for Residential Adjacency (UDC 30.04.06.L.2).

SUSTAINABLY CHECKLIST (see attached landscape plan and completed checklist). The plans meet the required points .As a synopsis, the plans includes a 20% larger Landscape Buffer, More Trees, Water-Efficient Plantings; Cool Roof; Awnings; & Alternative Energy to power the Solar Lighting and Security Cameras. This accounts for 7.5 points, and more points, if needed, can be added for a Battery Backup and Low E Glass for another 1.5 points..

2. Harmony with the character of the neighborhood

The proposed development is in harmony with the adjacent development and development in the area. The commercial neighbors to the north and south find the use compatible and support the truck parking lot, that has been operating for 3 years with only one complaint. They appreciate the applicants' desire to further enhance the lot width: lighting, security cameras, security guard, landscaping, paving and fencing and keep the prior homeless camp away.

The retail center on this site was demolished. The surrounding area has older commercial storage sites and apartments near the major streets and to the west some residential homes. Across Happy Valley to the north there is a saloon/tavern.

A. Sunrise Manor Policies:

- a) SM 1-1 Encourage Reinvestment and Revitalization – This will improve a highly visible vacant commercial property. It will help deter further deterioration, homeless encampment, and safety issues. It will provide an interim use that helps promote reinvestment until area economic conditions attract a higher use. The abutting neighbors find this use compatible.***
- b) SM-1.3 Corridor Revitalization – This use will support the revitalization and prevent further deterioration and supports a use and improvements that will help some existing businesses and create a more aesthetic and vibrant appearance to help attract greater investment to the area compared to a vacant lot with a homeless encampment.***

RESIDENTIAL ADJACENCY

The plan complies with the Residential Adjacency requirements. The proposed site design as depicted on the Site and Landscape plans meets the Residential Adjacency requirements of the code: There is an existing 8FT decorative wall. 1) Grading – Not more than 3 feet of fill within 50 feet of the residential; 2) Site and Building Orientation – the guard building is oriented well away from the residential and at the entry point from Happy Valley. a) Additional Buffering and Screening is provided with a 20' foot landscape buffer with an 8-foot wall. 3) Building Configuration – The guard building is tiny one-story building and moved to about 200 feet away from the residential property line. Building Height and Facades is about 8-9 feet in height, well below the allowable height 50 feet, with articulation and consistent roof lines and roof

treatments. 4) Setbacks – the building at nearly 200 feet from residential and 75 feet from the street easily meet setbacks. 5) Lighting will be solar and will comply with no spill over lighting and no light fixture above 18 height (show on plan). 6) Trash Receptacles are located well beyond 50 feet to the adjacent residential at about 200+ feet 7) Parking Area Screening is provided with 20 feet or 5 feet & 33% more than the minimum of 15 FT of landscaped buffer and a staggered double row of evergreen trees 20 feet on center 8) Cut-Through Traffic is not possible.

3. Impact on the surrounding land uses; and

Site access and circulation will not negatively impact adjacent roadways or any neighborhoods as this is not like the prior commercial, retail or office parking lot that have higher frequency and volume of trips. The proposed project has a single appropriately located driveway to control access. The site has far less average daily trips than other permissible CG uses. The proposed use will add minimal traffic to the area and will complete the offsite improvements to Happy Valley including curb, gutter, and street lighting. The existing commercial access drive on Happy Valley will be reconstructed to current commercial drive standards.

4. The health, safety and welfare of the inhabitants of the area.

Removing the homeless encampment, completing the street, sidewalk, addition of lighting, a 24/7 security guard, intense landscape buffer, defensive landscaping, fencing and security cameras coupled with cooperation with Metro on implementing its recommendations and access to camera recordings as well as helping illegal and unsafe truck parking & CCPRO code enforcement will in combination, greatly enhance the public health, safety and welfare. It will also help address trash dumping and graffiti control.

The proposed project is consistent with the zoning and regulations, plans and policies of the County.

B. (i) A Parking Lot is a Permitted Use in CG.

(ii) The parking lot design is intended to fully comply with all codes.

(iii) Illegal Parking of Commercial Trucks on public streets has become a significant issue putting residents, businesses, and truck drivers at risk.

(iv) Jason's Law is a federal law to encourage safe parking havens for truckers.

C. Sunrise Manor Policies:

c) SM 1-1 Encourage Reinvestment and Revitalization – This will improve a highly visible vacant commercial property. It will help deter further deterioration, homeless encampment, and safety issues. It will provide an interim use that helps promote reinvestment until area economic conditions attract a higher use. The abutting neighbors find this use compatible.

d) SM-1.3 Corridor Revitalization – This use will support the revitalization and prevent further deterioration and supports a use and improvements that will help some existing businesses and create a more aesthetic and vibrant appearance to help attract greater investment to the area compared to a vacant lot with a homeless encampment.

5. N/A as this is not a Comprehensive Sign Plan

Waiver of Standards

1. Request to allow continuation of commercial access from Happy Valley Avenue (30.04.06D).

The site is zoned for commercial (CG) and the prior development had its access from Happy Valley. NDOT does not want access to Nellis given the volumes of traffic on Nellis and location of a driveway so close to the signal and bus stop as well as the existing driveway to the south. Happy Valley is the sole means of access given this limitation. It also appears that the prior driveway with access on Nellis was closed in 2021 during NDOT's improvements to Nellis. This meets the basis for an exception under 30.04.06.D.2.

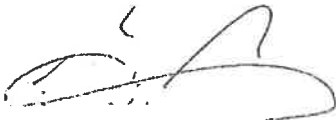
Summary

The proposed Commercial Truck parking Lot use will provide a location for truck drivers to park their vehicles outside of residential subdivisions and not on public roadways. This will also help minimize safety hazards, trash dumping, graffiti control, homeless encampments, and code citations. It will add to appearance with fencing and landscaping. It will enhance public safety by completing the road and sidewalk on Happy Valley. It will help with crime prevention.

The use is compatible with the surrounding commercial and residential development in the area as it is supported by the neighbors. It will not be detrimental to the surrounding properties; it will not overwhelm infrastructure and services; and will not negatively affect the public health, safety and welfare. We respectfully request your favorable consideration of this request.

Please do not hesitate to contact us if you have any questions or need additional information.

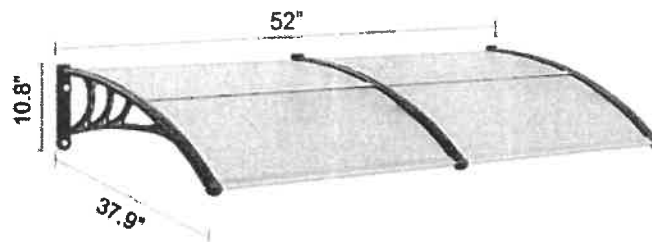
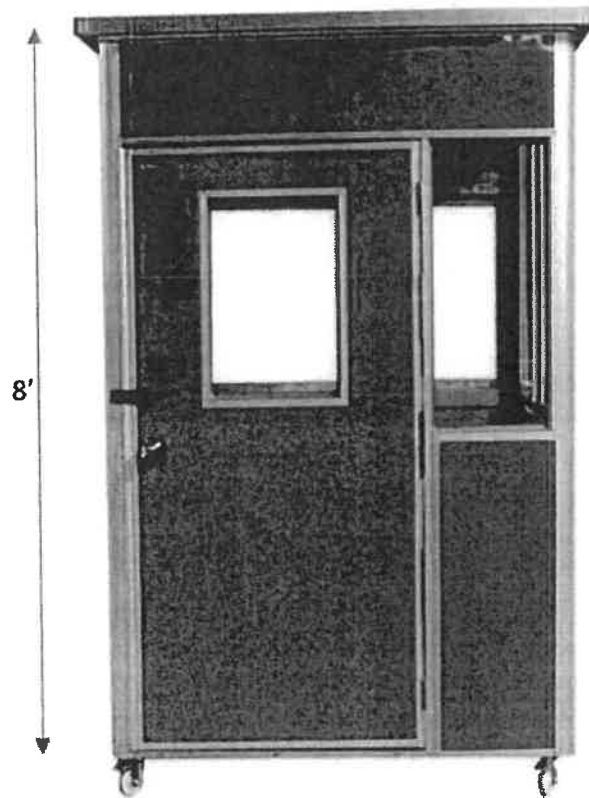
Sincerely,



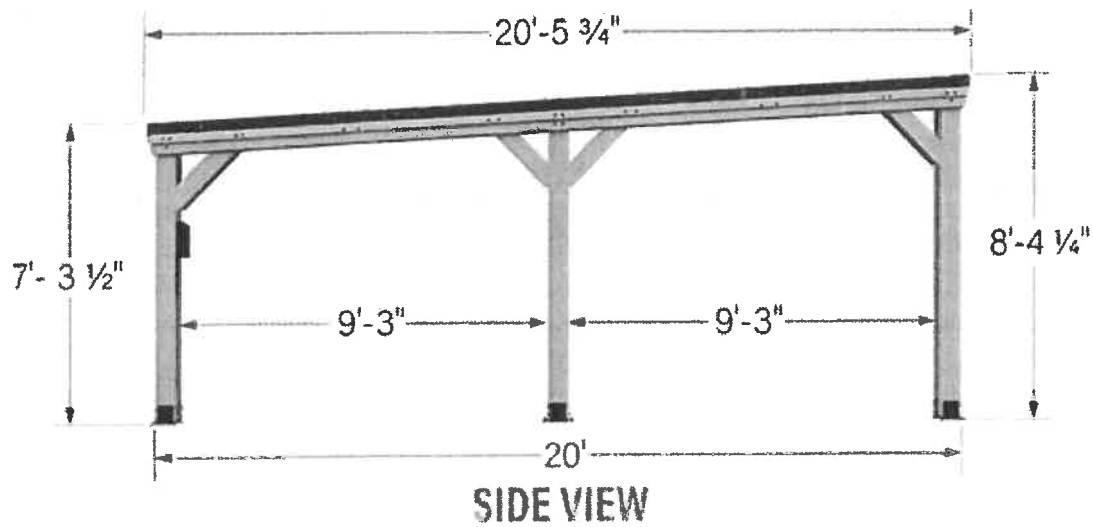
George Garcia
Founder

GUARD BUILDING

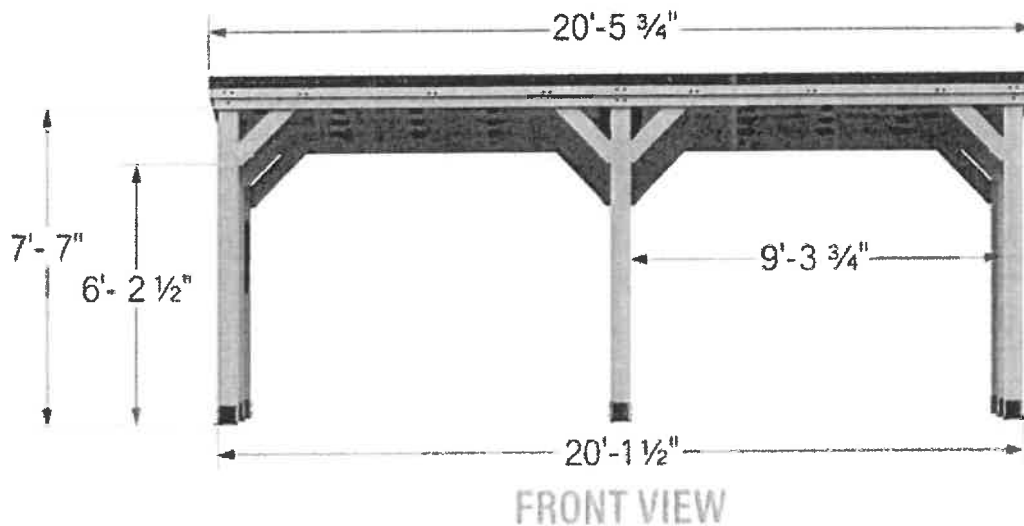
- Color: Blue
- Size: 5 ft. x 5 ft.
- Material: Steel
- Door Size: 80.75" x 36"
- # of Windows: 6
- Lights: LED
- Electrical: Solar & Battery Pack



WS-24-0276

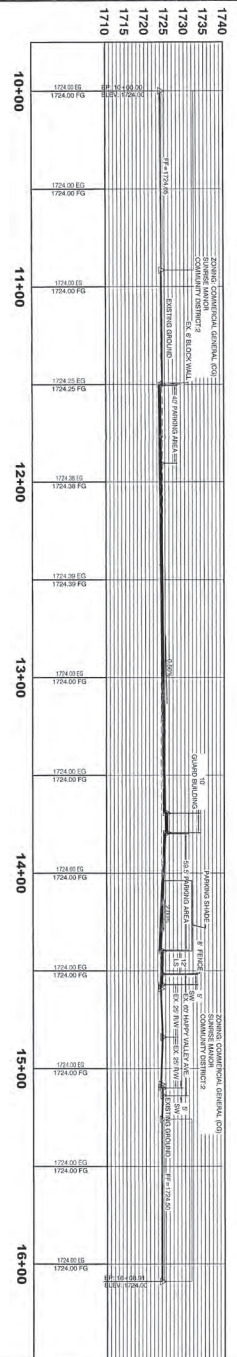


20X20 KINGSFORT CARPORT

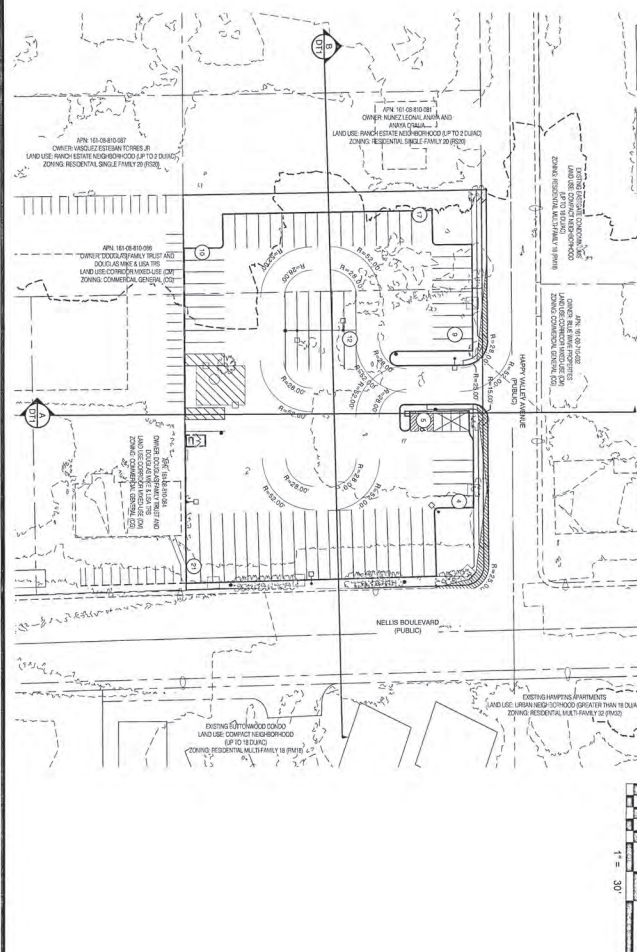
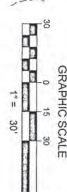
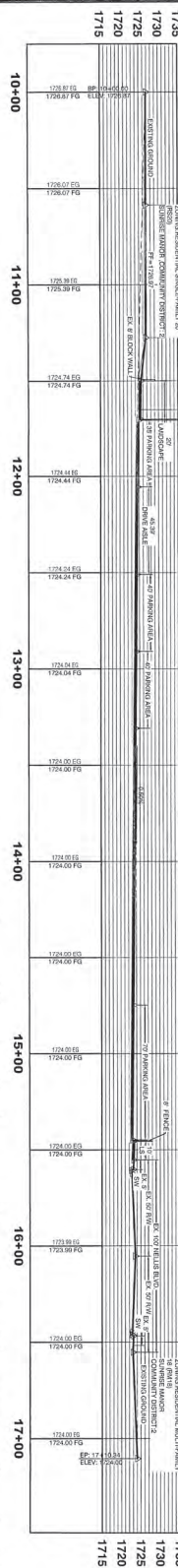


The 20x20 x 2 Kingsport Carport, fits all of your shade and element protection needs! This clean yet versatile slope roof design will minimize water from accumulating on the roof while complimenting any home's architectural style. The 20x20 Kingsport Carport is a reliable Pro-Tect® structure; certified to withstand a roof load of up to 20,000 pounds and up to 100 MPH winds. Naturally resistant to decay; the 100% Cedar Kingsport Carport includes our exclusive PowerPort with 3 electrical outlets and 3 USB ports to power up anything you might need while working outside. the 20x20 Kingsport

SECTION A

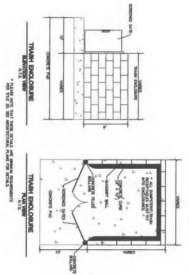
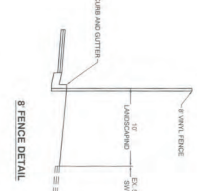
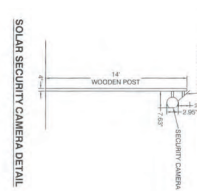
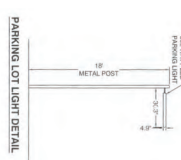
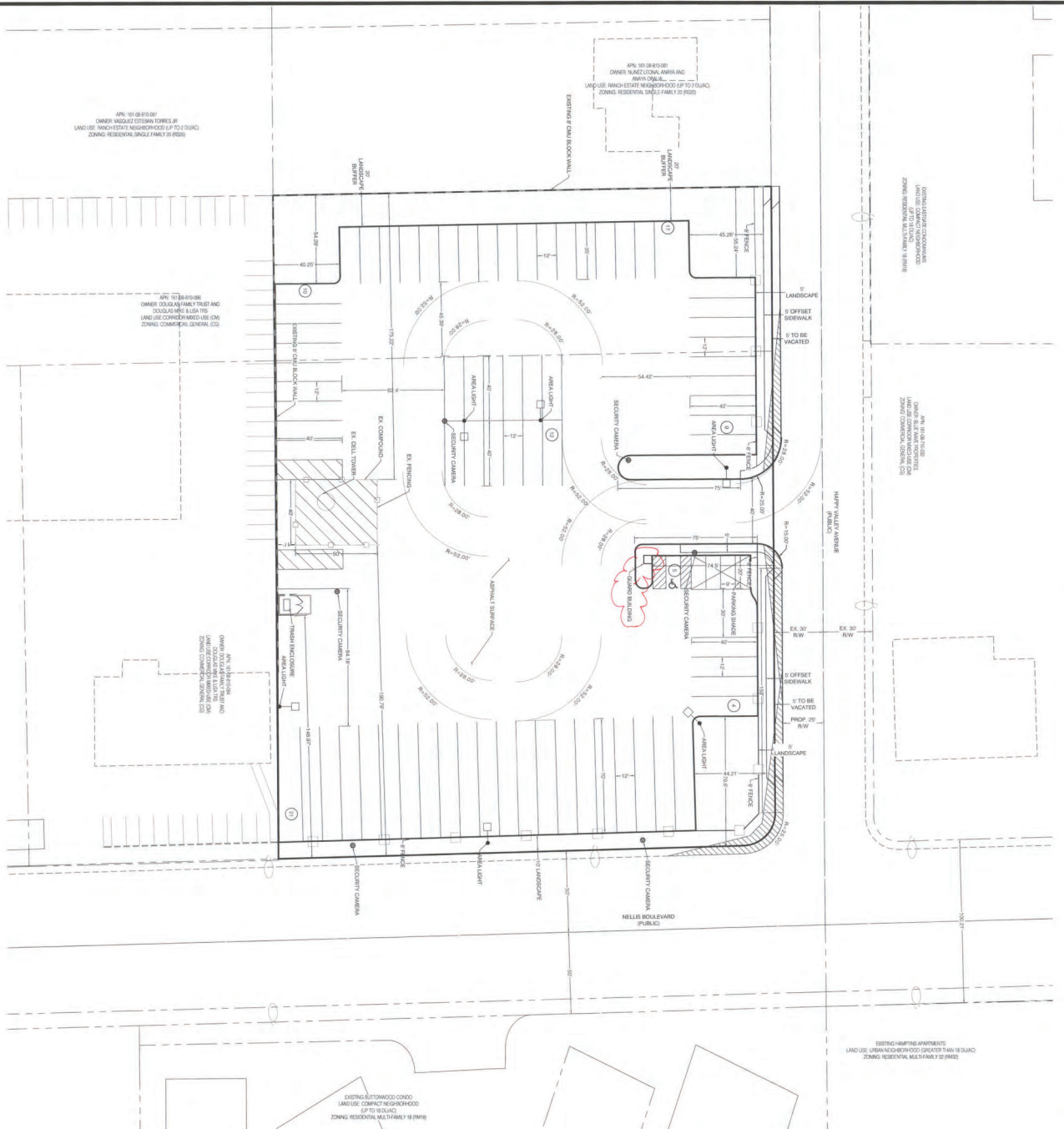


SECTION B

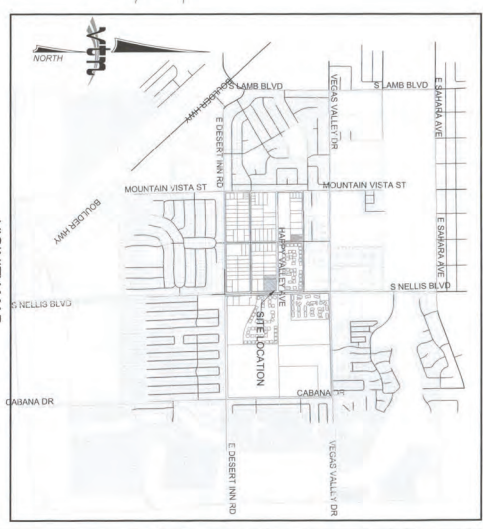
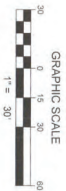


DRAWN BY: R.M.S.		NOV. '23		CROSS SECTION		APN:161-08-810-082, 083 NELLIS AND HAPPY VALLEY		CLARK COUNTY, NEVADA		7977 SOUTH RAINBOW BOULEVARD LAS VEGAS, NEVADA 89149-5148 PH: (702) 879-7550 FAX: (702) 363-5597 WEB: WWW.VTNV.COM CONSULTING ENGINEERS • PLANNERS • LAND SURVEYORS		ROP 000368		PPLR 409	
DESIGNED BY: R.M.S.		NOV. '23													
CHECKED BY:															
PROJECT NO:		SCALE: 1"=30'		HORIZ. VERT.											
1 OF 1 SHEETS		CS1													



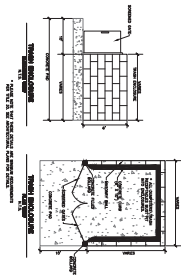
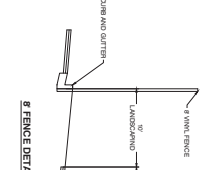
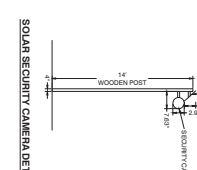
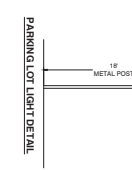
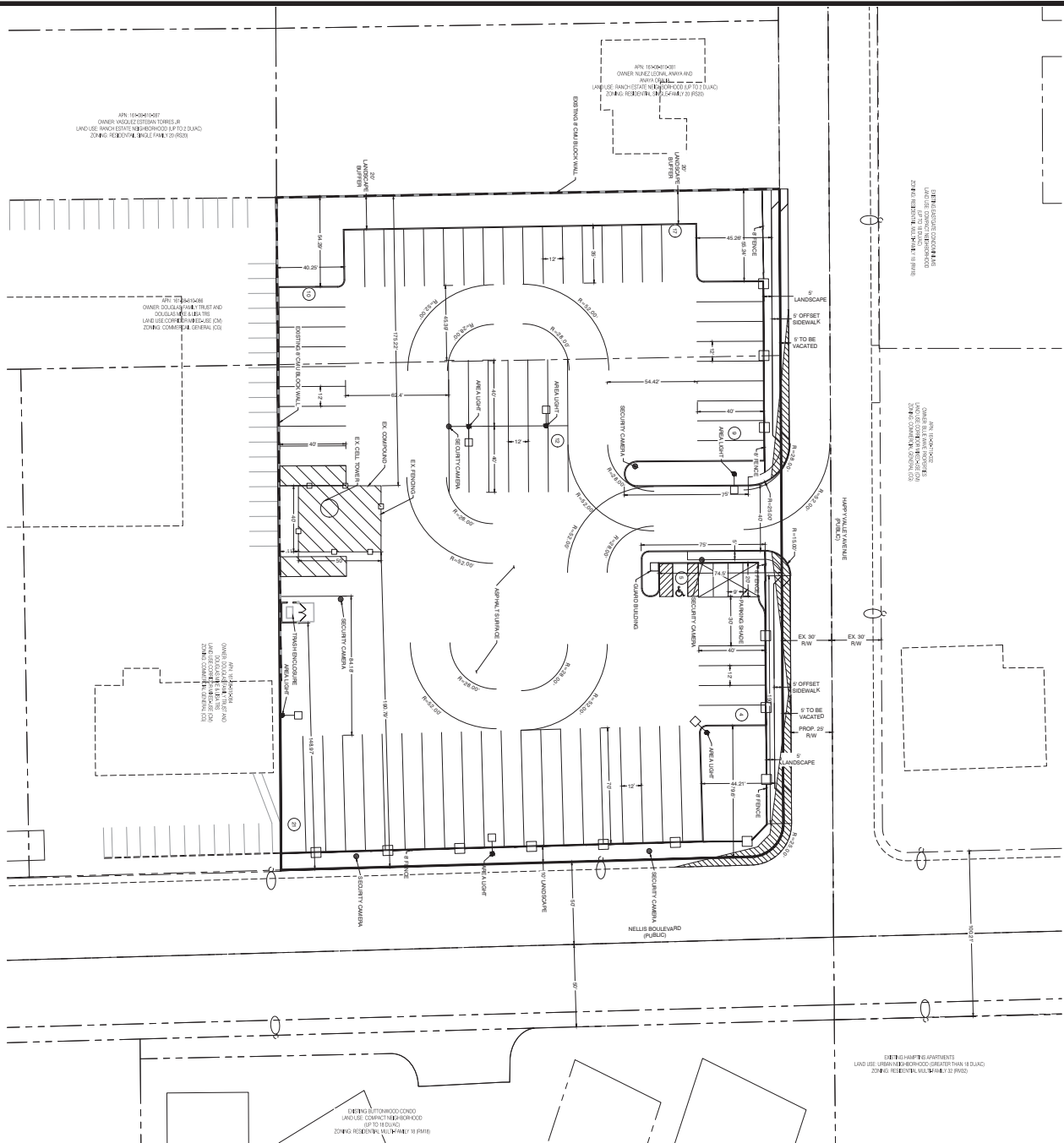


PROJECT INFORMATION	
APN: 161-08-810-082, 083	OWNER: VTRM LLC
PROJECT: NELLIS AND HAPPY VALLEY	DESIGNED BY: R.M.S.
DATE: 11/15/2022	CHECKED BY: R.M.S.
SCALE: 1" = 30'	PROJECT NO: 2022-001



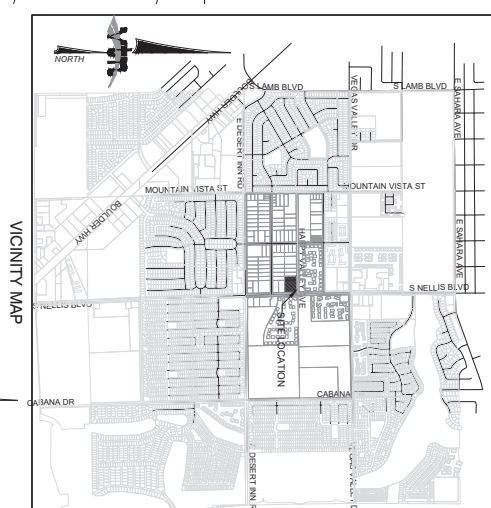
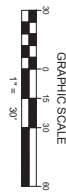
MS-24-0276

DRAWN BY: R.M.S. NOV. 15, 2022 DESIGNED BY: R.M.S. NOV. 15, 2022 CHECKED BY: R.M.S. PROJECT NO: 2022-001		CLARK COUNTY, NEVADA 2727 SOUTH RAINBOW BOULEVARD LAS VEGAS, NEVADA 89146-5148 PH: (702) 875-1900 FAX: (702) 862-2997 WEB: WWW.VTRM.COM CONSULTING ENGINEERS & LAND SURVEYORS		ROP 000374 REVISION:
SITE PLAN APN: 161-08-810-082, 083 NELLIS AND HAPPY VALLEY		1 OF 1 SHEETS SP1		



SITE NOTE
ALL LIGHTING AND SECURITY CAMERAS TO BE INSTALLED IN ACCORDANCE WITH THE CITY OF LAS VEGAS, NV, AND THE CLARK COUNTY, NEVADA, ORDINANCES.

PROJECT INFORMATION	
APN: 161-08-810-082, 083	PROJECT NAME: NELLIS AND HAPPY VALLEY
OWNER: NELLIS AND HAPPY VALLEY	DESIGNED BY: R.M.S.
DESIGNED BY: R.M.S.	CHECKED BY: R.M.S.
PROJECT NO.: 161-08-810-082, 083	SCALE: 1\"/>



SITE PLAN

APN:161-08-810-082, 083
NELLIS AND HAPPY VALLEY

CLARK COUNTY, NEVADA

ROP 000375



Clark County Comprehensive Planning Department
SUSTAINABILITY PROVISION
DEVELOPMENT TYPE: MULTI-FAMILY (5pts) / NON-RESIDENTIAL (7 pts.)
30.04.05 J Sustainability Options
To be shown on plans

		Points
X	Trees: Provide 10% more than required by Title (1 pt)	1
X	Water-Efficient Planting: Provide 95% or more of plants have low or very low water needs. (1 pt)	1
X	Landscape Buffer: Exceed required buffer width by 10% (1/2 pt) OR exceed buffer width by 20%. (1 pt)	1
	Parking Lot Trees: Provide mature tree canopies to cover at least 50% of paved parking. (1 pt)	
	Parking Lot Solar: Provide solar covers at for least 50% of the paved area (2 pts) OR between 25% and 50% (1 pt)	
	Electric Bicycles: Provide bicycle charging (1/2 pt); Provide shade to bicycle charging area (1/2 pt)	
	Mojave Native Plants Protection: Protect = to or > 5% of development footprint to remain natural area (1 pt)	
	Mojave Native Plants Restoration: Restore pre-development native plants = to or > the area disturbed. (1/2 pt)	
	Energy Conservation/Solar Gains: Orient plant materials south and west sides of the building. (1/2 pt)	
x	Cool Roofs: Provide roof w/SRI=to or >78 for low sloped roofs (<2.12) & or 29 for steep sloped roofs (>2.12) (1 pt)	1
	Building Orientation: Orient roofs within 30°of true east-west & flat or sloped to the south. (1 pt)	
x	Shade Structures: Provide shade/awnings over 50% of south/west windows & doors (1 pt). Add 1 pt for each additional 25% (typically 3-foot min overhang)	1
	Amenity Zone Shade Structures: Provide for sidewalks or building adjacent to amenity zone. (1/2 pt)	
	Shaded Walkways: Provide for at least 60% of all building facades adjacent to or facing streets, drive aisles, and gathering and parking areas (1 pt). Each additional 10% provided. (1 pt)	
	Daylighting Strategies: Provide daylighting strategies to minimize artificial lighting. (1/2 pt)	
	Multiple Family Ventilation: Provide floor to ceiling heights of 9 feet on all floors. (1/2 pt)	
	Nonresidential Ventilation: Provide floor to ceiling heights of 11 feet on all floors. (1/2 pt)	
x	Low-emissivity Glass: Provide on all south & west facing windows. (1/2 pt)	.5
	Building Entrances and ADA Ramps: Shade with awning or portico or other device. (1/2 pt)	
x	Alternative Energy: Cover 70% roof area in solar OR on-site solar generates 100% of project's energy OR Battery backup is provided. (2 pts for provide one of the 3)	2
x	Total Points:	7.5
	<i>Determined by Staff</i> Sustainability Compliant:	YES/NO
	<i>Determined by Staff</i> Incentives Allowed:	YES/NO

OWNER/APPLICANT SHALL BE AWARE *New development shall incorporate sustainability measures into the project to achieve a minimum number of points per Section 30.04.05J. Compliance with Section 30.04.05J will be conducted during the design review and building permits of an applicable project. It is the applicant's responsibility to ensure the standards approved with the land use application will be implemented in the final building design. Any changes to sustainability measures after approval of a land use application may result in a delay in the issuance of applicable permits and the need for a new land use application. No points awarded for compliance with standards that are otherwise required by Title 30.*

OWNER / APPLICANT declares the information provided and statements made as part of this application are true and correct.

Signature: _____

Date: _____

**CLARK COUNTY
TOWN ADVISORY BOARD/CITIZEN ADVISORY COUNCIL
RECOMMENDATION**

Application Number: **WS-24-0276**

PC/BCC Meeting Date: **09-04-2024**

Commission District: **E**

TAB/CAC: **SUNRISE MANOR**

TAB/CAC Meeting Date: **08-15-2024**

Project Type: Nonresidential Development/Use (with construction or site modifications)

Property Owner: PALM PROPERTIES LLC

- | | | |
|---|---|--|
| <input type="checkbox"/> Text Amendment | <input checked="" type="checkbox"/> Design Review | <input type="checkbox"/> Clarification of Conditions |
| <input type="checkbox"/> Rezone | <input type="checkbox"/> Sign Design Review | <input type="checkbox"/> Extension of Time |
| <input type="checkbox"/> Planned Unit Development | <input type="checkbox"/> Street Name Change | <input type="checkbox"/> Revocation |
| <input type="checkbox"/> Use Permit | <input type="checkbox"/> Street Numbering Change | <input type="checkbox"/> Waiver of Conditions |
| <input type="checkbox"/> Variance | <input type="checkbox"/> Annexation Request | <input type="checkbox"/> Ordinance |
| <input checked="" type="checkbox"/> Waiver of Development Standards | <input type="checkbox"/> Vacation and Abandonment | <input type="checkbox"/> Agenda Item |
| <input type="checkbox"/> Waiver of Title | <input type="checkbox"/> Tentative Map | <input type="checkbox"/> Other _____ |
| | <input type="checkbox"/> Application Review | |

Motion By: Earl Barbeau Vote: 4-0 Approval: Denial / No Comment

Hold (including To Date and Reason) _____

of Neighbors Present 2 # of Neighbors For _____ # of Neighbors Against 2 # of Neighbors Undecided _____

Brief synopsis of COMMENTS, DISCUSSION, REASONING: _____

truck parking eye sore
security
truck fumes

Conditions of Approval: _____

Name of Applicant/Representative George Garcia

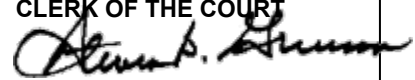
Applicant agreed to conditions _____ Yes _____ No

Neighborhood meeting held? _____ Yes _____ No

M. Lewa
Signature
secretary
Title (Secretary or Chair)

8/15/24
Date

Email to Comprehensive Planning: CPAgendas@ClarkCountyNV.gov & Email to Applicable Commission District: DistrictE@ClarkCountyNV.gov



ROP

STEVEN B. WOLFSON

District Attorney

CIVIL DIVISION

State Bar No. 001565

By: ROBERT T. WARHOLA

Chief Deputy District Attorney

State Bar No. 4410

500 South Grand Central Pkwy., Suite 5075

Las Vegas, Nevada 89155-2215

(702) 455-4761

Fax (702) 382-5178

E-Mail: Robert.Warhola@ClarkCountyDANV.gov

Attorneys for Respondent

Clark County

DISTRICT COURT

CLARK COUNTY, NEVADA

PALM PROPERTIES, LLC, a Nevada limited
liability company; LEADING EDGE
VENTURES, LLC, a Nevada limited liability
company; ROBERT LAUER, an individually.)

Case No: A-24-907944-J
Dept No: 18

Petitioners,

vs.

COUNTY OF CLARK, a political
subdivision of the State of Nevada, et al.,

Respondent.

RECORD OF THE PROCEEDINGS, VOLUME III

Respondent hereby files with the Court the Record of the Proceedings pursuant to Eighth Judicial District Court Rule 2.15 consisting of documents from the Clark County Clerk, Commission Division, and the Clark County Current Planning Division numbered ROP 000378 through ROP 000568.

DATED this 24th day of March, 2025.

STEVEN B. WOLFSON
DISTRICT ATTORNEY

By: /s/ Robert T. Warhola

ROBERT T. WARHOLA

Chief Deputy District Attorney

State Bar No. 4410

500 South Grand Central Pkwy., Suite 5075

Las Vegas, Nevada 89155-2215

Attorney for Respondent

CERTIFICATE OF ELECTRONIC SERVICE

I hereby certify that I am an employee of the Office of the Clark County District Attorney and that on this this 24th day of March, 2025 I served a true and correct copy of the foregoing **RECORD OF THE PROCEEDINGS, VOLUME III** (United States District Court Pacer System or the Eighth Judicial District Court Wiznet), by e-mailing the same to the following recipients. Service of the foregoing document by e-mail is in place of service via the United States Postal Service.

Amy L. Sugden, Esq.
SUGDEN LAW
375 E. Warm Springs, Ste. 104
Las Vegas, Nevada 89119
Attorney for Petitioners
amy@sugdenlaw.com

/s/Patricia C. Villa
An Employee of the Clark County District
Attorney's Office – Civil Division



Department of Comprehensive Planning Application Form

ASSESSOR PARCEL #(s): 161-08-810-082 & -083

PROPERTY ADDRESS/ CROSS STREETS: Nellis & Happy Valley Ave (3125 S Nellis Blvd)

DETAILED SUMMARY PROJECT DESCRIPTION

Parking Lot for Commercial Vehicles and a vacation of 5' on Happy Valley

PROPERTY OWNER INFORMATION

NAME: Palm Properties LLC

ADDRESS: 6050 S FORT APACHE RD STE 100

CITY: Las Vegas

STATE: NV

ZIP CODE: 89148

TELEPHONE: _____

CELL 702-429-7354

EMAIL: raj@milestoneconst.us

APPLICANT INFORMATION

NAME: Leading Edge Ventures LLC

ADDRESS: 850 E Desert Inn #PH3

CITY: Las Vegas

STATE: NV

ZIP CODE: 89148

REF CONTACT ID # _____

TELEPHONE: _____

CELL _____

EMAIL: centurywest1@hotmail.com

CORRESPONDENT INFORMATION

NAME: G.C. Garcia, Inc c/o George Garcia

ADDRESS: 1055 Whitney Ranch Dr, Suite 210

CITY: Henderson

STATE: NV

ZIP CODE: 89014

REF CONTACT ID # _____

TELEPHONE: 7024359909

CELL 7023408042

EMAIL: acole@gcgarciainc.com

*Correspondent will receive all project communication

(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned and understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Clark County Comprehensive Planning Department, or its designee, to enter the premises and to install any required signs on said property for the purpose of advising the public of the proposed application.

Property Owner (Signature)*

Property Owner (Print)

Date

DEPARTMENT USE ONLY:

<input type="checkbox"/> AC	<input type="checkbox"/> AR	<input type="checkbox"/> ET	<input type="checkbox"/> PUDD	<input type="checkbox"/> SN	<input type="checkbox"/> UC	<input type="checkbox"/> WS
<input type="checkbox"/> ADR	<input type="checkbox"/> AV	<input type="checkbox"/> PA	<input type="checkbox"/> SC	<input type="checkbox"/> TC	<input type="checkbox"/> VS	<input type="checkbox"/> ZC
<input type="checkbox"/> AG	<input type="checkbox"/> DR	<input type="checkbox"/> PUD	<input type="checkbox"/> SDR	<input type="checkbox"/> TM	<input type="checkbox"/> WC	OTHER _____

APPLICATION # (s) VS-24-0277

ACCEPTED BY JUD

PC MEETING DATE _____

DATE 07/8/2024

BCC MEETING DATE 09/04/24

TAB/CAC LOCATION Sunrise Manor

DATE 08/15/24



Department of Comprehensive Planning Application Form

ASSESSOR PARCEL #(s): 161-08-810-082 & -083

PROPERTY ADDRESS/ CROSS STREETS: Nellis & Happy Valley Ave (3125 S Nellis Blvd)

DETAILED SUMMARY PROJECT DESCRIPTION

Parking Lot for Commercial Vehicles

PROPERTY OWNER INFORMATION

NAME: Palm Properties LLC

ADDRESS: 6050 S FORT APACHE RD STE 100

CITY: Las Vegas

STATE: NV

ZIP CODE: 89148

TELEPHONE: _____

CELL 702-429-7354

EMAIL: raj@milestoneconst.us

APPLICANT INFORMATION

NAME: Leading Edge Ventures LLC

ADDRESS: 850 E Desert Inn #PH3

CITY: Las Vegas

STATE: NV

ZIP CODE: 89148

REF CONTACT ID # _____

TELEPHONE: _____

CELL _____

EMAIL: centurywest1@hotmail.com

CORRESPONDENT INFORMATION

NAME: G.C. Garcia, Inc c/o George Garcia

ADDRESS: 1055 Whitney Ranch Dr, Suite 210

CITY: Henderson

STATE: NV

ZIP CODE: 89014

REF CONTACT ID # _____

TELEPHONE: 7024359909

CELL 7023408042

EMAIL: acole@gcgarciainc.com

*Correspondent will receive all project communication

(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Clark County Comprehensive Planning Department, or its designee, to enter the premises and to install any required signs on said property for the purpose of advising the public of the proposed application.


Property Owner (Signature)*

RAJWINDER S. DHALIWAL
Property Owner (Print)

01-16-2024
Date

DEPARTMENT USE ONLY:

<input type="checkbox"/> AC	<input type="checkbox"/> AR	<input type="checkbox"/> ET	<input type="checkbox"/> PUDD	<input type="checkbox"/> SN	<input type="checkbox"/> UC	<input type="checkbox"/> WS
<input type="checkbox"/> ADR	<input type="checkbox"/> AV	<input type="checkbox"/> PA	<input type="checkbox"/> SC	<input type="checkbox"/> TC	<input type="checkbox"/> VS	<input type="checkbox"/> ZC
<input type="checkbox"/> AG	<input type="checkbox"/> DR	<input type="checkbox"/> PUD	<input type="checkbox"/> SDR	<input type="checkbox"/> TM	<input type="checkbox"/> WC	OTHER _____

APPLICATION # (s) _____

ACCEPTED BY _____

PC MEETING DATE _____

DATE _____

BCC MEETING DATE _____

TAB/CAC LOCATION _____

DATE _____



APPLICATION MEETING INFORMATION

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

IMPORTANT INFORMATION ON MANDATORY MEETINGS

APPLICATION NUMBER(s): WS-24-0276 & VS-24-0277

TOWN ADVISORY BOARD/CITIZENS ADVISORY COUNCIL (TAB/CAC)

TAB/CAC: Sunrise Manor TAB Time: 6:30 p.m.

Date: 08/15/2024 (August 15, 2024)

Location: Refer to listing on other side

Draft staff reports: Available 3 business days prior to the TAB/CAC meeting on the following website

<https://clarkcountynv.gov/TABCACInformation>

Once on page, select appropriate TAB/CAC to view posted agenda and supporting material

PLANNING COMMISSION (PC)

Date: Click or tap to enter a date. N/A Time: 7:00 PM

Location: 500 S. Grand Central Pkwy, Commission Chambers

Staff reports: Available 3 business days prior to the PC meeting on the following website

<https://clarkcountynv.gov/agendas>

BOARD OF COUNTY COMMISSIONERS (BCC)

Date: 09/04/2024 (Sept. 4, 2024) Time: 9:00 AM

Location: 500 S. Grand Central Pkwy, Commission Chambers

Staff reports: Available 3 business days prior to the BCC meeting on the following website

<https://clarkcountynv.gov/agendas>

Please Note:

- All meetings are mandatory for ALL applications.
- PC/BCC meeting information will be emailed to the correspondent on file.
- Project revisions and/or failure to appear at any meeting may result in delays and/or extra expense.
- You (or your representative) must be prepared to make a presentation and answer questions about your application at the Town Board, PC and/or BCC meetings.
- The Town Boards, PC and/or BCC are provided copies of the staff report for your item, but NOT copies of the plans or paperwork that you have submitted.
- You MUST bring copies of all necessary plans and documentation to make a complete presentation of your item to the Town Board, PC and/or BCC. This includes, but is not limited to:

Site plans - Landscape plans - Elevations - Floor plans - Photos - Renderings

- If you cannot adequately present and discuss your project, or if you do not bring copies of the necessary plans, this could result in a delay of action on your application.
- If, for any reason, you cannot attend any of your scheduled meetings, or if you have any questions about your application, please contact the Department of Comprehensive Planning as soon as possible at (702) 455-4314, option 2, option 1.

TOWN ADVISORY BOARDS & CITIZENS ADVISORY COUNCILS

At the request of the Planning Commission and the Board of County Commissioners, the opinions of the Town Advisory Boards and Citizens Advisory Councils are solicited with respect to all zoning actions within their areas. The TAB and CAC members are appointed by the County Commissioners and are subject to the Open Meeting Law requirements pursuant to NRS Chapter 241.

These groups hold public meetings at least once each month, and accomplish the following three functions:

- 1) To receive information pertaining to the neighborhood (long-term planning, zoning changes, public works projects, new ordinances, etc.) and to provide input regarding these matters to the Planning Commission and/or Board of County Commissioners.
- 2) To forward the concerns or problems of residents for resolution by County staff.
- 3) To disseminate information that it receives from the Board of County Commissioners and County staff to the residents of the area.

BUNKERVILLE

Judith Metz, Secretary
(702) 455-4572
Bunkerville TAB Room
190 W. Virgin Street, Bunkerville

ENTERPRISE

Carmen Hayes
(702) 371-7991
Silverado Ranch Community Center
9855 Giles Street, Las Vegas

GOODSPRINGS

Jeri Pinkerton, Secretary
(702) 806-8660
Goodsprings Community Center
375 W. San Pedro Avenue, Goodsprings

INDIAN SPRINGS

Jami Reid
(702) 378-8028
Indian Springs Civic Center
715 Greta Lane, Indian Springs

LAUGHLIN

Tammy Harris, Secretary
(702) 298-0828
Regional Government Center
101 Civic Way, Laughlin

LONE MOUNTAIN

Dawn vonMendenhall, Secretary
(702) 289-0196
Mtn. Crest Neighborhood Services Center
4701 N. Durango Dr., Las Vegas

LOWER KYLE CANYON

Dawn vonMendenhall, Secretary
(702) 289-0196
Mtn. Crest Neighborhood Services Center
4701 N. Durango Dr., Las Vegas

MOAPA

Judith Metz, Secretary
(702) 455-4572
Marley P. Robinson Justice Court &
Community Center
1340 E. Highway 168, Moapa

MOAPA VALLEY

Judith Metz, Secretary
(702) 455-4572
Moapa Valley Community Center
320 N. Moapa Valley Blvd., Overton

MOUNTAIN SPRINGS

Electra Smith, Secretary
(702) 370-6297
Mountain Springs Fire Station
State Route 160, Mountain Springs

MT. CHARLESTON

Dawn VonMendenhall, Secretary
(702) 289-0196
Mt. Charleston Library
75 Ski Chalet Place, Mt. Charleston

PARADISE

Maureen Helm, Secretary
(702) 606-0747
Paradise Park Community Center
4775 McLeod Dr., Las Vegas

RED ROCK

Electra Smith, Secretary
(702) 370-6297
Blue Diamond Library
14 Cottonwood Dr., Blue Diamond

SANDY VALLEY

Electra Smith, Secretary
(702) 370-6297
Sandy Valley Community Center
650 W. Quartz Avenue, Sandy Valley

SEARCHLIGHT

Tammy Harris, Secretary
(702) 298-0828
Searchlight Community Center
200 Michael Wendell Way, Searchlight

SPRING VALLEY

Carmen Hayes
(702) 371-7991
Desert Breeze Community Center
8275 Spring Mtn. Road, Las Vegas

SUNRISE MANOR

Jill Nikovis-Leiva, Secretary
(702) 334-6892
Hollywood Recreation & Community Ctr.
1650 S. Hollywood, Las Vegas

WHITNEY

Samantha Crunkilton, Secretary
(702) 854-0878
Whitney Recreation Center
5712 E. Missouri Ave., Las Vegas

WINCHESTER

Valerie Leiva, Secretary
(702) 468-9839
Winchester Community Center
3130 S. McLeod, Las Vegas

PLANNING COMMISSIONERS & COUNTY COMMISSIONERS

Planning Commissioner	Phone	County Commissioner	District
Liane Lee	(702) 455-3113*	Michael Naft	A
Nelson Stone	(702) 455-3113*	Marilyn K. Kirkpatrick	B
Timothy Castello	(702) 455-3113*	Ross Miller	C
Edward Frasier III	(702) 455-3113*	William McCurdy II	D
Vivian Kilarski	(702) 455-3113*	Tick Segerblom	E
Leslie Mujica	(702) 455-3113*	Justin Jones	F
Steve Kirk	(702) 455-3113*	James Gibson	G

All mail for Clark County Planning Commissioners should be sent to 500 S. Grand Central Pkwy., Las Vegas, NV 89155-1741.

*Contact Cindy Horschmann at Clark County Comprehensive Planning

Revised 4/1/2024

Department of Comprehensive Planning

500 S. Grand Central Parkway, Box 551741, Las Vegas, NV 89155-1741 • (702) 455-4314
<http://www.clarkcountynv.gov/comprehensive-planning>



Department of Comprehensive Planning

500 S Grand Central Pkwy • Box 551741 • Las Vegas NV 89155-1741
(702) 455-4314 • Fax (702) 455-3271

Sami Real, Director

NOTICE OF FINAL ACTION

December 03, 2024

G. C. GARCIA, INC.
1055 WHITNEY RANCH DRIVE, SUITE 210
HENDERSON, NV 89014

REFERENCE: VS-24-0277

On the date indicated above, a Notice of Final Action was filed with the Clark County Clerk, Commission Division, pursuant to NRS 278.0235 and NRS 278.3195, which starts the commencement of the twenty-five (25) day limitation period specified therein.

The above-referenced application was presented before the Clark County Board of County Commissioners at their regular meeting of **November 20, 2024**. Please be advised that the application was **DENIED**.

If you have any questions regarding your Notice of Final Action, please call the Department of Comprehensive Planning at (702) 455-4314 (option 2, option 1).

BOARD OF COUNTY COMMISSIONERS

TICK SEGERBLOM, Chair • WILLIAM MCCURDY II, Vice Chair
MICHAEL NAFT • MARILYN KIRKPATRICK • JUSTIN C. JONES • ROSS MILLER • JAMES B. GIBSON
KEVIN SCHILLER, County Manager

**BOARD OF COUNTY COMMISSIONERS
AGENDA LOG AMENDMENT
WEDNESDAY, September 4, 2024**

Hold to the September 18, 2024 Zoning meeting:

- Item 33 – UC-24-0268 per the applicant. Enterprise/lm
- Item 36 – WS-24-0312 per the Board. Moapa Valley/jud

Hold to the October 2, 2024 Zoning meeting:

- Item 9 – VS-24-0277 per the applicant. Sunrise Manor/jor
- Item 10 – WS-24-0276 per the applicant. Sunrise Manor/jor

Hold to the November 6, 2024 Zoning meeting:

- Item 35 – WC-24-400060 (NZC-22-0028) per the applicant. Enterprise/rg

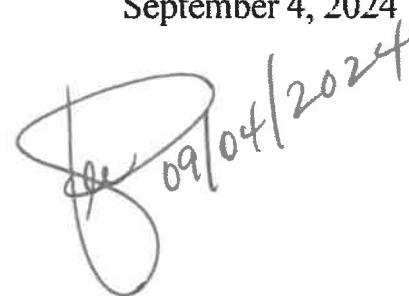
Hold no date:

- Item 46 – ZC-24-0357 per Commissioner Kirkpatrick. Sunrise Manor/rr
- Item 47 – WS-24-0358 per Commissioner Kirkpatrick. Sunrise Manor/rr



Sami Real, Director

September 4, 2024



**BOARD OF COUNTY COMMISSIONERS
AGENDA LOG AMENDMENT
WEDNESDAY, OCTOBER 2, 2024**

Hold to the November 6, 2024 Zoning meeting:

- Item 4 – AR-24-400090 (WC-0174-16 / UC-0849-14) per the applicant. Paradise/bb.
- Item 8 – VS-24-0277 per the applicant. Sunrise Manor/jor
- Item 9 – WS-24-0276 per the applicant. Sunrise Manor/jor
- Item 16 – SC-24-0261 per the applicant to rewrite and renotify. Renotification fees are required. Spring Valley/sd
- Item 20 – WS-24-0419 per the applicant. Spring Valley/sd



Sami Real, Director

October 2, 2024


10/02/2024

**BOARD OF COUNTY COMMISSIONERS
AGENDA LOG AMENDMENT
WEDNESDAY, NOVEMBER 6, 2024**

Hold to the November 20, 2024 Zoning meeting:

- Item 7 – VS-24-0277 per the Commissioner Segerblom. Sunrise Manor/jor
- Item 8 – WS-24-0276 per the Commissioner Segerblom. Sunrise Manor/jor
- Item 12 – UC-24-0436 per the Commissioner Segerblom. Paradise/sd
- Item 26 – AG-24-900729 per the Commissioner Segerblom.

Hold to the December 4, 2024 Zoning meeting:

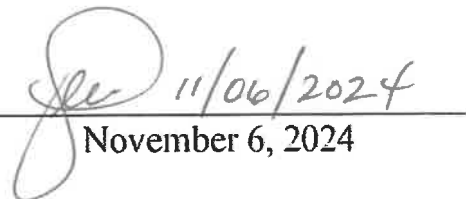
- Item 4 – AR-24-400090 (WC-0174-16 (UC-0849-14)) per the applicant. Paradise/bb
 - o NOTE: Application to return to the November 26, 2024 Paradise Town Board meeting per prior email due to data entry error in Accela. Town Board meeting date to be corrected in Accela to ensure application gets placed on the November 26, 2024 meeting agenda.

Hold to the February 5, 2025 Zoning meeting:

- Item 19 – WC-24-400060 (NZC-22-0028) per the applicant. Fees are required to place the item back on an agenda. Enterprise/rg



Sami Real, Director



November 6, 2024

cial records, including surveys and deeds,
on required for assessment. See the
detailed legal information.

EN MAP REDUCED FROM 11X17 ORIGINAL

400

600

800

MAP LEGEND

ROAD EASEMENT

MATCH / LEADER LINE

HISTORIC LOT LINE

HISTORIC SUB BOUNDARY

HISTORIC PM/LD BOUNDARY

SECTION LINE

202 PARCEL SUB/SEQ NUMBER

PB 24-45 PLAT RECORDING NUMBER

5 BLOCK NUMBER

5 LOT NUMBER

GL5 GOV. LOT NUMBER

3162

161

160

6177

178

179

Rev: 1/8/2019

Scale: 1" = 200'

19

20

21

22

23

24

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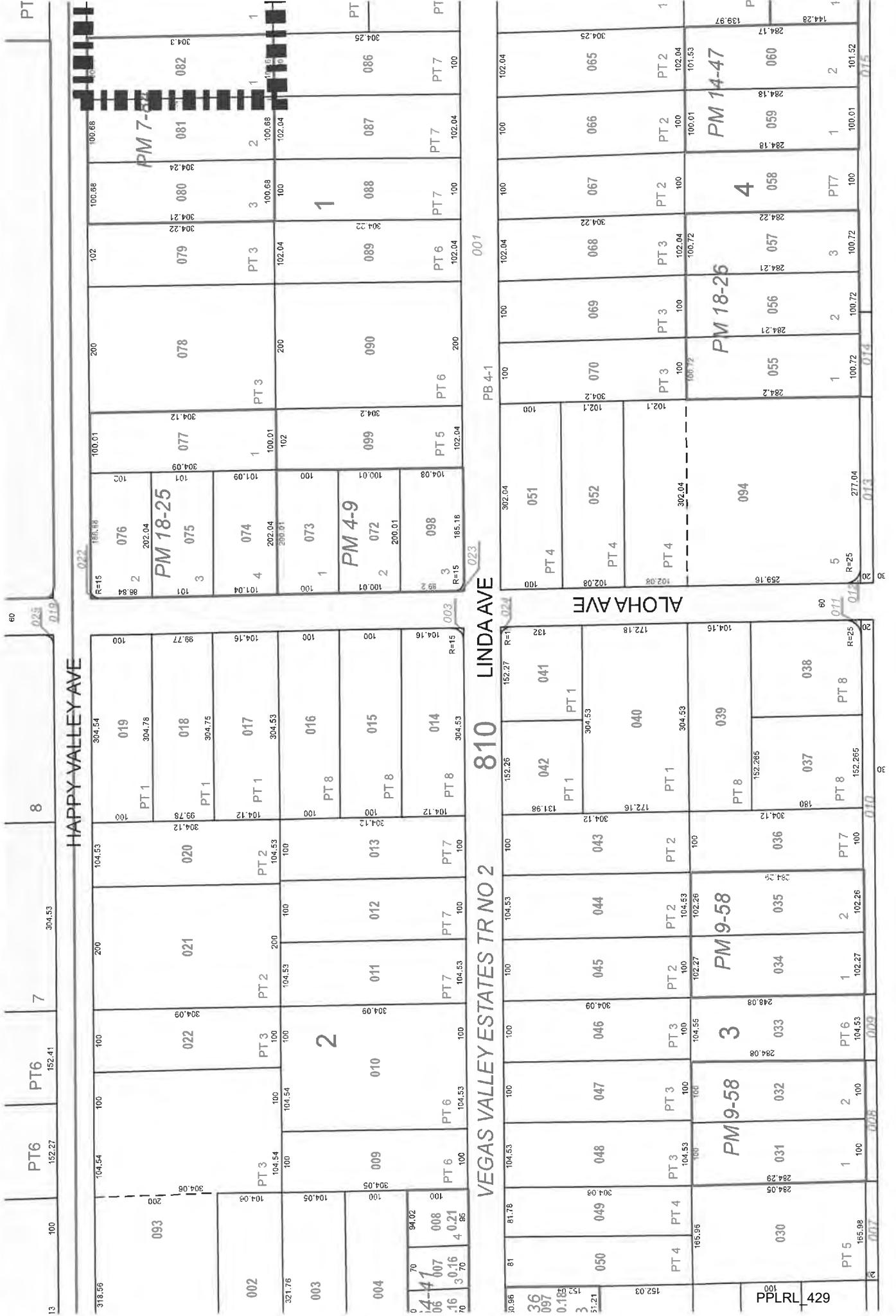
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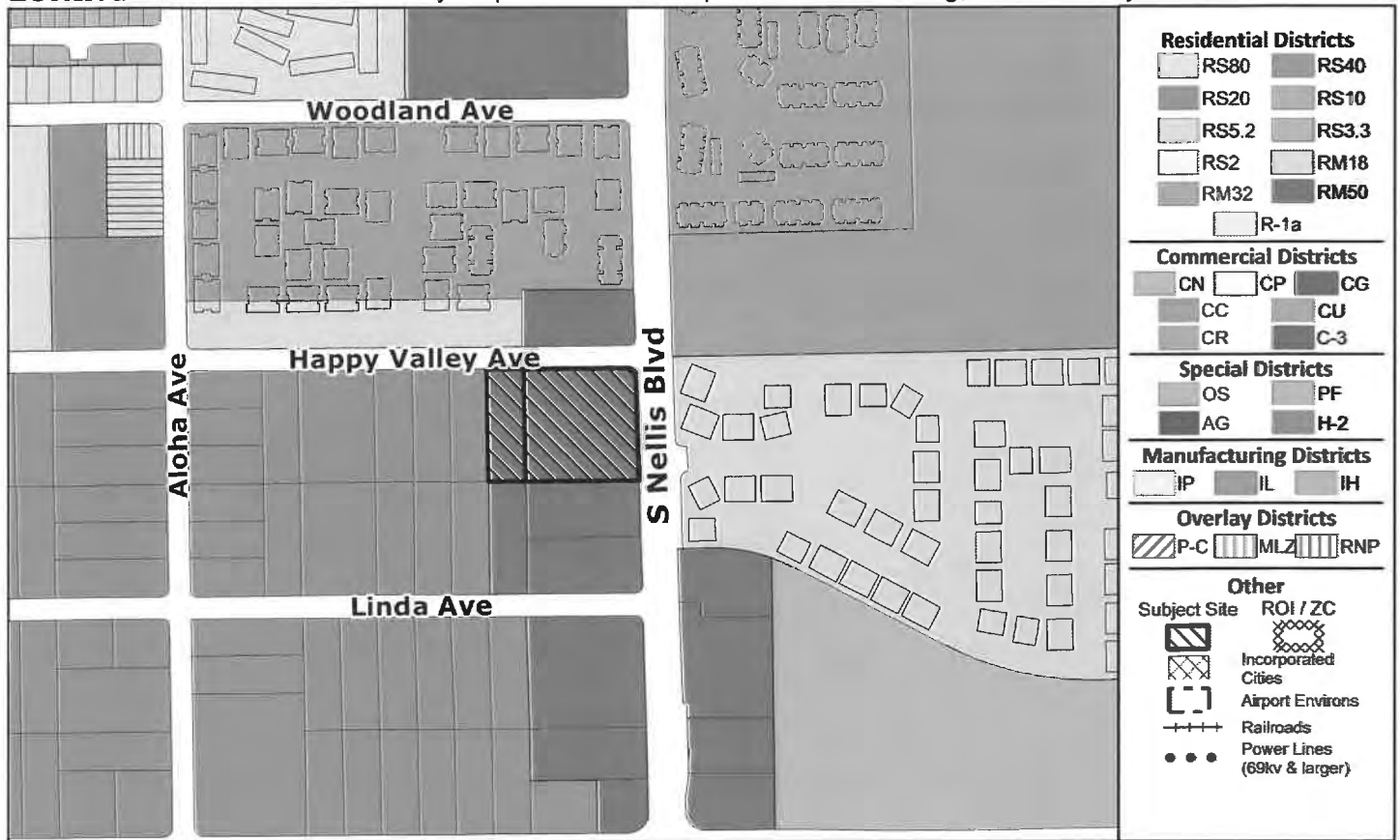
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Commission Agenda Map

VS-24-0277

ZONING

Clark County Department of Comprehensive Planning, Clark County, Nevada



PLANNED LAND USE



This information is for display purposes only. No liability is assumed as to the accuracy of the data delineated hereon.

Subject Parcel(s)
16108810082
16108810083



0 125 250 500 Feet
Map Created on 7/30/2024



PPLRL_431

09/04/24 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-24-0277-PALM PROPERTIES, LLC:

VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file). TS/jor/syp (For possible action)

RELATED INFORMATION:

APN:

161-08-810-082; 161-08-810-083

LAND USE PLAN:

SUNRISE MANOR - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

The applicant is requesting to vacate 5 feet of right-of-way being Happy Valley Avenue. The purpose of this request is to allow for the installation of detached sidewalks.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-19-0630	Temporary construction storage for an off-site Las Vegas Valley Water District project (main replacement and The Dales subdivision)	Approved by PC	October 2019
UC-18-0578	Increased height of existing communication tower, with a design review for additional antenna	Approved by PC	October 2018
ADR-0333-05	73 foot high monopole communication tower with an antenna array	Approved by ZA	April 2005
UC-0040-04	Vehicle, watercraft, and recreational vehicle sales	Approved by PC	February 2005
UC-0431-02	Check cashing facility	Approved By BCC	June 2002
ADR-1086-01	Communications facility	Approved by ZA	November 2001
DR-0727-99	Revised plans for a previously approved shopping center and to continue the use of a vehicle sales lot	Approved by BCC	June 1999
WC-0025-99 (ZC-0480-98)	Waived conditions of a zone change for the proposed shopping center with an existing restaurant building on site	Approved by BCC	March 1999

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0480-98	Reclassified the site (both subject parcels- 161-08-810-082 and 161-08-810-083) to C-2 zoning (now CG) for a proposed 34,000 square foot shopping center	Approved by BCC	May 1998
DR-1464-97	Vehicle sales lot within an existing shopping center - expired	Approved by PC	September 1997

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Corridor Mixed-Use & Compact Neighborhood (up to 18 du/ac)	CG & RM18	Multi-family residential & tavern
South	Corridor Mixed-Use	CG	Commercial center
East	Compact Neighborhood (up to 18 du/ac)	RM18	Multi-family residential
West	Ranch Estate Neighborhood (up to 2 du/ac)	RS20	Single-family residential

Related Applications

Application Number	Request
WS-24-0276	A waiver of development standards with a design review for a proposed commercial truck parking lot is a companion item on this agenda.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis**Public Works - Development Review**

Staff has no objection to the vacation of right-of-way for detached sidewalks.

Staff Recommendation

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that Nevada Department of Transportation (NDOT) permits may be required.

Building Department - Addressing

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC: Sunrise Manor - denial.

APPROVALS:

PROTESTS:

APPLICANT: LEADING EDGE VENTURES, LLC

CONTACT: G. C. GARCIA, INC, 1055 WHITNEY RANCH DRIVE, SUITE 210,
HENDERSON, NV 89014

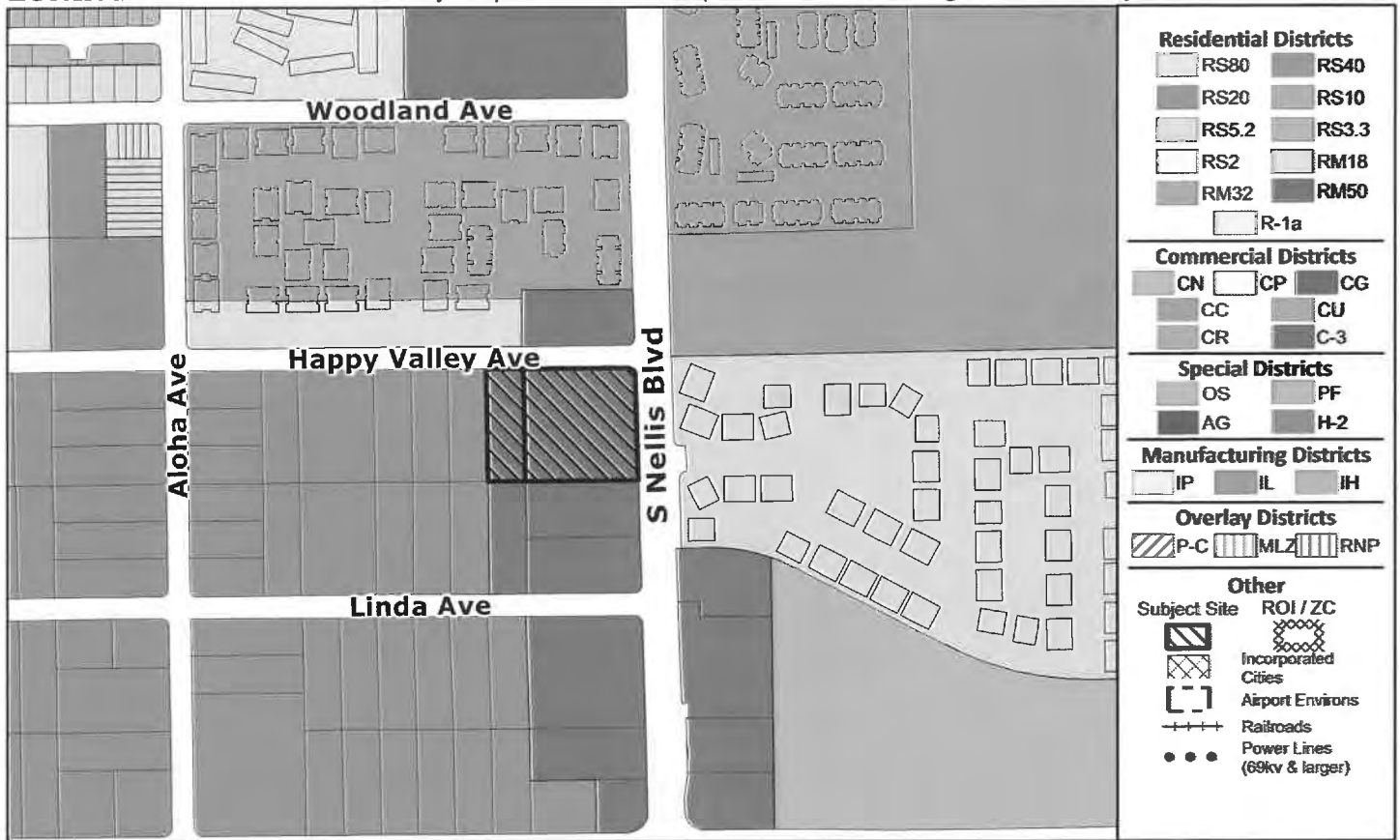
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Commission Agenda Map

VS-24-0277

ZONING

Clark County Department of Comprehensive Planning, Clark County, Nevada



PLANNED LAND USE



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Subject Parcel(s)
16108810082
16108810083



0 125 250 500 Feet
Map Created on 7/30/2024



PPLRL_436

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-24-0277-PALM PROPERTIES, LLC:

HOLDOVER VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file). TS/jor/syp (For possible action)

RELATED INFORMATION:

APN:

161-08-810-082; 161-08-810-083

LAND USE PLAN:

SUNRISE MANOR - CORRIDOR MIXED-USE

BACKGROUND:**Project Description**

The applicant is requesting to vacate 5 feet of right-of-way being Happy Valley Avenue. The purpose of this request is to allow for the installation of detached sidewalks.

Prior Land Use Requests

Application Number	Request	Action	Date
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Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Corridor Mixed-Use & Compact Neighborhood (up to 18 du/ac)	CG & RM18	Multi-family residential & tavern
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Related Applications

Application Number	Request
WS-24-0276	A waiver of development standards with a design review for a proposed commercial truck parking lot is a companion item on this agenda.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis**Public Works - Development Review**

Staff has no objection to the vacation of right-of-way for detached sidewalks.

Staff Recommendation

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Satisfy utility companies' requirements.
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Building Department - Addressing

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC: Sunrise Manor - denial.

APPROVALS:

PROTESTS: 6 cards, 2 letters

COUNTY COMMISSION ACTION: September 4, 2024 – HELD – To 10/02/24 – per the applicant.

APPLICANT: LEADING EDGE VENTURES, LLC

CONTACT: G.C. GARCIA, INC, 1055 WHITNEY RANCH DRIVE, SUITE 210, HENDERSON, NV 89014

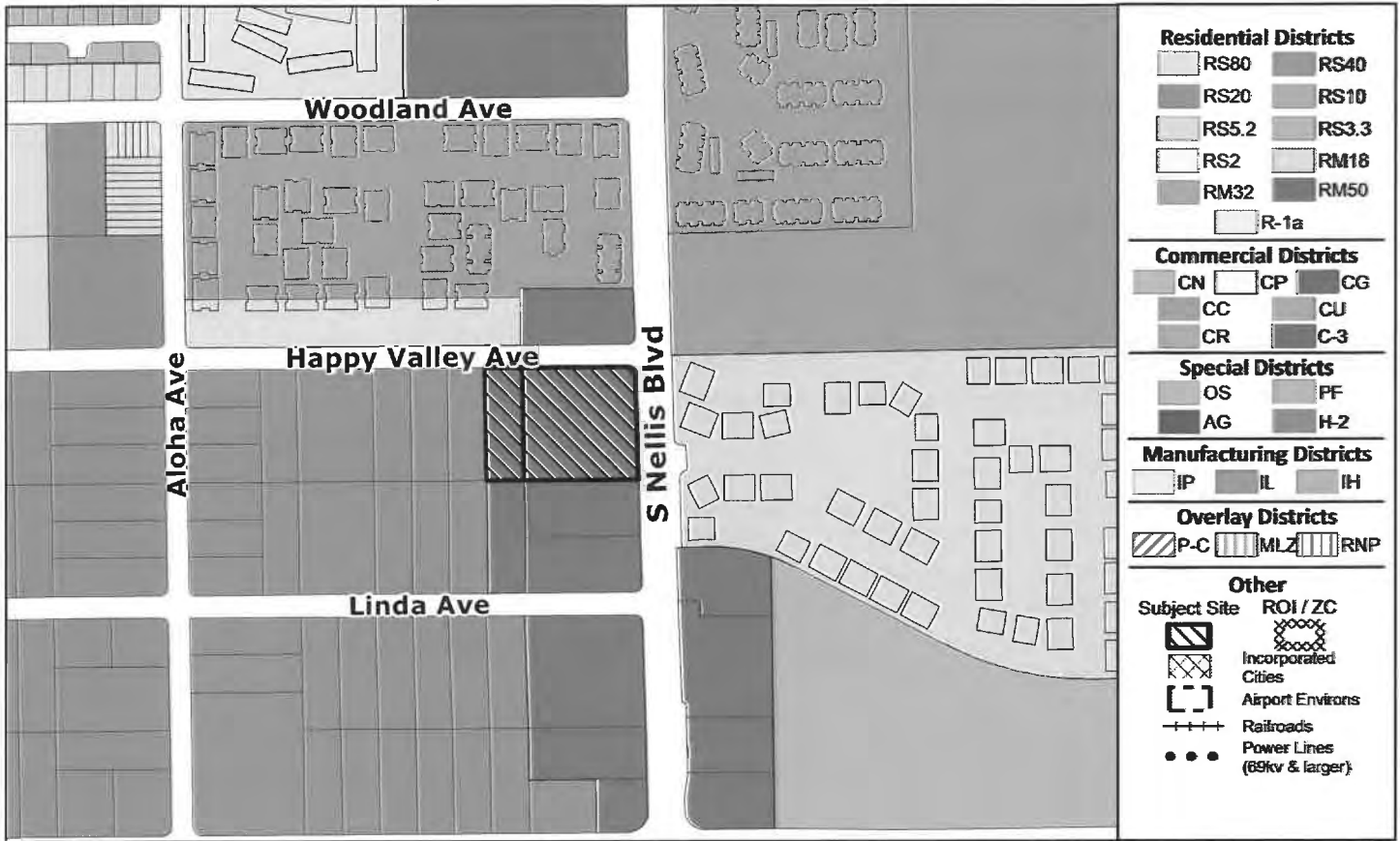
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Commission Agenda Map

VS-24-0277

ZONING

Clark County Department of Comprehensive Planning, Clark County, Nevada

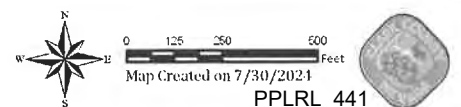


PLANNED LAND USE



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Subject Parcel(s)
16108810082
16108810083



PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

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Related Applications

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Analysis

Public Works - Development Review

Staff has no objection to the vacation of right-of-way for detached sidewalks.

Staff Recommendation

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

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Building Department - Addressing

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC: Sunrise Manor - denial.

APPROVALS:

PROTESTS: 6 cards, 2 letters

COUNTY COMMISSION ACTION: September 4, 2024 – HELD – To 10/02/24 – per the applicant.

COUNTY COMMISSION ACTION: October 2, 2024 – HELD – To 11/06/24 – per the applicant.

APPLICANT: LEADING EDGE VENTURES, LLC

CONTACT: G.C. GARCIA, INC, 1055 WHITNEY RANCH DRIVE, SUITE 210, HENDERSON, NV 89014

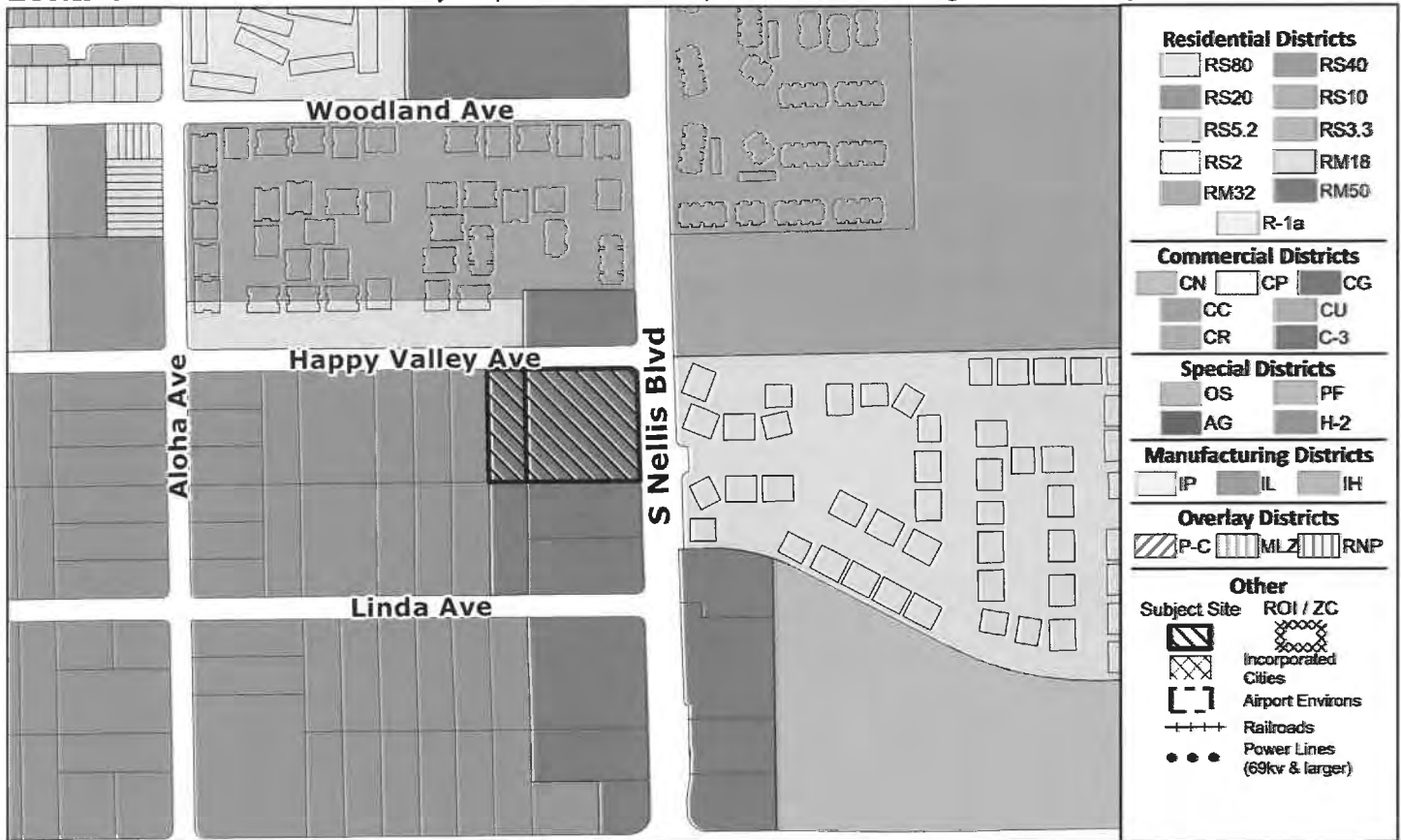
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Commission Agenda Map

VS-24-0277

ZONING

Clark County Department of Comprehensive Planning, Clark County, Nevada



PLANNED LAND USE



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Subject Parcel(s)
16108810082
16108810083



0 125 250 500 Feet
Map Created on 7/30/2024



PPLRL_446

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-24-0277-PALM PROPERTIES, LLC:

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Related Applications

Application Number	Request
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STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis**Public Works - Development Review**

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Staff Recommendation

Approval.

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PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

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Building Department - Addressing

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC: Sunrise Manor - denial.

APPROVALS:

PROTESTS: 6 cards, 2 letters

COUNTY COMMISSION ACTION: September 4, 2024 – HELD – To 10/02/24 – per the applicant.

COUNTY COMMISSION ACTION: October 2, 2024 – HELD – To 11/06/24 – per the applicant.

COUNTY COMMISSION ACTION: November 6, 2024 – HELD – To 11/20/24 – per Commissioner Segerblom.

APPLICANT: LEADING EDGE VENTURES, LLC

CONTACT: G.C. GARCIA, INC, 1055 WHITNEY RANCH DRIVE, SUITE 210, HENDERSON, NV 89014



AUTHORIZATION TO SUBMIT APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

Application Pre-review (APR) record number: APR-23-101485

Application Materials have been deemed ready to submit ☐ without revisions ☒ with minor revisions.

Notes: L/S plan and JL revised

By: JUD Date: 06/08/2024

Advisory: Authorization to submit expires 2 weeks after determination is made. If all required documents are not provided to staff within this timeframe, an appointment to re-review the application materials is required.

Required Application(s):

- | | | |
|--|--|---|
| <input type="checkbox"/> Master Plan Amendment | <input type="checkbox"/> Land Use – Administrative Design Review (ADR) | <input type="checkbox"/> Tentative Map (TM) |
| <input type="checkbox"/> Land Use | <input type="checkbox"/> Land Use – Wavier of Conditions (WC) | <input checked="" type="checkbox"/> Vacation and Abandonment (VS) |
| <input type="checkbox"/> Zone Change (ZC) | <input type="checkbox"/> Land Use – Application for Review (AR) | <input type="checkbox"/> Other: |
| <input type="checkbox"/> Special Use Permit (UC) | <input type="checkbox"/> Land Use – Extension of Time (ET) | |
| <input checked="" type="checkbox"/> Waiver of Development Standards (WS) | | |
| <input checked="" type="checkbox"/> Design Review (DR) | | |

Required Fees:

- Refer to the attached Fee Sheet.

Next Steps:

- Review the attached submittal requirements for the applicable application type(s).
- Go to the Application Pre-review record in the County's Citizen Access Portal (ACA) and upload all required application documents in PDF format (regardless of the format specified in the submittal requirements).
- Once all the application documents are uploaded, coordinate the transmittal of the required hard copy documents with the planner who authorized the submittal (see name above); all transmittals shall include a cover letter and/or transmittal memo and a copy of this form. The Personnel Contact Information list on Department's Contact Us webpage includes the phone number and email address for all planners.
- When the application package is received, the documents will be re-reviewed to ensure no changes except those noted above have been made and, if in an acceptable form, the planner will accept the application documents. Staff will then create the application records. If payment for the application fees was not included in the application package, an email notice will be sent to the record(s) contact indicating the application fees are due. This step may take up to 2 business days to complete.
- Once fees are paid, the application(s) will be considered "Submitted".

Department of Comprehensive Planning

500 S. Grand Central Parkway, Box 551741, Las Vegas, NV 89155-1741 • (702) 455-4314

<http://www.clarkcountynv.gov/comprehensive-planning>

Form Revised 05/15/2023

PPLRL_450

Andrea Cole

From: Clark County <Clarkcounty-accela@clarkcountynv.gov>
Sent: Tuesday, February 27, 2024 4:47 PM
To: centurywest1@hotmail.com; Andrea Cole
Cc: PWLanduse@ClarkCountyNV.gov
Subject: New Submittal: APR-23-101485 - APN: 161-08-810-083 Public Works ok

Good afternoon,

Public Works has no further comments on this Application Pre-Review (APR). Please contact Comprehensive Planning at 702-455-4314 or zoning@ClarkCountyNV.gov for information on how to proceed.

Thank you
JaWaan Dodson

Important information:

Please note that although Public Works has no further comments on this APR, it does not mean that we will recommend approval.



February 19, 2024

Comprehensive Planning
Clark County
500 S. Grand Central Pkwy
Las Vegas, NV 89155

RE: Response to Planning Comments: Parking Lot for Commercial Vehicles
APN#s 161-08-810-082 & -083

Dear Steve:

On behalf of my client, Leading Edge Ventures LLC, we wish to address the 2nd round of comments received on February 1, 2024, for the application listed above.

02/01/24 Comments:

Per our morning meeting for the parking lot for commercial trucks below is a summary of our discussion.

Comments:

- Parking lot for commercial trucks in CG zone and is permitted use. Design review required.
Response – A Design Review for Commercial Truck Parking is requested through a Design Review as well as a Vacation request.
- Possible waiver for ingress/egress onto residential street. Public Works will determine.
Response – Traffic believed retaining access on a low volume local street, Happy Valley, was acceptable but was Planning decision not Traffic. Putting an access drive onto a major arterial will cause more delays and potential for accidents on Nellis.
- Asked applicant to have their Engineer(s) to review the section in Title 30 30.04.07 on “Operational Standards” for requirements on lighting, including shielding, type of lighting, motion sensors etc.
Response – The requested code required section is referenced on the revised plans for this pre-submittal
- Provide elevations for the existing cell tower with setback dimensions and for the security building, including exterior materials and setbacks and height.
Response – Information from the County records is provided with the revised plans for this pre-submittal
- Will still need to provide vacation application for 5 feet of right-of-way being Happy Valley Lane. Will discuss with Public Works.
Response – A Vacation application for 5 feet of Happy Valley is included with this resubmittal.



A Planning & Development Services Corporation

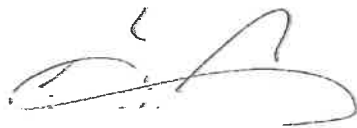
1055 Whitney Ranch Dr., Suite 210, Henderson, NV 89014
Telephone: (702) 435-9909 Facsimile: (702) 435-0457 E-Mail: ggarcia@gcgarciainc.com

PPLRL_452

- Sustainability information provided on landscape plan.
Response – The sustainability information was previously provided and is on the landscape plans with this resubmittal.
- Applicant provided revised letter based upon first review of plans.
Response – Applicant has made minor revisions to the justification letter as part of this resubmittal.
Public Works will need to review these plans. Their email is PWLanduse@ClarkCountyNV.gov Provide them electronically with APN number, APR number and your contact information.
Response – The plans were submitted to PW and comments received and address per the provided revised plans and response letter as part of this revised pre-submittal
- Please setup your next appointment after comments are provided by Public Works with a Planner to provide for review.
Response – The next pre-submittal is February 20, 2024 in compliance with the above comment.

We respectfully request your consideration of the above responses and would appreciate any request for further clarification or expansion you may require.

Sincerely,

A handwritten signature in black ink, appearing to read 'George Garcia', with a stylized flourish at the end.

George Garcia
Founder



June 4, 2024

Comprehensive Planning
Clark County
500 S. Grand Central Pkwy
Las Vegas, NV 89155

RE: Response to Planning Comments: Parking Lot for Commercial Vehicles
APN#s 161-08-810-082 & -083

Dear Judith:

On behalf of my client, Leading Edge Ventures LLC, we wish to address the 3rd round of comments received on February 20, 2024, for the application listed above.

02/20/24 Comments:

Please see the Current Planning comments below. Note, you must secure another appointment in order to address this APR.

- Vacation site plan
 1. Project information shall be updated to today's code zoning districts.
Response – Vacation Site plan has been revised with the current zoning districts
- Site Plan (did not review)
- Justification Letter
 1. Include language about the active CCPRO violation CE23-05369.
Response – Included In revised letter
 2. Include language regarding the proposed sustainability points and design review.
Response – Included in revised letter
 3. Address Sections 30.04.06 I (signs) & M (cut through traffic).
Response – Included in revised letter
 4. Include waiver of development standards request to allow access to a local street, see Section 30.04.06 D & 30.04.06 M.
Response – Included in revised letter
- Elevations
 1. Guard building does not provide the building height.
Response – Height added to exhibit
 2. The awning above the entry door must extend 3 feet in order to count towards sustainability.
Response – Awning added to exhibit



A Planning & Development Services Corporation

1055 Whitney Ranch Dr., Suite 210, Henderson, NV 89014

Telephone: (702) 435-6000 Fax: (702) 435-0457 Email: garcia@gcgarcia.com

PPLRL_454

- Landscape Plan

1. Buffering and screening shall to residential shall be 8-foot-high decorative wall.

Response – Landscape & Site plans revised to show the existing 8' high cmu wall

2. A 15-foot landscaped buffer with a double row of evergreen trees planted offset from one another. In each row trees shall be planted 20 feet apart on center. (staff understands the applicant is providing 20 feet of LS; however, the proposed trees are not evergreen).

Response – Landscape plan revised to show the above.

3. Mondel pines are not recommended per SNWA plant list.

Response – Mondel pines removed from plan

- Cross Sections (residential adjacency only)

4. Site zoning district as well as surrounding zoning districts shall be labeled with the current zoning district names.

Response – Cross Sections exhibit has been revised to show current zoning districts.

Please e-mail PWLandUse@ClarkCountyNV.gov your application package as this application shall also be reviewed and concurrence shall be received from Public Works Development Review prior to its submittal. Make sure to include your APR number on the subject line when sending your APR to PW.

Response – PW's signed off on 02/28/24, see attached email

We respectfully request your consideration of the above responses and would appreciate any request for further clarification or expansion you may require.

Sincerely,



George Garcia
Founder

Andrea Cole

From: Andrea Cole
Sent: Tuesday, February 27, 2024 10:48 AM
To: PWLanduse@ClarkCountyNV.gov
Subject: New Submittal: APR-23-101485 - APN: 161-02-810-083 Public Works comments
Attachments: site-6-SP1.pdf; Map that dedicated the ROW for Happy Valley MapPL0040001.pdf

See below responses and the attached.

From: Clark County Clarkcounty-accela@clarkcountynv.gov
Sent: Tuesday, February 27, 2024 8:46 AM
To: centurywest1@hotmail.com; Andrea Cole acole@gcgarciainc.com
Cc: PWLanduse@ClarkCountyNV.gov
Subject: New Submittal: APR-23-101485 - APN: 161-02-810-083 Public Works comments

Good morning,

Please see the Public Works comments below:

The comments from 2/15/2024 are in black. My original responses are in blue. PW's comments from 2/27/2024 are in red. Additional responses in Green.

Be advised that Nellis Boulevard is a Nevada Department of Transportation (NDOT) right-of-way.

Detached sidewalks are required, this application will need to include a vacation of the right-of-way. Application revised to include the vacation.

Site Plan:

- The minimum required throat is 100 feet per Uniform Standard Drawing 222.1. Site Plan revised to show 100'. It looks like the parking was reduced with this revision and 75 feet is now the minimum. Resolved.
- Provide and show the back of curb radius on the east side of the Happy Valley Avenue commercial driveway and at the intersection. Shown on revised site plan. Not provided (2nd request). Previously provided, attached for reference.
- Correct the right-of-way width for Happy Valley Avenue. ROW corrected on revised site plan. Resolved.

Vacation:

- Provide a the record information for the right-of-way being vacated. See attached recorded map that dedicated the ROW on Happy Valley.

Thank you

JaWaan Dodson

-

Directions for when you make the necessary changes

- Email the following to Public Works – Development Review at PWLandUse@ClarkCountyNV.gov:
 - o A detailed written response to each of our comments.
 - o Copies of revised plans and documents.
 - o If you make changes other than those that are specified in our comments, provide a detailed list of the changes and an explanation for why the changes were made.

Contacts for the Public Works - Land Use Application Team

- Email:
 - o PWLandUse@ClarkCountyNV.gov
- Phone numbers:
 - o 702-455-4607 – Sarah Mabry-Padovese
 - o 702-455-6387 – JaWaan Dodson
 - o 702-455-6385 – Nick Goodman
 - o 702-455-4600 – Main number for Development Review

Inst #: 20150911-0001608
Fees: \$20.00 N/C Fee: \$0.00
RPTT: \$3570.00 Ex: #
09/11/2015 01:08:51 PM
Receipt #: 2550965
Requestor:
FIDELITY NATIONAL TITLE - L
Recorded By: CYV Pgs: 5
DEBBIE CONWAY
CLARK COUNTY RECORDER

GBS Deed

A.P.N. 161-08-810-082 and
161-08-810-083

**RECORDING REQUESTED AND
WHEN RECORDED RETURN TO:**

**Palm Properties, LLC
6050 S. Fort Apache Rd #100
Las Vegas, NV 89148**

SEND TAX STATEMENTS TO:

SAME AS ABOVE

GRANT, BARGAIN, SALE DEED

THIS INDENTURE (this "**Deed**"), made and entered into on this 9th day of September, 2015, by RG Properties, LLC, a Nevada limited liability company ("**Grantor**"), in favor of Palm Properties, LLC, a Nevada limited liability company ("**Grantee**").

WITNESSETH:

The Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00), lawful money of the United States, to it in hand paid by the said Grantee, and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby GRANT, BARGAIN, SELL and convey unto the said Grantee, its respective successors and assigns forever, all of Grantor's rights, title, interests, and estate in and the real property more particularly described as follows:

See the Exhibit A attached hereto and incorporated herein by this reference

Subject To:

1. Taxes for the current fiscal year, and any and all taxes (including supplemental taxes) and assessments levied or assessed after the recording date of this document.
2. Rights of way, reservations, restrictions, easements and conditions of record.

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Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, remainders, rents, issues or profits thereof.

IN WITNESS WHEREOF, the Grantor has caused this Deed to be executed on the day and year first above written.

RG Properties, LLC, a Nevada limited liability company

Roula Grillas by Janina Jones her attorney in fact
By: Roula Grillas, Manager (by Janina Jones, her duly appointed attorney-in-fact)

STATE OF CA
COUNTY OF Los Angeles } ss.

This instrument was acknowledged before me on this 9th day of September, 2015, by Janina Jones as power of attorney for Roula Grillas, Manager of RG Properties, LLC, a Nevada limited liability company.

Please add

the attached
acknowledgment

Chap
Not
Seal
SA

NOTARY PUBLIC

December 4, 2016

Commission expires

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

State of California

County of Los Angeles

On Sept 9
Date

before me,

Cherre May Faught, Notary Public
Here Insert Name and Title of the Officer

personally appeared

Janina Maria Jones
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature:

Cherre May Faught
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____

Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Individual

☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Individual

☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

EXHIBIT A

Parcel 1:

Lot One (1) in Block One (1) of Vegas Valley Estates Tract No. 2 as shown by map thereof on file in Book 4 of Plats, Page 1, in the Office of the County Recorder, Clark County, Nevada.

Excepting therefrom that portion as conveyed to the County of Clark by that certain deed recorded November 6, 1975 in Book 568 as Document No. 527120 of Official Records.

Parcel 2:

That portion of Lot Two (2) in Block One (1) of Vegas Valley Estates Tract No. 2, as shown by map thereof on file in Book 4 of Plats, Page 1, in the Office of the County Recorder of Clark County, Nevada described as follows:

Parcel One (1) as shown by map thereof on file in File 7 of Parcel Maps, Page 84, in the Office of the County Recorder of Clark County, Nevada.

Assessor's Parcel Number: 161-08-810-082, 161-08-810-083

**STATE OF NEVADA
DECLARATION OF VALUE FORM**

1. Assessor Parcel Number(s) ☐

- a) 161-08-810-083
b) _____
c) 161-08-810-082
d) _____

2. Type of Property:

- a) ☐ Vacant Land b) ☐ Single Fam. Res.
c) ☐ Condo/Twnhse d) ☐ 2-4 Plex
e) ☐ Apt. Bldg. f) ☒ Comm'l/Ind'l
g) ☐ Agricultural h) ☐ Mobile Home
i) ☐ Other _____

FOR RECORDER'S OPTIONAL USE ONLY

Document/Instrument # _____

Book: _____ Page: _____

Date of Recording: _____

Notes: _____

3. Total Value/Sales Price of Property: _____

\$700,000.00

Deed in Lieu of Foreclosure Only (value of property): _____

(0.00)

Transfer Tax Value: _____

\$700,000.00

Real Property Transfer Tax Due: _____

\$3,570.00

4. **If Exemption Claimed:**

a. Transfer Tax Exemption, per NRS 375.090, Section: _____

b. Explain Reason for Exemption: _____

5. Partial Interest: Percentage being transferred: _____%

The undersigned Seller/(Grantor)/Buyer (Grantee), declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the parties agree that disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month.

Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

Signature _____

Capacity Grantor

Signature [Signature]

Capacity Grantee

SELLER (GRANTOR) INFORMATION

BUYER (GRANTEE) INFORMATION

(REQUIRED)

(REQUIRED)

Print Name RG Properties, LLC, a Nevada
limited liability company

Print Name: Palm Properties, LLC, a Nevada
limited liability company

Address: c/o Singer Burke 6345 Balboa

Address: 6050 S. Fort Apache Rd #100

City, St., Zip: Bldg 4
Encino, CA 91316

City, St., Zip: Las Vegas, NV 89148

COMPANY REQUESTING RECORDING

Print Name: Fidelity National Title Agency of Nevada, Inc.

Escrow #: 00039824-118

Address: 2450 St. Rose Parkway, Suite 150

City/State/Zip: Henderson, NV 89074

AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED

ENTITY INFORMATION

ENTITY INFORMATION

Entity Name:
PALM PROPERTIES, LLC

Entity Number:
E0342702013-6

Entity Type:
Domestic Limited-Liability Company (96)

Entity Status:
Active

Formation Date:
07/15/2013

NV Business ID:
NV20131420281

Termination Date:

Annual Report Due Date:
7/31/2024

Compliance Hold:

Series LLC:

Restricted LLC:

REGISTERED AGENT INFORMATION

Name of Individual or Legal Entity:
DHANMINDER K DHALIWAL

Status:
Active

CRA Agent Entity Type:

Registered Agent Type:
Non-Commercial Registered Agent

NV Business ID:

Office or Position:

Jurisdiction:

Street Address:
6050 S FORT APACHE RD STE 100, LAS VEGAS, NV, 89148, USA

Mailing Address:

Individual with Authority to Act:

Fictitious Website or Domain Name:

OFFICER INFORMATION

☐ VIEW HISTORICAL DATA

Title	Name	Address	Last Updated	Status
Managing Member	RAJWINDER S DHALIWAL	6050 S FORT APACHE RD., SUITE 100, LAS VEGAS, NV, 89148 - 5614, USA	06/04/2018	Active
Managing Member	DHANMINDER K DHALIWAL	6050 S FORT APACHE RD., SUITE 100., LAS VEGAS, NV, 89148 - 5614, USA	06/04/2018	Active

Page 1 of 1, records 1 to 2 of 2

[Filing History](#)
[Name History](#)
[Mergers/Conversions](#)

[Return to Search](#)
[Return to Results](#)

ENTITY INFORMATION

ENTITY INFORMATION

Entity Name: LEADING EDGE VENTURES LLC

Entity Number: E23741252022-9

Entity Type: Domestic Limited-Liability Company
(86)

Entity Status: Active

Formation Date: 06/07/2022

NV Business ID: NV20222470546

Termination Date: Perpetual

Annual Report Due Date: 6/30/2023

Series LLC: ☐

Restricted LLC: ☐

REGISTERED AGENT INFORMATION

**Name of Individual or
Legal Entity:** The Corporate Experts Limited

Status: Active

CRA Agent Entity Type: CRA - LIMITED-LIABILITY
CORPORATION

Registered Agent Type: Commercial Registered Agent

NV Business ID: NV20181139686

Office or Position:

Jurisdiction: NEVADA

Street Address: 9708 GILLESPIE STREET, SUITE 104,
Las Vegas, NV, 89183, USA

Mailing Address:

**Individual with
Authority to Act:** Barry Michaels

**Fictitious Website or
Domain Name:**

OFFICER INFORMATION

☐ VIEW HISTORICAL DATA

Title	Name	Address	Last Updated	Status
Manager	Robert Lauer	5001 East Gowan Ave, Las Vegas, NV, 89115, USA	01/11/2023	Active

Page 1 of 1, records 1 to 1 of 1

[Filing History](#) [Name History](#) [Mergers/Conversions](#)

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9
HOLD

September 3, 2024

Clark County Board of County Commissioners
500 S. Grand Central Parkway
Las Vegas, NV

RE: Nellis & Happy Valley (#9 VS-24-0277 & #10 WS/DR-24-0276)

Dear Commissioner Segerblom:

Per communication with the District Commissioner's office, we are submitting a request for a continuance from the Board of County Commissioners meeting for items #9 and #10 on September 4, 2024, to the Board of County Commissioners meeting on October 2, 2024.

We respectfully request your consideration in the above-listed matter. If you have any questions, please feel free to contact us at (702) 435-9909.

Sincerely,

A handwritten signature in black ink, appearing to be 'G. Garcia'.

George C. Garcia
Founder

GCG: ag



A Planning & Development Services Corporation

1055 Whitney Ranch Dr., Suite 210, Henderson, NV 89014
Telephone: (702) 435-9909 Facsimile: (702) 435-0457 E-Mail: ggarcia@gcgarciainc.com



8

September 24, 2024

HOLD

Tick Segerblom, Chairman
Clark County Board of County Commissioners
500 S. Grand Central Parkway
Las Vegas, NV

RE: Nellis & Happy Valley (VS-24-0277 & WS/DR-24-0276)

Dear Chairman Segerblom and Board of County Commissioners:

The following is a request for a continuance on items #8 and #9 (VS-24-0277 & WS/DR-24-0276) on the Board of County Commissioners hearing for October 2, 2024 to the Board of County Commissioners meeting on November 6, 2024. This will allow us additional time to work with the Commissioner's office.

We respectfully request your consideration in the above-listed matter. If you have any questions, please feel free to contact us at (702) 435-9909.

Sincerely,

George C. Garcia
Founder

GCG: ac



A Planning & Development Services Corporation

1055 Whitney Ranch Dr., Suite 210 Henderson, NV 89014
Telephone: (702) 435-9909 Facsimile: (702) 435-0457 E-Mail: ggarcia@gcgarciainc.com

PPLRL_468



9
HOLD

September 3, 2024

Clark County Board of County Commissioners
500 S. Grand Central Parkway
Las Vegas, NV

RE: Nellis & Happy Valley (#9 VS-24-0277 & #10 WS/DR-24-0276)

Dear Commissioner Segerblom:

Per communication with the District Commissioner's office, we are submitting a request for a continuance from the Board of County Commissioners meeting for items #9 and #10 on September 4, 2024, to the Board of County Commissioners meeting on October 2, 2024.

We respectfully request your consideration in the above-listed matter. If you have any questions, please feel free to contact us at (702) 435-9909.

Sincerely,

George C. Garcia
Founder

GCG: ag



A Planning & Development Services Corporation

1055 Whitney Ranch Dr., Suite 210, Henderson, NV 89014
Telephone: (702) 435-9909 Facsimile: (702) 435-0457 E-Mail: ggarcia@gcgarcia.nc.com

Katherine Corrow

From: Sami Real
Sent: Thursday, October 31, 2024 11:41 AM
To: CPAdmin
Subject: FW: HOLD Items VS-24-0277 and WS-24-0276

Please process this hold request from Commissioner Segerblom's office.
This hold is for two items, Items 7 and 8, on the 11/6 Zoning Agenda. The Commissioner is requesting these items be held until November 20, 2024.
Thank you.

Sami R. Real
Director, Department of Comprehensive Planning
Ph: (702) 455-3129
Business Hours: Mon. – Thurs., 7:30am to 5:30pm

From: Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Sent: Thursday, October 31, 2024 11:39 AM
To: Sami Real <Sami.Real@ClarkCountyNV.gov>
Cc: Jennifer Ammerman <jad@ClarkCountyNV.gov>; Tick Segerblom <Tsegerblom@ClarkCountyNV.gov>
Subject: RE: HOLD Items VS-24-0277 and WS-24-0276

Sorry about that! I will be to the second meeting in November.

Thank you!

Beatriz Martinez
Community Liaison | District E, Commissioner Tick Segerblom
500 S. Grand Central Parkway, 6th Floor, Las Vegas, NV 89155
Email: Beatriz.Martinez@ClarkCountyNV.gov
Office: 702.455.0560



From: Sami Real <Sami.Real@ClarkCountyNV.gov>
Sent: Thursday, October 31, 2024 11:37 AM
To: Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Cc: Jennifer Ammerman <jad@ClarkCountyNV.gov>; Tick Segerblom <Tsegerblom@ClarkCountyNV.gov>
Subject: RE: HOLD Items VS-24-0277 and WS-24-0276

Bea..
How long will these items be held for???
No date? Second meeting in November? Or???

Sami R. Real
Director, Department of Comprehensive Planning
Ph: (702) 455-3129
Business Hours: Mon. – Thurs., 7:30am to 5:30pm

From: Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Sent: Thursday, October 31, 2024 11:23 AM
To: Sami Real <Sami.Real@ClarkCountyNV.gov>
Cc: Jennifer Ammerman <jad@ClarkCountyNV.gov>; Tick Segerblom <Tsegerblom@ClarkCountyNV.gov>
Subject: HOLD Items VS-24-0277 and WS-24-0276

Hi Sami,

Commissioner Segerblom would like to hold items VS-24-0277 and WS-24-0276, we have made the consultant aware of the hold.

Thank you,

Beatriz Martinez

Community Liaison | District E, Commissioner Tick Segerblom

500 S. Grand Central Parkway, 6th Floor, Las Vegas, NV 89155

Email: Beatriz.Martinez@ClarkCountyNV.gov

Office: 702.455.0560





June 5, 2024

Clark County Current Planning
500 S. Grand Central Pkwy
Las Vegas, NV 89155

RE: Letter of Justification
Request for Design Review for Commercial Truck Parking – 3125 Nellis
APN#s: 161-08-810-082 & -083

Dear Sami,

On behalf of the applicant, Leading Edge Ventures, LLC, please accept this letter and attached materials for a Design Review to create a Commercial Truck Parking Lot. This lot will enable truckers to have a place to legally park their local trucks (not long haul over-the-road). This will help keep trucks from parking on public streets creating enforcement and neighborhood issues. It will also provide a safer, more secure parking environment that always has solar powered cameras Metro can access. Additionally, a security guard is always present. The truck drivers arrive and park in the spaces vacated by their truck.

This also takes a site that previously occupied by a homeless encampment after the retail center was demolished. Their presence was a security and nuisance issue for the abutting residential and commercial. This use puts an active set of eyes on the street in an area that is relatively high in crime and will bring an informal parking lot into compliance after 3 years of operation. It also improves the tax value and employs a military veteran as the security guard.

The zoning of Commercial General (CG) and land use of Corridor Mixed-Use use designations provide for a Parking Lot as a permitted Commercial Use in CG. The zoning along Nellis, from Desert Inn to Vegas Valley Dr. is for Commercial General and Multifamily (RM32 & RM18). Happy Valley is RS20 on the south and RM-32 on the north.

This application will also resolve the pending CCPRO matter CE23-05369.
The site design meets both the Sustainability and Residential Adjacency requirements.

Design Review Approval Criteria 30.06.07-9 ()

1. Compatibility, in terms of scale and architectural features, with the site and surrounding area.

The site as proposed with be compatible as a parking lot on an arterial street with completion of infrastructure, lighting, landscaping and fencing. This will equal or exceed the rest of the older neighborhood. This replaces and is far more compatible than the prior homeless encampment and helps reduce crime in a high crime area.

Building and landscape materials are appropriate for the area and for the County;



Along with the parking lot there is a guard and shade building structures proposed. The buildings will have energy saving sustainability elements incorporated.

All new landscaping will be consistent with the current low watering flow planting and reduced heat island requirements. The mature existing palms will remain/ All new trees will be replaced new drought tolerant landscaping along with the completion of the curb, gutter and sidewalk to enhance the aesthetics, safety, drainage and heat island and provide the required Buffering & Screening for Residential Adjacency (UDC 30.04.06.L.2).

SUSTAINABLY CHECKLIST (see attached landscape plan and completed checklist). The plans meet the required points .As a synopsis, the plans includes a 20% larger Landscape Buffer, More Trees, Water-Efficient Plantings; Cool Roof; Awnings; & Alternative Energy to power the Solar Lighting and Security Cameras. This accounts for 7.5 points, and more points, if needed, can be added for a Battery Backup and Low E Glass for another 1.5 points..

2. Harmony with the character of the neighborhood

The proposed development is in harmony with the adjacent development and development in the area. The commercial neighbors to the north and south find the use compatible and support the truck parking lot, that has been operating for 3 years with only one complaint. They appreciate the applicants' desire to further enhance the lot width: lighting, security cameras, security guard, landscaping, paving and fencing and keep the prior homeless camp away.

The retail center on this site was demolished. The surrounding area has older commercial storage sites and apartments near the major streets and to the west some residential homes. Across Happy Valley to the north there is a saloon/tavern.

A. Sunrise Manor Policies:

- a) SM 1-1 Encourage Reinvestment and Revitalization – This will improve a highly visible vacant commercial property. It will help deter further deterioration, homeless encampment, and safety issues. It will provide an interim use that helps promote reinvestment until area economic conditions attract a higher use. The abutting neighbors find this use compatible.***
- b) SM-1.3 Corridor Revitalization – This use will support the revitalization and prevent further deterioration and supports a use and improvements that will help some existing businesses and create a more aesthetic and vibrant appearance to help attract greater investment to the area compared to a vacant lot with a homeless encampment.***

RESIDENTIAL ADJACENCY

The plan complies with the Residential Adjacency requirements. The proposed site design as depicted on the Site and Landscape plans meets the Residential Adjacency requirements of the code: There is an existing 8FT decorative wall. 1) Grading – Not more than 3 feet of fill within 50 feet of the residential; 2) Site and Building Orientation – the guard building is oriented well away from the residential and at the entry point from Happy Valley. a) Additional Buffering and Screening is provided with a 20' foot landscape buffer with an 8-foot wall. 3) Building Configuration – The guard building is tiny one-story building and moved to about 200 feet away from the residential property line. Building Height and Facades is about 8-9 feet in height, well below the allowable height 50 feet, with articulation and consistent roof lines and roof

treatments. 4) Setbacks – the building at nearly 200 feet from residential and 75 feet from the street easily meet setbacks. 5) Lighting will be solar and will comply with no spill over lighting and no light fixture above 18 height (show on plan). 6) Trash Receptacles are located well beyond 50 feet to the adjacent residential at about 200+ feet 7) Parking Area Screening is provided with 20 feet or 5 feet & 33% more than the minimum of 15 FT of landscaped buffer and a staggered double row of evergreen trees 20 feet on center 8) Cut-Through Traffic is not possible.

3. Impact on the surrounding land uses; and

Site access and circulation will not negatively impact adjacent roadways or any neighborhoods as this is not like the prior commercial, retail or office parking lot that have higher frequency and volume of trips. The proposed project has a single appropriately located driveway to control access. The site has far less average daily trips than other permissible CG uses. The proposed use will add minimal traffic to the area and will complete the offsite improvements to Happy Valley including curb, gutter, and street lighting. The existing commercial access drive on Happy Valley will be reconstructed to current commercial drive standards.

4. The health, safety and welfare of the inhabitants of the area.

Removing the homeless encampment, completing the street, sidewalk, addition of lighting, a 24/7 security guard, intense landscape buffer, defensive landscaping, fencing and security cameras coupled with cooperation with Metro on implementing its recommendations and access to camera recordings as well as helping illegal and unsafe truck parking & CCPRO code enforcement will in combination, greatly enhance the public health, safety and welfare. It will also help address trash dumping and graffiti control.

The proposed project is consistent with the zoning and regulations, plans and policies of the County.

B. (i) A Parking Lot is a Permitted Use in CG.

(ii) The parking lot design is intended to fully comply with all codes.

(iii) Illegal Parking of Commercial Trucks on public streets has become a significant issue putting residents, businesses, and truck drivers at risk.

(iv) Jason's Law is a federal law to encourage safe parking havens for truckers.

C. Sunrise Manor Policies:

c) SM 1-1 Encourage Reinvestment and Revitalization – This will improve a highly visible vacant commercial property. It will help deter further deterioration, homeless encampment, and safety issues. It will provide an interim use that helps promote reinvestment until area economic conditions attract a higher use. The abutting neighbors find this use compatible.

d) SM-1.3 Corridor Revitalization – This use will support the revitalization and prevent further deterioration and supports a use and improvements that will help some existing businesses and create a more aesthetic and vibrant appearance to help attract greater investment to the area compared to a vacant lot with a homeless encampment.

5. N/A as this is not a Comprehensive Sign Plan

Waiver of Standards

1. Request to allow continuation of commercial access from Happy Valley Avenue (30.04.06D).

The site is zoned for commercial (CG) and the prior development had its access from Happy Valley. NDOT does not want access to Nellis given the volumes of traffic on Nellis and location of a driveway so close to the signal and bus stop as well as the existing driveway to the south. Happy Valley is the sole means of access given this limitation. It also appears that the prior driveway with access on Nellis was closed in 2021 during NDOT's improvements to Nellis. This meets the basis for an exception under 30.04.06.D.2.

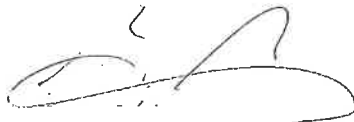
Summary

The proposed Commercial Truck parking Lot use will provide a location for truck drivers to park their vehicles outside of residential subdivisions and not on public roadways. This will also help minimize safety hazards, trash dumping, graffiti control, homeless encampments, and code citations. It will add to appearance with fencing and landscaping. It will enhance public safety by completing the road and sidewalk on Happy Valley. It will help with crime prevention.

The use is compatible with the surrounding commercial and residential development in the area as it is supported by the neighbors. It will not be detrimental to the surrounding properties; it will not overwhelm infrastructure and services; and will not negatively affect the public health, safety and welfare. We respectfully request your favorable consideration of this request.

Please do not hesitate to contact us if you have any questions or need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'George Garcia', with a stylized flourish at the end.

George Garcia
Founder

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

CC CURRENT PLANN
500 S GRAND CENTRAL PKWY
LAS VEGAS NV 89106

Account #
Order ID

104006
321086

IMAGE ON NEXT PAGE(S)

Leslie McCormick, being 1st duty sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal/Las Vegas Sun, daily newspaper regularly issued, published and circulated in the Clark County, Las Vegas, Nevada and that the advertisement, a true copy attached for, was continuously published in said Las Vegas Review-Journal/Las Vegas Sun, in 1 edition(s) of said newspaper issued from 08/24/2024 to 08/24/2024, on the following day(s):

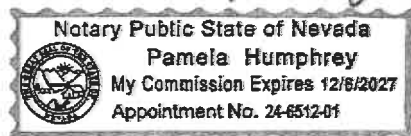
08/24/2024

Leslie McCormick

LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this August 24, 2024

Notary *Pamela Humphrey*



NOTICE IS HEREBY GIVEN

That the Board of County Commissioners of Clark County will hold a Public Hearing to consider the following applications:

**Date: Wednesday,
September 4, 2024
Place: Commission Chambers
Clark County
Government Center
500 South Grand
Central Parkway
Las Vegas, Nevada**

**NO ITEM ON THE BCC AGENDA
SHALL BE HEARD PRIOR TO 9:00
A.M.**

**To consider applications to
change zoning district
boundaries:**

1. ZC-24-0265-ZONE CHANGE to reclassify 1.25 acres from an RS20 (Residential Single-Family 20) Zone to a CG (Commercial General) Zone. Generally located on the northeast corner of Ullom Drive and Silverado Ranch Boulevard within Enterprise (description on file).

2. ZC-24-0304-ZONE CHANGE to reclassify 1.37 acres from a CC (Commercial Core) Zone to an RM32 (Residential Multi-Family 32) Zone. Generally located on the west side of Eastern Avenue and the south side of Rochelle Avenue within Paradise (description on file).

3. ZC-24-0324-ZONE CHANGE to reclassify 1.43 acres from an RS20 (Residential Single-Family 20) Zone to an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the east side of Randall Street and the north side of Tres Lobos Avenue within Moapa Valley (description on file).

4. ZC-24-0348-ZONE CHANGE to reclassify 68.10 acres from a CR (Commercial Resort) Zone to a PF (Public Facility) Zone within the Airport Environs (AE-60, AE-65, AE-70, & AE-RPZ) Overlay. Generally located on the south side of Sunset Road and the west side of Gilesple Street within Enterprise (description on file).

5. ZC-24-0349-ZONE CHANGE to reclassify 3.76 acres from an RS5.2 (Residential Single-Family 5.2) Zone to a PF (Public Facility) Zone within the Airport Environs (AE-60 & AE-65) and Maryland Parkway Overlays. Generally located on the east side of University Center Drive and the north side of Hacienda Avenue within Paradise (description on file).

6. ZC-24-0350-ZONE CHANGE to reclassify 7.97 acres from a CR (Commercial Resort) Zone to a PF (Public Facility) Zone within the Airport Environs (AE-60 & AE-65) Overlay. Generally located on the northwest corner of Four Seasons Drive and Haven Street within Paradise (description on file).

7. ZC-24-0351-ZONE CHANGE to reclassify 0.67 acres from a CR (Commercial Resort) Zone to a PF (Public Facility) Zone within the Airport Environs (AE-60) Overlay. Generally located on the east side of Las Vegas Boulevard South, 100 feet south of Four Seasons Drive within Paradise (description on file).

8. ZC-24-0352-ZONE CHANGE to reclassify 1.22 acres from a CR (Commercial Resort) Zone to a PF (Public Facility) Zone within the Airport Environs (AE-70 & AE-75) Overlay. Generally located on the west side of Las Vegas Boulevard South, 850 feet north of Sunset Road within Paradise (description on file).

9. ZC-24-0357-ZONE CHANGE to reclassify 0.25 acres from an RS80 (Residential Single-Family 80) Zone to an IL (Industrial Light) Zone within the Airport Environs (AE-75) Overlay. Generally located on the west side of Searchlight Street, 320 feet south of Washburn Road

within Sunrise Manor
(description on file).

10. ZC-24-0363-ZONE CHANGE to reclassify 0.50 acres from an H-2 (General Highway) Zone to a CG (Commercial General) Zone. Generally located on the south side of Oso Blanca Road, approximately 160 feet east of Grand Montecito Parkway within Lone Mountain (description on file).

11. ZC-24-0365-ZONE CHANGE to reclassify a portion of a 3.91 acre site from an H-2 (General Highway Frontage) Zone to an IL (Industrial Light) Zone within the Airport Environs (AE-75) Overlay for an existing commercial/industrial development. Generally located on the north side of Las Vegas Boulevard North, 150 feet east of Sandy Lane within Sunrise Manor (description on file).

12. ZC-24-0368-ZONE CHANGE to reclassify 21.38 acres from a CG (Commercial General) Zone to an IP (Industrial Park) Zone within the Airport Environs (AE-60) Overlay. Generally located on the southeast corner of Tenaya Way and Badura Avenue within Spring Valley (description on file).

To consider applications to Vacate and Abandon certain streets and/or easements:

13. VS-24-0267-VACATE AND ABANDON easements of interest to Clark County located between Gary Avenue and Silverado Ranch Boulevard and between Ullom Drive and Arville Street within Enterprise (description on file).

14. VS-24-0277-VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file).

15. VS-24-0306-VACATE AND ABANDON easements of interest to Clark County located between Channel 10 Drive and Eastern Avenue and between Rochelle Avenue and University Avenue (alignment) within Paradise (description on file).

16. VS-24-0369-VACATE AND ABANDON easements of interest to Clark County located between Montessori Street and Tenaya Way, and between Badura Avenue and Arby Avenue; a portion of right-of-way being Montessori Street located between Badura Avenue and Arby Avenue; and a portion of right-of-way being Arby Avenue located between Montessori Street and Tenaya Way within Spring Valley (description on file).

To consider Plan Amendment applications to amend the Clark County Master Plan:

17. PA-24-700011-PLAN AMENDMENT to redesignate the existing land use category from Business Employment (BE) to Corridor Mixed-Use (CM) on 1.25 acres. Generally located on the northeast corner of Ullom Drive and Silverado Ranch Boulevard within Enterprise.

18. PA-24-700014-PLAN AMENDMENT to redesignate the existing land use category from Public Use (PU) and Neighborhood Commercial (NC) to Urban Neighborhood (UN) on 5.21 acres. Generally located on the west side of Eastern Avenue and the south side of Rochelle Avenue within Paradise.

**7:00 p.m. September 3, 2024
Clark County Planning
Commission Meeting**

To consider applications to Vacate and Abandon certain streets and/or easements:

19. VS-24-0356-VACATE AND ABANDON easements of interest to Clark County located between Giles Street and Haven

Street, and between Frias Avenue and Jo Rae Avenue; a portion of the right-of-way being Pyle Avenue between Giles Street and Haven Street; a portion of the right-of-way being Haven Street between Pyle Avenue and Jo Rae Avenue; and a portion of the right-of-way being Giles Street between Pyle Avenue and Jo Rae Avenue within Enterprise (description on file).

Copies of the relevant material are available for review at www.clarkcountynv.gov/comp-planning for inspection by clicking "Services" and selecting "Land Use Documents", or by visiting the Department of Comprehensive Planning located at 500 S. Grand Central Parkway, Las Vegas, NV 89155, 7:30 a.m. to 5:30 p.m. Monday through Thursday.

Anyone wishing to comment on an item(s) may attend the public hearing at the above time and place, or prior to the hearing send comments, approvals, or objections via email to zoningmeeting@clarkcountynv.gov, mailing Clark County Current Planning, 500 S. Grand Central Parkway, Las Vegas Nevada 89155, or faxing to (702) 455-3271. All written correspondence received will be made available to the members of the governing body for their consideration prior to each meeting.

SAMI REAL
Director

Dated at Las Vegas, Nevada
August 22, 2024

PUB: Aug. 24, 2024
LV Review-Journal

(MA)

MAILING AMOUNTS

PC - Tuesday 9/3/2024			
Application	Amount	Date Mailed	
DR-24-0374	579		
ET-24-400082	812		
UC-24-0345	2088		
UC-24-0353	120		
VS-24-0356	243		
WS-24-0346	252		
WS-24-0347	267		
WS-24-0355	243		
4604			

BCC - Wednesday 8/21/2024			
Application	Amount	Date Mailed	
PA-24-700008	353		
PA-24-700009	1464		
PA-24-700010	439		
PUD-24-0237	1464		
UC-23-0859	379		
VS-24-0238	1464		
WS-24-0218	353		
ZC-24-0217	353		
ZC-24-0236	1464		
ZC-24-0241	439		
8172			

NT081924:55 8/20
ZS081924:10
Café 2

BCC - Wednesday 9/4/2024			
Application	Amount	Date Mailed	
AR-24-400079	2181		
ET-24-400083	415		
UC-24-0359	709		
UC-24-0367	1315		
VS-24-0277	1200		
VS-24-0369	122		
WS-24-0276	1200		
WS-24-0325	546		
WS-24-0354	351		
WS-24-0358	105		
WS-24-0364	256		
WS-24-0366	676		
WS-24-0370	122		
ZC-24-0324	546		
ZC-24-0348	107		
ZC-24-0349	507		
ZC-24-0350	104		
ZC-24-0351	101		
ZC-24-0352	107		
ZC-24-0357	105		
ZC-24-0363	256		
ZC-24-0365	746		
ZC-24-0368	122		
11899			

jm 8/8/24

VS for Delivery Confirmation			
Application	Amount	Date Mailed	
AB-24-0356	X	20	
AB-24-0277	X	10	
AB-24-0369	X	14	
AB-24-0238	X	12	
56			
Mobile Home Parks			
Park Name	Amount		
Casa Linda	107		
Pleasant Valley	300		
Fun n Sun	113		
Robbins Nest	151		
Silverado	289		
American	65		
Casa Linda	107		
AAA	54		
Sand Creek	324		
Miracle Mile	469		
Kings Row	199		
Sand Creek	324		
Miracle Mile	469		
Kings Row	199		
Sand Creek	324		
Miracle Mile	469		
Kings Row	199		
Casa Linda	107		
AAA	54		
Casa Linda	107		
AAA	54		
Sand Creek	324		
Miracle Mile	469		
Kings Row	199		
5476			

MAILING AMOUNTS

PC - Tuesday 9/3/2024			
Application	Amount	Date Mailed	
DR-24-0305	X	609	
PA-24-700011	X	245	
PA-24-700014	X	609	
VS-24-0267	X	245	
VS-24-0306	X	609	
WS-24-0266	X	245	
• ZC-24-0265	X	245	
• ZC-24-0304	X	472	
			3279

VS for Delivery Confirmation			
Application	Amount	Date Mailed	
AB-24-0267	X	7	
AB-24-0306	X	122	
			129

Mobile Home Parks	
Park Name	Amount

Wilde 8/12

CPAdmin

From: CPAgendas
Sent: Monday, August 26, 2024 10:10 AM
To: CPAdmin
Subject: BCC Meeting Notification | September 4, 2024 at 9:00 a.m.

Correspondent Name: Records
Correspondent E-mail: cpadmin@clarkcountynv.gov

Application#:

Please be advised that your application will be presented to the Clark County Board of County Commissioners on **9/4/2024**, at the hour of **9:00 a.m.**, in the Commission Chambers, CLARK COUNTY GOVERNMENT CENTER, 500 S. Grand Central Parkway, Las Vegas, Nevada.

REPRESENTATION IS MANDATORY AT THE ABOVE MENTIONED MEETING.

To access your staff report, please click on the link below to be directed to the Clark County meeting agendas website.

DIRECT LINK:

<https://clark.legistar.com/Calendar.aspx>

Once the link is opened, select **Meeting Details** from your assigned meeting body, then select your **Application Number** to access staff report documents.

The staff report contains your **"Project Description," "Staff Recommendation," and "Preliminary Staff Conditions."** Please review the document for accuracy and for your concurrence. If you have any questions regarding this information, please notify this department prior to the meeting date by emailing zoningmeeting@clarkcountynv.gov.

Items on the agenda under the "Routine" header may be approved in one hearing and in one motion. Items on the agenda under the "Non-Routine" header will be considered separately.

Audio visual equipment is available in the chambers for your use in presenting the agenda item. Please be advised that any presentation materials, for which there is no duplicate on file, must be retained for public records. If you plan to use slides or DVD(s) to present your item, please call (702) 455-4320 at least 24 hours prior to the meeting. Please do not submit any original slides, DVD(s), renderings, photographs, or other exhibits, unless you have a copy for your records. Any items you submit at the meeting must be retained for public record.

It is the applicant's responsibility to keep the application current and to provide a current contact name, address (including email address), and phone number to this department at the address listed above. This information must be submitted in writing with the application number referenced.

PERMIT INFORMATION:

Any plans for construction that have had, or will have commission action, will require permits approved through the Permit Application Center (PAC). All building permit applications must be submitted to PAC and all applicable plan check fees paid before building/grading permit applications will be reviewed. You may submit to PAC while waiting for your commission hearing.

UPDATED PROCEDURE:

Please note that all Meeting Notification letters will now be e-mailed to the correspondent's e-mail address listed on file, these letters will no longer be mailed via the post office. There will be a link on the e-mail directing the correspondent to the Staff Report located on the Clark County webpage.

Hearing Date	Hearing Time	Application Number	Comm Dist	Correspondent Name	Correspondent Email	Town Board Meeting Dates
09/04/2024	9:00 a.m.			Records	cpadmin@clarkcountynv.gov	
09/04/2024	9:00 a.m.			Agenda Processing	cpagendas@clarkcountynv.gov	
09/04/2024	9:00 a.m.	AR-24-400079	E	Lora Dreja	lora@brownlawlv.com	Winchester 08/13/2024
09/04/2024	9:00 a.m.	DR-24-0305	E	Lucy Stewart	stewplan@gmail.com	Paradise 07/09/2024
09/04/2024	9:00 a.m.	ET-22-400017	E	Jay H. Brown	lohene@brownlawlv.com	Paradise 04/12/2022
09/04/2024	9:00 a.m.	ET-24-400057	F	Gwendolyn Fischer	gwen@landbaroninv.com	Red Rock 08/28/2024
09/04/2024	9:00 a.m.	ET-24-400083	E	Juan Lopez	lopeztruckparts@gmail.com	Sunrise Manor 8/15/2024
09/04/2024	9:00 a.m.	PA-24-700011	F	Taney Engineering	EmilyS@TaneyCorp.com	Enterprise 07/10/2024
09/04/2024	9:00 a.m.	PA-24-700014	E	Lucy Stewart	stewplan@gmail.com	Paradise 07/09/2024
09/04/2024	9:00 a.m.	TM-24-500064	B	Moapa Valley Builders	permits@moapavalleybuilders.com	Moapa Valley 08/14/2024
09/04/2024	9:00 a.m.	TM-24-500069	C	Jennifer Veras	JVERAS@GCWENGINEERING.COM	Lone Mountain 08/13/2024
09/04/2024	9:00 a.m.	TM-24-500072	A	JOHN VORNSAND	john@vornsandconsulting.com	Spring Valley 08/13/2024
09/04/2024	9:00 a.m.	UC-24-0268	A	Brown, Brown, & Premsrut	aharris@brownlawlv.com	Enterprise 08/28/2024
09/04/2024	9:00 a.m.	UC-24-0308	A	Cassandra Worrell	cworrell@brownlawlv.com	Enterprise 07/10/2024
09/04/2024	9:00 a.m.	UC-24-0359	A	Earleane Johnson	earleanej@firebirdllc.com	Enterprise 08/14/2024
09/04/2024	9:00 a.m.	UC-24-0367	E	David Brown	dbrown@brownlawlv.com	Winchester 08/13/2024
09/04/2024	9:00 a.m.	UC-24-0378	A	Cassandra Worrell	cworrell@brownlawlv.com	Paradise 08/27/2024
09/04/2024	9:00 a.m.	VS-24-0267	F	Taney Engineering	EmilyS@TaneyCorp.com	Enterprise 07/10/2024
09/04/2024	9:00 a.m.	VS-24-0277	E	G. C. GARCIA, INC.	ACOLE@GCGARCIINC.COM	Sunrise Manor 08/15/2024
09/04/2024	9:00 a.m.	VS-24-0306	E	Lucy Stewart	stewplan@gmail.com	Paradise 07/09/2024
09/04/2024	9:00 a.m.	VS-24-0309	A	Cassandra Worrell	cworrell@brownlawlv.com	Enterprise 07/10/2024
09/04/2024	9:00 a.m.	VS-24-0369	A	JOHN VORNSAND	john@vornsandconsulting.com	Spring Valley 08/13/2024
09/04/2024	9:00 a.m.	WC-24-400060	F	Lexa Green	lgreen@kcnvlaw.com	Enterprise 06/26/2024
09/04/2024	9:00 a.m.	WS-22-0147	E	Matthew Weinman	matthew.weinman@martinharris.com	Sunrise Manor 03/16/2023
09/04/2024	9:00 a.m.	WS-24-0266	F	Taney Engineering	EmilyS@TaneyCorp.com	Enterprise 07/10/2024
09/04/2024	9:00 a.m.	WS-24-0276	E	G. C. GARCIA, INC.	ACOLE@GCGARCIINC.COM	Sunrise Manor 08/15/2024
09/04/2024	9:00 a.m.	WS-24-0290	C	Tim Moreno	tim@morenopec.com	Lone Mountain 07/30/2024
09/04/2024	9:00 a.m.	WS-24-0312	B	Bulloch Brothers Engineering, Inc.	victor@bullochbrothers.com	Moapa Valley 07/31/2024
09/04/2024	9:00 a.m.	WS-24-0325	B	Moapa Valley Builders	permits@moapavalleybuilders.com	Moapa Valley 08/14/2024
09/04/2024	9:00 a.m.	WS-24-0354	C	Jennifer Veras	JVERAS@GCWENGINEERING.COM	Lone Mountain 08/13/2024
09/04/2024	9:00 a.m.	WS-24-0358	B	DLC Consulting	lchristopherson@novusvi.com	Sunrise Manor 08/15/2024
09/04/2024	9:00 a.m.	WS-24-0364	C	Tilson Technology Management	slusby@tilsontech.com	Lone Mountain 08/13/2024
09/04/2024	9:00 a.m.	WS-24-0366	E	David Brown	dbrown@brownlawlv.com	Paradise 08/13/2024
09/04/2024	9:00 a.m.	WS-24-0370	A	JOHN VORNSAND	john@vornsandconsulting.com	Spring Valley 08/13/2024
09/04/2024	9:00 a.m.	ZC-24-0265	F	Taney Engineering	EmilyS@TaneyCorp.com	Enterprise 07/10/2024
09/04/2024	9:00 a.m.	ZC-24-0304	E	Lucy Stewart	stewplan@gmail.com	Paradise 07/09/2024
09/04/2024	9:00 a.m.	ZC-24-0307	A	Cassandra Worrell	cworrell@brownlawlv.com	Enterprise 07/10/2024
09/04/2024	9:00 a.m.	ZC-24-0324	B	Moapa Valley Builders	permits@moapavalleybuilders.com	Moapa Valley 08/14/2024
09/04/2024	9:00 a.m.	ZC-24-0348	A	County of Clark (Aviation)	anthonyper@lasairport.com	Enterprise 08/14/2024
09/04/2024	9:00 a.m.	ZC-24-0349	G	County of Clark (Aviation)	anthonyper@lasairport.com	Paradise 08/13/2024
09/04/2024	9:00 a.m.	ZC-24-0350	G	County of Clark (Aviation)	anthonyper@lasairport.com	Paradise 08/13/2024
09/04/2024	9:00 a.m.	ZC-24-0351	G	County of Clark (Aviation)	anthonyper@lasairport.com	Paradise 08/13/2024
09/04/2024	9:00 a.m.	ZC-24-0352	A	County of Clark (Aviation)	anthonyper@lasairport.com	Paradise 08/13/2024
09/04/2024	9:00 a.m.	ZC-24-0357	B	DLC Consulting	lchristopherson@novusvi.com	Sunrise Manor 08/15/2024
09/04/2024	9:00 a.m.	ZC-24-0363	C	Tilson Technology Management	slusby@tilsontech.com	Lone Mountain 08/13/2024
09/04/2024	9:00 a.m.	ZC-24-0365	D	Dennis Rusk	denniserusk@gmail.com	Sunrise Manor 08/15/2024
09/04/2024	9:00 a.m.	ZC-24-0368	A	JOHN VORNSAND	john@vornsandconsulting.com	Spring Valley 08/13/2024

CPAdmin

From: CPAgendas
Sent: Tuesday, September 24, 2024 9:26 AM
To: CPAdmin
Subject: BCC Meeting Notification | October 2, 2024 at 9:00 a.m.

Correspondent Name: Records
Correspondent E-mail: cpadmin@clarkcountynv.gov

Application#:

Please be advised that your application will be presented to the Clark County Board of County Commissioners on **10/2/2024**, at the hour of **9:00 a.m.**, in the Commission Chambers, CLARK COUNTY GOVERNMENT CENTER, 500 S. Grand Central Parkway, Las Vegas, Nevada.

REPRESENTATION IS MANDATORY AT THE ABOVE MENTIONED MEETING.

To access your staff report, please click on the link below to be directed to the Clark County meeting agendas website.

DIRECT LINK:

<https://clark.legistar.com/Calendar.aspx>

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Audio visual equipment is available in the chambers for your use in presenting the agenda item. Please be advised that any presentation materials, for which there is no duplicate on file, must be retained for public records. If you plan to use slides or DVD(s) to present your item, please call (702) 455-4320 at least 24 hours prior to the meeting. Please do not submit any original slides, DVD(s), renderings, photographs, or other exhibits, unless you have a copy for your records. Any items you submit at the meeting must be retained for public record.

It is the applicant's responsibility to keep the application current and to provide a current contact name, address (including email address), and phone number to this department at the address listed above. This information must be submitted in writing with the application number referenced.

PERMIT INFORMATION:

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UPDATED PROCEDURE:

Please note that all Meeting Notification letters will now be e-mailed to the correspondent's e-mail address listed on file, these letters will no longer be mailed via the post office. There will be a link on the e-mail directing the correspondent to the Staff Report located on the Clark County webpage.

Hearing Date	Hearing Time	Application Number	Comm Dist	Correspondent Name	Correspondent Email	Town Board Meeting Dates
10/02/2024	9:00 a.m.			Records	cpadmin@clarkcountynv.gov	
10/02/2024	9:00 a.m.			Agenda Processing	cpagendas@clarkcountynv.gov	
10/02/2024	9:00 a.m.	AR-24-400090	G	Kaempfer Crowell	lkaempfer@kcnvlaw.com	Paradise 10/29/2026
10/02/2024	9:00 a.m.	SC-24-0261	A	Ed Garcia	egarcia@edgarcialaw.com	Spring Valley 07/09/2024
10/02/2024	9:00 a.m.	TM-24-500076	E	Cassandra Worrell	cworrell@brownlawlv.com	Sunrise Manor 08/29/2024
10/02/2024	9:00 a.m.	TM-24-500078	A	The WLB Group	mbangan@wlbgroup.com	Enterprise 09/11/2024
10/02/2024	9:00 a.m.	UC-24-0387	E	Cassandra Worrell	cworrell@brownlawlv.com	Sunrise Manor 08/29/2024
10/02/2024	9:00 a.m.	UC-24-0399	A	Marissa Fehrman	mfehrman@kcnvlaw.com	Spring Valley 08/27/2024
10/02/2024	9:00 a.m.	VS-24-0277	E	G.C. GARCIA, INC.	ACOLE@GCGARCIINC.COM	Sunrise Manor 08/15/2024
10/02/2024	9:00 a.m.	VS-24-0390	A	The WLB Group	mbangan@wlbgroup.com	Enterprise 09/11/2024
10/02/2024	9:00 a.m.	WS-24-0276	E	G.C. GARCIA, INC.	ACOLE@GCGARCIINC.COM	Sunrise Manor 08/15/2024
10/02/2024	9:00 a.m.	WS-24-0362	A	Janet Goyer	jang@ovationco.com	Enterprise 09/11/2024
10/02/2024	9:00 a.m.	WS-24-0391	A	The WLB Group	mbangan@wlbgroup.com	Enterprise 09/11/2024
10/02/2024	9:00 a.m.	WS-24-0419		G. C. GARCIA, INC.	ACOLE@GCGARCIINC.COM	Spring Valley 10/08/2024
10/02/2024	9:00 a.m.	WS-24-0437	F	JOHN VORNSAND	john@vornsandconsulting.com	Enterprise 09/11/2024
10/02/2024	9:00 a.m.	ZC-24-0394	A	Robert Messiana	robert@jawastudio.com	Searchlight 09/11/2024

Katherine Corrow

From: CPAgendas
Sent: Tuesday, October 29, 2024 9:29 AM
To: CPAdmin
Subject: BCC Meeting Notification | November 6, 2024 at 9:00 a.m.

Correspondent Name: Records
Correspondent E-mail: cpadmin@clarkcountynv.gov

Application#:

Please be advised that your application will be presented to the Clark County Board of County Commissioners on **11/6/2024**, at the hour of **9:00 a.m.**, in the Commission Chambers, CLARK COUNTY GOVERNMENT CENTER, 500 S. Grand Central Parkway, Las Vegas, Nevada.

REPRESENTATION IS MANDATORY AT THE ABOVE MENTIONED MEETING.

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Hearing Date	Hearing Time	Application Number	Comm Dist	Correspondent Name	Correspondent Email	Town Board Meeting Dates
11/06/2024	9:00 a.m.			Records	cpadmin@clarkcountynv.gov	
11/06/2024	9:00 a.m.			Agenda Processing	cpagendas@clarkcountynv.gov	
11/06/2024	9:00 a.m.	AR-24-400090	G	Kaempfer Crowell	lkaempfer@kcnvlaw.com	Paradise 10/29/2024
11/06/2024	9:00 a.m.	AR-24-400106	E	GARY LAKE	gdlake1@aol.com	Winchester 10/08/2024
11/06/2024	9:00 a.m.	ET-24-400101	E	Dwyer Engineering	bsoule@dwycrcengineering.com	Sunrise Manor 10/10/2024
11/06/2024	9:00 a.m.	SC-24-0261	A,	Ed Garcia	egarcia@edgarcialaw.com	Spring Valley 07/09/2024
11/06/2024	9:00 a.m.	TM-24-500106	F	Jessica Walesa	jessicaw@taneycorp.com	Enterprise 10/09/2024
11/06/2024	9:00 a.m.	TM-24-500109	B	Kimley Horn	eric.hopkins@kimley-horn.com	Lone Mountain 10/08/2024
11/06/2024	9:00 a.m.	UC-24-0436	E	Chris Hart	cmhart5@gmail.com	Paradise 10/08/2024
11/06/2024	9:00 a.m.	UC-24-0491	B	Bush Construction	jasonrbush@yahoo.com	Sunrise Manor 10/10/2024
11/06/2024	9:00 a.m.	VS-24-0277	E	G. C. GARCIA, INC.	ACOLE@GCGARCIAINC.COM	Sunrise Manor 08/15/2024
11/06/2024	9:00 a.m.	VS-24-0494	F	Infinity Engineering, LLC	cseto@infinityengr.com	Spring Valley 10/08/2024
11/06/2024	9:00 a.m.	VS-24-0504	F	Jessica Walesa	jessicaw@taneycorp.com	Enterprise 10/09/2024
11/06/2024	9:00 a.m.	WC-24-400060	F	Lexa Green	lgreen@kcnvlaw.com	Enterprise 06/26/2024
11/06/2024	9:00 a.m.	WS-24-0276	E	G. C. GARCIA, INC.	ACOLE@GCGARCIAINC.COM	Sunrise Manor 08/15/2024
11/06/2024	9:00 a.m.	WS-24-0419		G. C. GARCIA, INC.	ACOLE@GCGARCIAINC.COM	Spring Valley 10/08/2024
11/06/2024	9:00 a.m.	WS-24-0473	A	JAVIER IBARRA	JAVIER@JJCONTRACTINGNV.CO M	Enterprise 10/09/2024
11/06/2024	9:00 a.m.	WS-24-0475	A	ACG Design	acgdesignpermits@gmail.com	Enterprise 10/09/2024
11/06/2024	9:00 a.m.	WS-24-0484	A	CivilWorks, Inc.	gjp@civilworksonline.com	Enterprise 10/09/2024
11/06/2024	9:00 a.m.	WS-24-0488	F	George Rivera	Georgeriverajr@gmail.com	Enterprise 10/9/2024
11/06/2024	9:00 a.m.	WS-24-0489	B	Bryce Hardy	brycehardy1336@gmail.com	Moapa Valley 10/09/2024
11/06/2024	9:00 a.m.	WS-24-0495	F	MK Architecture	mk_arch@outlook.com	Spring Valley 10/08/2024
11/06/2024	9:00 a.m.	WS-24-0505	F	Jessica Walesa	jessicaw@taneycorp.com	Enterprise 10/09/2024
11/06/2024	9:00 a.m.	WS-24-0511	B	Kimley Horn	eric.hopkins@kimley-horn.com	Lone Mountain 10/08/2024

Katherine Corrow

From: CPAgendas
Sent: Tuesday, November 12, 2024 11:15 AM
To: CPAdmin
Subject: BCC Meeting Notification | November 20, 2024 at 9:00 a.m.

Correspondent Name: Records
Correspondent E-mail: cpadmin@clarkcountynv.gov

Application#:

Please be advised that your application will be presented to the Clark County Board of County Commissioners on **11/20/2024**, at the hour of **9:00 a.m.**, in the Commission Chambers, CLARK COUNTY GOVERNMENT CENTER, 500 S. Grand Central Parkway, Las Vegas, Nevada.

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11/20/2024	9:00 a.m.			Agenda Processing	cpagendas@clarkcountynv.gov	
11/20/2024	9:00 a.m.	DR-24-0335	G	GMRA	pac@gmralv.com	Paradise 01/28/2025
11/20/2024	9:00 a.m.	ET-24-400107	A	Kaempfer Crowell	apierce@kcnvlaw.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	ET-24-400110	G	Kaempfer Crowell - Anthony Celeste	apierce@kcnvlaw.com	Paradise 10/29/2024
11/20/2024	9:00 a.m.	PA-24-700015	F	Cassandra Worrell	cworrell@brownlawlv.com	Spring Valley 07/09/2024
11/20/2024	9:00 a.m.	PA-24-700020	F	Kimley Horn	eric.hopkins@kimley-horn.com	Enterprise 09/25/2024
11/20/2024	9:00 a.m.	SDR-24-0334	G	GMRA	pac@gmralv.com	Paradise 01/28/2025
11/20/2024	9:00 a.m.	TM-24-500096	A	The WLB Group	mbangan@wlbgroup.com	Enterprise 09/25/2024
11/20/2024	9:00 a.m.	TM-24-500099	A	The WLB Group	mbangan@wlbgroup.com	Enterprise 09/25/2024
11/20/2024	9:00 a.m.	TM-24-500101	F	Kimley Horn	eric.hopkins@kimley-horn.com	Enterprise 09/25/2024
11/20/2024	9:00 a.m.	TM-24-500108	C	Taney Engineering	emilys@taneycorp.com	Lone Mountain 10/29/2024
11/20/2024	9:00 a.m.	TM-24-500114	F	Jessica Walesa	jessicaw@taneycorp.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	TM-24-500117	F	Jessica Walesa	jessicaw@taneycorp.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	UC-24-0311	F	Cassandra Worrell	cworrell@brownlawlv.com	Spring Valley 07/09/2024
11/20/2024	9:00 a.m.	UC-24-0319	E	Kat Van Diepen	katvandiepen@gmail.com	Paradise 10/29/2024
11/20/2024	9:00 a.m.	UC-24-0436	E	Chris Hart	cmhart5@gmail.com	Paradise 10/08/2024
11/20/2024	9:00 a.m.	UC-24-0460	D	Ruth Rios	Ruthrios78@gmail.com	Sunrise Manor 09/26/2024
11/20/2024	9:00 a.m.	UC-24-0521	A	Janet Goyer	jang@ovationco.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	UC-24-0536	C	Jeanalin Rehm	jeanalinrehm@gmail.com	
11/20/2024	9:00 a.m.	VS-24-0277	E	G. C. GARCIA, INC	ACOLE@GCGARCIINC.COM	Sunrise Manor 08/15/2024
11/20/2024	9:00 a.m.	VS-24-0457	A	The WLB Group	mbangan@wlbgroup.com	Enterprise 09/25/2024
11/20/2024	9:00 a.m.	VS-24-0462	A	The WLB Group	mbangan@wlbgroup.com	Enterprise 09/25/2024
11/20/2024	9:00 a.m.	VS-24-0486	F	Kimley Horn	eric.hopkins@kimley-horn.com	Enterprise 09/25/2024
11/20/2024	9:00 a.m.	VS-24-0509	C	Taney Engineering	emilys@taneycorp.com	Lone Mountain 10/29/2024
11/20/2024	9:00 a.m.	VS-24-0520	A	Janet Goyer	jang@ovationco.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	VS-24-0539	F	Jessica Walesa	jessicaw@taneycorp.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	VS-24-0542	F	Jessica Walesa	jessicaw@taneycorp.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	WC-24-400111	A	Janet Goyer	jang@ovationco.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	WS-24-0276	E	G. C. GARCIA, INC	ACOLE@GCGARCIINC.COM	Sunrise Manor 08/15/2024
11/20/2024	9:00 a.m.	WS-24-0456	A	The WLB Group	mbangan@wlbgroup.com	Enterprise 09/25/2024
11/20/2024	9:00 a.m.	WS-24-0461	A	The WLB Group	mbangan@wlbgroup.com	Enterprise 09/25/2024
11/20/2024	9:00 a.m.	WS-24-0487	F	Kimley Horn	eric.hopkins@kimley-horn.com	Enterprise 09/25/2024
11/20/2024	9:00 a.m.	WS-24-0510	C	Taney Engineering	emilys@taneycorp.com	Lone Mountain 10/29/2024
11/20/2024	9:00 a.m.	WS-24-0522	C	Jamason Theodore	mktholdings@gmail.com	Lone Mountain 10/29/2024
11/20/2024	9:00 a.m.	WS-24-0523	A	carryn warren	carrynb@aol.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	WS-24-0525	A	G. C. GARCIA, INC	ACOLE@GCGARCIINC.COM	Paradise 10/29/2024
11/20/2024	9:00 a.m.	WS-24-0526	A	VTN-Nevada	jeffreya@vtnv.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	WS-24-0527	F	Jessica Walesa	jessicaw@taneycorp.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	WS-24-0535	F	Sean Thueson	SThueson@SiegelCompanies.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	WS-24-0538	F	Jessica Walesa	jessicaw@taneycorp.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	WS-24-0543	F	Jessica Walesa	jessicaw@taneycorp.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	ZC-24-0310	F	Cassandra Worrell	cworrell@brownlawlv.com	Spring Valley 07/09/2024
11/20/2024	9:00 a.m.	ZC-24-0518	B	Yvonne Hand	yvonne.hand@snwa.com	

lem
Notification Verified

m
Mailed

NOTIFICATION INFORMATION

Application Number: VS-24-0277

BCC Meeting Date: 09/04/2024

Is a sign required?

Notification Radius: 1500

Town Board Name: Sunrise Manor ; 08/15/2024

Mobile Home Parks To be notified? YES / NO

APN: 161-08-810-082
161-08-810-083

Valley Vista
River Oaks

Public Hearing Notice

Date Mailed: AUG 08 2024

Amount Mailed: 1200

Abutting: 10

APPLICATION INFORMATION

APPLICATION NUMBER: VS-24-0277

OWNER: PALM PROPERTIES, LLC:

VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file). (For possible action)

RELATED INFORMATION:

APN: 161-08-810-082; 161-08-810-083

APPLICATION LOCATION



MEETING INFORMATION

Sunrise Manor Town Board

August 15, 2024, 6:30 pm

Hollywood Neighborhood

Services Center

1650 S. Hollywood Blvd

Las Vegas, Nevada

Board of County Commissioners

September 4, 2024, 9:00 am

Clark County Government Center

500 S. Grand Central Parkway

Las Vegas, Nevada

This information is considered accurate; however, minor variations may occur. Application documents are available for viewing online under the Clark County Comprehensive Planning Department by selecting "Services" on the left and selecting "Land Use Documents" from the drop-down. All persons interested may submit written support or opposition by email to zoningmeeting@clarkcountynv.gov. Include the item and application numbers on all emails. We suggest that you inform your lessee(s) of the matter. For more information, visit www.clarkcountynv.gov or call (702) 455-4314 (option 2, option 1).

App Number	Cert	Owner	Owner2	Address1	Address2	Address3	City	State	Country	Zipcode	Meet Date
Intentionally Left Blank											
VS-24-0277	70223330000158494157	U S M F MEADOWS PROPCO L L C		6191 STATE HIGHWAY 161 STE 100			IRVING	TX		75038	090424
VS-24-0277	70223330000158494164	B M F IV NV 3055 LAS VEGAS L L C		111 E SEGO LILY DR STE 400			SANDY	UT		84070	090424
VS-24-0277	70223330000158494171	VASQUEZ ESTABAN TORRES JR		2045 WESTERN			LAS VEGAS	NV		89102-4608	090424
VS-24-0277	70223330000158494188	WOOD THOMAS F		4906 LINDA AVE			LAS VEGAS	NV		89121	090424
VS-24-0277	70223330000158494195	BLUE WAVE PROPERTIES INC		3085 S NELLIS BLVD			LAS VEGAS	NV		89121-2020	090424
VS-24-0277	70223330000158494201	NUNEZ LEY ANAYA ORALLIA		4925 HAPPY VALLEY AVE			LAS VEGAS	NV		89121-2038	090424
VS-24-0277	70223330000158494218	ESCALERA JUAN		4951 HAPPY VALLEY AVE			LAS VEGAS	NV		89121-2038	090424
VS-24-0277	70223330000158494225	PALM PROPERTIES L L C		6050 S FORT APACHE RD # 100			LAS VEGAS	NV		89148	090424
VS-24-0277	70223330000158494232	HAMPTON APTS INC		2016 RIVERSIDE DR			LOS ANGELES	CA		90039-3707	090424
VS-24-0277	70223330000158494249	DOUGLAS DOUGLAS MIKE & LISA TRS		490 MOORE RD			WOODSIDE	CA		94062	090424

Notification Radius Map

Department of Comprehensive Planning, Clark County Nevada

Application Number: VS-24-0277

Meeting Date: 090424

Notification Distance: 1500 feet

Subject Parcel(s): 2

Land Parcel(s) to be notified: 199





Condominiums to be notified: 412

Mobile Home Park(s) to be notified: 2

Owners to be notified: 588



Jurisdiction(s)
Paradise
Sunrise Manor

-  Subject Parcel(s)
-  Mobile Home Park Parcel(s)
-  Condominium Parcels
-  Land Parcel(s)



0 150 300 450 Feet

*This information is for display purposes only.
No liability is assumed as to the accuracy of
the data delineated hereon.*

Map created by PPLR 1493 30, 2024

Notification list for Application: VS-24-0277
Commission Meeting Date: 090424
Notification Distance: 1500 feet
Created on 07/30/2024

Application Parcel Numbers: 2

16108810082 16108810083

Land Parcel Numbers: 199

16108603004	16108712026	16108810039	16108810081	16116110098	16117511010
16108603005	16108715001	16108810040	16108810082	16116110099	16117511011
16108603007	16108715002	16108810041	16108810083	16116110109	16117511012
16108603008	16108715003	16108810042	16108810084	16116110110	16117511013
16108710018	16108715004	16108810043	16108810085	16116110111	16117511014
16108710019	16108715005	16108810044	16108810086	16116110112	16117511015
16108710020	16108715006	16108810045	16108810087	16116110113	16117511016
16108710022	16108715007	16108810051	16108810088	16116110114	16117511017
16108710023	16108715008	16108810052	16108810089	16116110115	16117511018
16108710024	16108715009	16108810055	16108810090	16116110116	16117511019
16108710032	16108715010	16108810056	16108810094	16116110117	16117511020
16108710033	16108715011	16108810057	16108810098	16116110118	16117511021
16108710034	16108715012	16108810058	16108810099	16116110119	16117511022
16108710035	16108715013	16108810059	16109201004	16116110120	16117511089
16108710036	16108715014	16108810060	16109217003	16116110121	16117511090
16108712001	16108715015	16108810061	16109217004	16116110122	16117511091
16108712002	16108715016	16108810062	16109301004	16116110123	16117512010
16108712003	16108810010	16108810063	16109301005	16116110186	16117512011
16108712004	16108810011	16108810064	16109301007	16116110187	16117512012
16108712005	16108810012	16108810065	16109401002	16117501005	16117512013
16108712006	16108810013	16108810066	16109401007	16117501006	16117512014
16108712007	16108810014	16108810067	16109411003	16117501010	16117512015
16108712008	16108810015	16108810068	16109411004	16117501011	16117512016
16108712015	16108810016	16108810069	16109411005	16117510023	16117512017
16108712016	16108810017	16108810070	16109411006	16117510024	16117512018
16108712017	16108810018	16108810072	16109411007	16117511001	16117512019
16108712018	16108810019	16108810073	16116101001	16117511002	16117512020
16108712019	16108810020	16108810074	16116110083	16117511003	16117512022
16108712020	16108810021	16108810075	16116110084	16117511004	16117512023
16108712021	16108810022	16108810076	16116110093	16117511005	
16108712022	16108810035	16108810077	16116110094	16117511006	
16108712023	16108810036	16108810078	16116110095	16117511007	
16108712024	16108810037	16108810079	16116110096	16117511008	
16108712025	16108810038	16108810080	16116110097	16117511009	

Condominium Parcel Numbers: 412

16108611001	16108611070	16108611139	16108611208	16108611277	16108611346
16108611002	16108611071	16108611140	16108611209	16108611278	16108611347
16108611003	16108611072	16108611141	16108611210	16108611279	16108611348
16108611004	16108611073	16108611142	16108611211	16108611280	16108611349
16108611005	16108611074	16108611143	16108611212	16108611281	16108611350
16108611006	16108611075	16108611144	16108611213	16108611282	16108611351
16108611007	16108611076	16108611145	16108611214	16108611283	16108611352
16108611008	16108611077	16108611146	16108611215	16108611284	16108611353
16108611009	16108611078	16108611147	16108611216	16108611285	16108611354
16108611010	16108611079	16108611148	16108611217	16108611286	16108611355
16108611011	16108611080	16108611149	16108611218	16108611287	16108611356

16109301005 Valley Vista Mobile Home Park 16109401002 River Oaks Mobile Home
Park

Homeowner / Neighborhood Associations: 0

Town Advisory Boards: 2

Paradise Sunrise Manor

Citizens Advisory Councils: 0

Cities: 0

Military Installations: 0

Notified Parcels list for Application: VS-24-0277
Commission Meeting Date: 090424
Notification Distance: 1500 feet
List created on: 07/30/2024

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	River Oaks Mobile Home Park	Resident Space # 1	5300 E Desert Inn Rd			Las Vegas	NV		89122-4034
	River Oaks Mobile Home Park	Resident Space # 2	5300 E Desert Inn Rd			Las Vegas	NV		89122-4034
	River Oaks Mobile Home Park	Resident Space # 3	5300 E Desert Inn Rd			Las Vegas	NV		89122-4034
	River Oaks Mobile Home Park	Resident Space # 4	5300 E Desert Inn Rd			Las Vegas	NV		89122-4034
	River Oaks Mobile Home Park	Resident Space # 5	5300 E Desert Inn Rd			Las Vegas	NV		89122-4034
	River Oaks Mobile Home Park	Resident Space # 6	5300 E Desert Inn Rd			Las Vegas	NV		89122-4034
	River Oaks Mobile Home Park	Resident Space # 7	5300 E Desert Inn Rd			Las Vegas	NV		89122-4034
	River Oaks Mobile Home Park	Resident Space # 8	5300 E Desert Inn Rd			Las Vegas	NV		89122-4034
	River Oaks Mobile Home Park	Resident Space # 9	5300 E Desert Inn Rd			Las Vegas	NV		89122-4034
	River Oaks Mobile Home Park	Resident Space # 10	5300 E Desert Inn Rd			Las Vegas	NV		89122-4034
	River Oaks Mobile Home Park	Resident Space # 11	5300 E Desert Inn Rd			Las Vegas	NV		89122-4079
	River Oaks Mobile Home Park	Resident Space # 12	5300 E Desert Inn Rd			Las Vegas	NV		89122-4079
	River Oaks Mobile Home Park	Resident Space # 13	5300 E Desert Inn Rd			Las Vegas	NV		89122-4079
	River Oaks Mobile Home Park	Resident Space # 14	5300 E Desert Inn Rd			Las Vegas	NV		89122-4079
	River Oaks Mobile Home Park	Resident Space # 15	5300 E Desert Inn Rd			Las Vegas	NV		89122-4079
	River Oaks Mobile Home Park	Resident Space # 16	5300 E Desert Inn Rd			Las Vegas	NV		89122-4079
	River Oaks Mobile Home Park	Resident Space # 17	5300 E Desert Inn Rd			Las Vegas	NV		89122-4079
	River Oaks Mobile Home Park	Resident Space # 18	5300 E Desert Inn Rd			Las Vegas	NV		89122-4079
	River Oaks Mobile Home Park	Resident Space # 19	5300 E Desert Inn Rd			Las Vegas	NV		89122-4079
	River Oaks Mobile Home Park	Resident Space # 20	5300 E Desert Inn Rd			Las Vegas	NV		89122-4079
	River Oaks Mobile Home Park	Resident Space # 21	5300 E Desert Inn Rd			Las Vegas	NV		89122-4081
	River Oaks Mobile Home Park	Resident Space # 22	5300 E Desert Inn Rd			Las Vegas	NV		89122-4081
	River Oaks Mobile Home Park	Resident Space # 23	5300 E Desert Inn Rd			Las Vegas	NV		89122-4081

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	River Oaks Mobile Home Park	Resident	Space # 24	5300 E Desert Inn Rd		Las Vegas	NV		89122-4081
	River Oaks Mobile Home Park	Resident	Space # 25	5300 E Desert Inn Rd		Las Vegas	NV		89122-4081
	River Oaks Mobile Home Park	Resident	Space # 26	5300 E Desert Inn Rd		Las Vegas	NV		89122-4081
	River Oaks Mobile Home Park	Resident	Space # 27	5300 E Desert Inn Rd		Las Vegas	NV		89122-4081
	River Oaks Mobile Home Park	Resident	Space # 28	5300 E Desert Inn Rd		Las Vegas	NV		89122-4081
	River Oaks Mobile Home Park	Resident	Space # 29	5300 E Desert Inn Rd		Las Vegas	NV		89122-4081
	River Oaks Mobile Home Park	Resident	Space # 30	5300 E Desert Inn Rd		Las Vegas	NV		89122-4081
	River Oaks Mobile Home Park	Resident	Space # 31	5300 E Desert Inn Rd		Las Vegas	NV		89122-4082
	River Oaks Mobile Home Park	Resident	Space # 32	5300 E Desert Inn Rd		Las Vegas	NV		89122-4082
	River Oaks Mobile Home Park	Resident	Space # 33	5300 E Desert Inn Rd		Las Vegas	NV		89122-4082
	River Oaks Mobile Home Park	Resident	Space # 34	5300 E Desert Inn Rd		Las Vegas	NV		89122-4082
	River Oaks Mobile Home Park	Resident	Space # 35	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 36	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 37	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 38	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 39	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 40	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 41	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 42	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 43	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 44	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 45	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 46	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 47	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 48	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 49	5300 E Desert Inn Rd		Las Vegas	NV		89122-4083
	River Oaks Mobile Home Park	Resident	Space # 50	5300 E Desert Inn Rd		Las Vegas	NV		89122-4083
	River Oaks Mobile Home Park	Resident	Space # 51	5300 E Desert Inn Rd		Las Vegas	NV		89122-4083

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	River Oaks Mobile Home Park	Resident	Space # 52	5300 E Desert Inn Rd		Las Vegas	NV		89122-4083
	River Oaks Mobile Home Park	Resident	Space # 53	5300 E Desert Inn Rd		Las Vegas	NV		89122-4083
	River Oaks Mobile Home Park	Resident	Space # 54	5300 E Desert Inn Rd		Las Vegas	NV		89122-4083
	River Oaks Mobile Home Park	Resident	Space # 55	5300 E Desert Inn Rd		Las Vegas	NV		89122-4083
	River Oaks Mobile Home Park	Resident	Space # 56	5300 E Desert Inn Rd		Las Vegas	NV		89122-4083
	River Oaks Mobile Home Park	Resident	Space # 57	5300 E Desert Inn Rd		Las Vegas	NV		89122-4083
	River Oaks Mobile Home Park	Resident	Space # 58	5300 E Desert Inn Rd		Las Vegas	NV		89122-4083
	River Oaks Mobile Home Park	Resident	Space # 59	5300 E Desert Inn Rd		Las Vegas	NV		89122-4084
	River Oaks Mobile Home Park	Resident	Space # 60	5300 E Desert Inn Rd		Las Vegas	NV		89122-4084
	River Oaks Mobile Home Park	Resident	Space # 61	5300 E Desert Inn Rd		Las Vegas	NV		89122-4084
	River Oaks Mobile Home Park	Resident	Space # 62	5300 E Desert Inn Rd		Las Vegas	NV		89122-4084
	River Oaks Mobile Home Park	Resident	Space # 63	5300 E Desert Inn Rd		Las Vegas	NV		89122-4084
	River Oaks Mobile Home Park	Resident	Space # 64	5300 E Desert Inn Rd		Las Vegas	NV		89122-4084
	River Oaks Mobile Home Park	Resident	Space # 65	5300 E Desert Inn Rd		Las Vegas	NV		89122-4084
	River Oaks Mobile Home Park	Resident	Space # 66	5300 E Desert Inn Rd		Las Vegas	NV		89122-4084
	River Oaks Mobile Home Park	Resident	Space # 67	5300 E Desert Inn Rd		Las Vegas	NV		89122-4084
	River Oaks Mobile Home Park	Resident	Space # 68	5300 E Desert Inn Rd		Las Vegas	NV		89122-4084
	River Oaks Mobile Home Park	Resident	Space # 69	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 70	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 71	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 72	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 73	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 74	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 75	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 76	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 77	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 78	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 79	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	River Oaks Mobile Home Park	Resident	Space # 80	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 81	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 82	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 83	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 84	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 85	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 86	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 87	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 88	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 89	5300 E Desert Inn Rd		Las Vegas	NV		89122-4096
	River Oaks Mobile Home Park	Resident	Space # 90	5300 E Desert Inn Rd		Las Vegas	NV		89122-4096
	River Oaks Mobile Home Park	Resident	Space # 91	5300 E Desert Inn Rd		Las Vegas	NV		89122-4096
	River Oaks Mobile Home Park	Resident	Space # 92	5300 E Desert Inn Rd		Las Vegas	NV		89122-4096
	River Oaks Mobile Home Park	Resident	Space # 93	5300 E Desert Inn Rd		Las Vegas	NV		89122-4096
	River Oaks Mobile Home Park	Resident	Space # 94	5300 E Desert Inn Rd		Las Vegas	NV		89122-4096
	River Oaks Mobile Home Park	Resident	Space # 95	5300 E Desert Inn Rd		Las Vegas	NV		89122-4096
	River Oaks Mobile Home Park	Resident	Space # 96	5300 E Desert Inn Rd		Las Vegas	NV		89122-4096
	River Oaks Mobile Home Park	Resident	Space # 97	5300 E Desert Inn Rd		Las Vegas	NV		89122-4096
	River Oaks Mobile Home Park	Resident	Space # 98	5300 E Desert Inn Rd		Las Vegas	NV		89122-4096
	River Oaks Mobile Home Park	Resident	Space # 99	5300 E Desert Inn Rd		Las Vegas	NV		89122-4097
	River Oaks Mobile Home Park	Resident	Space # 100	5300 E Desert Inn Rd		Las Vegas	NV		89122-4097
	River Oaks Mobile Home Park	Resident	Space # 101	5300 E Desert Inn Rd		Las Vegas	NV		89122-4097
	River Oaks Mobile Home Park	Resident	Space # 102	5300 E Desert Inn Rd		Las Vegas	NV		89122-4097
	River Oaks Mobile Home Park	Resident	Space # 103	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident	Space # 104	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident	Space # 105	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident	Space # 106	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident	Space # 107	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	River Oaks Mobile Home Park	Resident	Space # 108	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident	Space # 109	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident	Space # 110	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident	Space # 111	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident	Space # 112	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident	Space # 113	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident	Space # 114	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident	Space # 115	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident	Space # 116	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident	Space # 117	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident	Space # 118	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident	Space # 119	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident	Space # 120	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident	Space # 121	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident	Space # 122	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident	Space # 123	5300 E Desert Inn Rd		Las Vegas	NV		89122-4085
	River Oaks Mobile Home Park	Resident	Space # 124	5300 E Desert Inn Rd		Las Vegas	NV		89122-4085
	River Oaks Mobile Home Park	Resident	Space # 125	5300 E Desert Inn Rd		Las Vegas	NV		89122-4250
	River Oaks Mobile Home Park	Resident	Space # 126	5300 E Desert Inn Rd		Las Vegas	NV		89122-4250
	River Oaks Mobile Home Park	Resident	Space # 127	5300 E Desert Inn Rd		Las Vegas	NV		89122-4221
	River Oaks Mobile Home Park	Resident	Space # 128	5300 E Desert Inn Rd		Las Vegas	NV		89122-4221
	River Oaks Mobile Home Park	Resident	Space # 129	5300 E Desert Inn Rd		Las Vegas	NV		89122-4221
	River Oaks Mobile Home Park	Resident	Space # 130	5300 E Desert Inn Rd		Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident	Space # 131	5300 E Desert Inn Rd		Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident	Space # 132	5300 E Desert Inn Rd		Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident	Space # 133	5300 E Desert Inn Rd		Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident	Space # 134	5300 E Desert Inn Rd		Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident	Space # 135	5300 E Desert Inn Rd		Las Vegas	NV		89122-4038

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	River Oaks Mobile Home Park	Resident	Space # 136	5300 E Desert Inn Rd		Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident	Space # 137	5300 E Desert Inn Rd		Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident	Space # 138	5300 E Desert Inn Rd		Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident	Space # 139	5300 E Desert Inn Rd		Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident	Space # 140	5300 E Desert Inn Rd		Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident	Space # 141	5300 E Desert Inn Rd		Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident	Space # 142	5300 E Desert Inn Rd		Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident	Space # 143	5300 E Desert Inn Rd		Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident	Space # 144	5300 E Desert Inn Rd		Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident	Space # 145	5300 E Desert Inn Rd		Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident	Space # 146	5300 E Desert Inn Rd		Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident	Space # 147	5300 E Desert Inn Rd		Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident	Space # 148	5300 E Desert Inn Rd		Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident	Space # 149	5300 E Desert Inn Rd		Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident	Space # 150	5300 E Desert Inn Rd		Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident	Space # 151	5300 E Desert Inn Rd		Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident	Space # 152	5300 E Desert Inn Rd		Las Vegas	NV		89122-4222
	River Oaks Mobile Home Park	Resident	Space # 153	5300 E Desert Inn Rd		Las Vegas	NV		89122-4222
	River Oaks Mobile Home Park	Resident	Space # 154	5300 E Desert Inn Rd		Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident	Space # 155	5300 E Desert Inn Rd		Las Vegas	NV		89122-4039
	River Oaks Mobile Home Park	Resident	Space # 156	5300 E Desert Inn Rd		Las Vegas	NV		89122-4039
	River Oaks Mobile Home Park	Resident	Space # 157	5300 E Desert Inn Rd		Las Vegas	NV		89122-4039
	River Oaks Mobile Home Park	Resident	Space # 158	5300 E Desert Inn Rd		Las Vegas	NV		89122-4039
	River Oaks Mobile Home Park	Resident	Space # 159	5300 E Desert Inn Rd		Las Vegas	NV		89122-4039
	River Oaks Mobile Home Park	Resident	Space # 160	5300 E Desert Inn Rd		Las Vegas	NV		89122-4039
	River Oaks Mobile Home Park	Resident	Space # 161	5300 E Desert Inn Rd		Las Vegas	NV		89122-4039
	River Oaks Mobile Home Park	Resident	Space # 162	5300 E Desert Inn Rd		Las Vegas	NV		89122-4039
	River Oaks Mobile Home Park	Resident	Space # 163	5300 E Desert Inn Rd		Las Vegas	NV		89122-4039

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	River Oaks Mobile Home Park	Resident	Space # 164	5300 E Desert Inn Rd		Las Vegas	NV		89122-4039
	River Oaks Mobile Home Park	Resident	Space # 165	5300 E Desert Inn Rd		Las Vegas	NV		89122-4087
	River Oaks Mobile Home Park	Resident	Space # 166	5300 E Desert Inn Rd		Las Vegas	NV		89122-4087
	River Oaks Mobile Home Park	Resident	Space # 167	5300 E Desert Inn Rd		Las Vegas	NV		89122-4087
	River Oaks Mobile Home Park	Resident	Space # 168	5300 E Desert Inn Rd		Las Vegas	NV		89122-4087
	River Oaks Mobile Home Park	Resident	Space # 169	5300 E Desert Inn Rd		Las Vegas	NV		89122-4087
	River Oaks Mobile Home Park	Resident	Space # 170	5300 E Desert Inn Rd		Las Vegas	NV		89122-4087
	River Oaks Mobile Home Park	Resident	Space # 171	5300 E Desert Inn Rd		Las Vegas	NV		89122-4087
	River Oaks Mobile Home Park	Resident	Space # 172	5300 E Desert Inn Rd		Las Vegas	NV		89122-4087
	River Oaks Mobile Home Park	Resident	Space # 173	5300 E Desert Inn Rd		Las Vegas	NV		89122-4087
	River Oaks Mobile Home Park	Resident	Space # 174	5300 E Desert Inn Rd		Las Vegas	NV		89122-4087
	River Oaks Mobile Home Park	Resident	Space # 175	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 176	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 177	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 178	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 179	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 180	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 181	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 182	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 183	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 184	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 185	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 186	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 187	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 188	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 189	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 190	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 191	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	River Oaks Mobile Home Park	Resident	Space # 192	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 193	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 194	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 195	5300 E Desert Inn Rd		Las Vegas	NV		89122-4088
	River Oaks Mobile Home Park	Resident	Space # 196	5300 E Desert Inn Rd		Las Vegas	NV		89122-4088
	River Oaks Mobile Home Park	Resident	Space # 197	5300 E Desert Inn Rd		Las Vegas	NV		89122-4088
	River Oaks Mobile Home Park	Resident	Space # 198	5300 E Desert Inn Rd		Las Vegas	NV		89122-4088
	River Oaks Mobile Home Park	Resident	Space # 199	5300 E Desert Inn Rd		Las Vegas	NV		89122-4088
	River Oaks Mobile Home Park	Resident	Space # 200	5300 E Desert Inn Rd		Las Vegas	NV		89122-4088
	River Oaks Mobile Home Park	Resident	Space # 201	5300 E Desert Inn Rd		Las Vegas	NV		89122-4088
	River Oaks Mobile Home Park	Resident	Space # 202	5300 E Desert Inn Rd		Las Vegas	NV		89122-4223
	River Oaks Mobile Home Park	Resident	Space # 203	5300 E Desert Inn Rd		Las Vegas	NV		89122-4223
	River Oaks Mobile Home Park	Resident	Space # 204	5300 E Desert Inn Rd		Las Vegas	NV		89122-4074
	River Oaks Mobile Home Park	Resident	Space # 205	5300 E Desert Inn Rd		Las Vegas	NV		89122-4074
	River Oaks Mobile Home Park	Resident	Space # 206	5300 E Desert Inn Rd		Las Vegas	NV		89122-4074
	River Oaks Mobile Home Park	Resident	Space # 207	5300 E Desert Inn Rd		Las Vegas	NV		89122-4074
	River Oaks Mobile Home Park	Resident	Space # 208	5300 E Desert Inn Rd		Las Vegas	NV		89122-4074
	River Oaks Mobile Home Park	Resident	Space # 209	5300 E Desert Inn Rd		Las Vegas	NV		89122-4074
	River Oaks Mobile Home Park	Resident	Space # 210	5300 E Desert Inn Rd		Las Vegas	NV		89122-4074
	River Oaks Mobile Home Park	Resident	Space # 211	5300 E Desert Inn Rd		Las Vegas	NV		89122-4074
	River Oaks Mobile Home Park	Resident	Space # 212	5300 E Desert Inn Rd		Las Vegas	NV		89122-4093
	River Oaks Mobile Home Park	Resident	Space # 213	5300 E Desert Inn Rd		Las Vegas	NV		89122-4093
	River Oaks Mobile Home Park	Resident	Space # 214	5300 E Desert Inn Rd		Las Vegas	NV		89122-4093
	River Oaks Mobile Home Park	Resident	Space # 215	5300 E Desert Inn Rd		Las Vegas	NV		89122-4093
	River Oaks Mobile Home Park	Resident	Space # 216	5300 E Desert Inn Rd		Las Vegas	NV		89122-4093
	River Oaks Mobile Home Park	Resident	Space # 217	5300 E Desert Inn Rd		Las Vegas	NV		89122-4093
	River Oaks Mobile Home Park	Resident	Space # 218	5300 E Desert Inn Rd		Las Vegas	NV		89122-4093
	River Oaks Mobile Home Park	Resident	Space # 219	5300 E Desert Inn Rd		Las Vegas	NV		89122-4093

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	River Oaks Mobile Home Park	Resident	Space # 220	5300 E Desert Inn Rd		Las Vegas	NV		89122-4093
	River Oaks Mobile Home Park	Resident	Space # 221	5300 E Desert Inn Rd		Las Vegas	NV		89122-4093
	River Oaks Mobile Home Park	Resident	Space # 222	5300 E Desert Inn Rd		Las Vegas	NV		89122-4094
	River Oaks Mobile Home Park	Resident	Space # 223	5300 E Desert Inn Rd		Las Vegas	NV		89122-4094
	River Oaks Mobile Home Park	Resident	Space # 224	5300 E Desert Inn Rd		Las Vegas	NV		89122-4094
	River Oaks Mobile Home Park	Resident	Space # 225	5300 E Desert Inn Rd		Las Vegas	NV		89122-4074
	River Oaks Mobile Home Park	Resident	Space # 226	5300 E Desert Inn Rd		Las Vegas	NV		89122-4074
	River Oaks Mobile Home Park	Resident	Space # 227	5300 E Desert Inn Rd		Las Vegas	NV		89122-4224
	River Oaks Mobile Home Park	Resident	Space # 228	5300 E Desert Inn Rd		Las Vegas	NV		89122-4224
	River Oaks Mobile Home Park	Resident	Space # 229	5300 E Desert Inn Rd		Las Vegas	NV		89122-4056
	River Oaks Mobile Home Park	Resident	Space # 230	5300 E Desert Inn Rd		Las Vegas	NV		89122-4056
	River Oaks Mobile Home Park	Resident	Space # 231	5300 E Desert Inn Rd		Las Vegas	NV		89122-4056
	River Oaks Mobile Home Park	Resident	Space # 232	5300 E Desert Inn Rd		Las Vegas	NV		89122-4056
	River Oaks Mobile Home Park	Resident	Space # 233	5300 E Desert Inn Rd		Las Vegas	NV		89122-4056
	River Oaks Mobile Home Park	Resident	Space # 234	5300 E Desert Inn Rd		Las Vegas	NV		89122-4056
	River Oaks Mobile Home Park	Resident	Space # 235	5300 E Desert Inn Rd		Las Vegas	NV		89122-4056
	River Oaks Mobile Home Park	Resident	Space # 236	5300 E Desert Inn Rd		Las Vegas	NV		89122-4056
	River Oaks Mobile Home Park	Resident	Space # 237	5300 E Desert Inn Rd		Las Vegas	NV		89122-4056
	River Oaks Mobile Home Park	Resident	Space # 238	5300 E Desert Inn Rd		Las Vegas	NV		89122-4056
	River Oaks Mobile Home Park	Resident	Space # 239	5300 E Desert Inn Rd		Las Vegas	NV		89122-4089
	River Oaks Mobile Home Park	Resident	Space # 240	5300 E Desert Inn Rd		Las Vegas	NV		89122-4089
	River Oaks Mobile Home Park	Resident	Space # 241	5300 E Desert Inn Rd		Las Vegas	NV		89122-4089
	River Oaks Mobile Home Park	Resident	Space # 242	5300 E Desert Inn Rd		Las Vegas	NV		89122-4089
	River Oaks Mobile Home Park	Resident	Space # 243	5300 E Desert Inn Rd		Las Vegas	NV		89122-4089
	River Oaks Mobile Home Park	Resident	Space # 244	5300 E Desert Inn Rd		Las Vegas	NV		89122-4089
	River Oaks Mobile Home Park	Resident	Space # 245	5300 E Desert Inn Rd		Las Vegas	NV		89122-4089
	River Oaks Mobile Home Park	Resident	Space # 246	5300 E Desert Inn Rd		Las Vegas	NV		89122-4089
	River Oaks Mobile Home Park	Resident	Space # 247	5300 E Desert Inn Rd		Las Vegas	NV		89122-4089

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	River Oaks Mobile Home Park	Resident	Space # 248	5300 E Desert Inn Rd		Las Vegas	NV		89122-4089
	River Oaks Mobile Home Park	Resident	Space # 249	5300 E Desert Inn Rd		Las Vegas	NV		89122-4090
	River Oaks Mobile Home Park	Resident	Space # 250	5300 E Desert Inn Rd		Las Vegas	NV		89122-4090
	River Oaks Mobile Home Park	Resident	Space # 251	5300 E Desert Inn Rd		Las Vegas	NV		89122-4090
	River Oaks Mobile Home Park	Resident	Space # 252	5300 E Desert Inn Rd		Las Vegas	NV		89122-4090
	River Oaks Mobile Home Park	Resident	Space # 253	5300 E Desert Inn Rd		Las Vegas	NV		89122-4090
	River Oaks Mobile Home Park	Resident	Space # 254	5300 E Desert Inn Rd		Las Vegas	NV		89122-4090
	River Oaks Mobile Home Park	Resident	Space # 255	5300 E Desert Inn Rd		Las Vegas	NV		89122-4090
	River Oaks Mobile Home Park	Resident	Space # 256	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 257	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 258	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 259	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 260	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 261	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 262	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 263	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 264	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 265	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 266	5300 E Desert Inn Rd		Las Vegas	NV		89122-4091
	River Oaks Mobile Home Park	Resident	Space # 267	5300 E Desert Inn Rd		Las Vegas	NV		89122-4091
	River Oaks Mobile Home Park	Resident	Space # 268	5300 E Desert Inn Rd		Las Vegas	NV		89122-4091
	River Oaks Mobile Home Park	Resident	Space # 269	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 270	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 271	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 272	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 273	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 274	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 275	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	River Oaks Mobile Home Park	Resident	Space # 276	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 277	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 278	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 279	5300 E Desert Inn Rd		Las Vegas	NV		89122-4217
	River Oaks Mobile Home Park	Resident	Space # 280	5300 E Desert Inn Rd		Las Vegas	NV		89122-4217
	River Oaks Mobile Home Park	Resident	Space # 281	5300 E Desert Inn Rd		Las Vegas	NV		89122-4092
	River Oaks Mobile Home Park	Resident	Space # 282	5300 E Desert Inn Rd		Las Vegas	NV		89122-4092
	River Oaks Mobile Home Park	Resident	Space # 283	5300 E Desert Inn Rd		Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident	Space # 284	5300 E Desert Inn Rd		Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident	Space # 285	5300 E Desert Inn Rd		Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident	Space # 286	5300 E Desert Inn Rd		Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident	Space # 287	5300 E Desert Inn Rd		Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident	Space # 288	5300 E Desert Inn Rd		Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident	Space # 289	5300 E Desert Inn Rd		Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident	Space # 290	5300 E Desert Inn Rd		Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident	Space # 291	5300 E Desert Inn Rd		Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident	Space # 292	5300 E Desert Inn Rd		Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident	Space # 293	5300 E Desert Inn Rd		Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident	Space # 294	5300 E Desert Inn Rd		Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident	Space # 295	5300 E Desert Inn Rd		Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident	Space # 296	5300 E Desert Inn Rd		Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident	Space # 297	5300 E Desert Inn Rd		Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident	Space # 298	5300 E Desert Inn Rd		Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident	Space # 299	5300 E Desert Inn Rd		Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident	Space # 300	5300 E Desert Inn Rd		Las Vegas	NV		89122-4095
	River Oaks Mobile Home Park	Resident	Space # 301	5300 E Desert Inn Rd		Las Vegas	NV		89122-4095
	River Oaks Mobile Home Park	Resident	Space # 302	5300 E Desert Inn Rd		Las Vegas	NV		89122-4095
	River Oaks Mobile Home Park	Resident	Space # 303	5300 E Desert Inn Rd		Las Vegas	NV		89122-4095

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	River Oaks Mobile Home Park	Resident	Space # 304	5300 E Desert Inn Rd		Las Vegas	NV		89122-4095
	River Oaks Mobile Home Park	Resident	Space # 305	5300 E Desert Inn Rd		Las Vegas	NV		89122-4095
	River Oaks Mobile Home Park	Resident	Space # 306	5300 E Desert Inn Rd		Las Vegas	NV		89122-4095
	Valley Vista Mobile Home Park	Resident	Space # 1	3001 Cabana Dr		Las Vegas	NV		89122-4062
	Valley Vista Mobile Home Park	Resident	Space # 2	3001 Cabana Dr		Las Vegas	NV		89122-4062
	Valley Vista Mobile Home Park	Resident	Space # 3	3001 Cabana Dr		Las Vegas	NV		89122-4062
	Valley Vista Mobile Home Park	Resident	Space # 4	3001 Cabana Dr		Las Vegas	NV		89122-4062
	Valley Vista Mobile Home Park	Resident	Space # 5	3001 Cabana Dr		Las Vegas	NV		89122-4062
	Valley Vista Mobile Home Park	Resident	Space # 6	3001 Cabana Dr		Las Vegas	NV		89122-4062
	Valley Vista Mobile Home Park	Resident	Space # 7	3001 Cabana Dr		Las Vegas	NV		89122-4062
	Valley Vista Mobile Home Park	Resident	Space # 8	3001 Cabana Dr		Las Vegas	NV		89122-4062
	Valley Vista Mobile Home Park	Resident	Space # 9	3001 Cabana Dr		Las Vegas	NV		89122-4062
	Valley Vista Mobile Home Park	Resident	Space # 10	3001 Cabana Dr		Las Vegas	NV		89122-4062
	Valley Vista Mobile Home Park	Resident	Space # 11	3001 Cabana Dr		Las Vegas	NV		89122-4098
	Valley Vista Mobile Home Park	Resident	Space # 12	3001 Cabana Dr		Las Vegas	NV		89122-4098
	Valley Vista Mobile Home Park	Resident	Space # 13	3001 Cabana Dr		Las Vegas	NV		89122-4098
	Valley Vista Mobile Home Park	Resident	Space # 14	3001 Cabana Dr		Las Vegas	NV		89122-4098
	Valley Vista Mobile Home Park	Resident	Space # 15	3001 Cabana Dr		Las Vegas	NV		89122-4098
	Valley Vista Mobile Home Park	Resident	Space # 16	3001 Cabana Dr		Las Vegas	NV		89122-4098
	Valley Vista Mobile Home Park	Resident	Space # 17	3001 Cabana Dr		Las Vegas	NV		89122-4098
	Valley Vista Mobile Home Park	Resident	Space # 18	3001 Cabana Dr		Las Vegas	NV		89122-4098
	Valley Vista Mobile Home Park	Resident	Space # 19	3001 Cabana Dr		Las Vegas	NV		89122-4098
	Valley Vista Mobile Home Park	Resident	Space # 20	3001 Cabana Dr		Las Vegas	NV		89122-4098
	Valley Vista Mobile Home Park	Resident	Space # 21	3001 Cabana Dr		Las Vegas	NV		89122-4099
	Valley Vista Mobile Home Park	Resident	Space # 22	3001 Cabana Dr		Las Vegas	NV		89122-4099
	Valley Vista Mobile Home Park	Resident	Space # 23	3001 Cabana Dr		Las Vegas	NV		89122-4099
	Valley Vista Mobile Home Park	Resident	Space # 24	3001 Cabana Dr		Las Vegas	NV		89122-4099
	Valley Vista Mobile Home Park	Resident	Space # 25	3001 Cabana Dr		Las Vegas	NV		89122-4099

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	Valley Vista Mobile Home Park	Resident	Space # 26	3001 Cabana Dr		Las Vegas	NV		89122-4099
	Valley Vista Mobile Home Park	Resident	Space # 27	3001 Cabana Dr		Las Vegas	NV		89122-4099
	Valley Vista Mobile Home Park	Resident	Space # 28	3001 Cabana Dr		Las Vegas	NV		89122-4099
	Valley Vista Mobile Home Park	Resident	Space # 29	3001 Cabana Dr		Las Vegas	NV		89122-4099
	Valley Vista Mobile Home Park	Resident	Space # 30	3001 Cabana Dr		Las Vegas	NV		89122-4099
	Valley Vista Mobile Home Park	Resident	Space # 31	3001 Cabana Dr		Las Vegas	NV		89122-4200
	Valley Vista Mobile Home Park	Resident	Space # 32	3001 Cabana Dr		Las Vegas	NV		89122-4200
	Valley Vista Mobile Home Park	Resident	Space # 33	3001 Cabana Dr		Las Vegas	NV		89122-4200
	Valley Vista Mobile Home Park	Resident	Space # 34	3001 Cabana Dr		Las Vegas	NV		89122-4200
	Valley Vista Mobile Home Park	Resident	Space # 35	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 36	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 37	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 38	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 39	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 40	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 41	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 42	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 43	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 44	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 45	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 46	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 47	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 48	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 49	3001 Cabana Dr		Las Vegas	NV		89122-4201
	Valley Vista Mobile Home Park	Resident	Space # 50	3001 Cabana Dr		Las Vegas	NV		89122-4201
	Valley Vista Mobile Home Park	Resident	Space # 51	3001 Cabana Dr		Las Vegas	NV		89122-4201
	Valley Vista Mobile Home Park	Resident	Space # 52	3001 Cabana Dr		Las Vegas	NV		89122-4201
	Valley Vista Mobile Home Park	Resident	Space # 53	3001 Cabana Dr		Las Vegas	NV		89122-4201

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	Valley Vista Mobile Home Park	Resident	Space # 54	3001 Cabana Dr		Las Vegas	NV		89122-4201
	Valley Vista Mobile Home Park	Resident	Space # 55	3001 Cabana Dr		Las Vegas	NV		89122-4201
	Valley Vista Mobile Home Park	Resident	Space # 56	3001 Cabana Dr		Las Vegas	NV		89122-4201
	Valley Vista Mobile Home Park	Resident	Space # 57	3001 Cabana Dr		Las Vegas	NV		89122-4201
	Valley Vista Mobile Home Park	Resident	Space # 58	3001 Cabana Dr		Las Vegas	NV		89122-4201
	Valley Vista Mobile Home Park	Resident	Space # 59	3001 Cabana Dr		Las Vegas	NV		89122-4202
	Valley Vista Mobile Home Park	Resident	Space # 60	3001 Cabana Dr		Las Vegas	NV		89122-4202
	Valley Vista Mobile Home Park	Resident	Space # 61	3001 Cabana Dr		Las Vegas	NV		89122-4202
	Valley Vista Mobile Home Park	Resident	Space # 62	3001 Cabana Dr		Las Vegas	NV		89122-4202
	Valley Vista Mobile Home Park	Resident	Space # 63	3001 Cabana Dr		Las Vegas	NV		89122-4202
	Valley Vista Mobile Home Park	Resident	Space # 64	3001 Cabana Dr		Las Vegas	NV		89122-4202
	Valley Vista Mobile Home Park	Resident	Space # 65	3001 Cabana Dr		Las Vegas	NV		89122-4202
	Valley Vista Mobile Home Park	Resident	Space # 66	3001 Cabana Dr		Las Vegas	NV		89122-4202
	Valley Vista Mobile Home Park	Resident	Space # 67	3001 Cabana Dr		Las Vegas	NV		89122-4202
	Valley Vista Mobile Home Park	Resident	Space # 68	3001 Cabana Dr		Las Vegas	NV		89122-4202
	Valley Vista Mobile Home Park	Resident	Space # 69	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 70	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 71	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 72	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 73	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 74	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 75	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 76	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 77	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 78	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 79	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 80	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 81	3001 Cabana Dr		Las Vegas	NV		89122-4064

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	Valley Vista Mobile Home Park	Resident	Space # 82	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 83	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 84	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 85	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 86	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 87	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 88	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 89	3001 Cabana Dr		Las Vegas	NV		89122-4203
	Valley Vista Mobile Home Park	Resident	Space # 90	3001 Cabana Dr		Las Vegas	NV		89122-4203
	Valley Vista Mobile Home Park	Resident	Space # 91	3001 Cabana Dr		Las Vegas	NV		89122-4203
	Valley Vista Mobile Home Park	Resident	Space # 92	3001 Cabana Dr		Las Vegas	NV		89122-4203
	Valley Vista Mobile Home Park	Resident	Space # 93	3001 Cabana Dr		Las Vegas	NV		89122-4203
	Valley Vista Mobile Home Park	Resident	Space # 94	3001 Cabana Dr		Las Vegas	NV		89122-4203
	Valley Vista Mobile Home Park	Resident	Space # 95	3001 Cabana Dr		Las Vegas	NV		89122-4203
	Valley Vista Mobile Home Park	Resident	Space # 96	3001 Cabana Dr		Las Vegas	NV		89122-4203
	Valley Vista Mobile Home Park	Resident	Space # 97	3001 Cabana Dr		Las Vegas	NV		89122-4203
	Valley Vista Mobile Home Park	Resident	Space # 98	3001 Cabana Dr		Las Vegas	NV		89122-4203
	Valley Vista Mobile Home Park	Resident	Space # 99	3001 Cabana Dr		Las Vegas	NV		89122-4204
	Valley Vista Mobile Home Park	Resident	Space # 100	3001 Cabana Dr		Las Vegas	NV		89122-4204
	Valley Vista Mobile Home Park	Resident	Space # 101	3001 Cabana Dr		Las Vegas	NV		89122-4204
	Valley Vista Mobile Home Park	Resident	Space # 102	3001 Cabana Dr		Las Vegas	NV		89122-4204
	Valley Vista Mobile Home Park	Resident	Space # 103	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 104	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 105	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 106	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 107	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 108	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 109	3001 Cabana Dr		Las Vegas	NV		89122-4065

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	Valley Vista Mobile Home Park	Resident	Space # 110	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 111	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 112	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 113	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 114	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 115	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 116	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 117	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 118	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 119	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 120	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 121	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 122	3001 Cabana Dr		Las Vegas	NV		89122-4205
	Valley Vista Mobile Home Park	Resident	Space # 123	3001 Cabana Dr		Las Vegas	NV		89122-4205
	Valley Vista Mobile Home Park	Resident	Space # 124	3001 Cabana Dr		Las Vegas	NV		89122-4205
	Valley Vista Mobile Home Park	Resident	Space # 125	3001 Cabana Dr		Las Vegas	NV		89122-4251
	Valley Vista Mobile Home Park	Resident	Space # 126	3001 Cabana Dr		Las Vegas	NV		89122-4251
	Valley Vista Mobile Home Park	Resident	Space # 127	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 128	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 129	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 130	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 131	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 132	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 133	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 134	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 135	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 136	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 137	3001 Cabana Dr		Las Vegas	NV		89122-4206

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	Valley Vista Mobile Home Park	Resident	Space # 138	3001 Cabana Dr		Las Vegas	NV		89122-4206
	Valley Vista Mobile Home Park	Resident	Space # 139	3001 Cabana Dr		Las Vegas	NV		89122-4206
	Valley Vista Mobile Home Park	Resident	Space # 140	3001 Cabana Dr		Las Vegas	NV		89122-4206
	Valley Vista Mobile Home Park	Resident	Space # 141	3001 Cabana Dr		Las Vegas	NV		89122-4206
	Valley Vista Mobile Home Park	Resident	Space # 142	3001 Cabana Dr		Las Vegas	NV		89122-4206
	Valley Vista Mobile Home Park	Resident	Space # 143	3001 Cabana Dr		Las Vegas	NV		89122-4206
	Valley Vista Mobile Home Park	Resident	Space # 144	3001 Cabana Dr		Las Vegas	NV		89122-4206
	Valley Vista Mobile Home Park	Resident	Space # 145	3001 Cabana Dr		Las Vegas	NV		89122-4206
	Valley Vista Mobile Home Park	Resident	Space # 146	3001 Cabana Dr		Las Vegas	NV		89122-4206
	Valley Vista Mobile Home Park	Resident	Space # 147	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 148	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 149	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 150	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 151	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 152	3001 Cabana Dr		Las Vegas	NV		89122-4225
	Valley Vista Mobile Home Park	Resident	Space # 153	3001 Cabana Dr		Las Vegas	NV		89122-4225
	Valley Vista Mobile Home Park	Resident	Space # 154	3001 Cabana Dr		Las Vegas	NV		89122-4225
	Valley Vista Mobile Home Park	Resident	Space # 155	3001 Cabana Dr		Las Vegas	NV		89122-4225
	Valley Vista Mobile Home Park	Resident	Space # 156	3001 Cabana Dr		Las Vegas	NV		89122-4225
	Valley Vista Mobile Home Park	Resident	Space # 157	3001 Cabana Dr		Las Vegas	NV		89122-4225
	Valley Vista Mobile Home Park	Resident	Space # 158	3001 Cabana Dr		Las Vegas	NV		89122-4225
	Valley Vista Mobile Home Park	Resident	Space # 159	3001 Cabana Dr		Las Vegas	NV		89122-4067
	Valley Vista Mobile Home Park	Resident	Space # 160	3001 Cabana Dr		Las Vegas	NV		89122-4067
	Valley Vista Mobile Home Park	Resident	Space # 161	3001 Cabana Dr		Las Vegas	NV		89122-4067
	Valley Vista Mobile Home Park	Resident	Space # 162	3001 Cabana Dr		Las Vegas	NV		89122-4067
	Valley Vista Mobile Home Park	Resident	Space # 163	3001 Cabana Dr		Las Vegas	NV		89122-4067
	Valley Vista Mobile Home Park	Resident	Space # 164	3001 Cabana Dr		Las Vegas	NV		89122-4067
	Valley Vista Mobile Home Park	Resident	Space # 165	3001 Cabana Dr		Las Vegas	NV		89122-4207

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	Valley Vista Mobile Home Park	Resident	Space # 166	3001 Cabana Dr		Las Vegas	NV		89122-4207
	Valley Vista Mobile Home Park	Resident	Space # 167	3001 Cabana Dr		Las Vegas	NV		89122-4207
	Valley Vista Mobile Home Park	Resident	Space # 168	3001 Cabana Dr		Las Vegas	NV		89122-4207
	Valley Vista Mobile Home Park	Resident	Space # 169	3001 Cabana Dr		Las Vegas	NV		89122-4207
	Valley Vista Mobile Home Park	Resident	Space # 170	3001 Cabana Dr		Las Vegas	NV		89122-4207
	Valley Vista Mobile Home Park	Resident	Space # 171	3001 Cabana Dr		Las Vegas	NV		89122-4207
	Valley Vista Mobile Home Park	Resident	Space # 172	3001 Cabana Dr		Las Vegas	NV		89122-4207
	Valley Vista Mobile Home Park	Resident	Space # 173	3001 Cabana Dr		Las Vegas	NV		89122-4207
	Valley Vista Mobile Home Park	Resident	Space # 174	3001 Cabana Dr		Las Vegas	NV		89122-4207
	Valley Vista Mobile Home Park	Resident	Space # 175	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 176	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 177	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 178	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 179	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 180	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 181	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 182	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 183	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 184	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 185	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 186	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 187	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 188	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 189	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 190	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 191	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 192	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 193	3001 Cabana Dr		Las Vegas	NV		89122-4068

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	Valley Vista Mobile Home Park	Resident	Space # 194	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 195	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 196	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 197	3001 Cabana Dr		Las Vegas	NV		89122-4209
	Valley Vista Mobile Home Park	Resident	Space # 198	3001 Cabana Dr		Las Vegas	NV		89122-4209
	Valley Vista Mobile Home Park	Resident	Space # 199	3001 Cabana Dr		Las Vegas	NV		89122-4209
	Valley Vista Mobile Home Park	Resident	Space # 200	3001 Cabana Dr		Las Vegas	NV		89122-4209
	Valley Vista Mobile Home Park	Resident	Space # 201	3001 Cabana Dr		Las Vegas	NV		89122-4209
	Valley Vista Mobile Home Park	Resident	Space # 202	3001 Cabana Dr		Las Vegas	NV		89122-4226
	Valley Vista Mobile Home Park	Resident	Space # 203	3001 Cabana Dr		Las Vegas	NV		89122-4226
	Valley Vista Mobile Home Park	Resident	Space # 204	3001 Cabana Dr		Las Vegas	NV		89122-4069
	Valley Vista Mobile Home Park	Resident	Space # 205	3001 Cabana Dr		Las Vegas	NV		89122-4069
	Valley Vista Mobile Home Park	Resident	Space # 206	3001 Cabana Dr		Las Vegas	NV		89122-4069
	Valley Vista Mobile Home Park	Resident	Space # 207	3001 Cabana Dr		Las Vegas	NV		89122-4069
	Valley Vista Mobile Home Park	Resident	Space # 208	3001 Cabana Dr		Las Vegas	NV		89122-4069
	Valley Vista Mobile Home Park	Resident	Space # 209	3001 Cabana Dr		Las Vegas	NV		89122-4069
	Valley Vista Mobile Home Park	Resident	Space # 210	3001 Cabana Dr		Las Vegas	NV		89122-4069
	Valley Vista Mobile Home Park	Resident	Space # 211	3001 Cabana Dr		Las Vegas	NV		89122-4069
	Valley Vista Mobile Home Park	Resident	Space # 212	3001 Cabana Dr		Las Vegas	NV		89122-4210
	Valley Vista Mobile Home Park	Resident	Space # 213	3001 Cabana Dr		Las Vegas	NV		89122-4210
	Valley Vista Mobile Home Park	Resident	Space # 214	3001 Cabana Dr		Las Vegas	NV		89122-4210
	Valley Vista Mobile Home Park	Resident	Space # 215	3001 Cabana Dr		Las Vegas	NV		89122-4210
	Valley Vista Mobile Home Park	Resident	Space # 216	3001 Cabana Dr		Las Vegas	NV		89122-4210
	Valley Vista Mobile Home Park	Resident	Space # 217	3001 Cabana Dr		Las Vegas	NV		89122-4210
	Valley Vista Mobile Home Park	Resident	Space # 218	3001 Cabana Dr		Las Vegas	NV		89122-4210
	Valley Vista Mobile Home Park	Resident	Space # 219	3001 Cabana Dr		Las Vegas	NV		89122-4210
	Valley Vista Mobile Home Park	Resident	Space # 220	3001 Cabana Dr		Las Vegas	NV		89122-4210
	Valley Vista Mobile Home Park	Resident	Space # 221	3001 Cabana Dr		Las Vegas	NV		89122-4210

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	Valley Vista Mobile Home Park	Resident	Space # 222	3001 Cabana Dr		Las Vegas	NV		89122-4211
	Valley Vista Mobile Home Park	Resident	Space # 223	3001 Cabana Dr		Las Vegas	NV		89122-4211
	Valley Vista Mobile Home Park	Resident	Space # 224	3001 Cabana Dr		Las Vegas	NV		89122-4211
	Valley Vista Mobile Home Park	Resident	Space # 225	3001 Cabana Dr		Las Vegas	NV		89122-4211
	Valley Vista Mobile Home Park	Resident	Space # 226	3001 Cabana Dr		Las Vegas	NV		89122-4069
	Valley Vista Mobile Home Park	Resident	Space # 227	3001 Cabana Dr		Las Vegas	NV		89122-4069
	Valley Vista Mobile Home Park	Resident	Space # 228	3001 Cabana Dr		Las Vegas	NV		89122-4069
	Valley Vista Mobile Home Park	Resident	Space # 229	3001 Cabana Dr		Las Vegas	NV		89122-4070
	Valley Vista Mobile Home Park	Resident	Space # 230	3001 Cabana Dr		Las Vegas	NV		89122-4070
	Valley Vista Mobile Home Park	Resident	Space # 231	3001 Cabana Dr		Las Vegas	NV		89122-4070
	Valley Vista Mobile Home Park	Resident	Space # 232	3001 Cabana Dr		Las Vegas	NV		89122-4070
	Valley Vista Mobile Home Park	Resident	Space # 233	3001 Cabana Dr		Las Vegas	NV		89122-4070
	Valley Vista Mobile Home Park	Resident	Space # 234	3001 Cabana Dr		Las Vegas	NV		89122-4070
	Valley Vista Mobile Home Park	Resident	Space # 235	3001 Cabana Dr		Las Vegas	NV		89122-4070
	Valley Vista Mobile Home Park	Resident	Space # 236	3001 Cabana Dr		Las Vegas	NV		89122-4070
	Valley Vista Mobile Home Park	Resident	Space # 237	3001 Cabana Dr		Las Vegas	NV		89122-4070
	Valley Vista Mobile Home Park	Resident	Space # 238	3001 Cabana Dr		Las Vegas	NV		89122-4070
	Valley Vista Mobile Home Park	Resident	Space # 239	3001 Cabana Dr		Las Vegas	NV		89122-4212
	Valley Vista Mobile Home Park	Resident	Space # 240	3001 Cabana Dr		Las Vegas	NV		89122-4212
	Valley Vista Mobile Home Park	Resident	Space # 241	3001 Cabana Dr		Las Vegas	NV		89122-4212
	Valley Vista Mobile Home Park	Resident	Space # 242	3001 Cabana Dr		Las Vegas	NV		89122-4212
	Valley Vista Mobile Home Park	Resident	Space # 243	3001 Cabana Dr		Las Vegas	NV		89122-4212
	Valley Vista Mobile Home Park	Resident	Space # 244	3001 Cabana Dr		Las Vegas	NV		89122-4212
	Valley Vista Mobile Home Park	Resident	Space # 245	3001 Cabana Dr		Las Vegas	NV		89122-4212
	Valley Vista Mobile Home Park	Resident	Space # 246	3001 Cabana Dr		Las Vegas	NV		89122-4212
	Valley Vista Mobile Home Park	Resident	Space # 247	3001 Cabana Dr		Las Vegas	NV		89122-4212
	Valley Vista Mobile Home Park	Resident	Space # 248	3001 Cabana Dr		Las Vegas	NV		89122-4212
	Valley Vista Mobile Home Park	Resident	Space # 249	3001 Cabana Dr		Las Vegas	NV		89122-4213

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	Valley Vista Mobile Home Park	Resident	Space # 250	3001 Cabana Dr		Las Vegas	NV		89122-4213
	Valley Vista Mobile Home Park	Resident	Space # 251	3001 Cabana Dr		Las Vegas	NV		89122-4213
	Valley Vista Mobile Home Park	Resident	Space # 252	3001 Cabana Dr		Las Vegas	NV		89122-4213
	Valley Vista Mobile Home Park	Resident	Space # 253	3001 Cabana Dr		Las Vegas	NV		89122-4213
	Valley Vista Mobile Home Park	Resident	Space # 254	3001 Cabana Dr		Las Vegas	NV		89122-4213
	Valley Vista Mobile Home Park	Resident	Space # 255	3001 Cabana Dr		Las Vegas	NV		89122-4213
	Valley Vista Mobile Home Park	Resident	Space # 256	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 257	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 258	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 259	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 260	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 261	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 262	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 263	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 264	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 265	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 266	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 267	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 268	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 269	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 270	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 271	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 272	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 273	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 274	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 275	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 276	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 277	3001 Cabana Dr		Las Vegas	NV		89122-4071

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	Valley Vista Mobile Home Park	Resident	Space # 278	3001 Cabana Dr		Las Vegas	NV		89122-4214
	Valley Vista Mobile Home Park	Resident	Space # 279	3001 Cabana Dr		Las Vegas	NV		89122-4214
	Valley Vista Mobile Home Park	Resident	Space # 280	3001 Cabana Dr		Las Vegas	NV		89122-4214
	Valley Vista Mobile Home Park	Resident	Space # 281	3001 Cabana Dr		Las Vegas	NV		89122-4214
	Valley Vista Mobile Home Park	Resident	Space # 282	3001 Cabana Dr		Las Vegas	NV		89122-4227
	Valley Vista Mobile Home Park	Resident	Space # 283	3001 Cabana Dr		Las Vegas	NV		89122-4072
	Valley Vista Mobile Home Park	Resident	Space # 284	3001 Cabana Dr		Las Vegas	NV		89122-4072
	Valley Vista Mobile Home Park	Resident	Space # 285	3001 Cabana Dr		Las Vegas	NV		89122-4072
	Valley Vista Mobile Home Park	Resident	Space # 286	3001 Cabana Dr		Las Vegas	NV		89122-4072
	Valley Vista Mobile Home Park	Resident	Space # 287	3001 Cabana Dr		Las Vegas	NV		89122-4072
	Valley Vista Mobile Home Park	Resident	Space # 288	3001 Cabana Dr		Las Vegas	NV		89122-4072
	Valley Vista Mobile Home Park	Resident	Space # 289	3001 Cabana Dr		Las Vegas	NV		89122-4072
	Valley Vista Mobile Home Park	Resident	Space # 290	3001 Cabana Dr		Las Vegas	NV		89122-4072
	Valley Vista Mobile Home Park	Resident	Space # 291	3001 Cabana Dr		Las Vegas	NV		89122-4072
	Valley Vista Mobile Home Park	Resident	Space # 292	3001 Cabana Dr		Las Vegas	NV		89122-4072
	Valley Vista Mobile Home Park	Resident	Space # 293	3001 Cabana Dr		Las Vegas	NV		89122-4215
	Valley Vista Mobile Home Park	Resident	Space # 294	3001 Cabana Dr		Las Vegas	NV		89122-4215
	Valley Vista Mobile Home Park	Resident	Space # 295	3001 Cabana Dr		Las Vegas	NV		89122-4215
	Valley Vista Mobile Home Park	Resident	Space # 296	3001 Cabana Dr		Las Vegas	NV		89122-4215
	Valley Vista Mobile Home Park	Resident	Space # 297	3001 Cabana Dr		Las Vegas	NV		89122-4215
	Valley Vista Mobile Home Park	Resident	Space # 298	3001 Cabana Dr		Las Vegas	NV		89122-4215
	Valley Vista Mobile Home Park	Resident	Space # 299	3001 Cabana Dr		Las Vegas	NV		89122-4215
	Valley Vista Mobile Home Park	Resident	Space # 300	3001 Cabana Dr		Las Vegas	NV		89122-4215
	Valley Vista Mobile Home Park	Resident	Space # 301	3001 Cabana Dr		Las Vegas	NV		89122-4215
	Valley Vista Mobile Home Park	Resident	Space # 302	3001 Cabana Dr		Las Vegas	NV		89122-4215
	Valley Vista Mobile Home Park	Resident	Space # 303	3001 Cabana Dr		Las Vegas	NV		89122-4216
	Paradise Town Advisory Board	Attn: Maureen Helm		4713 Canna Drive	<null>	Las Vegas	NV		89122
	Sunrise Manor Town Advisory Board	Attn: Jill Nikovis-Leiva		10741 New Boro Avenue	<null>	Las Vegas	NV		89144

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
16108603004	ALBERTSON'S STORES SUB L L C		C/O PARADIGM TAX GROUP PO BOX 800729			DALLAS	TX		75380-0729
16108603005	VISTA CONVOY REALTY LTD		PO BOX 1610			COCKEYSVILLE	MD		21030
16108603007	LD NELLIS L L C		PO BOX 97821			LAS VEGAS	NV		89193-7821
16108603008	C A C L L C		2231 E DESERT INN RD			LAS VEGAS	NV		89169
16108611001	ELATION PROPERTIES L L C		3475 E TOMPKINS AVE			LAS VEGAS	NV		89121
16108611002	BALBASTRO RUBEN C & AMELIA A		2725 S NELLIS BLVD # 1117			LAS VEGAS	NV		89121
16108611003	SPERO SHANE E		2725 S NELLIS BLVD # 1120			LAS VEGAS	NV		89121-2094
16108611004	BARTHMAX LIVING TRUST	BARTH TETSUKO TRS	2725 S NELLIS BLVD UNIT 1119			LAS VEGAS	NV		89121
16108611005	PEREIRA ANA LUCIA		2725 S NELLIS BLVD # 2118			LAS VEGAS	NV		89121-7500
16108611006	GUZMAN PAUL G & SHERI L		1861 NAPOLEON DR			LAS VEGAS	NV		89156
16108611007	DORFF KEVIN		4537 POLK ST NE			COLUMBIA HEIGHTS	MN		55421
16108611008	CRUZ MARIANA		2725 S NELLIS BLVD # 2119			LAS VEGAS	NV		89121
16108611009	ORTIZ ALBERTINA MARIA		2725 S NELLIS BLVD			LAS VEGAS	NV		89121-2093
16108611010	GARBE REINHOLD G ETAL	KARWACKI-GARBE THERESA A	3226 WOODY LN			SAN JOSE	CA		95132
16108611011	CASTILLO ALEX R & SONIA P		2725 S NELLIS BLVD # 1108			LAS VEGAS	NV		89121
16108611012	ALVAREZ GLADYS F		2725 S NELLIS BLVD # 1107			LAS VEGAS	NV		89121-2093
16108611013	IVALDY PHILLIP	PFUSTERER MARIA	2725 S NELLIS BLVD # 2106			LAS VEGAS	NV		89121
16108611014	SORIA HENRY G		2725 S NELLIS BLVD # 2105			LAS VEGAS	NV		89121-7500
16108611015	EVERETT PERRY		2725 S NELLIS BLVD # 2108			LAS VEGAS	NV		89121
16108611016	GILES EVA		2725 S NELLIS BLVD # 2107			LAS VEGAS	NV		89121
16108611017	DAYBREAK FAMILY TRUST		2922 SALTILLO LN			LAS VEGAS	NV		89121
16108611018	SALOMONS BRUCE & SANDRA	SALOMONS JESSE	46 KING CLOSE			RED DEER	AB	CANADA	T4P 3P5
16108611019	CLEMENTE FAMILY TRUST	CLEMENTE DOMINIC MICHAEL & KATHRYN MARIE TRS	2725 S NELLIS BLVD # 1104			LAS VEGAS	NV		89121
16108611020	CLEMENTE RALPH		2725 S NELLIS BLVD # 1103			LAS VEGAS	NV		89121-2093
16108611021	DEAN LAMBUS FREDERICK		2725 S NELLIS BLVD # 2102			LAS VEGAS	NV		89121
16108611022	WOODS BARBARA		2072 82ND AVENUE			OAKLAND	CA		94621-2225
16108611023	STRINGER JASON		2725 S NELLIS BLVD # 2104			LAS VEGAS	NV		89121

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16108611024	BOWENS BRYANT L & ALISHEA		2725 S NELLIS BLVD # 2103			LAS VEGAS	NV		89121-7500
16108611025	GILREATH UNTOK		2725 S NELLIS BLVD 1098			LAS VEGAS	NV		89121
16108611026	MOLINA ANDRES		6912 ADOBE VILLA			LAS VEGAS	NV		89142-3710
16108611027	GONZALEZ JORGAN		30338 LAPASSADE CT			MURRIETA	CA		92563
16108611028	COURTIER BRIAN L	BIXLER LINDA D	2725 S NELLIS BLVD # 1099			LAS VEGAS	NV		89121
16108611029	MERCADO MARK ANTHONY ORDONA & EVERLY		2725 S NELLIS BLVD # 2098			LAS VEGAS	NV		89121
16108611030	THAYER FAMILY TRUST	THAYER DENNIS & SHIRLEY TRS	UNIT 117	2020 MULDOON RD		ANCHORAGE	AK		99504-3665
16108611031	MILLER WILLIAM C		2725 S NELLIS BLVD # 2100			LAS VEGAS	NV		89121
16108611032	HENDERSON EMMITT JR & ELIBERTA R		PO BOX 473			LA MESA	CA		91944-0473
16108611033	BLOCHBERGER CHARLES		2490 OAKCREST DR			PALM SPRINGS	CA		92264
16108611034	GRAY GERALD & JOY FAMILY TRUST	GRAY GERALD R & JOY TRS	2187 VALLEY DR			IDAHO FALLS	ID		83401-3232
16108611035	ROSS LONNIE C & SONYA I		2725 S NELLIS BLVD # 1088			LAS VEGAS	NV		89121
16108611036	GRADY ANTHONY DARNEL	ALEX- GRADY MERDEC MARIA	2725 S NELLIS BLVD UNIT 1087			LAS VEGAS	NV		89121-2093
16108611037	BROWN JAMES L & ROZA PETRIVNA		2725 S NELLIS BLVD UNIT 2086			LAS VEGAS	NV		89121
16108611038	CASALE JOHN G TRUST	CASALE JOHN G TRS	4935 MONTELEONE AVE			LAS VEGAS	NV		89141
16108611039	HUNT ROSEMARIE		2725 S NELLIS BLVD # 2088			LAS VEGAS	NV		89121
16108611040	LOONEY ALBERT ROE III		2725 S NELLIS BLVD # 2087			LAS VEGAS	NV		89121
16108611041	HENRY ROBERT THRALLS & NANCY M		2725 S NELLIS BLVD # 1082			LAS VEGAS	NV		89121-7724
16108611042	WELLS ALASKA COMMUNITY PPTY TR	WELLS RICHARD B & P K TRS	34411 KEYSTONE DR			SOLDOTNA	AK		99669
16108611043	BROWN JAMES L & ROZA P		2725 S NELLIS BLVD # 1084			LAS VEGAS	NV		89121-2093
16108611044	RODRIGUEZ JULIO CESAR		2725 NELLIS BLVD # 1083			LAS VEGAS	NV		89121
16108611045	REINER BRUCE		2725 S NELLIS BLVD # 2082			LAS VEGAS	NV		89121
16108611046	JOVIC JELENA		2725 S NELLIS BLVD # 2081			LAS VEGAS	NV		89121-7729
16108611047	KRAWCZYK BOGDAN		2725 S NELLIS BLVD # 2084			LAS VEGAS	NV		89121
16108611048	O'GRADY TARA		2725 S NELLIS BLVD # 2083			LAS VEGAS	NV		89121-7729
16108611049	BRILEY RUSSELL		2725 S NELLIS BLVD # 1078			LAS VEGAS	NV		89121

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16108611050	GARCIA LILLIAN & JOAQUIN		2725 S NELLIS BLVD # 1077			LAS VEGAS	NV		89121
16108611051	GALINDO JOSE		2725 S NELLIS BLVD # 1080			LAS VEGAS	NV		89121-7724
16108611052	IKEDA KENT J		2725 S NELLIS BLVD # 1079			LAS VEGAS	NV		89121
16108611053	SMITH SELENE		423 BROADWAY # 305			MILLBRAE	CA		94030
16108611054	DURHAM KEVIN		34 BELCHER ST APT 5			SAN FRANCISCO	CA		94114
16108611055	STERLING ROBERT & MARTHA TRUST	STERLING ROBERT L TRS	2725 S NELLIS BLVD # 2080			LAS VEGAS	NV		89121-7729
16108611056	GARCIA RICHARD TRUST	GARCIA RICHARD TRS	2725 S NELLIS BLVD # 2079			LAS VEGAS	NV		89121-2099
16108611057	BRYANT WILLIAM R		2725 S NELLIS BLVD # 1074			LAS VEGAS	NV		89121
16108611058	ALLEN LARRY BERNARD		2149 DALEY ST C			NORTH LAS VEGAS	NV		89030
16108611059	GAMA CHRISTIAN		2725 S NELLIS BLVD # 1076			LAS VEGAS	NV		89121
16108611060	VALDES ISABEL		2725 S NELLIS BLVD # 1075			LAS VEGAS	NV		89121-7724
16108611061	AL-TURKMANI & AYMAN		2725 S NELLIS BLVD # 2074			LAS VEGAS	NV		89121
16108611062	FERNANDEZ ISABEL MARIA		2725 S NELLIS BLVD # 2073			LAS VEGAS	NV		89121-2099
16108611063	FRAGAKIS JEAN		2725 NELLIS BLVD # 2076			LAS VEGAS	NV		89121-2099
16108611064	SMITH JEFFERY		2725 NELLIS BLVD 2075			LAS VEGAS	NV		89121
16108611065	BARRERA JESUS		1117 PLEASANT BROOK ST			LAS VEGAS	NV		89142
16108611066	BELLEROSE EDWARD J & JUANITA K		2725 S NELLIS BLVD # 1061			LAS VEGAS	NV		89121-2092
16108611067	BAKER RICHARD L		2725 S NELLIS BLVD # 1064			LAS VEGAS	NV		89121
16108611068	BRYAN-WHITE ANNISE		2725 S NELLIS BLVD # 1063			LAS VEGAS	NV		89121
16108611069	CASH LARRY DARNEL	CORBIN GLENDA LAGAR	2725 S NELLIS BLVD # 2062			LAS VEGAS	NV		89121-2099
16108611070	FELLER ANTHONY		2725 S NELLIS BLVD # 2061			LAS VEGAS	NV		89121-2099
16108611071	HURSH DALVANTE DUANE	HARPER BONNIE MAE	2725 S NELLIS BLVD # 2064			LAS VEGAS	NV		89121
16108611072	MARSHALL PHYLLIS J	SHIRKEY ANDREW W	2725 S NELLIS BLVD UNIT 2063			LAS VEGAS	NV		89121-2099
16108611073	IBARRA MAYLENIS PIEDRA		2725 S NELLIS BLVD # 1058			LAS VEGAS	NV		89121
16108611074	HERNANDEZ EVANGELINA		2725 S NELLIS BLVD UNIT 1057			LAS VEGAS	NV		89121
16108611075	MORALES GILBERT		2725 S NELLIS BLVD UNIT 1060			LAS VEGAS	NV		89121

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16108611076	PATTON SATONYA L ETAL	BELL LOUISE TRUST	2725 S NELLIS BLVD UNIT 1059			LAS VEGAS	NV		89121
16108611077	ZASADA ANTHONY	HOOK TIMOTHY TAI	2725 S NELLIS BLVD # 2058			LAS VEGAS	NV		89121-7502
16108611078	KOUNTZ DEBRA D		2725 S NELLIS BLVD UNIT 2057			LAS VEGAS	NV		89121
16108611079	VILLACARLOS ROMEO & GENEROSA		2725 S NELLIS BLVD # 2060			LAS VEGAS	NV		89121-2099
16108611080	SPROUL KRISTINA		2725 S NELLIS BLVD # 2059			LAS VEGAS	NV		89121
16108611081	VICUNA OSCAR		2725 S NELLIS BLVD # 1054			LAS VEGAS	NV		89121-2092
16108611082	REED PATTIE	DAVIS JAMES	2725 S NELLIS BLVD # 1053			LAS VEGAS	NV		89121-2092
16108611083	ELLIOTT RICHARD HARVEY		2725 S NELLIS BLVD UNIT 1056			LAS VEGAS	NV		89121
16108611084	LOTUS TRUST	NEHRU KUMUDA LOTUS TRS	2725 S NELLIS BLVD UNIT 1055			LAS VEGAS	NV		89121
16108611085	CRUZ NIKLWILLI L		2725 S NELLIS BLVD # 2054			LAS VEGAS	NV		89121
16108611086	RODRIGUEZ MARIBEL & LUIS		6159 HAYS COVE CT			LAS VEGAS	NV		89148
16108611087	SABEDRA DAVID		6518 PECAN GROVE CT			LAS VEGAS	NV		89142
16108611088	SACKS EMILIANO ADRIAN		2725 S NELLIS BLVD UNIT 2055			LAS VEGAS	NV		89121
16108611089	DANIGGELIS MONICA D REVOCABLE LIVING TRUST	DANIGGELIS MONICA D TRS	2725 S NELLIS BLVD # 1042			LAS VEGAS	NV		89121
16108611090	ALLEN LORIS		10620 VILLAGE RD			MORENO VALLEY	CA		92557-3959
16108611091	AZUCENA MARITZA L		7006 MURIETTA AVE			VAN NUYS	CA		91405-3316
16108611092	GUERRERO ERIKA R		2725 S NELLIS BLVD # 1043			LAS VEGAS	NV		89121
16108611093	SMITH ROBERT LEWIS & MARTHA ESTHER		2725 S NELLIS BLVD UNIT 2042			LAS VEGAS	NV		89121
16108611094	TROMP PAULA	JONES PAULETTE	4915 MAJOR DR			NEW ORLEANS	LA		70128
16108611095	SUMNER APRIL LEE & LEONARD ARTHUR JR		2725 S NELLIS BLVD # 2044			LAS VEGAS	NV		89121
16108611096	NEUSCHWANDER GERALD		2725 S NELLIS BLVD # 2043			LAS VEGAS	NV		89121
16108611097	MONTAGUE CAROLYN		2725 S NELLIS # 1038			LAS VEGAS	NV		89121
16108611098	KIPLING CHERYL A	DASCH ROBERT T	2725 S NELLIS BLVD # 1037			LAS VEGAS	NV		89121
16108611099	FAVORS YVETTE J	HARDIN LYNETTE	9323 S PEORIA ST			CHICAGO	IL		60620
16108611100	ASPEN SUMMIT VENTURES L L C		3137 E WARM SPRINGS RD # 100			LAS VEGAS	NV		89120

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16108611101	MAYNARD RONALD AUSTIN	FRASER LESLIE ANN	2725 S NELLIS BLVD # 2038			LAS VEGAS	NV		89121-2098
16108611102	CORBETT CHELSEA E		2725 S NELLIS BLVD # 2037			LAS VEGAS	NV		89121
16108611103	CALDERON SANDRA D FAMILY TRUST	CALDERON SANDRA D TRS	260 HALEY WAY UNIT 140			MESQUITE	NV		89027
16108611104	TURMAN FAMILY TRUST	TURMAN MARIA M TRS	3835 WAYNESVILL ST			LAS VEGAS	NV		89122-4732
16108611105	PATRICK JUDY KAY REVOCABLE LIVING TRUST	PATRICK JUDY KAY TRS	2725 S NELLIS BLVD # 1034			LAS VEGAS	NV		89121
16108611106	WOLFE DIANE N		2725 S NELLIS BLVD # 1033			LAS VEGAS	NV		89121
16108611107	ONUS EDWARD		2725 S NELLIS BLVD # 1036			LAS VEGAS	NV		89121-2091
16108611108	ANDERSON BRAD & JEANNIFER		2725 S NELLIS BLVD # 1035			LAS VEGAS	NV		89121
16108611109	GARUT FLORENCE		1304 OLIVIA PKWY			HENDERSON	NV		89011
16108611110	HALL MAYRA		4008 EL SEGUNDO AVE			LAS VEGAS	NV		89121
16108611111	THUNSTROM STEPHEN W		2725 S NELLIS BLVD # 2036			LAS VEGAS	NV		89121-2098
16108611112	GUTIERREZ HECTOR	ALVARADO MARIA DE REFUGIO	2725 S NELLIS BLVD # 2035			LAS VEGAS	NV		89121-2098
16108611113	LEE ERIN		5433 OVERLOOK VALLEY ST			NORTH LAS VEGAS	NV		89081
16108611114	GONZALEZ CARLOS RUIZ		2725 S NELLIS BLVD # 1029			LAS VEGAS	NV		89121
16108611115	MENOR GUY M Y	HAUMEA ELEANOR M	6231 OLOHENA RD			KAPAA	HI		96746
16108611116	FRANCIA CATHERINE		2725 S NELLIS BLVD # 1031			LAS VEGAS	NV		89121
16108611117	GUTIERREZ DIANA		2725 S NELLIS BLVD # 2030			LAS VEGAS	NV		89121-2098
16108611118	GOLDFARB RONALD I & RANDALL S		6 LARCH CIR			HOLLAND	PA		18966
16108611119	MUSTERED JOHN L & FLOR F		2725 S NELLIS BLVD # 2032			LAS VEGAS	NV		89121
16108611120	OWENS CRISTAL N		2725 S NELLIS BLVD # 2031			LAS VEGAS	NV		89121
16108611121	SULLIVAN BENJAMIN EDWARD		2725 S NELLIS BLVD # 1026			LAS VEGAS	NV		89121-2091
16108611122	HAYES THOMAS RAY & DANA MARIE		2725 S NELLIS BLVD # 1025			LAS VEGAS	NV		89121
16108611123	SCOTT TONI		2725 S NELLIS BLVD # 1028			LAS VEGAS	NV		89121
16108611124	GARCIA MARIA YSABEL SANCHEZ REVOCABLE LIVING TRUST	GARCIA MARIA YSABEL SANCHEZ TRS	1579 FALLING LEAF LANE			LAS VEGAS	NV		89142
16108611125	WILEY JOAN		2725 S NELLIS BLVD # 2026			LAS VEGAS	NV		89121-7727
16108611126	FISTER KATHRYN C		2725 S NELLIS BLVD # 2025			LAS VEGAS	NV		89121-2097

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16108611127	LEWIS SPENCER & LORCESA		2725 S NELLIS BLVD UT 2028			LAS VEGAS	NV		89121
16108611128	VANPOOL REVOCABLE FAMILY LIVING TRUST	VANPOOL ANNABELLE LEE TRS	3553 ATLANTIC AVE STE A 666			LONG BEACH	CA		90807
16108611129	DELAROSA CRISTIAN ROJAS		2725 S NELLIS BLVD # 1022			LAS VEGAS	NV		89121
16108611130	GONZALEZ HERIBERTO ETAL	LOPEZ MARIA OLGA GONZALEZ	4134 ORANGE MIST WAY			LAS VEGAS	NV		89122
16108611131	BAEZ JOSEPH		2725 S NELLIS BLVD UNIT 1024			LAS VEGAS	NV		89121
16108611132	LOWE TYNISHA TRUST	LOWE DENISE CO-TRS	2725 S NELLIS BLVD # 1023			LAS VEGAS	NV		89121
16108611133	VENA EMILY & WILLIAM		2725 S NELLIS BLVD # 2022			LAS VEGAS	NV		89121
16108611134	SHPRINTZ JASON MICHAEL LIVING TRUST	SHPRINTZ JASON MICHAEL TRS	2725 S NELLIS BLVD # 2021			LAS VEGAS	NV		89121
16108611135	VAZQUEZ JESUS		2725 S NELLIS BLVD 2024			LAS VEGAS	NV		89121
16108611136	BARROS RACHEL CHRISTINE		2725 S NELLIS BLVD # 2023			LAS VEGAS	NV		89121-2097
16108611137	JOHNSON FAMILY TRUST	JOHNSON ELIJAH M TRS	2323 PROMETHEUS CT			HENDERSON	NV		89074
16108611138	MERCIER ALFRED		2725 S NELLIS BLVD # 1017			LAS VEGAS	NV		89121
16108611139	VOGEL MARILYN FAMILY TRUST	VOGEL MARILYN TRS	2725 S NELLIS BLVD # 1020			LAS VEGAS	NV		89121-2090
16108611140	URBAN JEROME R & MARIA E		2725 S NELLIS BLVD # 1019			LAS VEGAS	NV		89121-2090
16108611141	FARMER STEVEN S		2725 S NELLIS # 2018			LAS VEGAS	NV		89121-2097
16108611142	NORIEGA FELIPE V JR & JULIANNA	NORIEGA JOANNA	2725 S NELLIS BLVD # 2017			LAS VEGAS	NV		89121
16108611143	BONIILLA JENNIFER		2725 S NELLIS BLVD # 2020			LAS VEGAS	NV		89121-2097
16108611144	DOLAN JOHN P		702 W THOMAS RD			WHEATON	IL		60187-3162
16108611145	GONZALEZ RODRIGO R JR & ERMALINDA S		3713 SHAVING SHADOWS AVE			NORTH LAS VEGAS	NV		89032
16108611146	GROTE DONALD J & BECKY J		4703 384TH ST			NORTH BRANCH	MN		55056
16108611147	KELLER MARK		2725 S NELLIS BLVD # 1016			LAS VEGAS	NV		89121
16108611148	ALEXANDER JOHNNY & HSIANG CHI		2725 S NELLIS BLVD # 1015			LAS VEGAS	NV		89121
16108611149	SALAZAR-DIAZ LIZBETT		2725 S NELLIS BLVD # 2014			LAS VEGAS	NV		89121
16108611150	TRENT ASSETS L L C		7310 SOUTHERN MAGNOLIA ST			LAS VEGAS	NV		89149
16108611151	MARKEE JEFFREY DAVID	BUSCH BARBARA J	2725 S NELLIS BLVD UNIT 2016			LAS VEGAS	NV		89121

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16108611152	STEWART SANDI J		14 CEDAR CLOSE			LACOMBE	AB	CANADA	T4L 1P5
16108611153	CARDENAS-MENDOZA VICTOR OMAR		2725 S NELLIS BLVD # 1010			LAS VEGAS	NV		89121
16108611154	BELIVEAU JOHN		2725 S NELLIS BLVD # 1009			LAS VEGAS	NV		89121-2090
16108611155	PEREYRA CRYSTAL VERONIQUE		2725 S NELLIS BLVD # 1012			LAS VEGAS	NV		89121
16108611156	WEST GINA LEE		2725 S NELLIS BLVD # 1011			LAS VEGAS	NV		89121
16108611157	KEEN TERESA		2725 S NELLIS BLVD # 2010			LAS VEGAS	NV		89121-2097
16108611158	KIRBY TERESA D		11859 SWILLY CT			ORLAND PARK	IL		60467
16108611159	HENRY SUSANNA M SEPARATE PPTY TR	HENRY SUSANNA M TRS	2725 S NELLIS BLVD # 2012			LAS VEGAS	NV		89121-2097
16108611160	MARTINEZ TAYMI RODRIGUEZ		2725 S NELLIS BLVD # 2011			LAS VEGAS	NV		89121
16108611161	SOUZA JESSICA R TRUST	SOUZA JESSICA R TRS	17305 SE 91ST LEE AVE			THE VILLAGES	FL		32162
16108611162	DOUGLAS MITCHELL LIVING TRUST	DOUGLAS MITCHELL TRS	2725 S NELLIS BLVD # 1005			LAS VEGAS	NV		89121-2090
16108611163	BELIVEAU JOHN		PO BOX 178			KAPAA	HI		96746
16108611164	WEDGE MARGARET A REVOCABLE TRUST	WEDGE MARGARET A TRS	PO BOX 152			CARPENTERSVILLE	IL		60110
16108611165	CORTEZ MIGUEL A SARMIENTO		2725 S NELLIS BLVD # 2006			LAS VEGAS	NV		89121-2097 /
16108611166	ROBERTS MERRISSA		2725 S NELLIS BLVD # 2005			LAS VEGAS	NV		89121
16108611167	RODRIGUEZ-GOMEZ ANTONIO		2725 S NELLIS BLVD # 2008			LAS VEGAS	NV		89121
16108611168	FERRER RENE & RENE JR		2725 S NELLIS BLVD # 2007			LAS VEGAS	NV		89121
16108611169	JOHNSON YRASHEMA		2725 S NELLIS BLVD # 1004			LAS VEGAS	NV		89121-2090
16108611170	FORESTAL ELDOUTE		2725 S NELLIS BLVD # 1003			LAS VEGAS	NV		89121
16108611171	KYLE JAMES MELVIN LIVING TRUST	KYLE JAMES MELVIN TRS	2725 S NELLIS BLVD # 1002			LAS VEGAS	NV		89121
16108611172	MORALES EDGAR E	MAYORGA ROSA E	2725 S NELLIS BLVD UNIT 1001			LAS VEGAS	NV		89121
16108611173	MILLS NORMA TRUST	MILLS NORMA TRS	2725 S NELLIS BLVD # 2004			LAS VEGAS	NV		89121-2097
16108611174	NIETO MARTHA E DIAZ		2725 S NELLIS BLVD # 2003			LAS VEGAS	NV		89121
16108611175	CRUZ EDGARDO C	DECRUZ FRANCISCA SANDOVAL	2725 S NELLIS BLVD # 2002			LAS VEGAS	NV		89121-2097
16108611176	MARINO THOMAS J		2725 S NELLIS BLVD # 2001			LAS VEGAS	NV		89121
16108611177	ESPINOZA ARMANDO		2725 S NELLIS BLVD # 1202			LAS VEGAS	NV		89121

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
16108611178	ESCUERO ARIES VICENCIO		1405 S NELLIS BLVD # 1021			LAS VEGAS	NV		89104
16108611179	RENTERIA ANNA MARIE		2725 S NELLIS BLVD # 1204			LAS VEGAS	NV		89121-2096
16108611180	GARCIA MARIA SOLEDAD PANTOJA		2725 S NELLIS BLVD # 1203			LAS VEGAS	NV		89121
16108611181	BELLOTTO TANYA L		2725 S NELLIS BLVD # 2202			LAS VEGAS	NV		89121-7503
16108611182	RUBALCABA MARIA E LOPEZ		2725 S NELLIS BLVD # 2201			LAS VEGAS	NV		89121-7503
16108611183	WAGNER JOHN		626 CRESTWAY DR			SAN ANTONIO	TX		78239-2152
16108611184	ROMERO-GONZALEZ MANUEL ETAL	FREGOSO-GONZALEZ MARIBEL & YASAIRA	2725 S NELLIS BLVD 2203			LAS VEGAS	NV		89121
16108611185	JOHNSON MARIBEL & JAMES		2725 S NELLIS BLVD 1198			LAS VEGAS	NV		89121
16108611186	MCKAY JENNY L		2725 S NELLIS BLVD UNIT # 1197			LAS VEGAS	NV		89121
16108611187	VONG JODIE		9405 STONE SPRINGS DR			ELK GROVE	CA		95624
16108611188	TOMKO PATRICIA & MICHAEL		2725 S NELLIS BLVD # 1199			LAS VEGAS	NV		89121
16108611189	CANTRELL DANIEL & LINDA		2725 S NELLIS BLVD # 2198			LAS VEGAS	NV		89121-7503
16108611190	GEHRMAN ANN LIVING TRUST	GEHRMAN ANN TRS	9216 BLACK SLATE ST			LAS VEGAS	NV		89123
16108611191	BURDETTE JOHN L		2725 S NELLIS BLVD UT 2200			LAS VEGAS	NV		89121
16108611192	SCHNOCK-SOILEAU CLAIRA A		2725 S NELLIS BLVD # 2199			LAS VEGAS	NV		89121
16108611193	JAVINAR ANGEL JR & MARILYN N		2725 S NELLIS BLVD # 1196			LAS VEGAS	NV		89121
16108611194	HERIGSTAD BRETT & BRIAN		2725 S NELLIS BLVD # 1195			LAS VEGAS	NV		89121-2096
16108611195	PACELLI JANICE LYNNIE PARLIN		2725 S NELLIS BLVD # 1194			LAS VEGAS	NV		89121-2096
16108611196	MAGANA-RANGEL MARIA DOLORES		2725 S NELLIS BLVD # 1193			LAS VEGAS	NV		89121
16108611197	MARTIATU DANNA & DANIEL	MARTIATU DAYSI B	2725 S NELLIS BLVD # 2196			LAS VEGAS	NV		89121
16108611198	VONG BRITTANEY E		2725 S NELLIS BLVD UNIT 2195			LAS VEGAS	NV		89121
16108611199	OSTRANSKY MARVIN J		14002 S 108TH ST			SPRINGFIELD	NE		68059
16108611200	TRUJILLO DEIVIS BETANCOURT		2725 S NELLIS BLVD # 2193			LAS VEGAS	NV		89121
16108611201	DIAZ MAYBEL		2725 S NELLIS BLVD # 1184			LAS VEGAS	NV		89121-2096
16108611202	MATTIN JOSHUA ALAN & MONALISA TUTOR		2725 S NELLIS BLVD # 1183			LAS VEGAS	NV		89121
16108611203	MAROPULOS WILLIAM P &		4930 LEEDS ST			SIMI VALLEY	CA		93063-3054

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	PATRICIA A								
16108611204	ARMANNO TOMMASO LIVING TRUST	ARMANNO TOMMASO TRS	2725 S NELLIS BLVD # 1181			LAS VEGAS	NV		89121-2096
16108611205	NEWMAN JOEL B & JOAN E		2725 S NELLIS BLVD # 2184			LAS VEGAS	NV		89121-7503
16108611206	SULLIVAN BERRIE & CELESTINE		2725 S NELLIS BLVD UNIT 2183			LAS VEGAS	NV		89121
16108611207	RODRIGUEZ DANAY VARELA	JIMENEZ-VARELA ARIEL	2725 S NELLIS BLVD # 2182			LAS VEGAS	NV		89121
16108611208	YURGA PAUL S & HICKEY VICTORIA A LIVING TRUST		10245 E THISTLE AVE			MESA	AZ		85212
16108611209	SORIA ALBERTO		2725 S NELLIS BLVD # 1180			LAS VEGAS	NV		89121
16108611210	MATURAN NATIVIDAD ARRIETA		2725 S NELLIS BLVD UNIT 1179			LAS VEGAS	NV		89121
16108611211	MARTORANA ANDREW	SCHENK-MARTORANA AUBREY	4954 JUPITER HILLS DR			IDAHO FALLS	ID		83401
16108611212	MEDLIN DEBRA ELAINE		2725 S NELLIS BLVD # 1177			LAS VEGAS	NV		89121
16108611213	LEON KEVIN JAIR		2725 S NELLIS BLVD # 2180			LAS VEGAS	NV		89121
16108611214	SANCHEZ MA DEL REFUGIO ALBA		2725 S NELLIS BLVD # 2179			LAS VEGAS	NV		89121
16108611215	CHAN ANTONY TIN LING		2725 S NELLIS BLVD # 2178			LAS VEGAS	NV		89121
16108611216	OHREN FAMILY TRUST	OHREN MICHAEL MARK & JOAN E TRS	PO BOX 1153			HELENDALE	CA		92342
16108611217	POTTS MARGARET N & GEOFFREY A		2725 S NELLIS BLVD # 1176			LAS VEGAS	NV		89121-7726
16108611218	KUMAR FAMILY REVOCABLE LIVING TR	KUMAR NARESH TRS	PO BOX 270361			LAS VEGAS	NV		89127-4361
16108611219	BAKER RICHARD F REVOCABLE TRUST	BRYANT ELIZABETH TRS	2573 EAGLE ST			LAS VEGAS	NV		89142-2544
16108611220	POPE ROBERT H	YAGER-POPE CHRISTINE	2725 S NELLIS BLVD # 1173			LAS VEGAS	NV		89121-2095
16108611221	SMITH RICHARD A & DONNA M		2725 S NELLIS BLVD # 2176			LAS VEGAS	NV		89121-7502
16108611222	SOOKRAJ INDERA REVOCABLE LIV TR	SOOKRAJ INDERA TRS	2725 S NELLIS BLVD # 2175			LAS VEGAS	NV		89121
16108611223	DOTSON ROSELA R		2725 S NELLIS BLVD # 2174			LAS VEGAS	NV		89121
16108611224	HIET JANICE A	HUMES JOHN W	2725 S NELLIS BLVD # 2173			LAS VEGAS	NV		89121-7502
16108611225	M & G HERNANDEZ REVOCABLE LIVING TRUST	HERNANDEZ MOISES & GLORIA E CO-TRS	3847 VENTURA WAY			LAS VEGAS	NV		89121-6154
16108611226	HENLEY CAROL ANN		2725 S NELLIS BLVD # 1163			LAS VEGAS	NV		89121
16108611227	BAILLE DAVID E		2725 S NELLIS BLVD # 1162			LAS VEGAS	NV		89121

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
16108611228	ROJAS LILIA		2725 S NELLIS BLVD UNIT 1161			LAS VEGAS	NV		89121
16108611229	CARPENTER SCOTT J & CYNTHIA S	CARPENTER MARK K & LINDA J	1306 CHASE AVE			CREIGHTON	NE		68729
16108611230	POSEY GLENN		6895 E LAKE MEAD BLVD # 167			LAS VEGAS	NV		89156
16108611231	BURTNICK ARLENE R		2725 S NELLIS BLVD # 2162			LAS VEGAS	NV		89121-7502
16108611232	MIRANDA MANUEL & AMANDA		2725 S NELLIS BLVD # 2161			LAS VEGAS	NV		89121
16108611233	NEDEAU FREDERICK D & ELIZABETH A		2725 S NELLIS BLVD # 1160			LAS VEGAS	NV		89121-2095
16108611234	KUETEMAN JODI M		2725 S NELLIS BLVD # 1159			LAS VEGAS	NV		89121
16108611235	SATICOY BAY LLC SERIES 2725		PO BOX 36208			LAS VEGAS	NV		89133
16108611236	ADANALIAN LENA GRACE		18 HAVENWOOD			IRVINE	CA		92614
16108611237	FISHER RYAN S		2725 S NELLIS BLVD # 2160			LAS VEGAS	NV		89121-7502
16108611238	PERALES CARLOS ALEJANDRO		2725 S NELLIS BLVD # 2159			LAS VEGAS	NV		89121
16108611239	DIAZ CARMEN C		2725 S NELLIS BLVD # 2158			LAS VEGAS	NV		89121
16108611240	AGUILAR JOSE M GARCIA		5189 VARSITY AVE			LAS VEGAS	NV		89146-7051
16108611241	K & P LACY FAMILY TRUST		5145 ARVILLE ST STE C			LAS VEGAS	NV		89118
16108611242	GARCIA ARLEY PADRON		2725 S NELLIS BLVD 1155			LAS VEGAS	NV		89121-2099
16108611243	LOPEZ ANTONIO S		2725 S NELLIS # 1154			LAS VEGAS	NV		89121-2095
16108611244	GLOVER JAMES C & BONNIE L		910 ELMHUST DR			PAPILLION	NE		68046
16108611245	MICKELSEN LONEY B		2725 S NELLIS BLVD # 2156			LAS VEGAS	NV		89121-7730
16108611246	YEE FAMILY TRUST	YEE DAVID T & DORINA FAZ TRS	2534 TALISKER AVE			HENDERSON	NV		89044
16108611247	GRAY PAMELA C		2725 S NELLIS BLVD # 2154			LAS VEGAS	NV		89121-7730
16108611248	BRADY PAUL & MANDY		515 S JACKSON ST			PAPILLION	NE		68046
16108611249	ALCANTARA RICARDO	SHENSHEW MARY LOU	2725 S NELLIS BLVD # 1152			LAS VEGAS	NV		89121
16108611250	WILLIAMS SARAH ANN		2725 S NELLIS BLVD # 1151			LAS VEGAS	NV		89121
16108611251	BURRELL ANDREW JR		2725 S NELLIS BLVD UNIT 1150			LAS VEGAS	NV		89121
16108611252	M & G HERNANDEZ REVOCABLE LIVING TRUST	HERNANDEZ MOISES & GLORIA E 3847 VENTURA WAY CO-TRS				LAS VEGAS	NV		89121
16108611253	MIRANDA AMANDA M		2725 S NELLIS BLVD # 2152			LAS VEGAS	NV		89121

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16108611254	BALLESTEROS GABRIELA 2023 LIVING TRUST	BALLESTEROS GABRIELA TRS	968 W 11TH ST			POMONA	CA		91766
16108611255	WEST TERESA L		2725 S NELLIS BLVD # 2150			LAS VEGAS	NV		89121-7730
16108611256	NANA BABETTE ALEXANDRALE SEUMAN		2725 S NELLIS BLVD # 2149			LAS VEGAS	NV		89121
16108611257	NATIVIDAD AZUCENA P & ROMEO F		2725 S NELLIS BLVD # 1140			LAS VEGAS	NV		89121
16108611258	SPERANZA GEORGE & SUSAN		2725 S NELLIS BLVD # 1139			LAS VEGAS	NV		89124
16108611259	LEE KELSEY LYNNE		2725 S NELLIS BLVD # 1138			LAS VEGAS	NV		89121
16108611260	KOSKI JANICE		2725 S NELLIS BLVD UNIT 1137			LAS VEGAS	NV		89121
16108611261	VENTURA ALEJANDRO		2725 S NELLIS BLVD # 2140			LAS VEGAS	NV		89121
16108611262	CONTRERAS ROBERTO & ANA		2725 S NELLIS BLVD # 2139			LAS VEGAS	NV		89121
16108611263	HILL KILBY LYN	HILL PETER R & CHERYL L	2725 S NELLIS BLVD # 2138			LAS VEGAS	NV		89121-7501
16108611264	NELSON MICHAEL E & MICHAEL II		861 E 2620 N			PROVO	UT		84604
16108611265	HAMAN STANLEY S		2725 S NELLIS BLVD # 1136			LAS VEGAS	NV		89121-2094
16108611266	KOSKI DAVE & BARBARA		2725 S NELLIS BLVD # 1135			LAS VEGAS	NV		89121
16108611267	HARRIS LEROY		2725 S NELLIS BLVD # 1134			LAS VEGAS	NV		89121-2094
16108611268	OPHEIM KIM & VIRGINIA MARIE		232130 R R 284			ROCKY VIEW	AB	CANADA	T1X 0K7
16108611269	EGAN ELENA		2725 S NELLIS BLVD # 2136			LAS VEGAS	NV		89121
16108611270	LINDO DAVID		2725 S NELLIS BLVD # 2135			LAS VEGAS	NV		89121
16108611271	SAPPHIRE TRUST	VILLA VIANCA TRS	3670 STARBRIGHT LN			LAS VEGAS	NV		89147
16108611272	BAEZ JULIE V		2725 S NELLIS BLVD UNIT 2133			LAS VEGAS	NV		89121
16108611273	MORALES DIANNE F & JOHN A		2725 S NELLIS BLVD # 1124			LAS VEGAS	NV		89121-2094
16108611274	NGUYEN THOI THI REVOCABLE LIVING TRUST	NGUYEN THOI THI TRS	2725 S NELLIS BLVD # 1123			LAS VEGAS	NV		89121-2094
16108611275	SMART JAMES R		2725 S NELLIS BLVD # 1122			LAS VEGAS	NV		89121-2094
16108611276	QUIJANO MICKYL ANTHONY RODRIGUEZ	AVILA JOANNA MARLEN MORA	2725 S NELLIS BLVD # 1121			LAS VEGAS	NV		89121
16108611277	PETTY BRENDA		2725 S NELLIS BLVD # 2124			LAS VEGAS	NV		89121-7501
16108611278	STCLAIR VICTORIA M		2725 S NELLIS BLVD # 2123			LAS VEGAS	NV		89121-7501

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
16108611279	SHIRKEY ANDREW W		2725 S NELLIS BLVD # 2122			LAS VEGAS	NV		89121-7500
16108611280	VALENZUELA FAMILY TRUST ETAL	CASTRO RAUL VALENZUELA TRS	2725 S NELLIS BLVD # 2121			LAS VEGAS	NV		89121-7500
16108611281	MILLER EUNICE DARLENE TURNER		37114 CALLE REAL			PALMDALE	CA		93550
16108611282	MALIWAT ANTHONY & EILEEN		2725 S NELLIS BLVD 1125			LAS VEGAS	NV		89121
16108611283	CARREON LORENA AMBATALI & FRANCES		2725 S NELLIS BLVD UNIT 1128			LAS VEGAS	NV		89121
16108611284	CANNON MARK ALAN		2725 S NELLIS BLVD # 1127			LAS VEGAS	NV		89121
16108611285	BARRERA JESUS		6857 WISPY SKY CT			LAS VEGAS	NV		89142
16108611286	PERRY CHUN		2725 S NELLIS BLVD # 2125			LAS VEGAS	NV		89121
16108611287	GILBERT RALPH		33222 GERALD ST			WAYNE	MI		48184
16108611288	CRUZE TANYA R	CRUZ TANYA R	2725 S NELLIS BLVD # 1127			LAS VEGAS	NV		89120
16108611289	TOMKO MICHAEL	ALVAREZ-GARCIA NADIA	2725 S NELLIS BLVD # 1130			LAS VEGAS	NV		89121
16108611290	REBER CYNTHIA		2725 S NELLIS BLVD # 1129			LAS VEGAS	NV		89121-2094
16108611291	CORAL KEY L L C		3225 MCLEOD DR			LAS VEGAS	NV		89121
16108611292	TEETER KAY F		2725 S NELLIS BLVD # 1131			LAS VEGAS	NV		89121-2094
16108611293	VAZQUEZ-LOPEZ HECTOR	PACHECO-ROJAS EVA	10556 EL CERRITO CHICO ST			LAS VEGAS	NV		89179-1827
16108611294	HALE CASSANDRA L		2725 S NELLIS BLVD # 2129			LAS VEGAS	NV		89121
16108611295	JAIRAJ SEEROJINI REVOCABLE TRUST	JAIRAJ SEEROJINI TRS	2725 S NELLIS BLVD UNIT 2132			LAS VEGAS	NV		89121
16108611296	MILLER LANAYA		540 ELM DR UNIT 105			LAS VEGAS	NV		89169
16108611297	WAGNER JOHN OTTO & ENCARNACION M		626 CRESTWAY DR			SAN ANTONIO	TX		78239-2152
16108611298	GRUBE ARTHUR D & DONNA R		911 WICKLOW RD			PAPILLION	NE		68046-7050
16108611299	GRAHAM FAMILY TRUST		2725 S NELLIS BLVD # 2142			LAS VEGAS	NV		89121-7501
16108611300	LEE BRYAN J		PO BOX 660283			ARCADIA	CA		91066
16108611301	THOMAS LARONDAE		2725 S NELLIS BLVD # 2144			LAS VEGAS	NV		89121
16108611302	KINNEY AMELIA	KINNEY ROGER & MICHELLE	2725 S NELLIS BLVD # 2143			LAS VEGAS	NV		89121
16108611303	GRAHAM FAMILY TRUST		2725 S NELLIS BLVD # 2142			LAS VEGAS	NV		89121-7501
16108611304	MAGLIARDITI NICHOLAS J	FROSTAD JOANNE	2725 S NELLIS BLVD # 2141			LAS VEGAS	NV		89121-7501

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
16108611305	MONTAGUE CALVIN		2725 S NELLIS BLVD # 1146			LAS VEGAS	NV		89121
16108611306	CATES HEDY T		1050 W COOLIDGE ST			BITELY	MI		49309
16108611307	D R M P A TRUST	MARSHALL CALVIN ALI TRS	2725 S NELLIS BLVD # 1148			LAS VEGAS	NV		89121
16108611308	THOMPSON RONNIE		2725 S NELLIS BLVD # 1147			LAS VEGAS	NV		89121
16108611309	DURANT JERRY JR		2725 S NELLIS BLVD UNIT 2146			LAS VEGAS	NV		89121
16108611310	PRANDECKI IGA E		2725 S NELLIS BLVD # 2145			LAS VEGAS	NV		89121-7501
16108611311	MAHESHWARI FAMILY TRUST	MAHESHWARI ANOOP KUMAR & MEENU TRS	1157 W GRAND BLVD			CORONA	CA		92882
16108611312	EDMUNDS DARIUS D		1433 LIME POINT ST			LAS VEGAS	NV		89110
16108611313	ASTORGA-RAMIREZ MARIA CONSUELO		2725 S NELLIS BLVD # 1166			LAS VEGAS	NV		89121
16108611314	POWELL ROBERT JR & ZILA		2725 S NELLIS BLVD # 1165			LAS VEGAS	NV		89121-2095
16108611315	GLASSMAN JOHN D & JENICE V		PO BOX 8521			TACOMA	WA		98419-0521
16108611316	SERNA GERARDO		2725 S NELLIS BLVD # 1167			LAS VEGAS	NV		89121
16108611317	QUINTERO CARLOS HUMBERTO		2725 S NELLIS BLVD # 2166			LAS VEGAS	NV		89121-7502
16108611318	REED DANIELLE S		2725 S NELLIS BLVD # 2165			LAS VEGAS	NV		89121
16108611319	VALENTINE IVESHIA C		2725 S NELLIS BLVD # 2168			LAS VEGAS	NV		89121
16108611320	POWELL PATRICK & NAOMI		4022 FOXGROVE DR			LAS VEGAS	NV		89147
16108611321	JOHNSON ROBERT L		2725 S NELLIS BLVD # 1170			LAS VEGAS	NV		89121-2095
16108611322	CHAFF ESTRELLITA LIVING TRUST	CHAFF ESTRELLITA L TRS	2725 S NELLIS BLVD # 1169			LAS VEGAS	NV		89121
16108611323	KNOX MONA L		2725 S NELLIS BLVD UNIT 1172			LAS VEGAS	NV		89121
16108611324	RIER MICHAEL		2725 S NELLIS BLVD # 1171			LAS VEGAS	NV		89121-2095
16108611325	COMPLIT ANDRE ABEL		2725 S NELLIS BLVD # 2170			LAS VEGAS	NV		89121-7502
16108611326	CADENA ISIDRO ARMANDO MEJIA	HERNANDEZ FATIMA MEJIA	2725 S NELLIS BLVD # 2169			LAS VEGAS	NV		89121
16108611327	DEELY KEVIN & NANCY	DEELY DAVID	2725 S NELLIS BLVD # 2172			LAS VEGAS	NV		89121
16108611328	QUIMSON RIZA C		2725 S NELLIS BLVD # 2171			LAS VEGAS	NV		89121-7502
16108611329	ROBBINS TOBY		2725 S NELLIS BLVD UNIT 1186			LAS VEGAS	NV		89121-2096
16108611330	GONZALEZ-KEELING MAGALY		2725 S NELLIS BLVD # 1185			LAS VEGAS	NV		89121

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
16108611331	VELAZQUEZ JOEL TRUST	VELAZQUEZ JOEL MERAZ TRS	2725 S NELLIS BLVD UNIT 1188			LAS VEGAS	NV		89122
16108611332	HAYASE JAY S		2725 S NELLIS BLVD # 1187			LAS VEGAS	NV		89121-2096
16108611333	BILDERBACK KIMBERLY KAY	TSCHEITTER DANIEL GILBERT	2725 S NELLIS BLVD # 2186			LAS VEGAS	NV		89121
16108611334	LONG SHADOW HOLDINGS L L C		2950 TIFFANY CIR			LOS ANGELES	CA		90077
16108611335	ROTH ROBERT		2725 S NELLIS BLVD # 2188			LAS VEGAS	NV		89121
16108611336	KEBLER JANICE		2725 S NELLIS BLVD # 2187			LAS VEGAS	NV		89121
16108611337	SMITH CRAIG A & JAYME L		2725 S NELLIS BLVD # 1190			LAS VEGAS	NV		89121-2096
16108611338	LISAC FAMILY TRUST ETAL	LISAC JOHN D TRS	2725 S NELLIS BLVD # 1189			LAS VEGAS	NV		89121
16108611339	PASQUINELLI JAMES TRUST	PASQUINELLI JAMES ALFRED TRS	2725 S NELLIS BLVD UNIT 1192			LAS VEGAS	NV		89121
16108611340	MITCHELL ANISSA		2725 S NELLIS BLVD 1191			LAS VEGAS	NV		89121
16108611341	YAMKA SAULINE REVOCABLE LIVING TRUST ETAL	KEISER DINA TRS	2725 S NELLIS BLVD UNIT 2190			LAS VEGAS	NV		89121
16108611342	PELLONI DEBORAH J & JACALYN J		2725 S NELLIS # 2189			LAS VEGAS	NV		89121-7503
16108611343	CHEN ZHIQIANG		2725 S NELLIS BLVD # 43-2192			LAS VEGAS	NV		89121
16108611344	CAMPISI GARY T	ANIES-CAMPISI CATHERINE	PSC 517 BOX 5628R			FPO	AP		96517
16108611345	ANDRES ANGELA LUCINICIO		2725 S NELLIS BLVD UNIT 1046			LAS VEGAS	NV		89121
16108611346	DEATON DEBRA ANN		2725 S NELLIS BLVD # 1045			LAS VEGAS	NV		89121
16108611347	GAIGNARD ARTHUR		2725 S NELLIS BLVD # 1048			LAS VEGAS	NV		89121
16108611348	WIERCYSKI JANE E		2725 S NELLIS BLVD # 1047			LAS VEGAS	NV		89121-7723
16108611349	CHON YONG SUK	WONG TA SUN	2725 SOUTH NELLIS BLVD # 2046			LAS VEGAS	NV		89121
16108611350	WILCOX NATHANIEL		2725 S NELLIS BLVD # 2045			LAS VEGAS	NV		89121
16108611351	A E CONCEPTS L L C		2510 W HORIZON RIDGE PKWY # 100			HENDERSON	NV		89052
16108611352	HASLEY MARTIN		2725 S NELLIS BLVD # 2047			LAS VEGAS	NV		89121
16108611353	MARTINEZ FAMILIA TRUST ETAL	MARTINEZ-RODRIGUEZ LORENA TRS	2725 S NELLIS BLVD UNIT 1052			LAS VEGAS	NV		89121
16108611354	PASTWA PAUL		2725 S NELLIS BLVD # 1051			LAS VEGAS	NV		89121-2092
16108611355	WARD ERIK GRANT		2725 S NELLIS BLVD # 1050			LAS VEGAS	NV		89121-2092

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
16108611356	2002 NAKAMURA FAMILY REVOCABLE LIVING TRUST	NAKAMURA HERBERT M & ANITA K-O-K AKANA TRS	41-620 BELL ST			WAIMANALO	HI		96795
16108611357	PINKHAM ALEX ANN		2725 S NELLIS BLVD # 2052			LAS VEGAS	NV		89121-2098
16108611358	BAI DUOJIAO		2725 S NELLIS BLVD # 2051			LAS VEGAS	NV		89121
16108611359	YOUNG MICHAEL		3839 VENTURA WAY			LAS VEGAS	NV		89121
16108611360	BOREN RHONDA L		2725 S NELLIS BLVD # 2049			LAS VEGAS	NV		89121-2098
16108611361	LIPPE FRANCES L TRUST ETAL	GILLIS CYNTHIA LYNETTE TRS	3680 UNDERBUSH AVE			PAHRUMP	NV		89048
16108611362	FERRARO THOMAS D & JOSEPHINE L		2725 S NELLIS BLVD # 1065			LAS VEGAS	NV		89121
16108611363	CARNERO MINERVA		2725 S NELLIS BLVD UNIT 1068			LAS VEGAS	NV		89121
16108611364	ROMERO JEFFREY V		2725 S NELLIS BLVD # 1067			LAS VEGAS	NV		89121-2092
16108611365	CHAVIANO-AGUIAR GUILLERMO	FERNANDEZ-RODRIGUEZ EMMA	2725 S NELLIS BLVD # 2066			LAS VEGAS	NV		89121
16108611366	LAUDON JOHN		2725 S NELLIS BLVD # 2065			LAS VEGAS	NV		89121-2099
16108611367	KIMES KAREN		4538 REGALO BELLO ST			LAS VEGAS	NV		89135
16108611368	CANTAVE ALEXANDRE & SHEVONIE		2725 S NELLIS BLVD # 2067			LAS VEGAS	NV		89121
16108611369	EARLY ELIZABETH		2725 S NELLIS BLVD # 1072			LAS VEGAS	NV		89121
16108611370	MATTEUCCI JOAN D		2725 S NELLIS BLVD UNIT 1177			LAS VEGAS	NV		89121
16108611371	GARCIA LETICIA		2725 S NELLIS BLVD # 1070			LAS VEGAS	NV		89121
16108611372	HERNANDEZ DIANNA		4537 TOADSTOOL LN			LAS VEGAS	NV		89110
16108611373	LEWIS GLENDA		215 SILVERCREEK C1 NW			CALGARY	AB	CANADA	T3B 4G4
16108611374	SHRYACK RODNEY O & CONNIE M		2725 S NELLIS BLVD # 2071			LAS VEGAS	NV		89121-2099
16108611375	GRABEL SHARON E		2725 S NELLIS BLVD # 2070			LAS VEGAS	NV		89121-2099
16108611376	FOLEY HAROLD C & SUSAN F		1150 S COLONY WAY # 3-246			PALMER	AK		99645
16108611377	QUIMSON LILIAN A		2725 S NELLIS BLVD # 1092			LAS VEGAS	NV		89121
16108611378	SUMMERS JEFFREY		8395 LOST LAKE CT			LAS VEGAS	NV		89147-6140
16108611379	WINNIK FILIP M & KRYSZYNA		2725 S NELLIS BLVD UNIT 1090			LAS VEGAS	NV		89121
16108611380	PRANDECKI IGA		9811 W CHARLESTON BLVD # 2			LAS VEGAS	NV		89117

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16108611381	CATAPANO ANTHONY J JR		2725 S NELLIS BLVD # 2092			LAS VEGAS	NV		89121-7500
16108611382	ALVAREZ JOSE		1323 BURNHAM AVE			LAS VEGAS	NV		89104
16108611383	CAMP WILLIAM R		2725 S NELLIS BLVD UNIT 2090			LAS VEGAS	NV		89121
16108611384	PANASIUK ROMANA		2725 S NELLIS BLVD # 2089			LAS VEGAS	NV		89121
16108611385	MAIONE JOANNE CONSTANCE REVOCABLE LIVING TRUST	MAIONE JOANNE CONSTANCE TRS	2725 S NELLIS BLVD # 1096			LAS VEGAS	NV		89121
16108611386	ZAVARELLA FAMILY REVOCABLE LIVING TRUST ETAL	ZAVARELLA NICHOLAS & SHIRLEY TRS	2725 S NELLIS # 1096			LAS VEGAS	NV		89121
16108611387	HAFNER CHARLES V		29162 WAGNER ST			WARREN	MI		48093-8627
16108611388	ZAVARELLA FAMILY REVOCABLE LIVING TRUST	ZAVARELLA NICHOLAS & SHIRLEY TRS	2836 SAN MARTIN CT			LAS VEGAS	NV		89121
16108611389	MAIONE JOANNE CONSTANCE REVOCABLE LIVING TRUST	MAIONE JOANNE CONSTANCE TRS	2725 S NELLIS BLVD # 1096			LAS VEGAS	NV		89121
16108611390	SYSIOC VIRGINIA		2725 S NELLIS BLVD # 2095			LAS VEGAS	NV		89121
16108611391	BROWN CATHERINE		2725 S NELLIS BLVD UNIT 2094			LAS VEGAS	NV		89121-7500
16108611392	PALESTINA JOSE J		1681 PENTECOST WAY # 1			SAN DIEGO	CA		92105-7714
16108611393	MARIN MARTA ARELY		6857 WISPY SKY CT			LAS VEGAS	NV		89142
16108611394	VALDES RODRIGUEZ JOSE	HERNANDEZ ANA ODELYS GOMEZ	2725 S NELLIS BLVD # 1109			LAS VEGAS	NV		89121
16108611395	HARTMANN DMARIE G		2725 S NELLIS BLVD # 1112			LAS VEGAS	NV		89121
16108611396	JAUREGUI SAUL		4820 MONTEBELLO AVE			LAS VEGAS	NV		89110
16108611397	MASON DORLISA I		2725 S NELLIS BLVD # 2110			LAS VEGAS	NV		89121
16108611398	FOULK SCOTT B		2725 S NELLIS BLVD UNIT 2109			LAS VEGAS	NV		89121
16108611399	MCKELLIER DENISE		2725 S NELLIS BLVD # 2112			LAS VEGAS	NV		89121
16108611400	GONZALEZ MARCO ANTONIO		2725 S NELLIS BLVD # 2111			LAS VEGAS	NV		89121-7500
16108611401	FARNSWORTH KEVIN D		2725 S NELLIS BLVD # 1116			LAS VEGAS	NV		89121-2093
16108611402	TRAUFLEER SUSAN DELORES		2725 S NELLIS BLVD # 1115			LAS VEGAS	NV		89121
16108611403	ALFECH NELSON	ABRAGAN REINA	3403 GREENWOOD SPRINGS DR			LAS VEGAS	NV		89122
16108611404	RODRIGUEZ SUSANA & HUGO HECTOR		18034 VENTURA BLVD # 476			ENCINO	CA		91316

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16108611405	HOLMES RODERICK W		2725 S NELLIS BLVD # 2116			LAS VEGAS	NV		89121
16108611406	DANIGGELIS MONICA & ELIZABETH P		2725 S NELLIS BLVD # 2115			LAS VEGAS	NV		89121
16108611407	SNODGRASS BRANDON LEE & JENNIFER MARIE		4830 CAROUSEL CIR			ANCHORAGE	AK		99502
16108611408	HOMESTEAD INDUSTRIES L L C		2725 S NELLIS BLVD UNIT 2113			LAS VEGAS	NV		89121
16108710018	RUIZ BLANCA DEL ROCIO		4686 HAPPY VALLEY AVE			LAS VEGAS	NV		89121-7110
16108710019	BEAZER HOMES HOLDINGS L L C		2490 PASEO VERDE PKWY STE 120			HENDERSON	NV		89074
16108710020	APOSTOLIC ASSEMBLY FAITH CHRIST JESUS		10807 LAUREL ST			RANCHO CUCAMONGA	CA		91730
16108710022	MORALES JOSE R		2000 LAS VEGAS BLVD # C2			LAS VEGAS	NV		89104
16108710023	BEAZER HOMES HOLDINGS L L C		2490 PASEO VERDE PKWY STE 120			HENDERSON	NV		89074
16108710024	BEAZER HOMES HOLDINGS L L C		2490 PASEO VERDE PKWY STE 120			HENDERSON	NV		89074
16108710032	BLUE WAVE PROPERTIES INC		3085 S NELLIS BLVD			LAS VEGAS	NV		89121-2020
16108710033	BRISTOL SUNRISE L L C		PO BOX 800729			DALLAS	TX		75380
16108710034	AMIGO REALTY CORP		4186 TATTERSALL PL			LAS VEGAS	NV		89115
16108710035	TABORLAND L L C		2444 WILSHIRE BLVD STE 601			SANTA MONICA	CA		90403
16108710036	A S I VEGAS VALLEY L P		2550 UNIVERSITY AVE STE 330N			SAINT PAUL	MN		55114
16108711217	4855 VEGAS VALLEY OWNER L L C		2002 N TAMPA ST STE 110			TAMPA	FL		33602
16108712001	VALDES ADA	BAUTISTA-PEREZ YONNEY	4798 BEACH SHELL CT			LAS VEGAS	NV		89121
16108712002	CESPEDES-TRIANA GLADYS		4790 BEACH SHELL CT			LAS VEGAS	NV		89121-7160
16108712003	HERNANDEZ LESLIE DENNIS MARTINEZ	HURTADO ROSMELYS CHACON	4782 BEACH SHELL CT			LAS VEGAS	NV		89121
16108712004	DEBLU TRUST	LUJAN DEBORAH TRS	4774 BEACH SHELL CT			LAS VEGAS	NV		89121
16108712005	IGNACIO LESLIE-ANNE V		4766 BEACH SHELL CT			LAS VEGAS	NV		89121
16108712006	KAPUNO ROLANDO & CYNTHIA		4758 BEACH SHELL CT			LAS VEGAS	NV		89121-7159
16108712007	SEVEN POINT'S BORROWER L L C		PO BOX 4090			SCOTTSDALE	AZ		85261
16108712008	DHILLON HARJIT S		4742 BEACH SHELL CT			LAS VEGAS	NV		89121-7159
16108712015	VALDOVINOS BRENDA L		4715 BEACH SHELL CT			LAS VEGAS	NV		89121-7159

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16108712016	SANDHU GURJINDER KAUR REVOCABLE FAMILY TRUST		2933 CRYSTAL BAY DR			LAS VEGAS	NV		89117-2256
16108712017	MABALOT JASON D		1090 ALA NAPUNANI ST # 407			HONOLULU	HI		96818-1792
16108712018	PYRENEES INVESTMENT II L L C		209 S STEPHANIE ST # B251			HENDERSON	NV		89012
16108712019	ESPIRITU JESSIE		4796 WOODLAND AVE			LAS VEGAS	NV		89121
16108712020	VARGAS PAOLA	DELGADILLO-ALVAREZ ANTONIO	4786 WOODLAND AVE			LAS VEGAS	NV		89121
16108712021	JEFFRIES JORMA T		4776 WOODLAND AVE			LAS VEGAS	NV		89121-7134
16108712022	ORELLANO-CIENFUEGOS IRIS ADALGIZA		4760 WOODLAND AVE			LAS VEGAS	NV		89121
16108712023	RODARTE JONATHAN & LAURA O ACOSTA		4748 WOODLAND AVE			LAS VEGAS	NV		89121
16108712024	MALAN RACHEL J		231 E STRAWBERRY DR			MILL VALLEY	CA		94941-2506
16108712025	CANDELARIO YOEL FRAGA & ADISLEY FRAGA		4724 WOODLAND AVE			LAS VEGAS	NV		89121
16108712026	PETERSMAN ROBERT C		1135 DEL ORO WAY			GILROY	CA		95020
16108714322	B M F IV NV 3055 LAS VEGAS L L C		111 E SEGO LILY DR STE 400			SANDY	UT		84070
16108715001	AVENDANO'S PPTY DEVELOPMENT INC		631 LOS FELIZ ST			LAS VEGAS	NV		89110
16108715002	BUSTAMANTE DANIEL HERNANDEZ	GUERRERO-RAMIREZ BRENDA JUDITH	4781 WOODLAND AVE			LAS VEGAS	NV		89121
16108715003	JAVIER RENATO		4787 WOODLAND AVE			LAS VEGAS	NV		89121
16108715004	SORIANO LOURDES Q	IBUAN GERARDO	4789 WOODLAND AVE			LAS VEGAS	NV		89121
16108715005	TORRALBA PRECY C & ROY CORTES		4793 WOODLAND AVE			LAS VEGAS	NV		89121
16108715006	CHAVARRO MICHAEL ANGELO	OLEJUA EDELIN BEATRIZ	4795 WOODLAND AVE			LAS VEGAS	NV		89147
16108715007	AVENDANO'S PROPERTY DEV INC		631 LOS FELIZ ST			LAS VEGAS	NV		89110
16108715008	AVENDANO'S PROPERTY DEV INC		631 LOS FELIZ ST			LAS VEGAS	NV		89110
16108715009	AVENDANO'S PROPERTY DEV INC		631 LOS FELIZ ST			LAS VEGAS	NV		89110
16108715010	AVENDANO'S PROPERTY DEV INC		631 LOS FELIZ ST			LAS VEGAS	NV		89110
16108715011	AVENDANO'S PROPERTY DEV INC		631 LOS FELIZ ST			LAS VEGAS	NV		89110
16108715012	AVENDANO'S PROPERTY DEV INC		631 LOS FELIZ ST			LAS VEGAS	NV		89110
16108715013	AVENDANO'S PROPERTY DEV INC		631 LOS FELIZ ST			LAS VEGAS	NV		89110

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16108715014	AVENDANO'S PROPERTY DEV INC		631 LOS FELIZ ST			LAS VEGAS	NV		89110
16108715015	AVENDANO'S PROPERTY DEV INC		631 LOS FELIZ ST			LAS VEGAS	NV		89110
16108715016	AVENDANO'S PROPERTY DEV INC		631 LOS FELIZ ST			LAS VEGAS	NV		89110
16108810010	REED RONALD G & ANGELA M		4674 LINDA AVE			LAS VEGAS	NV		89121-7114
16108810011	CARRASCO ARTURO & YESENIA		4710 LINDA LN			LAS VEGAS	NV		89121-7115
16108810012	HIGGINS GEORGE RICHARD & DARLA DEANNA TRUST AGTMT	HIGGINS GEORGE RICHARD & DARLA DEANNA TRS	4724 LINDA AVE			LAS VEGAS	NV		89121
16108810013	VASQUEZ JESUS T & BERTHA		4742 LINDA AVE			LAS VEGAS	NV		89121
16108810014	MCDONALD JAMES & CHARLEEN FAM TR	MCDONALD JAMES TRS	2301 PINTO RD			HENDERSON	NV		89002
16108810015	GERMAN JUAN L	GARCIA ANAY	5384 SILVERHEART AVE			LAS VEGAS	NV		89142-0187
16108810016	LEE RANCH TRUST		3137 ALOHA AVE			LAS VEGAS	NV		89121-7105
16108810017	LEE RANCH TRUST		3137 ALOHA AVE			LAS VEGAS	NV		89121-7105
16108810018	CARRERA FRANCISCO		2927 ALOHA AVE			LAS VEGAS	NV		89121-7101
16108810019	DE CRISTO REY DIOCESES		PO BOX 570201			LAS VEGAS	NV		89157
16108810020	STANFORD JERRY D & CYNTHIA A		4741 E HAPPY VALLEY AVE			LAS VEGAS	NV		89121-7121
16108810021	REED RONALD G & ANGELA M		4725 HAPPY VALLEY AVE			LAS VEGAS	NV		89121-7121
16108810022	REED SARA ELIZABETH & DEREK R	REED TREVER EDGAR	4674 LINDA AVE			LAS VEGAS	NV		89121-7114
16108810035	ISLAMIC SOCIETY NEVADA		4730 E DESERT INN RD			LAS VEGAS	NV		89121-2804
16108810036	ISLAMIC SOCIETY NEVADA		4730 E DESERT INN RD			LAS VEGAS	NV		89121-2804
16108810037	ISLAMIC SOCIETY NEVADA		4730 E DESERT INN RD			LAS VEGAS	NV		89121-2804
16108810038	YATES INN L L C		8102 S TELFORD WAY			SANDY	UT		84093-6309
16108810039	BASHIR A CHOWDHY FAMILY FOUNDATION		605 QUEENSRIDGE CT			LAS VEGAS	NV		89145
16108810040	GONZALEZ-RODRIGUEZ SALVADOR	PARGA-FLORES MONICA	3239 ALOHA AVE			LAS VEGAS	NV		89121-7107
16108810041	FUERTE IGLESIA APOSTOLICA TORRE		3701 BETHEL BAY ST			NORTH LAS VEGAS	NV		89032
16108810042	FUERTE IGLESIA APOSTOLICA TORRE		3701 BETHEL BAY ST			NORTH LAS VEGAS	NV		89032
16108810043	LOPEZ VIANEY		4741 LINDA AVE			LAS VEGAS	NV		89121-7116
16108810044	MARTINEZ FRANCISCO TRUST		4725 LINDA AVE			LAS VEGAS	NV		89121-7116

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16108810045	MARTINEZ FRANCISCO	ERVES GUADALUPE	6715 FOX RD			LAS CRUCES	NM		88012
16108810051	GUERRERO JOSE L RINCON		4825 LINDA AVE			LAS VEGAS	NV		89121-2005
16108810052	SANTIAGO EMILY		3220 ALOHA AVE			LAS VEGAS	NV		89121
16108810055	IRLAS FERNANDO D SR & SAN J		4860 E DESERT INN RD			LAS VEGAS	NV		89121-2855
16108810056	MAGDALENO JAVIER		4874 E DESERT INN RD			LAS VEGAS	NV		89121
16108810057	PHILLIPS GORDON R & NANCY LIV TR	PHILLIPS GORDON R & NANCY S TRS	4506 E DESERT INN RD			LAS VEGAS	NV		89121-2808
16108810058	ARANA BOCHE TRUST ETAL	ARANA-ORELLANA CARLOS MANUEL TRS	4506 E DESERT INN RD			LAS VEGAS	NV		89121
16108810059	FELLER MICHAEL E TRUST	FELLER MICHAEL E TRS	4924 E DESERT INN RD			LAS VEGAS	NV		89121-2808
16108810060	STEVENS BARBARA J & SCOTT C		4934 E DESERT INN RD			LAS VEGAS	NV		89121-2808
16108810061	DESERT INN CAPITAL MANAGEMENT L L C		3755 BREAKTHROUGH WAY # 250			LAS VEGAS	NV		89135
16108810062	3285 S NELLIS L L C		PO BOX 100843			FORT WORTH	TX		76184
16108810063	GETTY LEASING INC		292 MADISON AVE 9TH FLR			NEW YORK	NY		10017-6318
16108810064	S G N V 3225 S NELLIS BLVD L L C		PO BOX 71870	6890 S 2300 E		SALT LAKE CITY	UT		84171
16108810065	HOLYOAK 1982 TRUST	HOLYOAK CHARLEEN TRS	4925 LINDA AVE			LAS VEGAS	NV		89121-2040
16108810066	GUTIERREZ LOZANO TRUST	GUTIERREZ CESARIO C & BRAULIA TRS	4915 LINDA AVE			LAS VEGAS	NV		89121
16108810067	ARANA BOCHE TRUST ETAL	ARANA-ORELLANA CARLOS MANUEL TRS	4906 E DESERT INN RD			LAS VEGAS	NV		89121
16108810068	LEGUEN RAUL IVAN GUERRA		4879 LINDA AVE			LAS VEGAS	NV		89121
16108810069	BARRIENTOS EMMANUEL	CAZARES BELEM	4940 EL CAPITAN WAY			LAS VEGAS	NV		89149
16108810070	ALLEN EVA MARIE		4875 LINDA AVE			LAS VEGAS	NV		89121
16108810072	PARRALES OMAR IVAN	PIEDRA MARIA GUADALUPE ROBERTO	3180 ALOHA AVE			LAS VEGAS	NV		89121-7106
16108810073	GONZALEZ-HEREDIA MARINA		3160 ALOHA AVE			LAS VEGAS	NV		89121
16108810074	RODKOFF-YOSEF FAMILY TRUST		15455 SHERMAN WAY UNIT 28			VAN NUYS	CA		91406
16108810075	MURRAY GEORGE THOMAS JR TR	MURRAY GEORGE THOMAS JR TRS	3130 ALOHA			LAS VEGAS	NV		89121-7106
16108810076	HERMANSON DAVE		3120 ALOHA AVE			LAS VEGAS	NV		89121
16108810077	ARIAS HUGO & LETICIA		4754 FUENTES WAY			LAS VEGAS	NV		89121

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16108810078	CARVAJAL BEVERLY REBECCA	MARTINEZ GUILLERMO A	7342 SUNRAY POINT ST			NORTH LAS VEGAS	NV		89084
16108810079	SIGRETTO MICHAEL P & ROBIN L REYNOLDS		4895 HAPPY VALLEY AVE			LAS VEGAS	NV		89121-2037
16108810080	ESCALERA JUAN		4951 HAPPY VALLEY AVE			LAS VEGAS	NV		89121-2038
16108810081	NUNEZ LEONEL ANAYA	ANAYA ORALIA	4925 HAPPY VALLEY AVE			LAS VEGAS	NV		89121-2038
16108810082	PALM PROPERTIES L L C		6050 S FORT APACHE RD # 100			LAS VEGAS	NV		89148
16108810083	PALM PROPERTIES L L C		6050 S FORT APACHE RD # 100			LAS VEGAS	NV		89148
16108810084	DOUGLAS FAMILY TRUST	DOUGLAS MIKE & LISA TRS	490 MOORE RD			WOODSIDE	CA		94062
16108810085	DOUGLAS FAMILY TRUST	DOUGLAS MIKE & LISA TRS	490 MOORE RD			WOODSIDE	CA		94062
16108810086	DOUGLAS FAMILY TRUST	DOUGLAS MIKE & LISA TRS	490 MOORE RD			WOODSIDE	CA		94062
16108810087	VASQUEZ ESTABAN TORRES JR		2045 WESTERN			LAS VEGAS	NV		89102-4608
16108810088	WOOD THOMAS F		4906 LINDA AVE			LAS VEGAS	NV		89121
16108810089	HEWES MARILYN & PATRICK		4878 LINDA AVE			LAS VEGAS	NV		89121
16108810090	AHUMADA JOSE R		4864 LINDA AVE			LAS VEGAS	NV		89121
16108810094	CHURCH UNIVERSAL INC		100 MULBERRY ST 14TH FL			NEWARK	NJ		07102
16108810098	LEE MICHELLE		8461 FARM RD # 120-277			LAS VEGAS	NV		89131
16108810099	880 E SAHARA L L C - SERIES 3		880 E SAHARA AVE			LAS VEGAS	NV		89104
16109201004	CHEVMAC 1 L L C		110 N CARPENTER ST			CHICAGO	IL		60607
16109217003	USA POSTAL SERVICE		8055 E TUFTS AVENUE PKWY # 400			DENVER	CO		80237-2881
16109217004	G S K I L L C		955 TEMPLE VIEW DR			LAS VEGAS	NV		89110-2900
16109301004	HAMPTON APTS INC		2016 RIVERSIDE DR			LOS ANGELES	CA		90039-3707
16109301005	VALLEY VISTA M H C L L C		31200 NORTHWESTERN HWY			FARMINGTON HILLS	MI		48334
16109301007	REBEL LAND AND DEVELOPMENT L L C		2424 RIDGE RD			ROCKWALL	TX		75087
16109310345	3050 S NELLIS D B L L C		1880 CENTURY PARK E STE 300			LOS ANGELES	CA		90067
16109401002	VALLEY VISTA M H C L L C		31200 NORTHWESTERN HWY			FARMINGTON HILLS	MI		48334
16109401007	SCHOOL BOARD OF TRUSTEES		1180 MILITARY TRIBUTE PL			HENDERSON	NV		89074

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16109410385	U S M F MEADOWS PROPCO L L C		6191 STATE HIGHWAY 161 STE 100			IRVING	TX		75038
16109411003	S S B PROPCO L L C		465 FIRST ST WEST 2ND FL			SONOMA	CA		95476
16109411004	BECKMAN CHARLES & LOLING		1265 CASIANO RD			LOS ANGELES	CA		90049
16109411005	M D C COASTAL 20 L L C		11995 EL CAMINO REAL			SAN DIEGO	CA		92130
16109411006	CY HOMA L L C		3721 CANARY PALM			LAS VEGAS	NV		89121-7239
16109411007	S S B PROPCO L L C		465 FIRST ST W 2ND FLR			SONOMA	CA		95476
16116101001	KHARBANDA SANJEEV LIVING TRUST	KHARBANDA SANJEEV TRS	5469 SIGNAL HILL DR			DUBLIN	CA		94568
16116110083	SOTO-SUASTIGUI EDUARDO		5075 BROWNWOOD AVE			LAS VEGAS	NV		89122
16116110084	MAZZONNE ROSALIE		3311 DEATH VALLEY DR			LAS VEGAS	NV		89122
16116110093	ALCHEMY INVESTMENT L L C		8978 SPANISH RIDGE # 102			LAS VEGAS	NV		89148
16116110094	BOYLE MICHAEL		3312 CAPE COD DR			LAS VEGAS	NV		89122
16116110095	DEAMER 1993 TRUST	DEAMER FLORENCE L TRS	3306 CAPE COD DR			LAS VEGAS	NV		89122-3909
16116110096	3303 CAPE COD TRUST	CHRISTIE K L TRS	3225 MCLEOD DR			LAS VEGAS	NV		89121
16116110097	VARGAS MARIA		3309 CAPE COD DR			LAS VEGAS	NV		89122
16116110098	MORENO-FRAUSTO RAMON		3315 CAPE COD DR			LAS VEGAS	NV		89122-3950
16116110099	HILDENBRAND ALAN THOMAS	BROWN REGINA LEE	3323 CAPE COD DR			LAS VEGAS	NV		89122
16116110109	GUERRERO EDLIN		3332 BIG SUR DR			LAS VEGAS	NV		89122
16116110110	GIANINETTO STELLA M		3324 BIG SUR DR			LAS VEGAS	NV		89122-3905
16116110111	BROCKMAN JOSEPH & ADORA		3316 BIG SUR DR			LAS VEGAS	NV		89122-3905
16116110112	HOUSTON LARRY D & DEBORAH J		3310 BIG SUR DR			LAS VEGAS	NV		89122-3905
16116110113	SERPAS JUAN CARLOS		3304 BIG SUR DR			LAS VEGAS	NV		89122
16116110114	DESERT INN MOBILE FAM ESTS ASSN		5100 BLUE RIDGE PKWY			LAS VEGAS	NV		89122-3924
16116110115	YAMAGUCHI L L C		1723 FRANKLIN CHASE			HENDERSON	NV		89012
16116110116	DEWEGELI ELIZABETH RUTH	RUTH HARMONY	5150 SPYGLASS HILL DR # 177			LAS VEGAS	NV		89142
16116110117	GREEN BRENDA KAY		5068 WASATCH LN			LAS VEGAS	NV		89122
16116110118	SHUIT HEATHER N & DAVUD V	HELMAN-SHUIT BERTHA L	5072 WASATCH LN			LAS VEGAS	NV		89122-4055

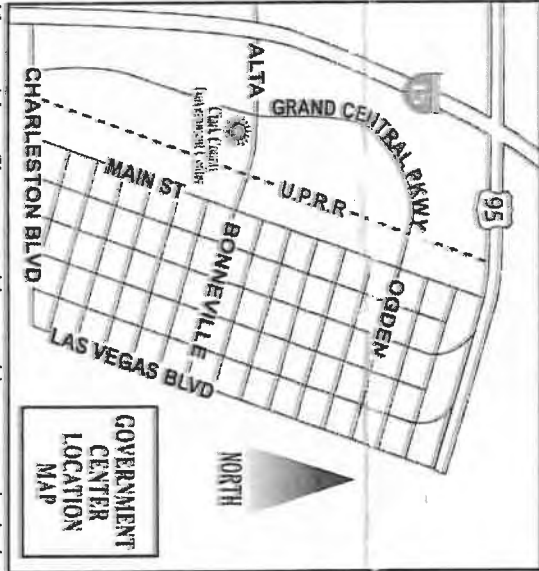
APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
16116110119	MITCHELL ROBERT J		5110 WASATCH LN			LAS VEGAS	NV		89122-4055
16116110120	FISHER JASON H & ALLYSON S		14 DOVETAIL CIR			HENDERSON	NV		89014
16116110121	MACIEL-GIL ANGEL		5122 WASATCH LN			LAS VEGAS	NV		89122
16116110122	HADDAD MICHAEL		PO BOX 691960			STOCKTON	CA		95269
16116110123	EDWARDS RONALD T	ERLANO EULALIA C	6110 ORANGE HILL DR			LAS VEGAS	NV		89142-0604
16116110186	MARTINEZ ALFREDO		3305 EWA BEACH DR			LAS VEGAS	NV		89122
16116110187	BROCCOLINO JAMES J & SHIRLEY A		5130 TUPELO LN			LAS VEGAS	NV		89122-4054
16117501005	CHAN ALVIN B INC		PO BOX 4900			SCOTTSDALE	AZ		85261-4900
16117501006	RAINBOW MARKET #8 L L C		1281 TERMINAL WAY # 115			RENO	NV		89502
16117501010	WANG FAMILY LIVING TRUST	WANG SUNG-VUM TRS	PO BOX 17535			ANAHEIM	CA		92817
16117501011	SPACE PROVIDERS ASHEVILLE L L C	CAROLINA VEGAS L L C	1300 TUNNEL RD			ASHVILLE	NC		28805-1629
16117510023	ALVI KHIZAR		22 ABBEY RD			NEWARK	DE		19702
16117510024	ORTEGA PAUL	ZARATE YOLANDA	4802 FUENTES WAY			LAS VEGAS	NV		89121
16117511001	DESILVA MARIA A HERNANDEZ		4840 FUENTES CIR			LAS VEGAS	NV		89121-2816
16117511002	BACON JOANNE LIVING TRUST	BACON JOANNE TRS	2800 CONGRESS AVE			LAS VEGAS	NV		89121
16117511003	ROMERO GRACIELA FIGUEROA		4856 FUENTES CIR			LAS VEGAS	NV		89121-2816
16117511004	BARRETT KEVIN & LORINDA		4866 FUENTES CIR			LAS VEGAS	NV		89121
16117511005	PORTILLO DAVID O		4874 FUENTES CIR			LAS VEGAS	NV		89121
16117511006	GARCIA YOANDY LUIS CUETO		4882 FUENTES CIR			LAS VEGAS	NV		89121
16117511007	AGUIRRE JUVENIO A		4890 FUENTES CIR			LAS VEGAS	NV		89121
16117511008	CONTRERAS SARAI JACO	RODRIGUEZ DAVID SANTANA	4972 HIDALGO WAY			LAS VEGAS	NV		89121
16117511009	PADOVICH DAVID A		4906 FUENTES CIR			LAS VEGAS	NV		89121
16117511010	HALLEWELL MICHAEL H & NANCY L		5841 E CHARLESTON BLVD # 230-265			LAS VEGAS	NV		89142
16117511011	DISABATO DAVID		4897 FUENTES CIR			LAS VEGAS	NV		89121
16117511012	BELLA JULIE	LOPEZ CHASE	4889 FUENTES CIR			LAS VEGAS	NV		89121
16117511013	ALVEY LAWRENCE E & ROBERTA J		4881 FUENTES CIR			LAS VEGAS	NV		89121-2827
16117511014	MARTINEZ SYMONE	SALINAS PEDRO	4873 FUENTES CIR			LAS VEGAS	NV		89121-2827

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
16117511015	J C L L C		4144 COMB CIR			LAS VEGAS	NV		89104
16117511016	SPINARD CYNTHIA		4855 FUENTES CIR			LAS VEGAS	NV		89121-2827
16117511017	AVILA JULIO CESAR VELASCO		4856 HILDAGO WAY			LAS VEGAS	NV		89121
16117511018	DUSENBERRY JOSEPH A & PATRICIA A		4866 HILDAGO WAY			LAS VEGAS	NV		89121-2847
16117511019	DOMINGUEZ DAMACIO PEREZ		913 S ROANNE ST			ANAHEIM	CA		92804
16117511020	ROSAS VICTOR MANUEL & ESMERALDA		6414 ENCHANTING CT			LAS VEGAS	NV		89156
16117511021	PINZON-GARCIA OMAR DAVID	PINZON FEDERICO GARCIA	3602 HUERTA DR			LAS VEGAS	NV		89121
16117511022	KELMAN DANIEL		4898 HILDAGO WAY			LAS VEGAS	NV		89121
16117511089	STICKNEY MICHAEL & DARLENE G		4814 FUENTES WAY			LAS VEGAS	NV		89121-2810
16117511090	JOVEL GLORIA ARACELY		3315 VISTA DEL MONTE DR			LAS VEGAS	NV		89121
16117511091	COUNTY OF CLARK(PK & COMM SERV)		500 S GRAND CENTRAL PKWY			LAS VEGAS	NV		89155
16117512010	OLIVARES-MURGUIA LUIS	RODRIGUEZ ELIDA FLORES	3364 HUERTA DR			LAS VEGAS	NV		89121
16117512011	FLORES JOSE MANUEL OLIVARES	AGUILAR VANESSA HERNANDEZ	3350 HUERTA DR			LAS VEGAS	NV		89121
16117512012	PERDOMO SERGIO		4972 HILDAGO WAY			LAS VEGAS	NV		89121
16117512013	MCMILLIAN NANCY ANN		325 LEHMAN ST			LAS VEGAS	NV		89122
16117512014	VILLANUEVA ARMANDO & MARIA		4956 HILDAGO WAY			LAS VEGAS	NV		89121-2864
16117512015	CUELLAR-MORONES LUIS A		4948 HILDAGO WAY			LAS VEGAS	NV		89121
16117512016	FINLUO L L C		3255 LINDELL RD			LAS VEGAS	NV		89145
16117512017	RIPPEL NICHOLAS S & DEBORAH L		4932 HILDAGO WAY			LAS VEGAS	NV		89121-2864
16117512018	BOBADILLA-GARCIA RUBEN	BOBADILLA BERTHA	4921 HILDAGO WAY			LAS VEGAS	NV		89121
16117512019	CUEVAS GABRIELA	LONA CIRIACO CUEVAS	4916 HILDAGO WAY			LAS VEGAS	NV		89121-2864
16117512020	FONGER KARLYLE B		4908 HILDAGO WAY			LAS VEGAS	NV		89121-2864
16117512022	BOBADILLA-GARCIA RUBEN	BOBADILLA BERTHA LETICIA	4924 HILDAGO WAY			LAS VEGAS	NV		89121
16117512023	HUPP FRED & JANICE E		4933 HILDAGO WAY			LAS VEGAS	NV		89121-2863

PP 542

OFFICIAL NOTICE OF PUBLIC HEARING

DEPARTMENT OF COMPREHENSIVE PLANNING
 LAND USE PLANNING
 (702) 455-4314
 CLARK COUNTY GOVERNMENT CENTER
 500 S. GRAND CENTRAL PARKWAY
 BOX 551741
 LAS VEGAS, NEVADA 89155-1741



If you wish to file your position on this request, check the appropriate box below, and return this card in an envelope with postage to the Dept. of Comprehensive Planning or fax this side of the card to (702) 455-1741.

☐ **SUPPORT** this request

☒ **OPPOSE** this request

PRESORTED
 FIRST CLASS



US POSTAGE
 ZIP 89120 \$000.43
 02 4M
 0000362048 AUG 08 2024

VS-24-0277 090424
 SIGRETTO MICHAEL P & ROBIN L REYNOLDS
 4895 HAPPY VALLEY AVE
 LAS VEGAS, NV 89121-2037

APPLICATION INFORMATION

APPLICATION NUMBER: VS-24-0277
OWNER: PALM PROPERTIES, LLC;

VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file). (For possible action)

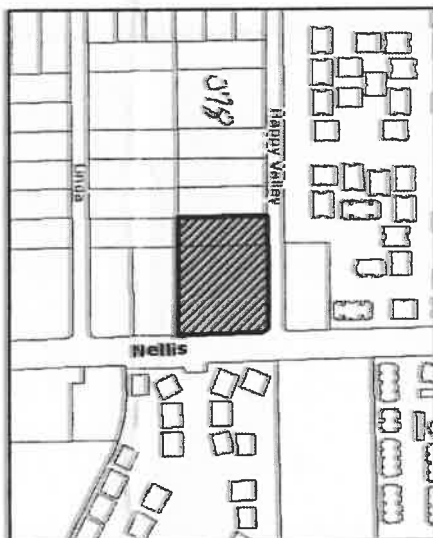
RELATED INFORMATION:

APN: 161-08-810-082; 161-08-810-083

IF WS-24-0276 & VS 24-0277 Pass, Next
They will say this is NOT 161-0810-078.

THIS 160781 is NOT
COMMERCIAL PROPERTY.

APPLICATION LOCATION



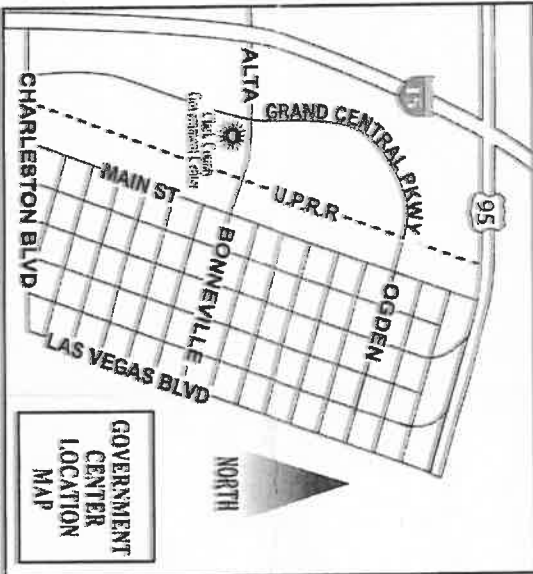
MEETING INFORMATION

Sunrise Manor Town Board	Board of County Commissioners
August 15, 2024, 6:30 pm	September 4, 2024, 9:00 am
Hollywood Neighborhood Services Center	Clark County Government Center
1650 S. Hollywood Blvd	500 S. Grand Central Parkway
Las Vegas, Nevada	Las Vegas, Nevada

This information is considered accurate; however, minor variations may occur. Application documents are available for viewing online under the Clark County Comprehensive Planning Department by selecting "Services" on the left and selecting "Land Use Documents" from the drop-down. All persons interested may submit written support or opposition by email to zoningrules@clarkcountynv.gov. Include the item and application numbers on all emails. We suggest that you inform your lease(s) of the matter. For more information, visit www.clarkcountynv.gov or call (702) 455-4314 (option 2, option 1).

DEPARTMENT OF COMPREHENSIVE PLANNING
 LAND USE PLANNING
 (702) 455-4314
 CLARK COUNTY GOVERNMENT CENTER
 500 S. GRAND CENTRAL PARKWAY
 BOX 551741
 LAS VEGAS, NEVADA 89155-1741

OFFICIAL NOTICE OF PUBLIC HEARING



If you wish to file your position on this request, check the appropriate box below, and return this card in an envelope with postage to the Dept. of Comprehensive Planning or fax this side of the card to (702) 455-3271.

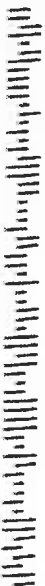
☐ I SUPPORT this request

☒ I OPPOSE this request

1. 2024-08-08

2. 2024-08-08

3. 2024-08-08



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US POSTAGE
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VS-24-0277 090424
 GARBE REINHOLD G ETAL
 KARWACKI-GARBE THERESA A
 3226 WOODY LN
 SAN JOSE, CA 95132

APPLICATION INFORMATION

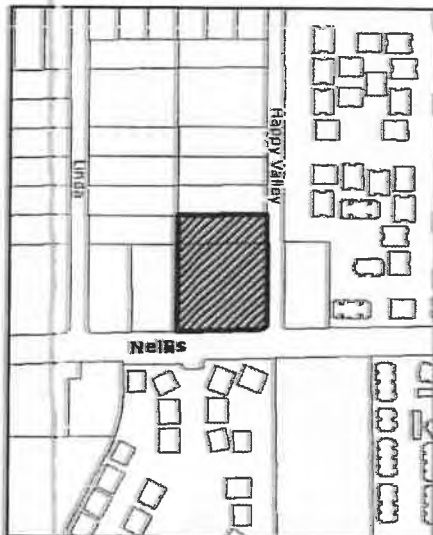
APPLICATION NUMBER: VS-24-0277
OWNER: PALM PROPERTIES, LLC;

VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file). (For possible action)

RELATED INFORMATION:

APN: 161-08-810-082; 161-08-810-083

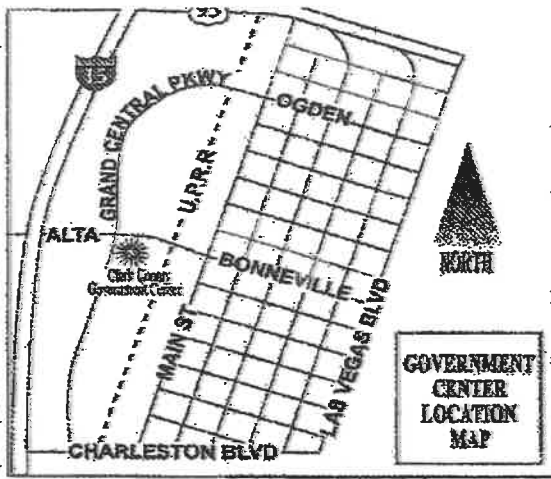
APPLICATION LOCATION



MEETING INFORMATION

Sunrise Manor Town Board	Board of County Commissioners
August 15, 2024, 6:30 pm	September 4, 2024, 9:00 am
Hollywood Neighborhood Services Center	Clark County Government Center
1650 S. Hollywood Blvd	500 S. Grand Central Parkway
Las Vegas, Nevada	Las Vegas, Nevada

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VS-24-0277 090424
DOUGLAS FAMILY TRUST
DOUGLAS MIKE & LISA TRS
490 MOORE RD
WOODSIDE, CA 94062

If you wish to file your position on this request, check the appropriate box below, and return this card in an envelope with postage to the Dept. of Comprehensive Planning or fax this side of the card to (702) 455-3271.

☐ I SUPPORT this request

☒ I OPPOSE this request

126 FROM/MP 84062



13-Aug-2024 13:43 UFax

+17024406204

p.3

APPLICATION INFORMATION

APPLICATION NUMBER: VS-24-0277

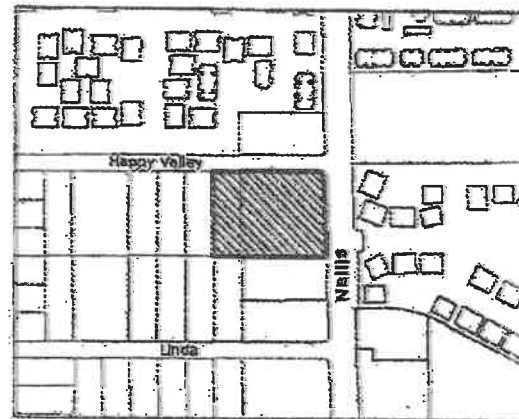
OWNER: PALM PROPERTIES, LLC;

VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file). (For possible action)

RELATED INFORMATION:

APN: 161-08-810-082; 161-08-810-083

APPLICATION LOCATION



MEETING INFORMATION

Sunrise Manor Town Board
August 15, 2024, 6:30 pm
Hollywood Neighborhood
Services Center
1650 S. Hollywood Blvd
Las Vegas, Nevada

Board of County Commissioners
September 4, 2024, 9:00 am
Clark County Government Center
500 S. Grand Central Parkway
Las Vegas, Nevada

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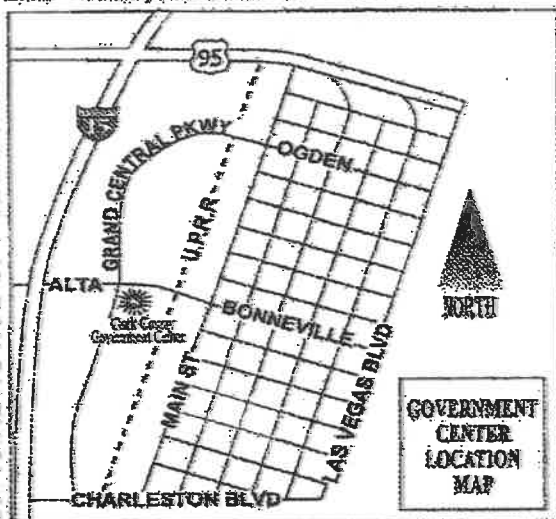
DEPARTMENT OF COMPREHENSIVE PLANNING
LAND USE PLANNING
(702) 455-4314
CLARK COUNTY GOVERNMENT CENTER
500 S. GRAND CENTRAL PARKWAY
BOX 551741
LAS VEGAS, NEVADA 89155-1741

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OFFICIAL NOTICE OF PUBLIC HEARING



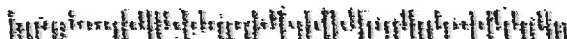
VS-24-0277 090424
DOUGLAS FAMILY TRUST
DOUGLAS MIKE & LISA TRS
490 MOORE RD
WOODSIDE, CA 94063

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☐ I SUPPORT
this request

☒ I OPPOSE
this request

125 FROMHP 84062



APPLICATION INFORMATION

APPLICATION NUMBER: VS-24-0277
OWNER: PALM PROPERTIES, LLC;

VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file). (For possible action)

RELATED INFORMATION:

APN: 161-08-810-082; 161-08-810-083

APPLICATION LOCATION



MEETING INFORMATION

Sunrise Manor Town Board
August 15, 2024, 6:30 pm
Hollywood Neighborhood
Services Center
1650 S. Hollywood Blvd
Las Vegas, Nevada

Board of County Commissioners
September 4, 2024, 9:00 am
Clark County Government Center
500 S. Grand Central Parkway
Las Vegas, Nevada

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Aug. 14, 2024 12:13PM MD Investments
 DEPARTMENT OF COMPREHENSIVE PLANNING
 LAND USE PLANNING
 (702) 455-4314
 CLARK COUNTY GOVERNMENT CENTER
 500 S. GRAND CENTRAL PARKWAY
 BOX 551741
 LAS VEGAS, NEVADA 89155-1741

OFFICIAL NOTICE OF PUBLIC HEARING



If you wish to file your position on this request, check the appropriate box below, and return this card in an envelope with postage to the Dept. of Comprehensive Planning or fax this side of the card to (702) 455-3271.

☐ I SUPPORT this request

☒ I OPPOSE this request

126 FRDFMMP 94062

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NO. 8155 P. E/S
 US POSTAGE PITNEY BOWES
 ZIP 89120 \$ 000.43⁶
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 0000362048 AUG 08 2024

VS-24-0277 090424
 DOUGLAS FAMILY TRUST
 DOUGLAS MIKE & LISA TRS
 490 MOORE RD
 WOODSIDE, CA 94062



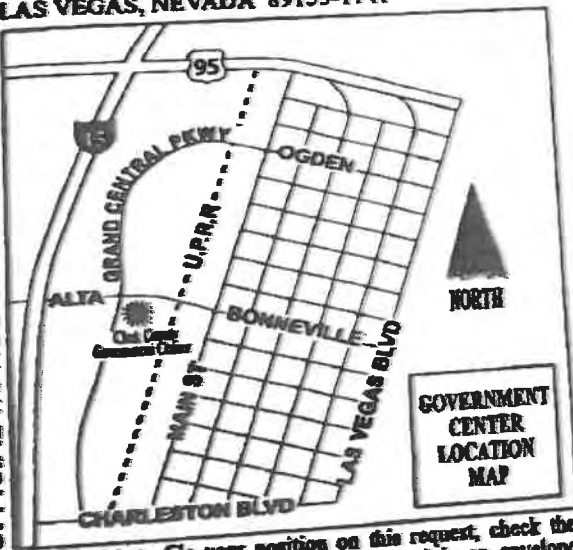
DEPARTMENT OF COMPREHENSIVE PLANNING
 LAND USE PLANNING
 (702) 455-4314
 CLARK COUNTY GOVERNMENT CENTER
 500 S. GRAND CENTRAL PARKWAY
 BOX 551741
 LAS VEGAS, NEVADA 89155-1741

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USPS
 ZIP 89126
 02 4N
 000036204520

OFFICIAL NOTICE OF PUBLIC HEARING



Requester: To file your position on this request, check the appropriate box below, and return this card in an envelope with postage to the Dept. of Comprehensive Planning or fax this side of the card to (702) 455-3271.

☐ I SUPPORT this request

☒ I OPPOSE this request

VS-24-0277 090424 Den
 AL-TURKMANI & ASSOC
 2725 S NELLIS BLVD #700
 LAS VEGAS, NV 89121

59

FROFNMP

CPAdmin

Subject: FW: Application Number:VS-24-0277 and WS-24-0276 APN: 161-08-810-082:
161-08-810-083

From: ZoningMeeting <ZoningMeeting@ClarkCountyNV.gov>
Sent: Wednesday, August 14, 2024 1:42 PM
To: CPAdmin <CPAdmin@clarkcountynv.gov>
Subject: FW: Application Number:VS-24-0277 and WS-24-0276 APN: 161-08-810-082: 161-08-810-083

From: Nellis Storage <nellisstorage@gmail.com>
Sent: Wednesday, August 14, 2024 1:41:36 PM (UTC-08:00) Pacific Time (US & Canada)
To: ZoningMeeting <ZoningMeeting@ClarkCountyNV.gov>
Cc: Lisa Douglas <lisa@mdinvests.com>; Emma Santana <emma@mdinvests.com>
Subject: Application Number:VS-24-0277 and WS-24-0276 APN: 161-08-810-082: 161-08-810-083

To Whom This May Concern,

Our position is to oppose the development of a commercial truck parking lot located at 3125 S. Nellis Blvd, Las Vegas, NV 89121.

In the last 3 years, the address stated in this letter has had activity other than commercial parking.

The building of structures, spray painting the new buildings and vehicles with no cover to catch the paint spray particles or containing the fumes that have been placed in the air for hours, sometimes days. These types of fumes were heavy in the air and did affect my breathing on the days this would take place. I do offer parking next door at 3175 S. Nellis Blvd. Las Vegas, NV 89121. Not once were we notified of this activity or had a visit from Robert explaining when such building of structures or spraying would be taking place. We offer parking spots for monthly parking and we also have public parking for the laundry mat, the hair salon and for a law office. We also offer parking for the customers that rent Budget Truck Rental for the local day use.

Robert visited Nellis Self Storage asking if I would hand out flyers to people that were looking for parking. He explained to me that there would be a security officer there in the guard shack 24 hours a day, guard shack located at the entrance. The guard was to check people in and out and keep the vehicles safe and their contents. I have never seen a security guard over there in my passing on different occasions. I never handed out the flyers.

I have had several customers in the past few years come to Nellis Self Storage after storing with Robert. The customers have stated they never saw a security officer. They would call the number posted and Robert would meet them and take their money and sign a lease.

What I do know is vehicles that have been stored there have been broken into and their contents in the vehicle and their catalytic converters were stolen. This is when I would meet those customers due to trying to find safe parking.

My concern is the safety for Nellis Self Storage employees, our customers and our surrounding businesses connected to the facility and the community in the surrounding area. The reckless behavior of what Robert is allowing on the property located at 3125 S. Nellis BLVD is way more than just commercial parking.

My name is Rebecca Breckon, Property Manager of the Nellis Self Storage. I am standing in for the Owners Mike and Lisa Douglas. The Douglas Family Trust.

--

We appreciate you,
Rebecca Breckon,
Property Manager

Nellis Self Storage
3175 South Nellis Blvd.
Las Vegas, NV 89121
(702) 440-6440

CPAdmin

Subject: FW: APPLICATION NUMBER VS-24-0277: WS-24-0276 - APN:161-08-810-082: 161-08-810-083

From: ZoningMeeting <ZoningMeeting@ClarkCountyNV.gov>
Sent: Thursday, August 15, 2024 1:12 PM
To: CPAdmin <CPAdmin@clarkcountynv.gov>
Subject: FW: APPLICATION NUMBER VS-24-0277: WS-24-0276 - APN:161-08-810-082: 161-08-810-083

From: Nellis Storage <nellisstorage@gmail.com>
Sent: Thursday, August 15, 2024 1:12:04 PM (UTC-08:00) Pacific Time (US & Canada)
To: ZoningMeeting <ZoningMeeting@ClarkCountyNV.gov>
Cc: Lisa Douglas <lisa@mdinvests.com>; Emma Santana <emma@mdinvests.com>
Subject: APPLICATION NUMBER VS-24-0277: WS-24-0276 - APN:161-08-810-082: 161-08-810-083

To Whom It May Concern,

We strongly oppose the development of a commercial truck parking lot at 3125 S. Nellis Blvd, Las Vegas, NV 89121.

Over the past three years, the property at this address has been used for activities beyond commercial parking. Structures have been built, and spray painting of buildings and vehicles has occurred without proper containment of fumes or particles. These activities have negatively impacted air quality and, on several occasions, caused respiratory issues.

Despite numerous issues raised, the property owners have not demonstrated good neighbor practices. It appears that they are only now seeking compliance because they have been caught conducting business without adhering to city regulations. The neighborhood is already undergoing significant transition and has experienced a tremendous increase in homelessness and crime. The last thing we need is a business with a checkered past, which has contributed to the decline of the area.

There are additional concerns regarding the property at 3125 S. Nellis Blvd:

- The presence of chemicals and hazardous materials stored without proper oversight.
- Inadequate fencing, which fails to secure the property and allows unauthorized access.
- A lack of security, despite promises of a 24-hour guard.
- The type of trucks using the facility, with no clear information on what they are carrying, including the risk of transporting hazardous materials.
- No transparency around office hours or the management of the property.

- No inspections or regulation of out-of-state trucks, raising concerns about what is being transported into our community.
- The presence of “lot lizards,” which further degrades the safety and reputation of the neighborhood.

Most critically, the proximity of several schools poses a severe risk to children and families. The potential exposure to hazardous materials, increased traffic, and the associated dangers make this proposed development especially unsafe for the most vulnerable members of our community. The thought of hazardous materials being stored or transported so close to schools is alarming and unacceptable.

Additionally, there are serious concerns regarding fire safety and emergency preparedness. What measures are in place for fire prevention, especially concerning chemical fires? Are there adequate alarms for potential chemical explosions? Can emergency vehicles access the site in compliance with regulations? We also question whether the property has obtained all necessary permits for its operations, as these are crucial for ensuring safety and compliance.

We were hopeful that the planned new housing development would bring positive change and reassurance to the community. This business, however, has been a detractor, bringing down the neighborhood. With the new housing development on the horizon, we have an opportunity to revitalize this area, and allowing this business to continue would be a step in the wrong direction.

As the Property Manager of Nellis Self Storage, located next door at 3175 S. Nellis Blvd, Las Vegas, NV 89121, I am deeply concerned about the safety and well-being of our employees, customers, and surrounding businesses. Despite assurances from the property manager, Robert, about security measures, these have not been observed. Furthermore, several customers have reported thefts, including break-ins and catalytic converter thefts, after storing their vehicles at 3125 S. Nellis Blvd.

We are committed to ensuring the safety and security of our facility and the surrounding community. The activities taking place at 3125 S. Nellis Blvd go beyond the scope of commercial parking and raise significant concerns.

Thank you for your attention to this matter.

Sincerely,

*Rebecca Breckon
Property Manager
Nellis Self Storage
(702)440-6440
On behalf of the Douglas Family Trust*

**Nellis Self Storage
3175 South Nellis Blvd.**

Las Vegas, NV 89121
(702) 440-6440

DEPARTMENT OF COMPREHENSIVE PLANNING
 LAND USE PLANNING
 (702) 455-4314
 CLARK COUNTY GOVERNMENT CENTER
 500 S. GRAND CENTRAL PARKWAY
 BOX 551741
 LAS VEGAS, NEVADA 89155-1741



OFFICIAL NOTICE OF PUBLIC HEARING

If you wish to file your position on this request, check the appropriate box below, and return this card in an envelope with postage to the Dept. of Comprehensive Planning or fax this side of the card to (702) 455-3551.

☐ **SUPPORT** this request
☒ **OPPOSE** this request



09 09 1 23 1

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 FIRST CLASS



US POSTAGE
 ZIP 89120 \$ 000.43⁵
 02 4W
 0000362048 AUG 08 2024

VS-24-0277 090424
 SIGRETTO MICHAEL P & ROBIN L REYNOLDS
 4895 HAPPY VALLEY AVE
 LAS VEGAS, NV 89121-2037



APPLICATION INFORMATION

APPLICATION NUMBER: VS-24-0277
OWNER: PALM PROPERTIES, LLC;

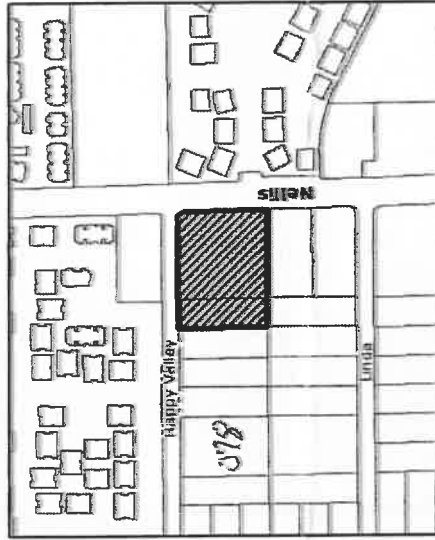
VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file). (For possible action)

RELATED INFORMATION:

APN: 161-08-810-082; 161-08-810-083

*IF VS-24-0276 + VS 24-0277 PASS, NEXT
THEY WILL TRY THIS ON LOT 161-0810-078.
THIS LOT IS NOT
COMMERCIAL PROPERTY.*

APPLICATION LOCATION



MEETING INFORMATION

Sunrise Manor Town Board
August 15, 2024, 6:30 pm
Hollywood Neighborhood
Services Center
1650 S. Hollywood Blvd
Las Vegas, Nevada

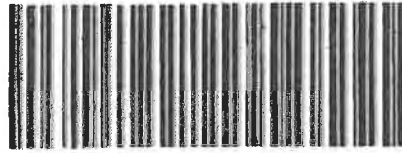
Board of County Commissioners
September 4, 2024, 9:00 am
Clark County Government Center
500 S. Grand Central Parkway
Las Vegas, Nevada

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Aug. 14, 2024 12:12PM

MD Investments

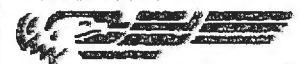
DEPARTMENT OF COMPREH
LAND USE PLANNING
(702) 455-4314
CLARK COUNTY GOVERNMENT
500 S. GRAND CENTRAL PARK
BOX 551741
LAS VEGAS, NEVADA 89155



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FIRST CLASS

No. 8135 P. 1/3

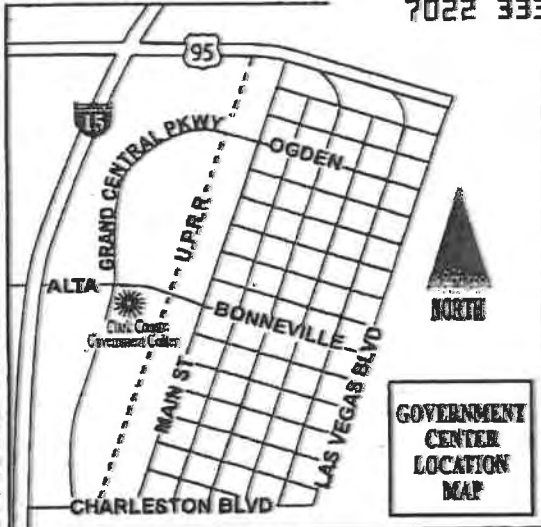
US POSTAGE



ZIP 89120 \$ 005.48⁶
02 4R
0000362048 AUG 07 2024

7022 3330 0001 5849 4249

OFFICIAL NOTICE OF PUBLIC HEARING



VS-24-0277 090424
DOUGLAS FAMILY TRUST
DOUGLAS MIKE & LISA TRS
490 MOORE RD
WOODSIDE, CA 94062

If you wish to file your position on this request, check the appropriate box below, and return this card in an envelope with postage to the Dept. of Comprehensive Planning or fax this side of the card to (702) 455-3271.

☐ I SUPPORT
this request

☒ I OPPOSE
this request

126 FRDFNMP 94062



Aug. 14. 2024 12:13PM MD Investments
DEPARTMENT OF COMPREHENSIVE PLANNING
LAND USE PLANNING
(702) 455-4314
CLARK COUNTY GOVERNMENT CENTER
500 S. GRAND CENTRAL PARKWAY
BOX 551741
LAS VEGAS, NEVADA 89155-1741

OFFICIAL NOTICE OF PUBLIC HEARING



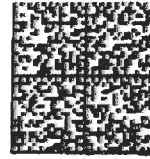
If you wish to file your position on this request, check the appropriate box below, and return this card in an envelope with postage to the Dept. of Comprehensive Planning or fax this side of the card to (702) 455-3271.

☐ I SUPPORT
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126 FRDFHMP 94062

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No. 8135 P. 2/3

US POSTAGE PITNEY BOWES



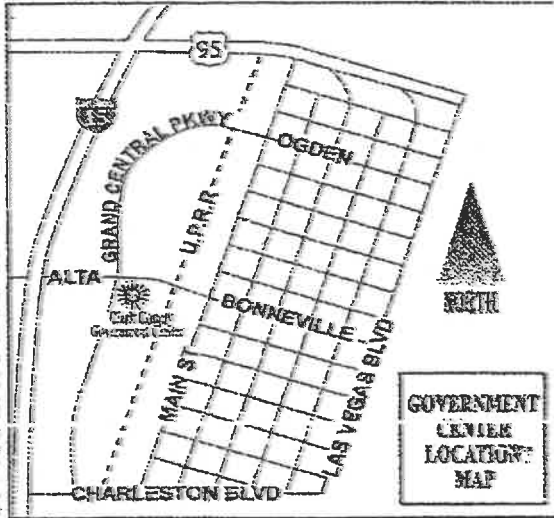
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VS-24-0277 090424
DOUGLAS FAMILY TRUST
DOUGLAS MIKE & LISA TRS
490 MOORE RD
WOODSIDE, CA 94062



DEPARTMENT OF COMPREHENSIVE PLANNING
LAND USE PLANNING
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CLARK COUNTY GOVERNMENT CENTER
500 S. GRAND CENTRAL PARKWAY
BOX 551741
LAS VEGAS, NEVADA 89155-1741

OFFICIAL NOTICE OF PUBLIC HEARING

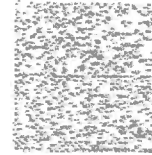


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125 FROFMP 94062

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Application # VS-24-0277

WS-24-0276

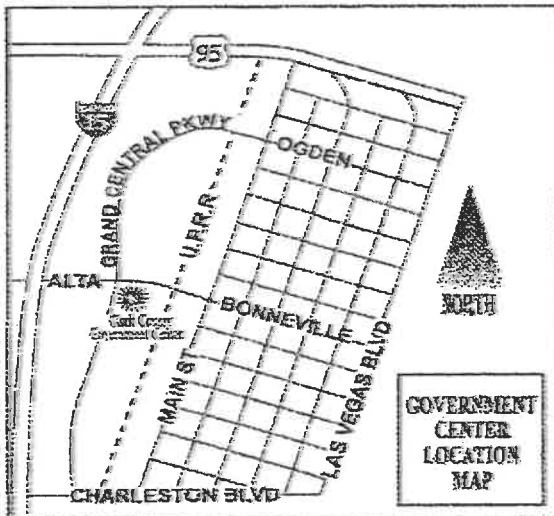
Item # AAL# 161-08-810-082

161-08-810-083

VS-24-0276 090424
DOUGLAS FAMILY TRUST
DOUGLAS MIKE & LISA TRS
490 MOORE RD
WOODSIDE, CA 94062

DEPARTMENT OF COMPREHENSIVE PLANNING
LAND USE PLANNING
(702) 455-4314
CLARK COUNTY GOVERNMENT CENTER
500 S. GRAND CENTRAL PARKWAY
BOX 551741
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08/20/24

VS-24-0277 090424
DOUGLAS FAMILY TRUST
DOUGLAS MIKE & LISA TRS
490 MOORE RD
WOODSIDE, CA 94062

PPLRL_500

APPLICATION INFORMATION

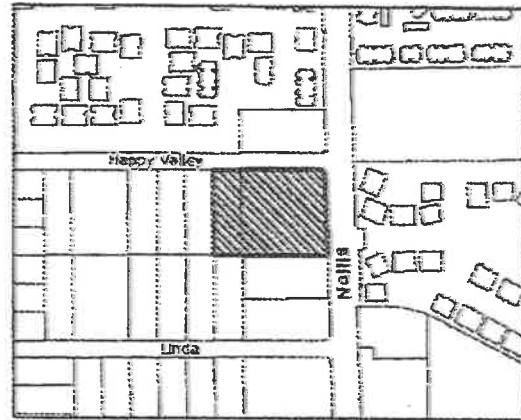
APPLICATION NUMBER: VS-24-0277

OWNER: PALM PROPERTIES, LLC:

VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file). (For possible action)

RELATED INFORMATION:

APN: 161-08-810-082; 161-08-810-083

APPLICATION LOCATION**MEETING INFORMATION**

Sunrise Manor Town Board
August 15, 2024, 6:30 pm
Hollywood Neighborhood
Services Center
1650 S. Hollywood Blvd
Las Vegas, Nevada

Board of County Commissioners
September 4, 2024, 9:00 am
Clark County Government Center
500 S. Grand Central Parkway
Las Vegas, Nevada

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APPLICATION INFORMATION**APPLICATION NUMBER:** WS-24-0276**OWNER:** PALM PROPERTIES, LLC:

WAIVER OF DEVELOPMENT STANDARDS to modify residential adjacency standards.

DESIGN REVIEW for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone. Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor. (For possible action)

RELATED INFORMATION:

APN: 161-08-810-082; 161-08-810-083

APPLICATION LOCATION**MEETING INFORMATION**

Sunrise Manor Town Board
 August 15, 2024, 6:30 pm
 Hollywood Neighborhood
 Services Center
 1650 S. Hollywood Blvd
 Las Vegas, Nevada

Board of County Commissioners
 September 4, 2024, 9:00 am
 Clark County Government Center
 500 S. Grand Central Parkway
 Las Vegas, Nevada

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APPLICATION INFORMATION**APPLICATION NUMBER:** VS-24-0277**OWNER:** PALM PROPERTIES, LLC:

VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file). (For possible action)

RELATED INFORMATION:

APN: 161-08-810-082; 161-08-810-083

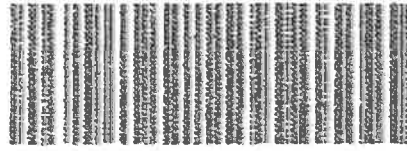
APPLICATION LOCATION**MEETING INFORMATION**

Sunrise Manor Town Board
 August 15, 2024, 6:30 pm
 Hollywood Neighborhood
 Services Center
 1650 S. Hollywood Blvd
 Las Vegas, Nevada

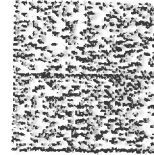
Board of County Commissioners
 September 4, 2024, 9:00 am
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DEPARTMENT OF COMPREHENSIVE
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CLARK COUNTY GOVERNMENT
500 S. GRAND CENTRAL PARK
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LAS VEGAS, NEVADA 89155



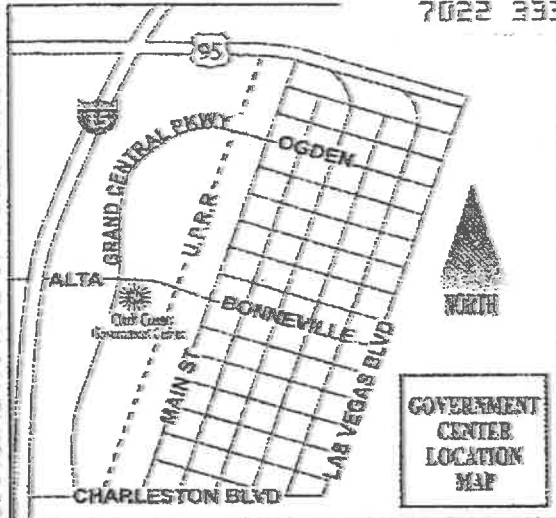
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0000262048 AUG 07 2024

7022 3330 0001 5649 4249

OFFICIAL NOTICE OF PUBLIC HEARING



VS-24-0277 090424
DOUGLAS FAMILY TRUST
DOUGLAS MIKE & LISA TRS
490 MOORE RD
WOODSIDE, CA 94062

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☐ I SUPPORT
this request

☒ I OPPOSE
this request

126 FROFNMP 34062



Application # VS-24-0277

WS-24-0276

Item # APN 161-08-810-082;

161-08-810-083

DEPARTMENT OF COMPREHENSIVE PLANNING
 LAND USE PLANNING
 (702) 455-4314
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☐ I SUPPORT
 this request

☒ I OPPOSE
 this request

VS-24-0277 090424 Doreen
 AL-TURKMANI & ASSOCIATES
 2725 S NELLIS BLVD #200
 LAS VEGAS, NV 89121

69

FRDFNMP

WEDNESDAY
BOARD OF COUNTY COMMISSIONERS AGENDA
OCTOBER 02, 2024

RECOMMENDATIONS FROM: SOUTHERN NEVADA WATER AUTHORITY

Patrick Denison, Right-of-Way Agent
702-862-3474

ITEM #	APPLICATION NUMBER	COMMENTS	CONTACT NAME
4.	AR-24-400090 (UC-0849-14)	Not reviewed	P. Denison
5.	UC-24-0387 HOLDOVER	Not reviewed	P. Denison
6.	TM-24-500076 HOLDOVER	No objection	P. Denison
7.	UC-24-0399 HOLDOVER	Not reviewed	P. Denison
8.	VS-24-0277 HOLDOVER	No objection	P. Denison
9.	WS-24-0276 HOLDOVER	Not reviewed	P. Denison
10.	WS-24-0362	Not reviewed	P. Denison
11.	ZC-24-0394	Not reviewed	P. Denison
12.	ORD-24-900412	Not reviewed	P. Denison
13.	ORD-24-900463	Not reviewed	P. Denison
14.	ORD-24-900551	Not reviewed	P. Denison
15.	ORD-24-900578	Not reviewed	P. Denison
<u>NON-ROUTINE</u>			
16.	SC-24-0261 HOLDOVER	Not reviewed	P. Denison
17.	VS-24-0390	No objection	P. Denison
18.	WS-24-0391	Not reviewed	P. Denison
19.	TM-24-500078	No objection	P. Denison
20.	WS-24-0419	Not reviewed	P. Denison

WEDNESDAY
BOARD OF COUNTY COMMISSIONERS AGENDA
OCTOBER 02, 2024

RECOMMENDATIONS FROM: SOUTHERN NEVADA WATER AUTHORITY

Patrick Denison, Right-of-Way Agent

702-862-3474

ITEM #	APPLICATION NUMBER	COMMENTS	CONTACT NAME
21.	WS-24-0437	Not reviewed	P. Denison
<u>AGENDA ITEM</u>			
22.	AG-24-900634	Not reviewed	P. Denison
<u>ORDINANCES - INTRODUCTION</u>			
23.	ORD-24-900471	Not reviewed	P. Denison
24.	ORD-24-900591	Not reviewed	P. Denison

WEDNESDAY
BOARD OF COUNTY COMMISSIONERS AGENDA
NOVEMBER 6, 2024

RECOMMENDATIONS FROM: SOUTHERN NEVADA WATER AUTHORITY
Patrick Denison, Right-of-Way
702-862-3474

ITEM #	APPLICATION NUMBER	COMMENTS	CONTACT NAME
4.	AR-24-400090 (UC-0849-14) HOLDOVER	Not reviewed	P. Denison
5.	AR-24-400106 (UC-22-0498)	Not reviewed	P. Denison
6.	ET-24-400101 (UC-22-0403)	Not reviewed	P. Denison
7.	VS-24-0277 HOLDOVER	No objection	P. Denison
8.	WS-24-0276 HOLDOVER	Not reviewed	P. Denison
9.	WS-24-0419 HOLDOVER	Not reviewed	P. Denison
10.	WS-24-0473	Not reviewed	P. Denison
<u>NON-ROUTINE</u>			
11.	SC-24-0261 HOLDOVER	Not reviewed	P. Denison
12.	UC-24-0436	Not reviewed	P. Denison
13.	UC-24-0491	Not reviewed	P. Denison
14.	VS-24-0494	No objection	P. Denison
15.	WS-24-0495	Not reviewed	P. Denison
16.	VS-24-0504	No objection	P. Denison
17.	WS-24-0505	Not reviewed	P. Denison
18.	TM-24-500106	No objection	P. Denison
19.	WC-24-400060 (NZC-22-0028) HOLDOVER	Not reviewed	P. Denison

WEDNESDAY
BOARD OF COUNTY COMMISSIONERS AGENDA
NOVEMBER 6, 2024

RECOMMENDATIONS FROM: SOUTHERN NEVADA WATER AUTHORITY
Patrick Denison, Right-of-Way
702-862-3474

ITEM #	APPLICATION NUMBER	COMMENTS	CONTACT NAME
20.	WS-24-0475	Not reviewed	P. Denison
21.	WS-24-0484	Not reviewed	P. Denison
22.	WS-24-0488	Not reviewed	P. Denison
23.	WS-24-0489	Not reviewed	P. Denison
24.	WS-24-0511	Not reviewed	P. Denison
25.	TM-24-500109	No objection	P. Denison
<u>AGENDA ITEM</u>			
26.	AG-24-900729	Not reviewed	P. Denison
<u>ORDINANCES - INTRODUCTION</u>			
27.	ORD-24-900529	Not reviewed	P. Denison
28.	ORD-24-900546	Not reviewed	P. Denison
29.	ORD-24-900599	Not reviewed	P. Denison
30.	ORD-24-900699	Not reviewed	P. Denison
31.	ORD-24-900708	Not reviewed	P. Denison
32.	ORD-24-900710	Not reviewed	P. Denison
33.	ORD-24-900725	Not reviewed	P. Denison

10/29/2024 7:21 AM

BOARD OF COUNTY COMMISSIONERS
NOVEMBER 6, 2024, 9:00 A.M.

VS – VACATION AND ABANDONMENTS

RECOMMENDATIONS FROM: SOUTHERN NEVADA WATER AUTHORITY

Patrick Denison, Right-of-Way Agent
702-862-3474

APPLICATION	COMMENTS	CONTACT NAME
VS-24-0494	No objection	P. Denison
VS-24-0504	No objection	P. Denison

WEDNESDAY
BOARD OF COUNTY COMMISSIONERS AGENDA
NOVEMBER 20, 2024

RECOMMENDATIONS FROM: SOUTHERN NEVADA WATER AUTHORITY
Patrick Denison, Right-of-Way Agent
702-862-3474

ITEM #	APPLICATION NUMBER	COMMENTS	CONTACT NAME
4.	SDR-24-0334 HOLDOVER	Not reviewed	P. Denison
5.	DR-24-0335 HOLDOVER	Not reviewed	P. Denison
6.	ET-24-400107 (UC-20-0288)	Not reviewed	P. Denison
7.	WC-24-400111 (ZC-1965-04)	Not reviewed	P. Denison
8.	VS-24-0520	No objection	P. Denison
9.	UC-24-0521	Not reviewed	P. Denison
10.	ZC-24-0518	Not reviewed	P. Denison
11.	ORD-24-900529	Not reviewed	P. Denison
12.	ORD-24-900546	Not reviewed	P. Denison
13.	ORD-24-900599	Not reviewed	P. Denison
14.	ORD-24-900699	Not reviewed	P. Denison
15.	ORD-24-900708	Not reviewed	P. Denison
16.	ORD-24-900710	Not reviewed	P. Denison
17.	ORD-24-900725	Not reviewed	P. Denison
<u>NON-ROUTINE</u>			
18.	CP-24-900629	Not reviewed	P. Denison
19.	ET-24-400110 (UC-20-0493)	Not reviewed	P. Denison
20.	UC-24-0319	Not reviewed	P. Denison

WEDNESDAY
BOARD OF COUNTY COMMISSIONERS AGENDA
NOVEMBER 20, 2024

RECOMMENDATIONS FROM: SOUTHERN NEVADA WATER AUTHORITY
Patrick Denison, Right-of-Way Agent
702-862-3474

ITEM #	APPLICATION NUMBER	COMMENTS	CONTACT NAME
21.	UC-24-0436 HOLDOVER	Not reviewed	P. Denison
22.	UC-24-0460 HOLDOVER	Not reviewed	P. Denison
23.	UC-24-0536	Not reviewed	P. Denison
24.	VS-24-0277 HOLDOVER	No objection	P. Denison
25.	WS-24-0276 HOLDOVER	Not reviewed	P. Denison
26.	VS-24-0457 HOLDOVER	No objection	P. Denison
27.	WS-24-0456 HOLDOVER	Not reviewed	P. Denison
28.	TM-24-500096 HOLDOVER	No objection	P. Denison
29.	VS-24-0462 HOLDOVER	No objection	P. Denison
30.	WS-24-0461 HOLDOVER	Not reviewed	P. Denison
31.	TM-24-500099 HOLDOVER	No objection	P. Denison
32.	VS-24-0509	No objection	P. Denison
33.	WS-24-0510	Not reviewed	P. Denison
34.	TM-24-500108	No objection	P. Denison
35.	VS-24-0539	No objection	P. Denison
36.	WS-24-0538	Not reviewed	P. Denison
37.	VS-24-0542	No objection	P. Denison
38.	WS-24-0543	Not reviewed	P. Denison

WEDNESDAY
BOARD OF COUNTY COMMISSIONERS AGENDA
NOVEMBER 20, 2024

RECOMMENDATIONS FROM: SOUTHERN NEVADA WATER AUTHORITY

Patrick Denison, Right-of-Way Agent
702-862-3474

ITEM #	APPLICATION NUMBER	COMMENTS	CONTACT NAME
39.	TM-24-500117	No objection	P. Denison
40.	WS-24-0522	Not reviewed	P. Denison
41.	WS-24-0523	Not reviewed	P. Denison
42.	WS-24-0525	Not reviewed	P. Denison
43.	WS-24-0526	Not reviewed	P. Denison
44.	WS-24-0527	Not reviewed	P. Denison
45.	TM-24-500114	No objection	P. Denison
46.	WS-24-0535	Not reviewed	P. Denison
47.	PA-24-700015	Not reviewed	P. Denison
48.	ZC-24-0310	Not reviewed	P. Denison
49.	UC-24-0311	Not reviewed	P. Denison
50.	PA-24-700020	Not reviewed	P. Denison
51.	ZC-24-0485	Not reviewed	P. Denison
52.	VS-24-0486	No objection	P. Denison
53.	WS-24-0487	Not reviewed	P. Denison
54.	TM-24-500101	No objection	P. Denison
<u>AGENDA ITEM</u>			
55.	AG-24-900729 HOLDOVER	Not reviewed	P. Denison

WEDNESDAY
BOARD OF COUNTY COMMISSIONERS AGENDA
NOVEMBER 20, 2024

RECOMMENDATIONS FROM: SOUTHERN NEVADA WATER AUTHORITY

Patrick Denison, Right-of-Way Agent
702-862-3474

ITEM #	APPLICATION NUMBER	COMMENTS	CONTACT NAME
<u>ORDINANCES - INTRODUCTION</u>			
56.	ORD-24-900565	Not reviewed	P. Denison
57.	ORD-24-900572	Not reviewed	P. Denison
58.	ORD-24-900582	Not reviewed	P. Denison
59.	ORD-24-900734	Not reviewed	P. Denison
60.	ORD-24-900758	Not reviewed	P. Denison
61.	ORD-24-900766	Not reviewed	P. Denison

11/13/2024 8:01 AM

PW - ROW

<input type="checkbox"/> MANAGERS	<input type="checkbox"/> DONE
<input type="checkbox"/> ARTERIALS	<input type="checkbox"/> DONE
<input checked="" type="checkbox"/> VACATIONS	<input type="checkbox"/> DONE

1161-08-810-082-083

APP #: VS-24-0277

DESCRIPTION: POW for detached
Sidewalk

ZC UC WS DR VC

09/04/2024 BCC

08/15/2024 Sunrise Manor

S'

CONCURRENT APPS:

PREVIOUS APPS:

WAIVERS/DRS:

WS-24-0276

APP-24-100604 ^{NO ROW} _{emails}

APP-23-101485

UC-19-06030

UC/DR-18-0578

ADR-05-900333

NOTES:

☐ ANALYSIS: ☐ RECOMMENDATION: ☐ APPROVAL ☐ DENIAL ☐ OTHER

☐ CONDITIONS: ☐ D/S ☐ T/S ☐ O/S ☒ DET SW ^{this} ☐ LVBS ☐ L & M ☐ BUS STOP

☐ DR #2 ☐ NDOT ☐ NDOT/BLUE DIAMOND

☐ RES. COVENANT

☒ VS LEGAL

☒ VS REC PERMIT/MAP

☐ VS REC O/S INSPECT

☐ ROW 30/90 FOR ALL

☐ ROW 30/90 FOR 80+

☐ ROW:

☐ OTHER:

☐ ADVISORY:

☐ ETS/ARS:

☐ ANALYSIS NEEDED?

☐ PREVIOUS

☐ NEW CONDITIONS?

☐ NO COMMENT

SCAN TO FILE

7/14 BCC

**CLARK COUNTY
COMPREHENSIVE PLANNING LAND USE APPLICATIONS
LAND USE APPLICATION ANALYSIS/CONDITIONS**

APPLICATION NUMBER OWNER
VS-24-0277/PALM PROPERTIES L L C

The following has been entered to Accela for the above referenced land use application for **Public Works
- Development Review.**

Analysis

Staff has no objection to the vacation of right-of-way for detached sidewalks.

Recommendation:

Approval.

Applied by: Sarah Mabry-Padovese

Date entered: 7/31/2024

Preliminary Conditions

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that Nevada Department of Transportation (NDOT) permits may be required. /syp

Applied by: Sarah Mabry-Padovese

Date entered: 7/22/2024

APN(s):

161-08-810-082 through 161-08-810-083

WS 24-0276

**CLARK COUNTY
COMPREHENSIVE PLANNING LAND USE APPLICATIONS
LAND USE APPLICATION ANALYSIS/CONDITIONS**

APPLICATION NUMBER OWNER
VS-24-0277/PALM PROPERTIES L L C

The following has been entered to Accela for the above referenced land use application for **Public Works**
- Development Review.

Analysis

~~NOT READY TO MERGE~~

Staff has no objection to the vacation of right-of-way for detached sidewalks.

Recommendation:
Approval.

Applied by: Sarah Mabry-Padovese
Date entered: 7/22/2024

Preliminary Conditions

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that Nevada Department of Transportation (NDOT) permits may be required. syp

Applied by: Sarah Mabry-Padovese
Date entered: 7/22/2024

APN(s):

161-08-810-082 through 161-08-810-083

Sarah Y. Mabry-Padovese

From: Clark County <Clarkcounty-accela@clarkcountynv.gov>
Sent: Tuesday, February 27, 2024 4:47 PM
To: centurywest1@hotmail.com; ACOLE@GCGARCIINC.COM
Cc: PWLanduse
Subject: New Submittal: APR-23-101485 - APN: 161-08-810-083 Public Works ok

Good afternoon,

Public Works has no further comments on this Application Pre-Review (APR). Please contact Comprehensive Planning at 702-455-4314 or zoning@ClarkCountyNV.gov for information on how to proceed.

Thank you
JaWaan Dodson

Important information:

Please note that although Public Works has no further comments on this APR, it does not mean that we will recommend approval.

Sarah Y. Mabry-Padovese

From: Andrea Cole <acole@gcgarciainc.com>
Sent: Tuesday, February 27, 2024 10:48 AM
To: PWLanduse
Subject: New Submittal: APR-23-101485 - APN: 161-02-810-083 Public Works comments
Attachments: site-6-SP1.pdf; Map that dedicated the ROW for Happy Valley MapPL0040001.pdf

Categories: JaWaan

See below responses and the attached.

From: Clark County Clarkcounty-accel@clarkcountynv.gov
Sent: Tuesday, February 27, 2024 8:46 AM
To: centurywest1@hotmail.com; Andrea Cole acole@gcgarciainc.com
Cc: PWlanduse@ClarkCountyNV.gov
Subject: New Submittal: APR-23-101485 - APN: 161-02-810-083 Public Works comments

Good morning,

Please see the Public Works comments below:

The comments from 2/15/2024 are in black. My original responses are in blue. PW's comments from 2/27/2024 are in red. Additional responses in Green.

Be advised that Nellis Boulevard is a Nevada Department of Transportation (NDOT) right-of-way.

Detached sidewalks are required, this application will need to include a vacation of the right-of-way. Application revised to include the vacation.

Site Plan:

- The minimum required throat is 100 feet per Uniform Standard Drawing 222.1. Site Plan revised to show 100'. It looks like the parking was reduced with this revision and 75 feet is now the minimum. Resolved.
- Provide and show the back of curb radius on the east side of the Happy Valley Avenue commercial driveway and at the intersection. Shown on revised site plan. Not provided (2nd request). Previously provided, attached for reference.
- Correct the right-of-way width for Happy Valley Avenue. ROW corrected on revised site plan. Resolved.

Vacation:

- Provide a the record information for the right-of-way being vacated. See attached recorded map that dedicated the ROW on Happy Valley.

Thank you

JaWaan Dodson

Directions for when you make the necessary changes

- Email the following to Public Works – Development Review at PWLandUse@ClarkCountyNV.gov:
 - o A detailed written response to each of our comments.
 - o Copies of revised plans and documents.
 - o If you make changes other than those that are specified in our comments, provide a detailed list of the changes and an explanation for why the changes were made.

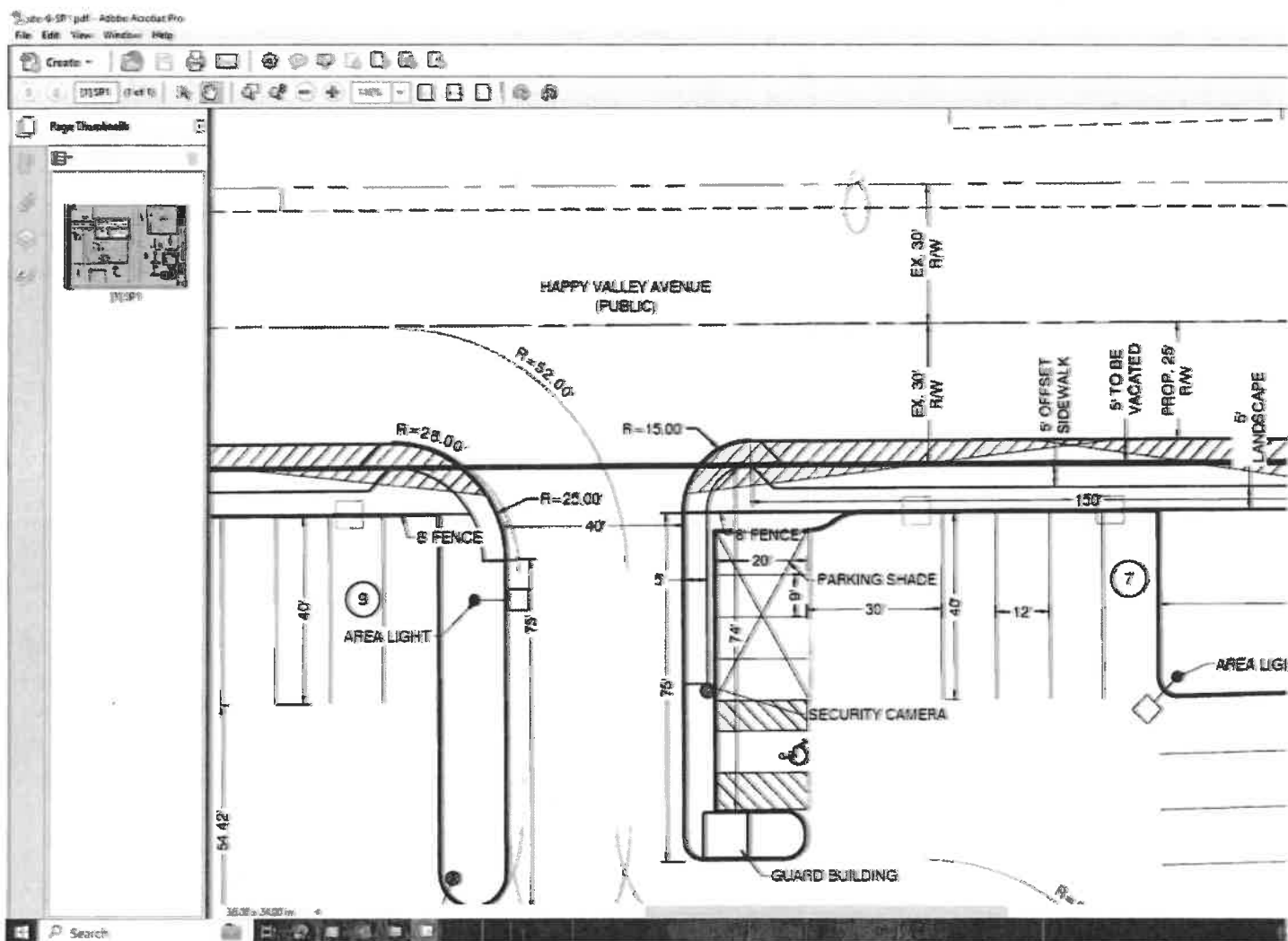
Contacts for the Public Works – Land Use Application Team

- Email:
 - o PWLandUse@ClarkCountyNV.gov
- Phone numbers:
 - o 702-455-4607 – Sarah Mabry-Padovese
 - o 702-455-6387 – JaWaan Dodson
 - o 702-455-6385 – Nick Goodman
 - o 702-455-4600 – Main number for Development Review

Sarah Y. Mabry-Padovese

From: Andrea Cole <acole@gcgarciainc.com>
Sent: Tuesday, February 27, 2024 10:09 AM
To: PWLanduse
Subject: New Submittal: APR-23-101485 - APN: 161-02-810-083 Public Works comments

I'm slightly confused by the comment asking for the back of curb radius on the plan. I re-reviewed the site plan provided and all of the radii's appear to be there (see below print screen). Is there something I am missing?



If you have any questions please feel free to contact me at the number listed below.

Thanks and Best Regards.

Andrea Cole, Project Coordination Manager
G.C. Garcia, Inc.

1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
(702) 435-9909 Phone
(702) 435-0457 Fax
acole@gcgarciainc.com E-mail
<https://gcgarciainc.com> Website

From: Clark County <Clarkcounty-accela@clarkcountynv.gov>
Sent: Tuesday, February 27, 2024 8:46 AM
To: centurywest1@hotmail.com; Andrea Cole <acole@gcgarciainc.com>
Cc: PWLanduse@ClarkCountyNV.gov
Subject: New Submittal: APR-23-101485 - APN: 161-02-810-083 Public Works comments

Good morning,

Please see the Public Works comments below:

The comments from 2/15/2024 are in black. Your responses are in blue. The new comments from 2/27/2024 are in red.

Be advised that Nellis Boulevard is a Nevada Department of Transportation (NDOT) right-of-way.

Detached sidewalks are required, this application will need to include a vacation of the right-of-way. Application revised to include the vacation.

Site Plan:

- The minimum required throat is 100 feet per Uniform Standard Drawing 222.1. Site Plan revised to show 100'. It looks like the parking was reduced with this revision and 75 feet is now the minimum. Resolved.
- Provide and show the back of curb radius on the east side of the Happy Valley Avenue commercial driveway and at the intersection. Shown on revised site plan. Not provided (2nd request).
- Correct the right-of-way width for Happy Valley Avenue. ROW corrected on revised site plan. Resolved.

Vacation:

- Provide a the record information for the right-of-way being vacated.

Thank you

JaWaan Dodson

Directions for when you make the necessary changes

- Email the following to Public Works – Development Review at PWLandUse@ClarkCountyNV.gov:
 - o A detailed written response to each of our comments.
 - o Copies of revised plans and documents.
 - o If you make changes other than those that are specified in our comments, provide a detailed list of the changes and an explanation for why the changes were made.

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 - o PWLandUse@ClarkCountyNV.gov
- Phone numbers:
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 - o 702-455-6387 – JaWaan Dodson
 - o 702-455-6385 – Nick Goodman
 - o 702-455-4600 – Main number for Development Review

Sarah Y. Mabry-Padovese

From: Clark County <Clarkcounty-accela@clarkcountynv.gov>
Sent: Tuesday, February 27, 2024 8:46 AM
To: centurywest1@hotmail.com; ACOLE@GCGARCIAINC.COM
Cc: PWLanduse
Subject: New Submittal: APR-23-101485 - APN: 161-02-810-083 Public Works comments

Good morning,

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The comments from 2/15/2024 are in black. Your responses are in blue. The new comments from 2/27/2024 are in red.

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Vacation:

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Thank you

JaWaan Dodson

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 - o 702-455-4607 – Sarah Mabry-Padovese
 - o 702-455-6387 – JaWaan Dodson
 - o 702-455-6385 – Nick Goodman
 - o 702-455-4600 – Main number for Development Review

Sarah Y. Mabry-Padovese

From: Andrea Cole <acole@gcgarciainc.com>
Sent: Tuesday, February 20, 2024 4:01 PM
To: PWLanduse
Subject: New Submittal: APR-23-101485 - APN: 161-02-810-093 Public Works comments
Categories: JaWaan

Apologize, I replied incorrectly in my original email to the below.

- The minimum required throat is 100 feet per Uniform Standard Drawing 222.1. Site Plan revised to show 100'

Should have stated:

- The minimum required throat is 100 feet per Uniform Standard Drawing 222.1. Parking was reduced to 99 stalls, and depth of throat for driveway is 75' as required per uniform standard drawing 222.1.

If you have any questions please feel free to contact me at the number listed below.

Thanks and Best Regards.

Andrea Cole, Project Coordination Manager
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
(702) 435-9909 Phone
(702) 435-0457 Fax
acole@gcgarciainc.com E-mail
<https://gcgarciainc.com> Website

From: Andrea Cole
Sent: Tuesday, February 20, 2024 1:07 PM
To: PWLanduse@ClarkCountyNV.gov
Subject: New Submittal: APR-23-101485 - APN: 161-02-810-093 Public Works comments

Please see attached revised drawings, added Vacation application, and responses below.

If you have any questions please feel free to contact me at the number listed below.

Thanks and Best Regards.

Andrea Cole, Project Coordination Manager
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
(702) 435-9909 Phone
(702) 435-0457 Fax
acole@gcgarciainc.com E-mail
<https://gcgarciainc.com> Website

From: Clark County <Clarkcounty-accel@clarkcountynv.gov>
Sent: Thursday, February 15, 2024 2:32 PM
To: centurywest1@hotmail.com; Andrea Cole <acole@gcgarciainc.com>
Cc: PWLanduse@ClarkCountyNV.gov
Subject: New Submittal: APR-23-101485 - APN: 161-02-810-093 Public Works comments

Good afternoon,

Please see the Public Works comments below:

Be advised that Nellis Boulevard is a Nevada Department of Transportation (NDOT) right-of-way.

Detached sidewalks are required, this application will need to include a vacation of the right-of-way.
Application revised to include the vacation.

Site Plan:

- The minimum required throat is 100 feet per Uniform Standard Drawing 222.1.
Site Plan revised to show 100'
- Provide and show the back of curb radius on the east side of the Happy Valley Avenue commercial driveway and at the intersection. Shown on revised site plan.
- Correct the right-of-way width for Happy Valley Avenue. ROW corrected on revised site plan

Thank you

JaWaan Dodson

Directions for when you make the necessary changes

- Email the following to Public Works – Development Review at PWLandUse@ClarkCountyNV.gov:
 - o A detailed written response to each of our comments.
 - o Copies of revised plans and documents.

- o If you make changes other than those that are specified in our comments, provide a detailed list of the changes and an explanation for why the changes were made.

Contacts for the Public Works - Land Use Application Team

- **Email:**
 - o PWLandUse@ClarkCountyNV.gov
- **Phone numbers:**
 - o 702-455-4607 – Sarah Mabry-Padovese
 - o 702-455-6387 – JaWaan Dodson
 - o 702-455-6385 – Nick Goodman
 - o 702-455-4600 – Main number for Development Review

Sarah Y. Mabry-Padovese

From: Andrea Cole <acole@gcgarciainc.com>
Sent: Tuesday, February 20, 2024 1:07 PM
To: PWLanduse
Subject: New Submittal: APR-23-101485 - APN: 161-02-810-093 Public Works comments
Attachments: 18-0578_Cell Tower Plans (Sprint)_59419011_2.pdf; Carport w Solar.pdf; Cross Sections_Happy Valley Nellis_20240219.pdf; Elevation - Guard Building.pdf; Ltr-Just ADR 2-20-24.pdf; Ltr-Response to 2nd round of Planning Comments 02-01-24.pdf; Ltr-Just VAC 02-19-24.pdf; Vacation Legal ROW_20240219.pdf; Vacation Site Plan_20240219.pdf; site-6-SP1.pdf

Categories: JaWaan

Please see attached revised drawings, added Vacation application, and responses below.

If you have any questions please feel free to contact me at the number listed below.

Thanks and Best Regards.

Andrea Cole, Project Coordination Manager
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
(702) 435-9909 Phone
(702) 435-0457 Fax
acole@gcgarciainc.com E-mail
<https://gcgarciainc.com> Website

From: Clark County <Clarkcounty-accela@clarkcountynv.gov>
Sent: Thursday, February 15, 2024 2:32 PM
To: centurywest1@hotmail.com; Andrea Cole <acole@gcgarciainc.com>
Cc: PWLanduse@ClarkCountyNV.gov
Subject: New Submittal: APR-23-101485 - APN: 161-02-810-093 Public Works comments

Good afternoon,

Please see the Public Works comments below:

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- Correct the right-of-way width for Happy Valley Avenue. ROW corrected on revised site plan

Thank you

JaWaan Dodson

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 - o If you make changes other than those that are specified in our comments, provide a detailed list of the changes and an explanation for why the changes were made.

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 - o PWLandUse@ClarkCountyNV.gov
- **Phone numbers:**
 - o 702-455-4607 – Sarah Mabry-Padovese
 - o 702-455-6387 – JaWaan Dodson
 - o 702-455-6385 – Nick Goodman
 - o 702-455-4600 – Main number for Development Review

Sarah Y. Mabry-Padovese

From: Diane Scarcelli
Sent: Tuesday, February 20, 2024 7:26 AM
To: Al Laird; Brady Bernhart; Dane Detommaso; Danielle Weible; Diane Scarcelli; Dominique Williams; Greg Cerven; Hunter White; Jason Allswang; Jazmine Harris; Jennifer Ammerman; Jillee Opiniano-Rowland; Jonathan Marenfeld; Judith M. Rodriguez; Katherine Corrow; Loren Graham; Lorna Phegley; Mara Weber; Mark Donohue; Martin Gies; Matt Young; Michael Huling; Nairee Agulian; Negar Masoomi; PWLanduse; Richard Ruggles; Robert Kaminski; Roxy Pais-Evia; Steven De Merritt; Tyler Delorenzo
Subject: Appointments for today 2/20/24
Attachments: Appointments 2-20-24 (2).xlsx

Please find these attached. Thank you.

Sincerely,

Diane Scarcelli
Senior Office Specialist
Department of Comprehensive Planning
T: 702-455-1599
dzwa@ClarkCountyNV.gov



From: Clark County <Clarkcounty-accela@clarkcountynv.gov>
Sent: Thursday, February 15, 2024 2:32 PM
To: centurywest1@hotmail.com; ACOLE@GCGARCIAINC.COM
Cc: PWLanduse
Subject: New Submittal: APR-23-101485 - APN: 161-02-810-093 Public Works comments

Good afternoon,

Please see the Public Works comments below:

Be advised that Nellis Boulevard is a Nevada Department of Transportation (NDOT) right-of-way.

Detached sidewalks are required, this application will need to include a vacation of the right-of-way.

Site Plan:

- The minimum required throat is 100 feet per Uniform Standard Drawing 222.1.
- Provide and show the back of curb radius on the east side of the Happy Valley Avenue commercial driveway and at the intersection.
- Correct the right-of-way width for Happy Valley Avenue.

Thank you

JaWaan Dodson

Directions for when you make the necessary changes

- Email the following to Public Works – Development Review at PWLandUse@ClarkCountyNV.gov:
 - o A detailed written response to each of our comments.
 - o Copies of revised plans and documents.
 - o If you make changes other than those that are specified in our comments, provide a detailed list of the changes and an explanation for why the changes were made.

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- Email:
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- o 702-455-4607 – Sarah Mabry-Padovese
- o 702-455-6387 – JaWaan Dodson
- o 702-455-6385 – Nick Goodman
- o 702-455-4600 – Main number for Development Review

Sarah Y. Mabry-Padovese

From: Diane Scarcelli
Sent: Wednesday, February 14, 2024 4:48 PM
To: Al Laird; Brady Bernhart; Dane Detommaso; Danielle Weible; Diane Scarcelli; Dominique Williams; Greg Cerven; Hunter White; Jason Allswang; Jazmine Harris; Jennifer Ammerman; Jillee Opiniano-Rowland; Jonathan Marenfeld; Judith M. Rodriguez; Katherine Corrow; Loren Graham; Lorna Phegley; Mara Weber; Mark Donohue; Martin Gies; Matt Young; Michael Huling; Nairee Agulian; Negar Masoomi; PWLanduse; Richard Ruggles; Robert Kaminski; Roxy Pais-Evia; Steven De Merritt; Tyler Delorenzo
Subject: Appointment list for Tuesday 2/20/24
Attachments: Appointments 2-20-24 (1).xlsx

With Monday 2/19 being a holiday, I am sending out the list for Tuesday 2/20/24 today. Please find the upcoming appointments attached, and thank you.

Sincerely,

Diane Scarcelli
Senior Office Specialist
Department of Comprehensive Planning
T: 702-455-1599
dzwa@ClarkCountyNV.gov



Sarah Y. Mabry-Padovese

From: PWLanduse
Sent: Wednesday, February 14, 2024 10:32 AM
To: Andrea Cole; PWLanduse
Cc: Melissa Eure; George Garcia
Subject: RE: APR-23-101485 LEDGE Nellis & Happy Valley: Submittal Pckg

Please note that we have 10 business days (2.5 weeks) to review your application. There are currently 8 head of you in the queue at this time.

Thanks

Sarah Y. Mabry-Padovese

Plan Checker

Public Works – Development Review

(702)455-4607

From: Andrea Cole <acole@gcgarciainc.com>
Sent: Wednesday, February 14, 2024 10:24 AM
To: PWLanduse <PWLanduse@ClarkCountyNV.gov>
Cc: Melissa Eure <meure@gcgarciainc.com>; George Garcia <ggarcia@gcgarciainc.com>
Subject: APR-23-101485 LEDGE Nellis & Happy Valley: Submittal Pckg

I just wanted to follow up on the below that was submitted on 02/06/24. Do we know where it is in the pile of items to be reviewed? Please advise.

If you have any questions please feel free to contact me at the number listed below.

Thanks and Best Regards.

Andrea Cole, Project Coordination Manager

G.C. Garcia, Inc.

1055 Whitney Ranch Dr., Suite 210

Henderson, NV 89014

(702) 435-9909 Phone

(702) 435-0457 Fax

acole@gcgarciainc.com E-mail

<https://gcgarciainc.com> Website

From: Andrea Cole
Sent: Tuesday, February 6, 2024 3:49 PM
To: 'PWlanduse@clarkcountynv.gov' <PWlanduse@clarkcountynv.gov>
Cc: Melissa Eure <meure@gcgarciainc.com>; George Garcia <ggarcia@gcgarciainc.com>
Subject: APR-23-101485 LEDGE Nellis & Happy Valley: Submittal Pckg

Please see attached proposed application for APR-23-101485 for your review and comment. The proposed use is a Commercial Truck Parking Lot at 3125 Nellis APN#s: 161-08-810-082 & -083.

If you have any questions please feel free to contact me at the number listed below.

Thanks and Best Regards.

Andrea Cole, Project Coordination Manager

G.C. Garcia, Inc.

1055 Whitney Ranch Dr., Suite 210

Henderson, NV 89014

(702) 435-9909 Phone

(702) 435-0457 Fax

acole@gcgarciainc.com E-mail

<https://gcgarciainc.com> Website

Sarah Y. Mabry-Padovese

From: Andrea Cole <acole@gcgarciainc.com>
Sent: Wednesday, February 14, 2024 10:24 AM
To: PWLanduse
Cc: Melissa Eure; George Garcia
Subject: APR-23-101485 LEDGE Nellis & Happy Valley: Submittal Pckg

I just wanted to follow up on the below that was submitted on 02/06/24. Do we know where it is in the pile of items to be reviewed? Please advise.

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Thanks and Best Regards.

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(702) 435-9909 Phone
(702) 435-0457 Fax
acole@gcgarciainc.com E-mail
<https://gcgarciainc.com> Website

From: Andrea Cole
Sent: Tuesday, February 6, 2024 3:49 PM
To: 'Pwlanduse@clarkcountynv.gov' <Pwlanduse@clarkcountynv.gov>
Cc: Melissa Eure <meure@gcgarciainc.com>; George Garcia <ggarcia@gcgarciainc.com>
Subject: APR-23-101485 LEDGE Nellis & Happy Valley: Submittal Pckg

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(702) 435-9909 Phone

(702) 435-0457 Fax

acole@gcgarciainc.com E-mail

<https://gcgarciainc.com> Website

From: Andrea Cole <acole@gcgarciainc.com>
Sent: Tuesday, February 6, 2024 3:49 PM
To: PWLanduse
Cc: Melissa Eure; George Garcia
Subject: APR-23-101485 LEDGE Nellis & Happy Valley: Submittal Pckg
Attachments: site-5-SP1-rev-carport.pdf; site-5-CS.pdf; Ledge Planning 1 Plans.pdf; Ltr-Just ADR 2-1-24.pdf; SSI-Palm Properties LLC as of 01-09-24.pdf; APN map as of 10-25-23.pdf; Application & Ownership forms from property owner - ADR Signed.pdf; Deed as of 04-04-23.pdf; Ownership form (Leading Edge Ventures) (signed).jpeg; Ownership form (Leading Edge Ventures) (signed).pdf; SSI for Leading Edge Ventures, LLC.pdf

Categories: NEW PROCESS

Please see attached proposed application for APR-23-101485 for your review and comment. The proposed use is a Commercial Truck Parking Lot at 3125 Nellis APN#s: 161-08-810-082 & -083.

If you have any questions please feel free to contact me at the number listed below.

Thanks and Best Regards.

Andrea Cole, Project Coordination Manager
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
(702) 435-9909 Phone
(702) 435-0457 Fax
acole@gcgarciainc.com E-mail
<https://gcgarciainc.com> Website

February 19, 2024

VS-24-0277

Nancy Amundsen, Director
Clark County Current Planning
500 S. Grand Central Pkwy
Las Vegas, NV 89155

RE: Request: Partial Vacation of Happy Valley ROW
APN(s): 161-08-810-082 & -083

Dear Nancy:

On behalf of our client, Leading Edge Ventures, LLC, please accept this letter and the attached exhibit as an application to vacate 5FT ROW on Happy Valley.

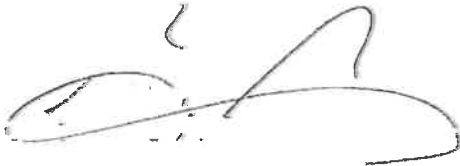
As directed by Planning and Public Works, we request that portions of the existing unbuilt 60 foot-wide ROW parcel be reduced by 5FT feet as it no longer serves a public need or necessity for the local road. The remaining portion of this parcel combined with the abutting parcel to the east, APN# 161-08-810-082 & -083, will satisfy the necessary required landscaping straddling a sidewalk to accompany the curb, gutter, landscape and sidewalk on the southside of Happy Valley.

Exhibit "A" attached provides the necessary legal description and Exhibit "B" provides the accompanying depiction for the requested Vacation of ROW.

The Vacation of the ROW will allow for the sidewalk abutting the detached sidewalk as required by the County to bring the property into full compliance with the statutes, codes and regulations.

Based on the provisions stated above, we request the approval of the vacation and abandonment of the ROW. If you have any questions regarding this request, please feel free to reach out to me at (702) 435-9909.

Sincerely,



George Garcia,
Founder



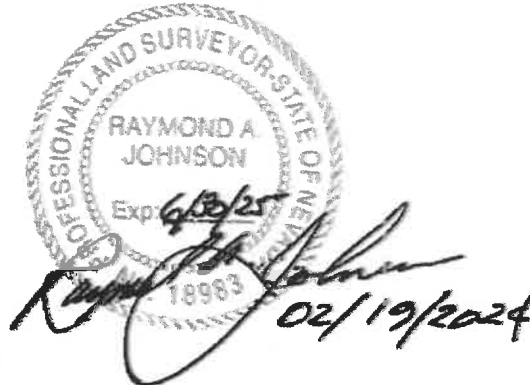
2727 SOUTH RAINBOW BOULEVARD * LAS VEGAS, NEVADA 89146-5148
PHONE 702-873-7550 * FAX 702-362-2597

EXHIBIT "A"
VS-

W.O. 8322
February 19, 2024
PAGE 1 OF 2
APN: 161-08-899-001
☒ Public right-of-way

☐ Easements:

☐ Other:



Legally described as follows:

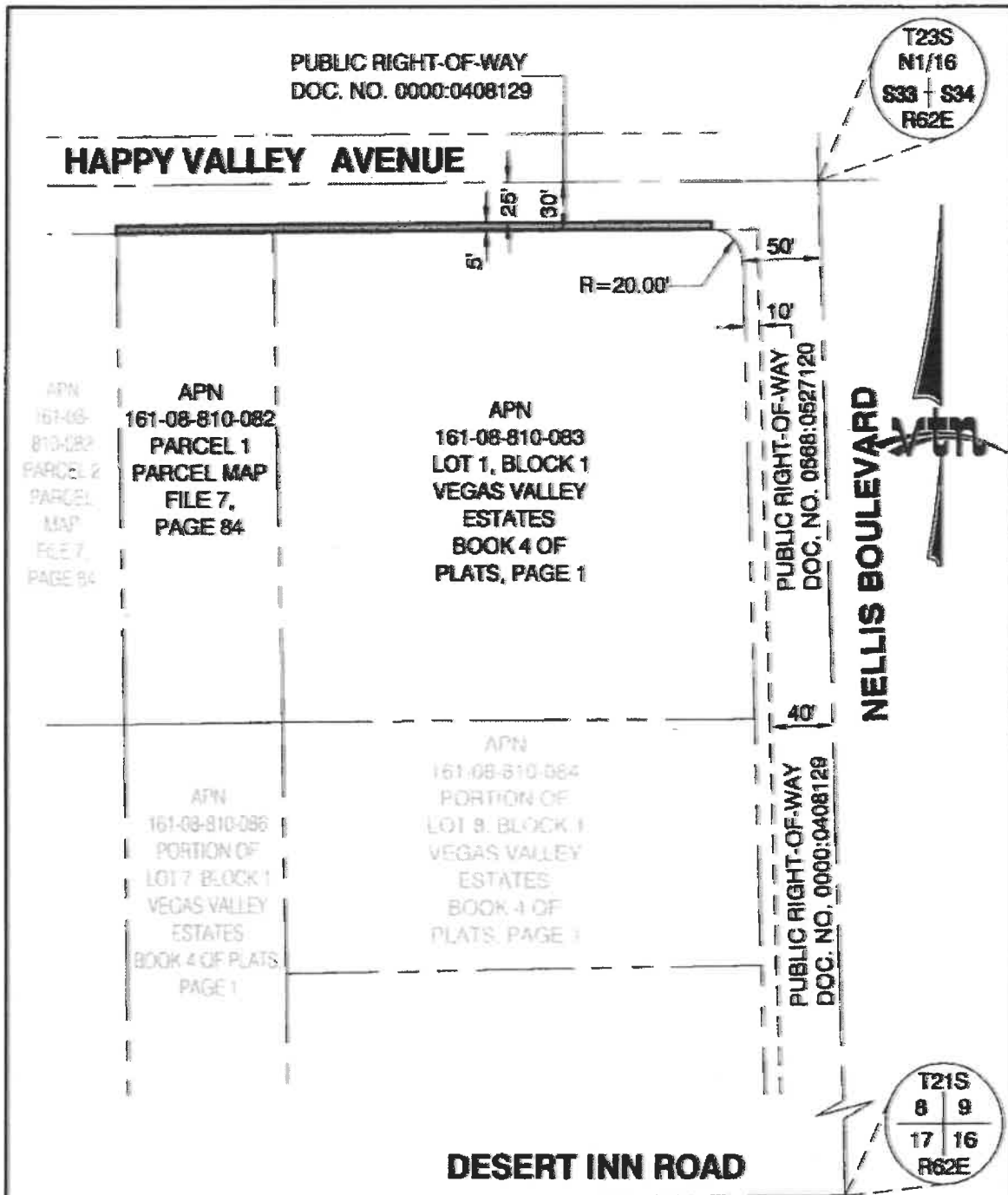
PUBLIC RIGHT-OF-WAY DOCUMENT NUMBER 0000:0408129

BEING THE SOUTHERLY 5.00 FEET OF THAT PUBLIC RIGHT-OF-WAY KNOWN AS HAPPY VALLEY AVENUE DEDICATED BY THAT CERTAIN DOCUMENT ON FILE IN THE OFFICE OF THE COUNTY RECORDER, CLARK COUNTY, NEVADA IN DOCUMENT NUMBER 0000:0408129 FRONTING LOT 1, BLOCK 1 OF THAT CERTAIN FINAL MAP KNOWN AS "VEGAS VALLEY ESTATES" ON FILE IN THE OFFICE OF SAID COUNTY RECORDER IN BOOK 4 OF PLATS, AT PAGE 1 FROM THE PROLONGATION OF THE WESTERLY BOUNDARY OF SAID LOT 1 TO THE POINT OF CURVATURE OF A 20.00 FOOT SPANDREL AREA CONCAVE SOUTHWESTERLY IN THE NORTHEAST CORNER OF SAID LOT 1 AND FRONTING PARCEL 1 OF THAT CERTAIN PARCEL MAP ON FILE IN THE OFFICE OF SAID COUNTY RECORDER, IN FILE 7, PAGE 84 ALL LOCATED WITHIN THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 08, TOWNSHIP 21 SOUTH, RANGE 62 EAST, CLARK COUNTY, NEVADA.

EXCEPTING ANY PORTION RIGHT-OF-WAY HEREBY BEING VACATED, FRONTING THAT DEDICATED RIGHT-OF-WAY DOCUMENT NUMBER 0568:0527120 THEREOF.

SEE EXHIBIT "B" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

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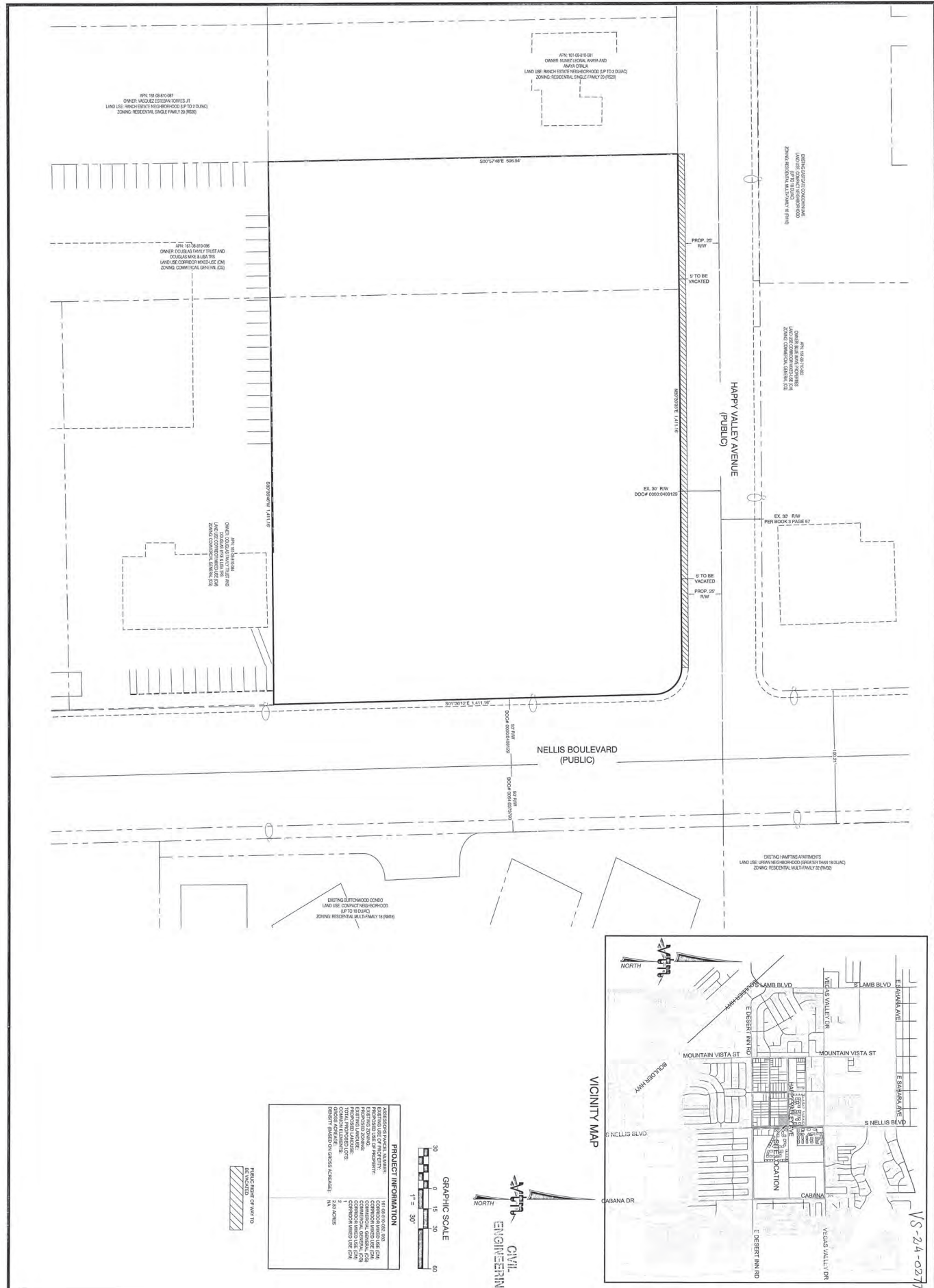
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**EXHIBIT "B" TO ACCOMPANY
LEGAL DESCRIPTION**

**RIGHT-OF-WAY
VACATION**

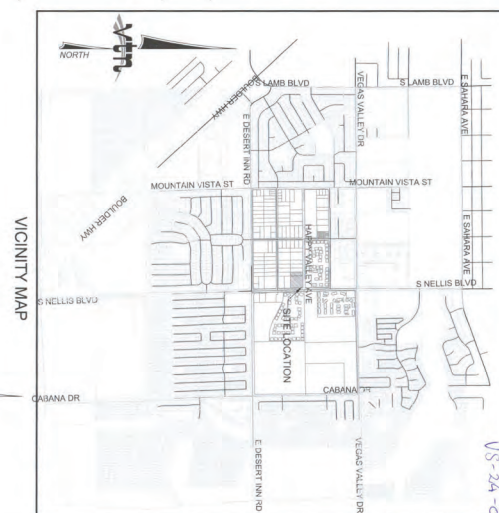
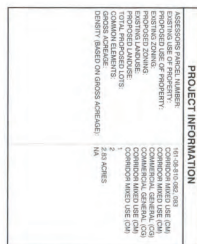
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	VERT.
W.O. NO.	8322
DRAWN BY:	TJ
DATE:	02/2024
SHEET	2 OF 2



VS-24-0271

1 SPL SUBMITTER		DRAWN BY: R.M.S.	NOV '09	VACATION SITE PLAN CLARK COUNTY, NEVADA PPLRL_603				
		DESIGNED BY: R.M.S.	NOV '09					
		CHECKED BY:						
		PROJECT NO:	SCALE: 1"=30'		HORIZ VERT			
			N/A					
		APN:161-08-810-082, 083 NELLIS AND HAPPY VALLEY			3727 SOUTH RAINBOW BOULEVARD LAS VEGAS, NEVADA 89146-5148 PH. (702) 873-7550 FAX (702) 362-2957 WEB WWW.VTNR.COM CONSULTING ENGINEERS & PLANNERS & LAND SURVEYORS			
					REV	DATE	BY	REVISION





US-24-0271

ROP 000563

**CLARK COUNTY
TOWN ADVISORY BOARD/CITIZEN ADVISORY COUNCIL
RECOMMENDATION**

Application Number: **VS-24-0277**

PC/BCC Meeting Date: **09-04-2024**

Commission District: **E**

TAB/CAC: **SUNRISE MANOR**

TAB/CAC Meeting Date: **08-15-2024**

Project Type: Nonresidential Development/Use (with construction or site modifications)

Property Owner: **PALM PROPERTIES L L C**

- ☐ Text Amendment
- ☐ Rezone
- ☐ Planned Unit Development
- ☐ Use Permit
- ☐ Variance
- ☐ Waiver of Development Standards
- ☐ Waiver of Title

- ☐ Design Review
- ☐ Sign Design Review
- ☐ Street Name Change
- ☐ Street Numbering Change
- ☐ Annexation Request
- ☒ Vacation and Abandonment
- ☐ Tentative Map
- ☐ Application Review

- ☐ Clarification of Conditions
- ☐ Extension of Time
- ☐ Revocation
- ☐ Waiver of Conditions
- ☐ Ordinance
- ☐ Agenda Item
- ☐ Other _____

Motion By: Earl Barbeau Vote: 4-0 Approval: Denial No Comment

Hold (including To Date and Reason) _____

of Neighbors Present 2 # of Neighbors For _____ # of Neighbors Against 2 # of Neighbors Undecided _____

Brief synopsis of COMMENTS, DISCUSSION, REASONING: _____

don't like idea of truck parking - eye sore
inadequate fencing, safety
chemicals (truck fumes)

Semi trucks should be in an industrial area

Conditions of Approval: _____

Name of Applicant/Representative George Garcia

Applicant agreed to conditions _____ Yes _____ No

Neighborhood meeting held? _____ Yes _____ No

M. Leiva
Signature

8/15/24
Date

Secretary
Title (Secretary of Chair)

Email to Comprehensive Planning: CPAgendas@ClarkCountyNV.gov & Email to Applicable Commission District: DistrictE@ClarkCountyNV.gov



February 19, 2024

VS-24-0277

Nancy Amundsen, Director
Clark County Current Planning
500 S. Grand Central Pkwy
Las Vegas, NV 89155

RE: Request: Partial Vacation of Happy Valley ROW
APN(s): 161-08-810-082 & -083

Dear Nancy:

On behalf of our client, Leading Edge Ventures, LLC, please accept this letter and the attached exhibit as an application to vacate 5FT ROW on Happy Valley.

As directed by Planning and Public Works, we request that portions of the existing unbuilt 60 foot-wide ROW parcel be reduced by 5FT feet as it no longer serves a public need or necessity for the local road. The remaining portion of this parcel combined with the abutting parcel to the east, APN# 161-08-810-082 & -083, will satisfy the necessary required landscaping straddling a sidewalk to accompany the curb, gutter, landscape and sidewalk on the southside of Happy Valley.

Exhibit "A" attached provides the necessary legal description and Exhibit "B" provides the accompanying depiction for the requested Vacation of ROW.

The Vacation of the ROW will allow for the sidewalk abutting the detached sidewalk as required by the County to bring the property into full compliance with the statutes, codes and regulations.

Based on the provisions stated above, we request the approval of the vacation and abandonment of the ROW. If you have any questions regarding this request, please feel free to reach out to me at (702) 435-9909.

Sincerely,

George Garcia,
Founder



A Planning & Development Services Corporation

PPLRL_608

1055 Whitney Ranch Dr., Suite 210, Henderson, NV 89014
Telephone: (702) 435-9909 Facsimile: (702) 435-0457 E-Mail: ggc@cgarcia.com

VJL



2727 SOUTH RAINBOW BOULEVARD * LAS VEGAS, NEVADA 89146-5148
PHONE 702-873-7550 * FAX 702-362-2597

EXHIBIT "A"
VS-

W.O. 8322

February 19, 2024

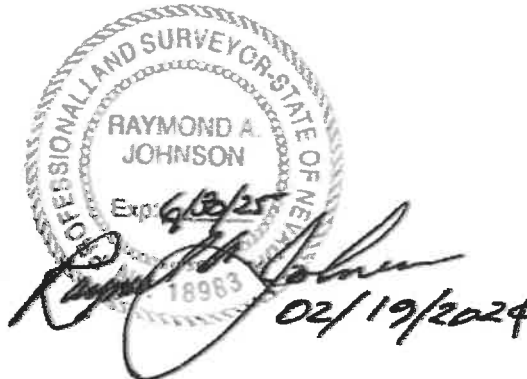
PAGE 1 OF 2

APN: 161-08-899-001

X Public right-of-way

___ Easements:

___ Other:



Legally described as follows:

PUBLIC RIGHT-OF-WAY DOCUMENT NUMBER 0000:0408129

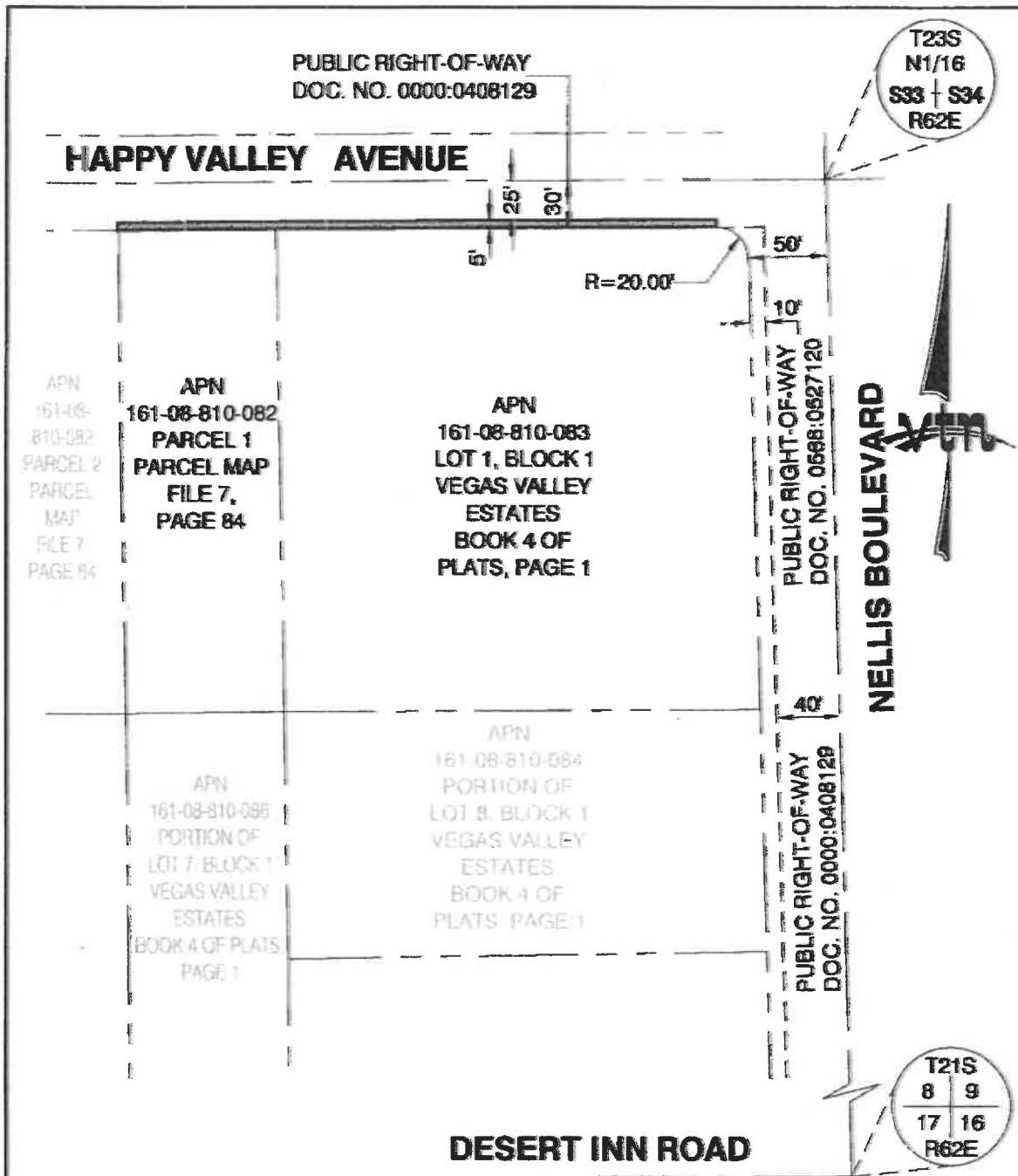
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SEE EXHIBIT "B" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

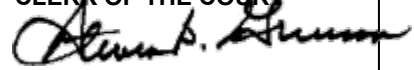
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 2727 SOUTH RAINBOW BOULEVARD LAS VEGAS, NV 89146-5148	EXHIBIT "B" TO ACCOMPANY LEGAL DESCRIPTION		SCALE	HORZ. 1" = 100'
	RIGHT-OF-WAY VACATION		VERT.	
			W.O. NO. 8322	
			DRAWN BY: TJ	
			DATE: 02/2024	
		SHEET 2 OF 2		



ROP

STEVEN B. WOLFSON

District Attorney

CIVIL DIVISION

State Bar No. 001565

By: ROBERT T. WARHOLA

Chief Deputy District Attorney

State Bar No. 4410

500 South Grand Central Pkwy., Suite 5075

Las Vegas, Nevada 89155-2215

(702) 455-4761

Fax (702) 382-5178

E-Mail: Robert.Warhola@ClarkCountyDANV.gov

Attorneys for Respondent

Clark County

DISTRICT COURT

CLARK COUNTY, NEVADA

PALM PROPERTIES, LLC, a Nevada limited
liability company; LEADING EDGE
VENTURES, LLC, a Nevada limited liability
company; ROBERT LAUER, an individually.)

Case No: A-24-907944-J
Dept No: 18

Petitioners,

vs.

COUNTY OF CLARK, a political
subdivision of the State of Nevada, et al.,

Respondent.

RECORD OF THE PROCEEDINGS, VOLUME IV

Respondent hereby files with the Court the Record of the Proceedings pursuant to Eighth Judicial District Court Rule 2.15 consisting of documents from the Clark County Clerk, Commission Division, and the Clark County Current Planning Division numbered ROP 000569 through ROP 000711.

DATED this 24th day of March, 2025.

STEVEN B. WOLFSON
DISTRICT ATTORNEY

By: /s/ Robert T. Warhola

ROBERT T. WARHOLA

Chief Deputy District Attorney

State Bar No. 4410

500 South Grand Central Pkwy., Suite 5075

Las Vegas, Nevada 89155-2215

Attorney for Respondent

CERTIFICATE OF ELECTRONIC SERVICE

I hereby certify that I am an employee of the Office of the Clark County District Attorney and that on this this 24th day of March, 2025 I served a true and correct copy of the foregoing **RECORD OF THE PROCEEDINGS, VOLUME IV** (United States District Court Pacer System or the Eighth Judicial District Court Wiznet), by e-mailing the same to the following recipients. Service of the foregoing document by e-mail is in place of service via the United States Postal Service.

Amy L. Sugden, Esq.
SUGDEN LAW
375 E. Warm Springs, Ste. 104
Las Vegas, Nevada 89119
Attorney for Petitioners
amy@sugdenlaw.com

/s/Patricia C. Villa
An Employee of the Clark County District
Attorney's Office – Civil Division

COVER SHEET FOR MINUTES

MEETING CODE: Board of County Commissioners Zoning Meeting

MEETING DATE: September 04, 2024

SECRETARY: Susan Wohlbrandt

TYPED/PROOFED/COMPLETED: September 24, 2024

DISTRIBUTED:

SECRETARY: Susan Wohlbrandt

DATE: September 24, 2024

APPROVED BY BOARD:

DATE:

October 2, 2024



togetherforbetter

Board of County Commissioners
Clark County, Nevada

Tick Segerblom, Chair
William McCurdy II, Vice Chair
Jim Gibson
Justin Jones
Marilyn K. Kirkpatrick
Ross Miller
Michael Naft

The Board of County Commissioners of Clark County, Nevada met in recessed regular session in full conformity with law and bylaws of said Board at the regular place of meeting in Clark County, Nevada, on Wednesday, September 4, 2024:

CLARK COUNTY GOVERNMENT CENTER
COMMISSION CHAMBERS
500 S GRAND CENTRAL PKWY
LAS VEGAS, NEVADA 89106

This document is an uncertified copy of the approved meeting minutes prepared by the Clark County Clerk, Lynn Marie Goya, for the above referenced meeting.

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PUBLIC COMMENTS 72

SEC. 1. OPENING CEREMONIES

CALL TO ORDER

The meeting was called to order at 9:03 a.m. by Chair Segerblom with the following members present:

Commissioners Present:

Tick Segerblom, Chair
Jim Gibson
Justin Jones
Marilyn K. Kirkpatrick
Ross Miller
Michael Naft

Absent:

William McCurdy II, Vice Chair

Also Present:

Robert Warhola, Deputy District Attorney
Sami Real, Director, Comprehensive Planning
Antonio Papazian, Manager, Development Review
JaWaan Dodson, Assistant Manager, Development Review
Lynn Marie Goya, County Clerk
Michelle Hinkson, Deputy Clerk
Susan Wohlbrandt, Deputy Clerk
Robin Delaney, Deputy Clerk

SEC. 2. PUBLIC FORUM

1. Public Comment

TICK SEGERBLOM

Good morning. Welcome to the County Commission's Zoning hearing. First item – well, first item Ms. Real.

SAMI REAL

Commissioners, good morning. The first item on the agenda is public comment.

TICK SEGERBLOM

This is the first period for public comment. Anyone wishing to speak about an item on the agenda may come forward. Just so you know, we are going to take a couple items off of the Consent Agenda and so that if you want to speak when that item is heard, you're welcome to. Sami, which item was that?

SAMI REAL

So, there's been a request to pull Items 7 and 11 to be heard separately, and then I also saw that we have a card for somebody who wants to speak on Items 9 and 10 and I'm about to read in a request to hold Items 9 and 10 with the next agenda.

TICK SEGERBLOM

Yeah, so 9 and 10 will be – continue for 30 days. The Sphere item, it will be heard separately, not on the Consent Agenda if anyone want here to speak on that item. And what was the other item?

SAMI REAL

Item 7 will be pulled to be heard separately, as well.

TICK SEGERBLOM

Okay, and which item is that? Is that The Sphere?

SAMI REAL

Item 11 is The Sphere, yes.

TICK SEGERBLOM

Okay, that's Commissioner Naft. Okay. All right. With that said, anyone wishing to speak on public comment on an item on the agenda, please feel free to come forward now. You can speak for three minutes.

BRETT LARSON

My name is Brett Larson, my address is 3505 East Harmon Avenue, Suite B. I'm speaking on Agenda Item 21. I represent the Oasis Apartments that is adjoining this property. We don't oppose this. I just want to make it clear on the record that we've been told that the Airport will not be renewing the existing lease beyond September 30, when it expires, and with the expiration of lease there will be no further application for a use permit. I just wanted to put that on the record.

TICK SEGERBLOM

Thank you. Good morning.

NICK SCHNEIDER

Good morning, Chair Segerblom and Members of the Commission. For the record, my name is Nick Schneider representing the Vegas Chamber located at 575 Symphony Park Ave. Suite 100 89106 here today to speak on Item Number 11.

The Vegas Chamber is one of the largest and broadest business-based organizations in the state and we've long been advocates for economic development. This Strip representing one of the largest economic engines in the state. We believe it's absolutely essential to continue to keep the strip as fresh and current and The Sphere is a great example of how we do that. The Exosphere in particular, has generated millions of social media views, since it's opening, and we're here in support of the waiver for sound and we believe that the agreement that was reached with the 85-decibel sound limit between the local residents is a great example of how The Sphere is mindful of the community around them. Thank you.

TICK SEGERBLOM

Are you speaking for The Grateful Dead too? Anyone else wishing to speak on public comment to begin the items? See no one else will close the first period of public comment.

SEC. 3. AGENDA

2. Approval of the Agenda After Considering Requests to Add, Hold, or Delete Items. (For possible action)

SAMI REAL

The second item is the approval of the agenda. After considering any additions or deletions of items, staff has the following requests, which may require re-notification fees in accordance with Title 30.

- Hold to the September 18, 2024, Zoning Meeting; Item 33, UC-24-0268.
- Hold to the October 2, 2024, Zoning Meeting; Item 9, VS-24-0277 and Item 10, WS-24-0276.
- Hold to the November 6, 2024, Zoning Meeting; Item 35, WC-24-400060 for (NZC 22-0028),
- and then hold no date Item 46 ZC-24-0357, and Item 47 WS-024-0358.

The above public hearing items are going to be opened as a public hearing and immediately recessed until the dates as previously stated. With these deletions, which are Items 9, 10, 33, 35, 46 and 47, the agenda stands ready for your approval.

MOTION

MICHAEL NAFT

Mr. Chairman, I move for approval of the agenda with the requests to add or hold or delete the items as noted by Ms. Real.

TICK SEGERBLOM

There's a motion, cast your vote. Oh, and Commissioner McCurdy is absent but excused.

VOTE

VOTING AYE:	Tick Segerblom, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft
VOTING NAY:	None
ABSENT:	William McCurdy II
ABSTAIN:	None

TICK SEGERBLOM

That motion passes.

3. Approval of minutes. (For possible action)

SAMI REAL

The third item on the agenda is the approval of the minutes. The minutes of the August 7, 2024, Zoning Meeting are ready for approval.

MOTION

MICHAEL NAFT

Mr. Chairman, I move the approval of the minutes.

TICK SEGERBLOM

There's a motion, cast your vote.

VOTE

VOTING AYE: Tick Segerblom, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None

ABSENT: William McCurdy II

ABSTAIN: None

TICK SEGERBLOM

That motion passes.

SEC. 4. ROUTINE ACTION ITEMS 4 THROUGH 31

SAMI REAL

Next are the Routine Action Items which consist of Items 4 through 31 except items previously deleted and Item 7 and 11, which will be heard separately. These items may be considered together in one motion and are subject to the conditions listed with each agenda item. If there are no objections, the public hearing is now open, and the routine action portion of the agenda stands ready for approval.

MOTION

MICHAEL NAFT

Mr. Chairman, I move approval of the Routine Action Items, reflecting Item 7 and 11 will be heard separately.

TICK SEGERBLOM

There's a motion on Routine Action Items, cast your vote.

VOTE

VOTING AYE: Tick Segerblom, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None

ABSENT: William McCurdy II

ABSTAIN: None

TICK SEGERBLOM

That motion passes.

4. AR-24-400079 (UC-22-0190)-CIRCUS CIRCUS LV, LLC:

USE PERMITS SECOND APPLICATION FOR REVIEW for the following: 1) recreational facility (concerts/events); 2) live entertainment; 3) fairground; and 4) on-premises consumption of alcohol with accessory uses including food, beverage, and retail sales.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce separation from live entertainment to a residential use; 2) reduce parking; 3) reduce setback from the future right-of-way (Las Vegas Boulevard South); 4) allow alternative street landscaping and screening; 5) allow landscaping and structures within the future right-of-way (Las Vegas Boulevard South); and 6) allow non-standard improvements (landscaping and fences) within the right-of-way (Las Vegas Boulevard South).

DESIGN REVIEW for a recreational facility (concert/event/fairground/live entertainment) and all accessory buildings and structures on a portion of 77.4 acres in a CR (Commercial Resort) Zone. Generally located on the south side of Sahara Avenue, west side of Las Vegas Boulevard South, north side of Circus Circus Drive, and the east side of Sammy Davis Jr. Drive within Winchester. TS/tpd/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Remove the time limit.

Public Works - Development Review

- Compliance with previous conditions.

5. ET-24-400057 (NZC-21-0747)-RED ROCK RV PARK, LLC:

HOLDOVER ZONE CHANGE FIRST EXTENSION OF TIME to reclassify a 21.4 acre portion of a 23.6 acre site from an R-U (Rural Open Land) Zone and an H-2 (General Highway Frontage) Zone to an R-V-P (Recreational Vehicle Park) Zone.

USE PERMITS for the following: 1) management offices for a recreational vehicle park not within a centrally located service building; 2) convenience store; 3) gasoline station; 4) reduce the setback from a gasoline station to a residential use; 5) restaurant; 6) retail sales and services; 7) alcohol sales, beer and wine – packaged only; and 8) alcohol sales, liquor – packaged only.

WAIVER OF DEVELOPMENT STANDARDS for alternative landscaping.

DESIGN REVIEWS for the following: 1) recreational vehicle park; 2) convenience store; 3) gasoline station; 4) restaurant; and 5) retail sales and service on 23.6 acres in an R-V-P (Recreational Vehicle Park) Zone and an H-2 (General Highway Frontage) Zone in the Red Rock Overlay. Generally located on the north side of SR 160 and the west and south sides of SR 159 within Red Rock (description on file). JJ/jor/ng (For possible action)

ACTION: APPROVED WITH CONDITIONS

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Until March 16, 2027 to complete or the application will expire unless extended with approval of an extension of time.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a new application for a Master Plan Amendment may be required in the event

the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and that the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Compliance with previous conditions. Southern Nevada Health District (SNHD) - Engineering
- Applicant is advised to contact the SNHD Environmental Health Division at septics@snhd.org or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

6. ET-24-400083 (DR-21-0400)-ALL TRUCK PARTS, LLC:

DESIGN REVIEWS FIRST EXTENSION OF TIME for the following: 1) retail/office and industrial buildings; 2) finished grade; and 3) lighting plan on 0.89 acres in an IP (Industrial Park) Zone within the Airport Environs (AE-65) Overlay. Generally located on the south side of Holt Avenue, 500 feet west of Nellis Boulevard within Sunrise Manor. TS/nai/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Until September 21, 2025 to commence or the application will expire unless extended with approval of an extension of time.
- Applicant is advised a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Compliance with previous conditions.

7. UC-24-0359-DAVENPORT, NATHAN L.:

USE PERMIT for a transitional living facility for released offenders in conjunction with an existing single family residence on 0.5 acres in an RS20 (Residential Single-Family 20) Zone. Generally located on the south side of Robindale Road, 300 feet east of Ullom Drive within Enterprise. MN/mh/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- 24/7 on-site host manager;
- Full camera coverage of property, meaning front yard, side yards, and rear yard;
- 24/7 point of contact to be provided to the Commissioner's office with a copy to the Comprehensive Planning project file;
- No visitors;

- Maximum 6 residents;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Southern Nevada Health District (SNHD) - Engineering

- Applicant is advised to contact the SNHD Environmental Health Division at septics@snhd.org or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

SAMI REAL

Next on the agenda is Item 7, UC-24-0359; use permit for a transitional living facility for released offenders in conjunction with an existing single-family residence on 0.5 acres and an RS20 (Residential Single-Family 20) Zone. Generally located on the south side of Robindale Road, 300 feet east of Ullom Drive within Enterprise.

FUNG JEFFERSON

First time hearing. This one?

TICK SEGERBLOM

Yes.

FUNG JEFFERSON

Thank you. Good morning, Commissioners. My name is Fung Jefferson. I am here as a representative for the Firebird, LLC, who is submitting this application, and I have a picture.

TICK SEGERBLOM

If you'd like to have something, put it in the middle there.

FUNG JEFFERSON

It's right here? Thank you.

TICK SEGERBLOM

Let's make sure it's –

FUNG JEFFERSON

Okay.

TICK SEGERBLOM

Yeah. Can you flip it around?

FUNG JEFFERSON

This? Like this?

TICK SEGERBLOM

No, keep going.

FUNG JEFFERSON

That better?

TICK SEGERBLOM

Keep going.

FUNG JEFFERSON

Okay. Thank you, Commissioners. So, this petition is requested to allow Firebird, LLC, to utilize this residential property which is right here. This is Robindale Road. This is Decatur Boulevard, and this is Arville. We were asking to allow us to use as a transitional living home. The home under the permit indicates it's for released offenders. I wanted to clarify that the offenders are actually juveniles who are under the juvenile courts. So, they are 18 to 21, but the juvenile courts have jurisdiction over them and so they are placed in transitional living because they have no other option to return home once they have been released from any juvenile facility. We have submitted our applications, and I'll submit for questions.

TICK SEGERBLOM

Okay, this is a public hearing. Anyone here wishing to speak on this item, please come forward.

FUNG JEFFERSON

Do I sit down?

TICK SEGERBLOM

Yeah, just step to the side or sit down.

BRANDY

Do I speaking to here? Can you hear me?

TICK SEGERBLOM

Yes.

BRANDY

Yes. Hello, my name is Brandy. I'm in a residence. My property is right across the street from this house. My questions and my concerns is who is observing these men living in this house? I've heard that they're able to stay in the backyard. The backyard, I can see them from chest up. They can view my property from half of the home, from the windows, from the whole backyard. They can observe my living patterns. They can see that my husband works graveyards and leaves every night at 10:40. They can see that I have a 14-year-old daughter that leaves for the bus at 6:10 in the morning. Sorry, I'm very nervous and this is very important to me. Again, with curious of who's observing the behavior of these young men in this house.

Last Thursday at 8:11 p.m. in my office, I hear noise, I hear music, I come out and from my front door I can see them with lights and music in the backyard. They proceeded to shoot fireworks over a wall of trees into my neighbor's yard. I just want to know, what are these young men convicted of? There's an elementary school less than a mile away. I don't know what my rights are or how to know who's there and who's observing them at what times. I'm just very concerned.

TICK SEGERBLOM

All right, thank you so much. Hopefully we'll be able to answer your questions. Anyone else here wishing to speak on this item? See no one will close the public hearing, then. Ms. Jefferson if you want to come back up, I'll turn over to Commissioner Naft.

MICHAEL NAFT

Thank you, Mr. Chairman. Ms. Jefferson, if you could just directly answer some of the questions that were raised in public comment and then I'll add in myself.

FUNG JEFFERSON

Okay. There is 24/7 staff, so their staff is there. There's three shifts. So, they work eight-hour shifts. So, there's an adult – when I say adult, there's an older adult who's over 30, generally, who's at the house. We can't lock them down. It's not a lock down facility. With regards to the incident, we do have cameras all around the house and inside the house. It is our intent if this is passed, and we have been permissioned to proceed forward to add at least one more camera to assist.

MICHAEL NAFT

Were you aware of that incident?

FUNG JEFFERSON

No. We do look at the cameras and if it was fire – I don't, no, just no –

MICHAEL NAFT

Yeah. Okay. A couple of things that I just want to respond to, and ma'am, thank you very much for being here and for being part of this process. I do want to make clear, you've already said it, but I'll reiterate it. These are juveniles that are in the juvenile system. They've been released from our custody, but they truly have nowhere else to go. The reason this is an option is because there is 24/7 on-site management. So, that would be a condition of your approval. I know you already do that, but that would carry with this application.

FUNG JEFFERSON

Yes.

MICHAEL NAFT

You understand that?

FUNG JEFFERSON

Yes.

MICHAEL NAFT

A couple other things, in response to the question that was raised in public comment, it's the – well, maybe I should let you add this. Who is the oversight? If you want to put that into the record of your operation but also of those in your custody.

FUNG JEFFERSON

Okay. Nevada Youth Parole and the judge. So, any incidents that occur, we have to report to Nevada Youth Parole because they're the law enforcement agency.

MICHAEL NAFT

Okay. These are all nonviolent offenders?

FUNG JEFFERSON

As far as we know, yes. To clarify, if they're in the juvenile system, there is a certain category under Nevada statute that keeps them in the juvenile system for a purpose. So, if they, for any reason, pick up any adult criminal charges, they are removed from our custody, or our placement because they no longer qualify because they're now outside of the juvenile system.

MICHAEL NAFT

Okay. So, in addition to the 24/7 on-site hostmanager, I just want to add a couple additional conditions. A condition of the application would be that there's full camera coverage of the property. So, your property front and back and side. So, you might need to add more than the one camera to the front.

FUNG JEFFERSON

Actually, there's already – yeah, we'll comply, but we do have that the camera's already in place.

MICHAEL NAFT

Okay. But just to make the record clear, I'm asking for full coverage of the property within your property line?

FUNG JEFFERSON

Correct.

MICHAEL NAFT

Okay. Then we're going to need a 24/7 point of contact. So, if anyone in the neighborhood wants to call, if I want to call to report something, I need a 24/7 individual who's going to be responsible. That can be the on-site host manager. It can be you. It can be someone else who has the ability to gain access to the property, but there needs to be a number that's made available, as a condition of the application.

FUNG JEFFERSON

We will have that, yes.

MICHAEL NAFT

Then also just to clarify, from my understanding, there are no visitors permitted?

FUNG JEFFERSON

Correct.

MICHAEL NAFT

There shouldn't be people coming and going other than the individuals who are residing on property and the host manager.

FUNG JEFFERSON

Visitors, correct. We do have people who come pick people up. Sometimes, the authorized people allowed to come pick them up, they're supposed to come to door, or they leave immediately. They do not hang out at the house.

MICHAEL NAFT

Okay, and then the last condition, the application calls for 10 individuals on property?

FUNG JEFFERSON

Yes.

MICHAEL NAFT

I've reviewed the site. I know the Town Board is asked for five, I'm going to allow six. You've got three bedrooms; I would allow two per bedroom. That seems reasonable to me. So, if there is nothing else, Sami, do I need to repeat any of that or is it clear in the record?

SAMI REAL

It's clear in the record. I have;

- 24/7 on-site host manager, full camera coverage and property that includes front back and sides. I have;
- 24/7 point of contact to be provided to the Commissioner's Office and then I'll add;
- with a copy to Comprehensive Planning, no visitors and then maximum of six residents.

MICHAEL NAFT

Thank you. Then ma'am who spoke, if you just wait, I'd like to come over and make sure you have my phone number as well, so that you can get me and talk to me about any concerns you have on site.

JIM GIBSON

Commissioner, could I just ask one question? So, you've heard those conditions, do you agree with those conditions?

FUNG JEFFERSON

The only condition I have concerns about is the six –

JIM GIBSON

He's not going to agree more. So, do you agree with six then?

FUNG JEFFERSON

No, I agree with it, but you asked me if I had any concerns and so I agree, but –

JIM GIBSON

Okay, I asked the question wrong.

FUNG JEFFERSON

Okay.

JIM GIBSON

Then the federal law is what preempts us so the neighbor can understand, it's a group home, essentially. I'm not sure the effect that this may have on it. So, it may not be one of those that is protected by federal law. Rob, what is the answer to that?

ROBERT WARHOLA

No, this is not a community residence or group home. So, it's not, doesn't fall under the federal law protection.

JIM GIBSON

So, what'll be important is for you and your neighbors to understand that there is – the reason I'm sensitive to this is that when I was Mayor in Henderson, we had a couple of these come up and it had never happened before and we ended up on the wrong side of it, and it was difficult for us, but the home worked just fine. What we learned was that you can actually coexist, and it can work. These are kids that

have paid the price and as the Commissioner says, there's a concern for kids that are either aged out or they're out now, but there is nowhere for them to go.

We appreciate your being here. It really means a lot to hear from neighbors because it's something that'll require, a communication and a real understanding of what's going on in the neighborhood, which is difficult. I appreciate the leadership that Commissioner Naft has shown on this item because I think that it shows that we do understand both needs, neighborhood needs for peace and quiet and the experience they want to have in their home, and neighborhood, and for these kids that don't have any other options. So, thank you and I support that.

MICHAEL NAFT

Thank you, Commissioner and exactly for those reasons are why I was able to place conditions on the application. So –

TICK SEGERBLOM

Can I just add, I assume it's intuitive, but the cameras are both monitored well not monitored, but they're taped so we can go back a week or two and see what happened?

FUNG JEFFERSON

We use a commercial from ADT. Or is it ADT or ADP, whichever one – ADT one.

TICK SEGERBLOM

Okay.

FUNG JEFFERSON

So, yes.

MOTION

MICHAEL NAFT

That's in the form of a motion of approval of Item 7.

TICK SEGERBLOM

All right. So, anything happens, you can call in, we can go back and see what happened and if things are not appropriate then obviously, this is conditional. All right, there's a motion, cast your vote.

VOTE

VOTING AYE:	Tick Segerblom, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft
VOTING NAY:	None
ABSENT:	William McCurdy II
ABSTAIN:	None

TICK SEGERBLOM

That motion passes, thank you so much.

FUNG JEFFERSON

Thank you, Commissioners.

8. UC-24-0378-TROCAM HOLDINGS, LLC:

USE PERMIT for a hotel with a mixture of transient and non-transient uses.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase retaining wall height; 2) eliminate loading spaces; and 3) reduce and eliminate parking lot landscaping.

DESIGN REVIEW for a hotel on 3.06 acres in a CR (Commercial Resort) Zone. Generally located on the west side of Cameron Street, 330 feet north of Tropicana Avenue within Paradise. MN/bb/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence, or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0346- 2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

9. VS-24-0277-PALM PROPERTIES, LLC:

VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file). TS/jor/syp (For possible action)

ACTION: HELD TO OCTOBER 2, 2024, PER THE APPLICANT.

10. WS-24-0276-PALM PROPERTIES, LLC:

WAIVER OF DEVELOPMENT STANDARDS to modify residential adjacency standards.

DESIGN REVIEW for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone. Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor. TS/jor/syp (For possible action)

ACTION: HELD TO OCTOBER 2, 2024, PER THE APPLICANT.

11. WS-24-0366-VENETIAN VENUE PROPCO, LLC:

WAIVER OF DEVELOPMENT STANDARDS to exceed the maximum permissible sound levels in conjunction with an existing recreational facility, fairground, and music venue (Sphere Las Vegas) on 18.51 acres in a CR (Commercial Resort) Zone. Generally located on the south side of Sands Avenue and the east side of Koval Lane within Paradise. TS/jor/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- 1 year to review;
- Allowance for greater noise will be limited to no more than 12 days a year;
- Increase in noise level on those dates will be limited to a frequency no greater than 85 decibels, measured at The Sphere's property line;
- Park Towers and Meridian management will be notified no less than 14 days prior to each waiver event;
- Increase in noise shall be permitted to occur only between 9:00 a.m. and 11:30 p.m. on waiver days, except New Year's Eve which will be 1:00 a.m.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Remove boulders in right-of-way on Sands Avenue.

SAMI REAL

The next item is Item 11, WS-24-0366, waiver of development standards to exceed the maximum permissible sound levels in conjunction with an existing recreational facility, fairground, and music venue, The Sphere Las Vegas, on 18.51 acres in a CR (Commercial Resort) Zone, generally located on the south side of Sands Avenue and the east side of Koval Lane within Paradise.

Commissioners, I have some conditions to read in at the request of the applicant and then also an added condition from Public Works. So, if you'll just bear with me for a second.

TICK SEGERBLOM

Sami let's go ahead and let Mr. Brown read those conditions in and then we'll just verify that that's what we have.

SAMI REAL

Okay, sounds good.

TICK SEGERBLOM

Thank you.

DAVID BROWN

Good morning. David Brown, 520 South Fourth Street on behalf of the applicant. Also with me today is Rich Constable, Executive Vice President at Sphere, in case you have any questions. We're happy to be in front of you today with both the staff's recommendation for approval and Town Board's recommendation of approval.

We tried to work with all the neighbors before the Town Board to reach a resolution. We were not able to do so. However, I'm happy to say as we sit here today after the Town Board, we met again with Mr. Garcia who represents Park Towers, which were the neighbors that had objections. We were able to get the approval of the HOA. I do think there might be a neighbor or two that wants to speak against it, but we did reach an agreement and with your permission I'll read those conditions in the record now. These are additional compromises that were made. Some of them were made at the Town Board and some of them after, but that we're all in agreement with;

- One, allowance for greater noise will be limited to no more than 12 days a year.
- Two, the increase in noise level on those dates will be limited to a frequency no greater than 85 decibels measured at Spheres property line.
- Three, Park Towers management will be notified no less than 14 days prior to each waiver event.
- Four, the increase in noise shall be permitted to occur only between 9 a.m. and 11:30 p.m. on waiver days except for New Year's, which will be 1 a.m.

In addition to those four requirements, we also know we'll be back here in one year for a review. Happy to hear from the neighbors and answer any questions if you have them.

TICK SEGERBLOM

All right. Mr. Garcia, can you come forward and indicate who you represent and verify that?

ED GARCIA

Yes, Mr. Chair. Ed Garcia 9555 Hillwood, here on behalf of the Park Towers Homeowners Association. Also with me is Larry May with General Manager of the Park Towers Homeowners Associations. We're in agreement with all of those conditions. Thank you. Happy we're able to get to resolution on this.

TICK SEGERBLOM

Thank you so much and thank you Mr. May.

All right, this is a public hearing. Anyone here wishing to speak on this item, please come forward.

SAGAR RAICH

Good morning, Commissioners.

TICK SEGERBLOM

Wait. Speak into the microphone, please.

SAGAR RAICH

Good morning, Commissioners, Sagar Raich, 2280 Poma Lane on behalf of James K., one of the unit owners at Park Towers.

TICK SEGERBLOM

Okay, can you spell your last name for the record?

SAGAR RAICH

Yes, R-A-I-C-H.

TICK SEGERBLOM

Okay.

SAGAR RAICH

I'm an attorney for Mr. K. As was mentioned to the Board here this morning, not all the property owners were in agreement with the conditions that were placed. Mr. K's main issues are Park Tower faces right spaces of Sphere, head-on. One of the issues has been that there should not have been any sound from the beginning and that's Mr. K's position, that the permits that were needed to obtain for any sound weren't obtained. So, all the conditions and everything we're talking about today should really be reviewed in more detail. The sound has violated my client's constitutional rights, as well as his ability to quietly use his property. There are issues of accountability as well. All the conditions that are placed, the number of days, decibel levels, etc., don't really have any measures for accountability. So, what happens if The Sphere violates those? Are there penalties?

Is there some discussion after? What happens if the conditions today, if the vote goes through are violated? Because of that, there are certain issues that we believe should be pushed out to give the homeowners that are not in agreement a more wholesome opportunity to work something out with The Sphere. We understand The Sphere is commercially very important to the area, but we do want to make sure that all the homeowners rights are protected. The other issue, there's some minor issues. For example, The Sphere's speakers are facing outward instead of inward and a few other things. Hopefully, we would like to request that the Board either vote no, or if not no, at least give the homeowners 60 to 90 days to work out these details with The Sphere. We understand that the HOA has reached an agreement or at least agrees to the conditions, but as this Board knows, the HOA doesn't represent each unit owner individually. So, with that, I'd like to see if you have any questions for me.

TICK SEGERBLOM

There doesn't appear to be any questions. Thank you so much.

SAGAR RAICH:

Thank you.

TICK SEGERBLOM

Next speaker.

CRYSTAL JUAREZ

My name is Crystal Juarez, work at Tacos and Beers, near The Sphere on Paradise.

TICK SEGERBLOM

Please speak up. Your voice is very soft.

CRYSTAL JUAREZ

Okay. My name is Crystal Juarez. I work at Tacos and Beers on Paradise, near The Sphere. I just want to say that I think The Sphere is a great addition to the Vegas experience, to tourists, locals, to kids growing up here. As you know, there's a lot of Vegas attractions that we have fond memories of, growing up. So, I think that adding an audio aspect to The Sphere is a great immersive experience. I've been by it recently, actually, and I've heard it, and it doesn't sound too loud. It sounds pretty decent when you're next to it. I even hear customers say all the time that they love The Sphere nearby, they ask questions about it. A lot of people even say that they come to Vegas just for The Sphere. I just want to say that it's a pretty amazing experience.

TICK SEGERBLOM

Great, thank you.

ROBERT COLLAZO

Hi. My name is Robert Collazo. I'm born and raised out here in Las Vegas, Nevada.

TICK SEGERBLOM

Can you spell your last name, please?

ROBERT COLLAZO

C-O-L-L-A-Z-O.

TICK SEGERBLOM

Great. Thank you.

ROBERT COLLAZO

I just want to say that I enjoy The Sphere, as well. My family does. My kids love to ask, "Oh, can we drive down the Strip so we can see The Sphere, hear the music?" It's good experience. So, I just want to put that out there. Thank you.

TICK SEGERBLOM

Thank you.

CHRISTINA FLORES

Hi everyone. My name is Cristina Flores. I'm actually a small-business owner here in Las Vegas. A lot of my exhibitors and attendees love to come to Vegas for The Sphere. They say that it's an incredible experience. They're excited, and being born and raised here in Las Vegas, I love when there's new experiences, especially with the music that I can drive by, I can listen to, and I have my attendees and family super excited for. Thank you.

TICK SEGERBLOM

Thank you.

ANN MCCORY

Hi, my name is Ann McCrory and I'm a resident in The Meridian, which is between Koval and Flamingo. We own a condo; my husband and I purchased three years ago and our balcony to our bedroom and our living room area oversees The Sphere. I open my blackout curtains in the morning to the emoji smiling at me. I love the visual that it's added to the area. We're so excited about The Sphere that we purchased another condo, in The Meridian to rent, but we're concerned about it bringing sound because it is a residential area in The Meridian. Which I didn't hear you include us as another participant in being informed, whether you're going to have outdoor sound.

Twelve sounds like a lot in the year, if they could at least reduce it. I appreciate that they're going to cut it off at 11. I know the lights don't ever end. So, we can handle that, but the sound we can't turn off. So, I appreciate they have a cutoff time, but if they could reduce the number of outdoor events to maybe one a year or two a year, that would be appreciated by the residents of Meridian, as well as if we could also be informed of the dates that are coming. We'd appreciate that, too. I wasn't aware of this through our HOA, we weren't notified. So, just here on my own.

TICK SEGERBLOM

Thank you.

ANN MCCORY

Thank you.

TICK SEGERBLOM

Seeing no one else, we'll close the public hearing and ask Mr. Brown to come back up. So, this is the first I've heard from The Meridian, are you willing to notify The Meridian residents also?

DAVID BROWN

We are. I just told the nice woman that we'd be happy to get her contact information. The condition was to notify any residents within 800 feet of the property line. We'll do that and we'll certainly be happy to notify her. It'll be an email, and we will work it out.

TICK SEGERBLOM

All right, thank you. Anyone else have any questions? This is my item. So, let me just say that we've worked with the Towers, that we worked with the Madison Square Garden. I think we've come up with a reasonable solution, but it also is subject to a one-year review. So, there's going to be 12 events in the year from now. If there's a problem, we can come forward and they won't get another 12 months, but we will also try to work on it. I've been out there; they have a sound machine so they can test it. We're going to be able to monitor this stuff.

It's all recorded. So, if someone complains and says, "Oh, on that Saturday night it was too loud," we can go back and actually look at the recording data to see if that's true. So, we've done a lot of work here, but as a couple of the people testified, The Sphere is fantastic. So, we don't want to unfairly inhibit them as long as it doesn't impact the residents, which I think this agreement doesn't. Make sure that the residents are protected.

MOTION

TICK SEGERBLOM

So, with that, I make a motion to approve, subject to the conditions.

SAMI REAL

Commissioner Segerblom. Sorry. We also got a request from Public Works to add a condition to remove –

TICK SEGERBLOM

Is this the rocks? The rock man wants you to remove the rocks that are on Twain.

SAMI REAL

Correct. So, the added conditional would be remove boulders in the right of way on Sands Avenue. Okay. The boulders, I'm sorry. And I think that's okay too.

DAVID BROWN

We're unaware of it, but of course, if –

TICK SEGERBLOM

Okay. All right. I talked to your boss. All right. All right. With that motion and those conditions, we move for approval.

VOTE

VOTING AYE:	Tick Segerblom, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft
VOTING NAY:	None
ABSENT:	William McCurdy II
ABSTAIN:	None

TICK SEGERBLOM

That motion passes.

DAVID BROWN

Thank you very much.

TICK SEGERBLOM

And again, for the people that came here, if any of these conditions are violated, come to my office or call my office. And if even with the conditions, in a year from now, you don't like it, we'll try to revisit it. But thank you so much for coming out. Okay.

12. PA-24-700014-SUNRISE 96C, LLC:

PLAN AMENDMENT to redesignate the existing land use category from Public Use (PU) and Neighborhood Commercial (NC) to Urban Neighborhood (UN) on 5.21 acres. Generally located on the west side of Eastern Avenue and the south side of Rochelle Avenue within Paradise. TS/rk (For possible action)

ACTION: ADOPTED (RESOLUTION NO. R-9-4-24-1).

13. ZC-24-0304-SUNRISE 96C, LLC:

ZONE CHANGE to reclassify 1.37 acres from a CC (Commercial Core) Zone to an RM32 (Residential Multi Family 32) Zone. Generally located on the west side of Eastern Avenue and the south side of Rochelle Avenue within Paradise (description on file). TS/hw (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Fire Prevention Bureau

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0275-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

14. VS-24-0306-SUNRISE 96C, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Channel 10 Drive and Eastern Avenue and between Rochelle Avenue and University Avenue (alignment) within Paradise (description on file). TS/hw/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be

denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

Fire Prevention Bureau

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions.

15. DR-24-0305-SUNRISE 96C, LLC:

DESIGN REVIEW for modifications to and an expansion of an approved multi-family residential development on 5.21 acres in an RM32 (Residential Multi-Family 32) Zone. Generally located on the west side of Eastern Avenue and the south side of Rochelle Avenue within Paradise. TS/hw/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised that all applications related to the proposed development, including ZC-22-0060, must remain active or additional land use applications may be required; that within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Comply with approved drainage study PW21-19925;
- Traffic study and compliance.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Fire Prevention Bureau

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions.

16. ZC-24-0307-MOUNTAIN VIEW DRS, LLC:

HOLDOVER ZONE CHANGE to reclassify 2.06 acres from an RS20 (Residential Single-Family) Zone to an IP (Industrial Park) Zone within the Airport Environs (AE-65 & AE-70) Overlay. Generally located on the south side of Sunset Road and the west side of Ullom Drive within Enterprise (description on file). MN/bb (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation;
- Applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation Noise Office at landuse@lasairport.com;
- Applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Department of Aviation Noise Office at landuse@lasairport.com;
- Applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation Noise Office when property sales/leases commence;
- Incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be

available in the future should the residents wish to have their buildings purchased or soundproofed.

17. VS-24-0309-MOUNTAIN VIEW DRS, LLC:

HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Decatur Boulevard and Ullom Drive, and between Sunset Road and CC 215 within Enterprise (description on file). MN/bb/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include 30 feet for Ullom Drive;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

18. UC-24-0308-MOUNTAIN VIEW DRS, LLC:

HOLDOVER USE PERMITS for the following: 1) hotel; and 2) transient and non-transient hotel with kitchens.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; 2) eliminate loading spaces; 3) modify buffering and screening standards; and 4) modified driveway geometrics.

DESIGN REVIEWS for the following: 1) hotel; and 2) alternative parking lot landscaping on 2.06 acres in an IP (Industrial Park) Zone within the Airport Environs (AE-60 & AE-65) Overlay. Generally located on the south side of Sunset Road and the west side of Ullom Drive within Enterprise. MN/bb/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Right-of-way dedication to include 30 feet for Ullom Drive.
- Applicant is advised that off-site improvement permits may be required.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation;
- Applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation Noise Office at landuse@lasairport.com;
- Applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Department of Aviation Noise Office at landuse@lasairport.com;
- Applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation Noise Office when property sales/leases commence;
- Incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

19. ZC-24-0348-COUNTY OF CLARK (AVIATION):

ZONE CHANGE to reclassify 88.10 acres from a CR (Commercial Resort) Zone to a PF (Public Facility) Zone within the Airport Environs (AE-60, AE-65, AE-70, & AE-RPZ) Overlay. Generally located on the south side of Sunset Road and the west side of Gilespe Street within Enterprise (description on file). MN/gc (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

20. ZC-24-0349-COUNTY OF CLARK (AVIATION):

ZONE CHANGE to reclassify 3.76 acres from an RS5.2 (Residential Single-Family 5.2) Zone to a PF (Public Facility) Zone within the Airport Environs (AE-60 & AE-65) and Maryland Parkway Overlays. Generally located on the east side of University Center Drive and the north side of Hacienda Avenue within Paradise (description on file). JG/gc (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

21. ZC-24-0350-COUNTY OF CLARK (AVIATION):

ZONE CHANGE to reclassify 7.97 acres from a CR (Commercial Resort) Zone to a PF (Public Facility) Zone within the Airport Environs (AE-60 & AE-65) Overlay. Generally located on the northwest corner of Four Seasons Drive and Haven Street within Paradise (description on file). JG/gc (For possible action)

ACTION: APPROVED.

22. ZC-24-0351-COUNTY OF CLARK (AVIATION):

ZONE CHANGE to reclassify 0.67 acres from a CR (Commercial Resort) Zone to a PF (Public Facility) Zone within the Airport Environs (AE-60) Overlay. Generally located on the east side of Las Vegas Boulevard South, 100 feet south of Four Seasons Drive within Paradise (description on file). JG/gc (For possible action)

ACTION: APPROVED.

23. ZC-24-0352-COUNTY OF CLARK (AVIATION):

ZONE CHANGE to reclassify 1.22 acres from a CR (Commercial Resort) Zone to a PF (Public Facility) Zone within the Airport Environs (AE-70 & AE-75) Overlay. Generally located on the west side of Las Vegas Boulevard South, 850 feet north of Sunset Road within Paradise (description on file). MN/gc (For possible action)

ACTION: APPROVED.

24. ZC-24-0363-WYKOFF NEWBERG CORP:

ZONE CHANGE to reclassify 0.50 acres from an H-2 (General Highway) Zone to a CG (Commercial General) Zone. Generally located on the south side of Oso Blanca Road, approximately 160 feet east of Grand Montecito Parkway within Lone Mountain (description on file). RM/lm (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Fire Prevention Bureau

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; and that for any sanitary sewer needs, applicant is to contact the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

25. WS-24-0364-WYKOFF NEWBERG CORP:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) street landscaping; and 2) reduce gate setback.

DESIGN REVIEW for a communication utility building on 0.50 acres in a CG (Commercial General) Zone. Generally located on the south side of Oso Blanca Road, approximately 160 feet east of Grand Montecito Parkway within Lone Mountain. RM/lm/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance.
- Applicant is advised that Nevada Department of Transportation (NDOT) permits may be required.

Fire Prevention Bureau

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; and that for any sanitary sewer needs, to contact the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

26. ZC-24-0365-JAMESON K RICHARD FAMILY TRUST & VARGAS KIMBERLEE TRS:

ZONE CHANGE to reclassify a portion of a 3.91 acre site from an H-2 (General Highway Frontage) Zone to an IL (Industrial Light) Zone within the Airport Environs (AE-75) Overlay for an existing commercial/industrial development. Generally located on the north side of Las Vegas Boulevard North, 150 feet east of Sandy Lane within Sunrise Manor (description on file). WM/gc (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

27. ZC-24-0368-COUNTY OF CLARK (AVIATION) & MAJESTIC EJM ARROYO III, LLC (LEASE):

ZONE CHANGE to reclassify 21.38 acres from a CG (Commercial General) Zone to an IP (Industrial Park) Zone within the Airport Environs (AE-60) Overlay. Generally located on the southeast corner of Tenaya Way and Badura Avenue within Spring Valley (description on file). MN/sd (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0324-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

28. VS-24-0369-COUNTY OF CLARK (AVIATION) & MAJESTIC EJM ARROYO III, LLC (LEASE):

VACATE AND ABANDON easements of interest to Clark County located between Montessori Street and Tenaya Way, and between Badura Avenue and Arby Avenue; a portion of right-of-way being Montessori Street located between Badura Avenue and Arby Avenue; and a portion of right-of-way being Arby Avenue located between Montessori Street and Tenaya Way within Spring Valley (description on file). MN/sd/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 4 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended

with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording;
- The installation of detached sidewalks will require the vacation of excess right-of-way together with a subdivision map granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or the execution of a License and Maintenance Agreement for non-standard improvements in the right-of-way.

29. WS-24-0370-COUNTY OF CLARK (AVIATION) & MAJESTIC EJM ARROYO III, LLC (LEASE):

WAIVER OF DEVELOPMENT STANDARDS for modified driveway design standards.

DESIGN REVIEW for a warehouse/distribution center on 21.38 acres in an IP (Industrial Park) Zone within the Airport Environs (AE-60) Overlay. Generally located on the southeast corner of Tenaya Way and Badura Avenue within Spring Valley. MN/sd/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- The installation of detached sidewalks will require the vacation of excess right-of-way together with a subdivision map granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or the execution of a License and Maintenance Agreement for non-standard improvements in the right-of-way.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0324-2024

to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

30. TM-24-500072-COUNTY OF CLARK(AVIATION) & MAJESTIC EJM ARROYO III, LLC (LEASE):

TENTATIVE MAP consisting of 1 commercial lot on 21.38 acres in an IP (Industrial Park) Zone within the Airport Environs (AE-60) Overlay. Generally located on the southeast corner of Tenaya Way and Badura Avenue within Spring Valley. MN/sd/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- The installation of detached sidewalks will require the vacation of excess right-of-way together with a subdivision map granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or the execution of a License and Maintenance Agreement for non-standard improvements in the right-of-way.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0324-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

31. ORD-24-900325 Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with LLC Properties, LLC for a single-family residential development on 4.90 acres, generally located on the east of Buffalo Drive and north of Torino Avenue within Enterprise. JJ/dw (For possible action)

ACTION: ADOPTED (ORDINANCE 5174).

SEC. 5. NON-ROUTINE ACTION ITEMS 32 THROUGH 52

32. ET-22-400017 (UC-1721-06)-PALAZZO CONDO TOWER, LLC:

HOLDOVER USE PERMITS SIXTH EXTENSION OF TIME to commence the following: 1) resort condominiums in conjunction with an existing resort hotel (The Venetian); 2) increase building height; 3) associated accessory and incidental commercial uses, buildings, and structures; and 4) deviations from development standards.

DEVIATIONS for the following: 1) reduce on-site parking requirements; 2) reduce the height setback ratio from an arterial street; 3) encroachment into airspace; and 4) all other deviations as shown per plans on file.

DESIGN REVIEWS for the following: 1) a 632 foot high, high-rise resort condominium tower including kitchens in rooms; 2) all associated accessory uses, retail areas, and amenity areas (The Venetian/Palazzo); and 3) revisions to an already approved retail component associated with the Venetian/Palazzo (Walgreens) on a portion of 63.0 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the east side of Las Vegas Boulevard South and the south side of Sands Avenue within paradise. TS/jor/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Until September 4, 2026 to commence.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77;
- Applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 PART B of the Clark County Unified Development Code;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA and is still valid.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction \\\

SAMI REAL

Motion passed? Okay, so next is Item 32, ET-22-400017 for (UC-1721-06), Holdover use permit, sixth extension of time to commence the following: Resort condominiums in conjunction with an existing resort hotel (The Venetian); increased building height; associated accessory and incidental commercial uses, buildings, and structures; and deviations from development standards deviations for the following: reduce on-site parking requirements, reduce the height setback ratio from an arterial street, encroachment into airspace, and all other deviations as shown per plans on file.

And then, design reviews for the following: a 632-foot-high high-rise resort condominium tower including kitchens in rooms, all accessory uses, retail areas, and amenity areas, (The Venetian/Palazzo), and revisions to an already approved retail component associated with The Venetian/Palazzo (Walgreens) on a portion of 63 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the east side of Las Vegas. Boulevard South in the south side of Sands Avenue within Paradise.

Commissioners, due to the length of time that this application has been in process, we recommend changing the first bullet point under Current Planning Conditions to commence from two years from today's date. So, we would change the commence date to September 4, 2026.

TICK SEGERBLOM

Good morning.

LEBENE OHENE

Good morning, Commissioners. Lebene Ohene, 520 South 4th Street, representing the applicant for the sixth extension of time for the Palazzo Towers, which is located within the Venetian and Palazzo complex. This sixth extension of time, really, it's because our new client just took over, and there were issues over the two years that the application was in process with the FAA determination, which has been finalized. We appreciate staff changing the conditions to allow us two extra years to commence the project. And with that, we appreciate it, and I conclude my presentation.

TICK SEGERBLOM

Okay.

LEBENE OHENE

Thank you.

MOTION

TICK SEGERBLOM

This is a public hearing. Anyone here wishing to speak on this item? Seeing no one, will close the public hearing. And honestly, six years, six conditions is a long time, but the reality is you do have explanation, and we would love to see those things built. So, with that, I'd make a motion to approve.

VOTE

VOTING AYE:	Tick Segerblom, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft
VOTING NAY:	None
ABSENT:	William McCurdy II
ABSTAIN:	None

LEBENE OHENE

Thank you.

TICK SEGERBLOM

That motion passes.

LEBENE OHENE

Thank you, Commissioners.

33. UC-24-0268-LEXILAND, LLC ET AL & ROOHANI KHUSROW FAMILY TRUST:

USE PERMIT for outdoor storage and display.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) residential adjacency standards;) street landscaping; 3) buffering and screening; 4) off-site improvements (curb, gutter, sidewalk, streetlights and partial paving); 5) driveway geometrics; and 6) access gate.

DESIGN REVIEW for outdoor storage on a portion of 37.14 acres in a CG (Commercial General) Zone.

Generally located on the west side of Las Vegas Boulevard South and the north side of Pebble Road within Enterprise. MN/lm/syp (For possible action)

ACTION: HELD TO SEPTEMBER 18, 2024, PER THE APPLICANT.

34. UC-24-0367-COUNTY OF CLARK (LV CONV AUTH):

USE PERMITS for the following: 1) multi-family dwelling; 2) allow a mixture of transient and nontransient uses in conjunction with a hotel; and 3) allow outdoor dining, drinking, and cooking not in conjunction with a primary eating and drinking establishment.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; 2) reduced parking; 3) reduced EV capable and EV installed parking spaces; 4) reduced loading spaces; 5) eliminate open space; 6) street landscaping; 7) buffering and screening; and 8) allow modified driveway design standards.

DESIGN REVIEWS for the following: 1) multi-family dwelling (tower); 2) hotel; 3) shopping center; 4) entertainment or recreational facilities (theater, amusement ride, and outdoor pool area); 5) outdoor dining, drinking, and cooking areas; 6) event plaza; 7) parking garage; and 8) all associated and accessory uses, structures, and incidental buildings and structures on 10.0 acres in a CR (Commercial Resort) Zone. Generally located on the east side of Las Vegas Boulevard South and the south side of Elvis Presley Boulevard within Winchester. TS/md/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Prior to the issuance of building and grading permits, or subdivision mapping, mitigate the impacts of the project including, but not limited to, issues identified by the technical reports and studies, and issues identified by the Board of County Commissioners or commit to mitigating the impacts of the project by entering into a Development Agreement with Clark County;
- Prior to the issuance of building and grading permits, enter into a Performance Agreement with Clark County which includes a Decommissioning Plan specifying the actions to be taken by the Developer or County in the event construction of the project is stopped or abandoned;

- Bond or other form of financial security, acceptable to Clark County, shall be provided with the Performance Agreement as security of the full and complete fulfillment of the decommissioning actions identified in the Decommissioning Plan;
- Administrative design review is required for the remainder of the LVCVA parcel (APN 162-09-703-025);
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised that a tree-fee in lieu shall be paid to the County for each street tree waived; approval of this application does not constitute or imply approval of a liquor license or any other County issued permit, license or approval; within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Coordinate with Public Works for the pedestrian bridge and if required execute an agreement;
- No advertising on pedestrian bridge;
- Allow the following permits prior to approval of off-site permits: all demolition, grading, including underground utilities, dewatering, foundation, and structural first lift with foundation;
- Coordinate with Public Works - Directors Office for any improvements on Las Vegas Boulevard South;
- Maintain the required width of all public access walkway segments so that a minimum Level of Service "C" is achieved under peak pedestrian volumes.
- Applicant is advised that off-site improvement permits may be required.

Department of Aviation

- Applicant may be required to file Federal Aviation Administration (FAA) Form 7480-1, "Notice of Landing Area Proposal" with the FAA, per 14 CFR Part 157;
- Applicant must comply with heliport conditions described in 30.03.06B5. "Heliport" of the Code, and any applicable conditions resulting from FAA approval;
- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that all helicopter noise complaints and inquiries regarding operations from this facility will be forwarded to the operator of this heliport; the FAA's determination is

advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0109-2024 to obtain your POC exhibit; that flow contributions exceeding CCWRD estimates may require another POC analysis; and that the proposed development is anticipated to generate significant wastewater flows, which would require the following: the Developer is to install a wastewater meter to monitor the flows; the Developer is to ensure that all wastewater flows are routed to one discharge location from the site to flow through the wastewater meter under desirable hydraulic conditions (i.e., minimize bends from the upstream manhole); and wastewater meter monthly fees shall be billed to the facility.

TICK SEGERBLOM

So now, we're ready for the Nancy show.

SAMI REAL

Next is Item 34, UC-24-0367, use permits for the following: Multi-family dwelling; allow a mixture of transient non-transient uses in conjunction with the hotel; and allow outdoor dining, drinking, and cooking not in conjunction with a primary eating and drinking establishment. Waivers of development standards for the following: increased building height, reduce parking, reduce EV capable and EV installed parking spaces, reduced loading spaces, eliminate open space, street landscaping, buffering and screening, and allow modified driveway design standards.

Design reviews for the following: multi-family dwelling; a tower; a hotel; a shopping center; entertainment or recreational facilities consisting of a theater, amusement ride, and outdoor pool area; outdoor dining, drinking, and cooking areas; an event plaza; parking garage; and all associated and accessory uses, structures, and incidental buildings and structures on 10 acres in a CR (Commercial Resort) Zone. Generally located on the east side of Las Vegas, Boulevard South, and the south side of Elvis Presley Boulevard within Winchester.

TICK SEGERBLOM

Good morning. Welcome back.

NANCY AMUNDSEN

Good morning. My name is Nancy Amundsen. 520 South 4th Street in Las, Vegas. And I wasn't expecting to come back like this. I kind of was going to stay behind the scenes, but I have to say that I think this is an exciting project. Our firm has been working on it since March of this year, and we finally got it before you. The staff has recommended approval, as has the Winchester Town Board. And I want to thank Mark Donahue, who is the planner on it. I want to thank all of Antonio Papazian's, and I'm sorry, Antonio, if I

said that wrong. His staff, Sammy Real's staff. Everyone has worked very hard on this project, and I'm proud to bring it to you. We are thankful for the recommendation of approval. We concur with all of the conditions.

There's a couple of things that I would like to say. The Department of Aviation had mentioned a couple of times in the staff report about heliports. There are no heliports at this time being requested. If they are requested, of course, we do know that we have to come back. But that was a question that had come up. We're not asking for any heliports. This is a mixed-use development. It has FAA's approval for the 600 foot for both the hotel tower and the multi-family tower. The reason we're asking for the waiver for height has to do with the multi-family, which has a limitation of height in the CR district.

We're looking at 425 multi-family units, 750 hotel units. We have 3,310 seat theater in the back. And although all of the renderings that you will see in the file look like it's going to be a sphere, we're not proposing it to be a sphere. We're proposing it to be an entertainment venue. We have – and again, I'm nervous. Isn't it weird? I sat in Sammy's seat for so long. And now, I'm here on the other side and it's a little more nerve wracking I have to say. And I give every everybody credit who has ever been here.

TICK SEGERBLOM

It's weird for us too.

NANCY AMUNDSEN

Well, I guess that's kind of makes me feel better. There are a couple of things that we would like to point out, and I showed you the beautiful rendering. This is looking east from Las Vegas Boulevard. But I wanted to show you the site plan. We are not proposing any modifications to Las Vegas Boulevard. So, the improvements the Public Work has put in, the bollards, the sidewalks, the entrance way on the south side of the project will remain the same.

Our main entrance is going to be off of Elvis Presley. That's where the waiver is for the throat width or the entrance width is, and that's on our main entrance, and Public Works has been nice enough to recommend approval of that. You will see on this plan, and you'll see throughout the files that it shows connections across to Fontainebleau. Again, that would have to come back for approval through the Board for any – we'd have to work with Public Works for any connections, any bridges. They're just showing you possibilities of the future. They're not being requested today. I could go through every floor, but I'd like to open it up to you to ask questions. We have a representative of the owner, and we have the architect here, if you have any technical questions. And with that, I again thank you for recommendation of approval from Winchester and the staff, and we request approval. Thank you.

TICK SEGERBLOM

Thank you. This is a public hearing. Anyone here wishing to speak on this item? Looks like you've done your homework. Seeing no one, will close the public hearing, and turn it over to the Commissioners for comments?

MARILYN K. KIRKPATRICK

Commissioner Segerblom, and I just want to reiterate this. So, I did bring it up during my briefing that there is no evaporated cooling allowed per our Water District Service Rules. And I want to make sure that that's clear that it doesn't matter who you are, the rules are the rules. So, I just wanted to be clear with that.

NANCY AMUNDSEN

And Commissioner, we did speak with the developer, and he knew that all along.

MARILYN K. KIRKPATRICK

I know y'all got to talk to your engineers and architects and those companies.

NANCY AMUNDSEN

I will acknowledge that. But we do know that, and the owner does know that.

MARILYN K. KIRKPATRICK

Okay, thank you.

TICK SEGERBLOM

All right. With that, I would just say this is fantastic news for the north end of this Strip, so, very excited. Look forward to working with you and the architects in the coming years.

MOTION

TICK SEGERBLOM

I make a motion to approve.

VOTE

VOTING AYE: Tick Segerblom, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None

ABSENT: William McCurdy II

ABSTAIN: None

TICK SEGERBLOM

That motion passes. Congratulations, you won your first one, but don't expect to win all of them.

NANCY AMUNDSEN

I don't. And thank you very much. As I said, this was a project that I was excited about, so you got stuck seeing me. Thank you.

35. WC-24-400060 (NZN-22-0028)-AMH NV10 DEVELOPMENT, LLC:

HOLDOVER WAIVER OF CONDITIONS of a nonconforming zone change requiring no certificate of occupancy can be issued for any structure within this project unless and until a certificate of occupancy has been issued for the clubhouse (adjacent project to the north) for a previously approved single family residential development on 4.90 acres in an RS2 (Residential Single-Family 2) Zone. Generally located on the northwest corner of Oleta Avenue and Conquistador Street within Enterprise. JJ/rg/ng (For possible action)

ACTION: HELD TO NOVEMBER 6, 2024, PER THE APPLICANT.

36. WS-24-0312-STUSSY DIETER REVOCABLE TRUST & STUSSY DIETER TRS:

HOLDOVER WAIVER OF DEVELOPMENT STANDARDS to eliminate full off-site improvements in conjunction with a minor subdivision map on 4.72 acres in an RS80 (Residential Single-Family 80) Zone. Generally located on the southeast corner of Tami Street and Ron Avenue within Moapa Valley. MK/jud/syp (For possible action)

ACTION: HELD TO SEPTEMBER 18, 2024, PER THE BOARD OF COUNTY COMMISSIONERS.

SAMI REAL

Next is Item 36, WS-24-0312, holdover waiver of development standards to eliminate full off-site improvements in conjunction with a minor subdivision map on 4.72 acres and an RS80 (Residential Single-Family 80) Zone. Generally located on the southeast corner of Tami Street and Ron Avenue within Moapa Valley.

DIETER STUSSY

Good morning, Dieter Stussy, applicant and effective owner. Last name is spelled S-T-U-S-S-Y. Address, 775 Ron Avenue, Logandale. I'm doing an Assessor's recombination. I have a residence lot and an empty lot, which I basically use as an extended backyard. The empty lot is not really buildable, and I am objecting to the Public Works requirement and seeking a waiver of the off sites. Public Works, in their staff report, or I should say in the staff report, I noted you've already agreed to or at least have no objection to waiving the sidewalks, street lighting, curbs, but you still want to pave the road.

Their position is based on Ron Avenue being paved east of Yamashita Street. I am west of Yamashita Street and not adjacent to it. And therefore, if I were to be required to pave the area, there would still be a dirt segment between the two paved areas. I'm also required, let me pick up this one. This one, required to pave Tami Street, and my property is the only property that would be served by paving that site of Tami Street. This is the line here that I wish to remove on the Assessor's map, to make the two properties one like they were before 1981.

TICK SEGERBLOM

All right, does that complete your presentation?

DIETER STUSSY

Unless you have further questions for me, yes.

TICK SEGERBLOM

All right. This is a public hearing. Anyone here wishing to speak on this item? Seeing no one, will turn it over to Commissioner Kirkpatrick.

MARILYN K. KIRKPATRICK

Thank you, Mr. Chairman, appreciate that. So, Mr. Stussy, you held it last time, and we were hoping that you would reach out with us, but I want to explain how they paving works out there in that valley.

So, the gas tax is collected, and it is a very small amount, and then Clark County subsidizes the rest of the paving. So, I've been to the Town Board myself in the last year, and asked people to stop waving the paving requirements because at the end of the day, it takes us a long time, and we get tons of complaints on the paving, so we are asking everybody to do their part on the paving. And so, we are more than willing, in our office, to waive the sidewalks, the curbs and gutter. But we do ask that you pave or that you contribute to the cost, which is the same way that it's done in town. But like it or not, at the end of the day, we get so many complaints about the paving that's not done after people move out there, and then the dirt kicks up, or a flood happens, or something. And so, we just are trying to be consistent, and have been consistent for the last few years.

So, what I would tell you, it's more expensive. If the County gives you a cost, it's probably way cheaper for you to do, but we're willing to work with you. But we just have been consistent the last year and a half on the paving out there.

DIETER STUSSY

And I would understand that argument better if I were actually adjacent to the paved area.

MARILYN K. KIRKPATRICK

And I understand that, Mr. Stussy, but I can agree to disagree with you. It's my choice. I can deny the whole project, or we can put something in there that allows you to go forward. I understand that. But at the end of the day, the way that it works out there is – I'll give you an example. Rice Street. Portions of it were paved, portions of it weren't paved, and Clark County was expected to go in and do that. And we were browbeat for years until it got done. At the end of the day, we want connectivity ourselves so if anybody else comes in, they'll be expected to do the same thing. So, Antonio, what did you have?

ANTONIO PAPAZIAN

Thank you, Commissioner. We're okay with not paving Tami, as it doesn't go anywhere to the south. It ends in a drainage facility. Our main concern was Ron Avenue. And just for clarification, he's not in with an assessor's combination. That has not allowed. The Assessor's Office doesn't do an assessor's combination. He's in to do a parcel map to combine the parcels, and that's what triggered the offsite condition.

MARILYN K. KIRKPATRICK

So, Mr. Stussy, which way do you want to go?

DIETER STUSSY

I just want to combine the two properties for property tax purposes.

MARILYN K. KIRKPATRICK

Okay. And in order to combine both of the properties, you'll be responsible, and the condition will read to put some type of paving on Ron Avenue or to put some costs towards that for future.

DIETER STUSSY

Even though it would be isolated, and not –

MARILYN K. KIRKPATRICK

Yep. Even though.

DIETER STUSSY

Okay. So, I would have to pave it eventually, you're saying?

MARILYN K. KIRKPATRICK

Antonio, how do we do that? Is it towards the end of the process?

ANTONIO PAPAZIAN

Actually, before the process or else – that's our hammer. We will not have a hammer if we allow him to move forward without the paving, then the possibility of him never paving is can happen.

MARILYN K. KIRKPATRICK

Okay.

DIETER STUSSY

I really don't like that. Until my neighbor paves, I'm not connecting to other pavement.

MARILYN K. KIRKPATRICK

So, Mr. Stussy, I can deny the whole thing, and we can not do that. But we have to be consistent out there. Until you walk a day in my shoes on roads across the valley, there's only a small amount of money. And I can tell you, the amount of calls that we get every single week about paving, especially out there, whether it be Moapa, whether it be Logandale, Overton. We're being consistent, and I consistently, I went to the town board and asked them to please stop waving the paving because we now have a good map, we now have a good process, to where back in the day, there was 5, 6, 7 different lists. Some roads were not paved at all. And so, we would spend all of our money paving the whole rocky thing. And now, we have a process to where we don't wave the paving, we put roads on there so they're connecting to other roads. We also then, if one road gets paved this time, we were able to pave seven roads because they had all been maintained for some time. So, we just want to be consistent.

DIETER STUSSY

I understand that, but without my neighbors on either sides having their sections paved, I see this as isolated. Plus, the Town Board did waive it.

MARILYN K. KIRKPATRICK

And I'm not – they're advisory to me, and I take the phone calls. So, I'm happy to deny it, or you can hold it, but I'm not going to change my position, because at the end of the day, we have to be consistent out there.

DIETER STUSSY

Well, I do want to combine the properties, so I'm not saying I'm agreeing to it, I'm saying we need to discuss what costs are, because I mean, I'm not doing any improvements to the properties. I'm just erasing a line on a map.

MARILYN K. KIRKPATRICK

Let's try this one more time. So, if I make a motion to say that I approve it, but you either have to give a cost allocation or paving it, you don't agree to that? Because that's what the motion would be.

DIETER STUSSY

I'm saying I haven't explored the cost allocation, so I don't know what I'm agreeing to.

MARILYN K. KIRKPATRICK

Okay, then here's what I'm going to do. Here's what I'm going to do is I'm going to hold it for only two weeks. When in two weeks, it'll be a denial if you don't come to some resolution with paving the road.

DIETER STUSSY

Okay, are you asking me to return on September 18 then, for your next hearing?

MARILYN K. KIRKPATRICK

Sure, but I'm not changing my position. I want you to understand it. And listen, you've lived there a short time but the roads is a big deal out there, and I only have a small amount of money. And honestly, with the fuel tax not being extended, there is no money for the next four to five years on paving any roads. So, we are consistent.

DIETER STUSSY

All right, I'll take this up with my survey company.

MOTION

MARILYN K. KIRKPATRICK

Okay, perfect. Mr. Chairman. I'll make a motion to hold this for two weeks.

TICK SEGERBLOM

All right, there's a motion, cast your vote.

VOTE

VOTING AYE: Tick Segerblom, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None

ABSENT: William McCurdy II

ABSTAIN: None

TICK SEGERBLOM

That motion passes.

(Companion Items 37 and 38)

37. WS-24-0354-USA:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce lot area; 2) reduce setbacks; 3) increase fill height; 4) reduce number of access drives; 5) increase retaining wall height; and 6) full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving).

DESIGN REVIEW for a single-family residential subdivision on 5.02 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Azure Drive, the north side of Bright Angel Way, and the east side of Park Street (alignment) within Lone Mountain. RM/bb/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEM 38).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Provide a 5 foot wide asphalt path along Bright Angle Way and Park Street;
- Drainage study and compliance;
- Right-of-way dedication to include 30 feet for Azure Drive, 30 feet for Bright Angel Way, 30 feet for Park Street, and associated spandrel(s);

- Execute a Restrictive Covenant Agreement (deed restrictions).

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; and for any sanitary sewer needs to contact the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

SAMI REAL

Next are companion Items 37 and 38.

- Item 37, WS-24-0354. Waiver of development standards for the following: reduced lot area, reduced setbacks, increased fill height, reduced number of access drives, increased retaining wall height, and full off-site improvements, curb, gutter, sidewalk, streetlights, and partial paving. Design review for a single-family residential subdivision on 5.02 acres and an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Azure Drive and the north side of Bright Angel Way and the east side of Park Street alignment within Lone Mountain.
- Item 38, TM-24-500069. Tentative map consisting of nine single-family lots on 5.02 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Azure Drive and the north side of Bright Angel Way and the east side of Park Street alignment within Lone Mountain.

TICK SEGERBLOM

Good morning.

JENNIFER LAZOVICH

Good morning. Jennifer Lazovich, 1980 Festival Plaza Drive here today on behalf of the applicant. The site is this portion of the site. It is not the entire portion that was shown on the screen right before. On our west boundary is Park Street, and on our south boundary is Bright Angel Way. The site plan will look like this, which is nine single-family home lots. There's essentially four lots on the east and west, and then one triangle shape lot at the top. The design of the subdivision matches the design of the two subdivisions that are located to the east of us. The site that we're talking about for this application would be sitting right in this area. And as you can see, the subdivision to the east has nine lots here. And then, if you keep moving east, has an additional subdivision with another nine lots in that location.

The waivers that we're asking for, essentially allow for us to have this subdivision. I can go through it in individual order, but suffice to say, it really describes what the site plan layout is today, which is again, similar to what's built immediately next to us, and in the general area.

We will be putting in our dedication of Park Street and as well our dedication of Bright Angel way on the south. Both this street, Bright Angel Way, separates the site from the school, which is located just to the south. So, while we do have a waiver for off sites as part of our application, if the commission was amenable to it, we could put in an asphalt pathway. Again, we'd still be asking for the waiver of offsites because of the rural area, but because we're so close to a school we could put in an asphalt pathway

along Park Street and our portion of Bright Angel, if that would make kids walking to school have a little bit easier time. And then, in terms of the elevation, this gives you an idea of the elevation for the subdivision. It would not be gated, it would be an open street coming off of Bright Angel. And with that, I'd be happy to answer any questions.

TICK SEGERBLOM

All right, this is a public hearing. Anyone here wishing to speak on this item? Yes, we have a neighbor. Good morning.

JANICE BIRD

Hi, my name is Janice Bird. I live at 6165 North Grand Canyon, a block just up the street. But my question is this, we just built a house three years ago, and we had to be eight feet above the street level because of the flooding. And the flooding, generally, we're on the downhill side of an alluvial fan, so east to west is where the flooding comes from. And so, I just want to make sure, because they show the corner, I just want to make sure that the flooding has a place to go. And I'm not sure why they need to increase the fill height, so that would just make the retaining walls that much higher. So, I'm concerned about the flooding, I want to know if that's addressed, and I want to know if the pavement is going to be such that the water has a place to go. That's all.

TICK SEGERBLOM

Thank you. Anyone else here wishing to speak?

JENNIFER WOOLEY

My name's Jennifer Wooley. I live at 6160 North Grand Canyon Drive.

TICK SEGERBLOM

I apologize, can you spell your last name, please?

JENNIFER WOOLEY

Sure. It's W-O-O-L-E-Y.

TICK SEGERBLOM

Great, thank you.

JENNIFER WOOLEY

And I wanted to speak to a couple specific requests from the waiver regarding only paving half a street, is my understanding, connecting Azure to Bright Angel, extending Park, which is a very busy area at least twice a day, as it backs up to Darnell Elementary School. And the land immediately opposite of their proposed development is currently owned by the Bureau of Land Management still. So, my understanding is if they only pave half the street, that that could be left there indefinitely unpaved. And also, if there's no sidewalk there, there's concerns for children walking to and from school there. The other issue with the waiver is reiterating my neighbor's concerns regarding flooding and increasing the fill height, increasing the retaining wall, which could impact views of homes, neighbors that have lived there 15 to 20 years. Some of those homes have been there for these new homes. And looking at comps in the neighborhood, it doesn't seem to add any value to the homes in the proposed development.

TICK SEGERBLOM

All right, thank you. Anyone else here wishing to speak on this item? Seeing no one, we'll close the public hearing and turn it over Commissioner Miller.

ROSS MILLER

If we could have Ms. Lazovich, please respond to some of the comments regarding flooding, paving, and comps?

JENNIFER LAZOVICH

Sure. So, as it relates to drainage, first of all, which goes hand-in-hand with the drainage study, we are required to do a drainage study as a condition of approval. But preliminarily, our engineers are saying that the flow will come somewhat down Park Street, but also split. So, some of the water will go down Azure, some of it will continue down Park, and then go Bright Angel Way. Again, that's our preliminary analysis, but a condition of approval requires us to do a drainage study, which we'll submit to the County for review and approval to make sure that those preliminary analysis is correct. That drainage issue also drives the need for the retaining walls.

In terms of the pavement of the street, the lady who just spoke is correct, this land right here is still owned by the BLM. We will have to work with them on a little bit of an over-pave situation, so that when we do our half-street improvement for Park Street, which doesn't exist today, so when you come down Park Street here, and I understand the circulation around the school, which is why Public Works was very adamant in their requirement, to have Park Street put in, because of the need for circulation around that school. So, we're required, just like any other development, to do our half-street improvements. If and when the BLM site either sells in some way and it gets developed, then the other half-street improvement for Park Street would come in.

And then, in terms of kids walking to school, we have offered if it's acceptable to put in an asphalt path. We wouldn't do it a sidewalk; that would be unusual out here. But an asphalt path would at least create a pathway that's more defined for anybody who wants to walk out here.

And then, finally, in terms of the value, the developer of these sites is Toll Brothers. I think they do a great job with homes anywhere, but also in the rural areas. And so, I think that their homes will bring value to the overall area.

ROSS MILLER

Great. Could you just please pull up the map with the two adjacent parcels to the East? I think that's illustrative.

JENNIFER LAZOVICH

This is the site, right here.

ROSS MILLER

It's my understanding that there are no offsites on either of these other two developments there essentially identical, what we're trying to do. The dedication of Park Street, when Toll Brothers acquired the land wasn't immediately apparent, at least through the BLM disclosures. It's something Public Works added to put in. And Toll brothers has agreed to put in asphalt walkway in line with some of the concerns so that we've got access, for pedestrians and kids walking the school. Is that all accurate?

JENNIFER LAZOVICH

Yes, it is.

ROSS MILLER

Okay. I don't have anything else. Does Public Works have anything to add?

ANTONIO PAPAZIAN

Thank you. Commissioner. I just want to add there is 18 feet of drop from the west side of this property to the east. So that's what they're going to need some fill and retaining wall. We do have drainage easements. Someone said something about some drainage. We do have drainage easements to the parcel to the west and we have drainage easements to the parcel to the east. So, when this subdivision goes in, there will be somewhere for the water to go, as we already have the easements in place for that water. And if you're so inclined to approve the waiver of offsites, I would like to add a condition that says, "Provide a five-foot-wide asphalt path along Park Street and Bright Angel Way."

ROSS MILLER

Both sides then?

ANTONIO PAPAZIAN

Correct.

ROSS MILLER

Okay.

MOTION

ROSS MILLER

Great. I appreciate the neighbors coming out for this one and being engaged through this process. I think it's a great project. Toll Brothers, obviously a great builder. The drainage is something we always have to work through in this area. And in this instance, they've made additional accommodations beyond which were done in the other two identical developments immediately to the East. So that said, I'd move for approval of the waivers as outlined in the agenda, with the caveat and explanation that Antonio from Public Works provided.

TICK SEGERBLOM

There's a motion. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None

ABSENT: William McCurdy II

ABSTAIN: None

TICK SEGERBLOM

That motion passes.

JENNIFER LAZOVICH

Thank you.

TICK SEGERBLOM

Thank you.

38. TM-24-500069-USA:

TENTATIVE MAP consisting of 9 single-family lots on 5.02 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Azure Drive, the north side of Bright Angel Way, and the east side of Park Street (alignment) within Lone Mountain. RM/bb/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEM 37).

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Provide a 5 foot wide asphalt path along Bright Angle Way and Park Street;
- Drainage study and compliance;
- Right-of-way dedication to include 30 feet for Azure Drive, 30 feet for Bright Angel Way, 30 feet for Park Street, and associated spandrel(s);
- Execute a Restrictive Covenant Agreement (deed restrictions).

Building Department - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; and that for any sanitary sewer needs, to contact the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

(Companion Items 39-42)

39. PA-24-700011-TCB ENTERPRISES NV, LLC SERIES SILVERADO & RAINY DAY INVESTMENTS, LLC:

PLAN AMENDMENT to redesignate the existing land use category from Business Employment (BE) to Corridor Mixed-Use (CM) on 1.25 acres. Generally located on the northeast corner of Ullom Drive and Silverado Ranch Boulevard within Enterprise. JJ/gc (For possible action)

ACTION: ADOPTED (RESOLUTION NO. 9-4-24-2, COMPANION ITEMS 40, 41 AND 42).

SAMI REAL

Next are companion Items 39 through 42.

- Item 39, PA-24-700011. Plan amendment to redesignate the existing land use category from business employment to corridor mixed-use on 1.25 acres. Generally located on the northeast corner of Ullom Drive and Silverado Ranch Boulevard within Enterprise.
- Item 40, ZC-24-0265. Zone change to reclassify 1.25 acres from an RS-20 (Residential Single-Family 20) Zone to a CG (Commercial General Z). Generally located on the northeast corner of Ullom Drive and Silverado Ranch Boulevard within Enterprise.
- Item 41, VS-24-0267. Vacate and abandon easements of interest to Clark County located between Gary Avenue and Silverado Ranch Boulevard in between Ullom Drive and Arville Street within Enterprise.
- Item 42, WS-24-0266. Waiver of development standards for the following, increased retaining wall height and modified driveway design standards. Design review for a restaurant with drive-thru on 1.25 acres in a CG (Commercial General) Zone, and the Airport Environs AE-60 Overlay. Generally located on the northeast corner of Ilan Drive and Silverado Ranch Boulevard within Enterprise.

TICK SEGERBLOM

Good morning.

SUSAN FLORIAN

Good morning commissioners. My name is Susan Florian from Taney Engineering, 6030 South Jones Boulevard, here on behalf of the applicant. What we have here is a 1.25 gross acres located north of Silverado Ranch Boulevard and east of Ullom Drive. It is a one lot commercial development with a 3,700 square foot building. The proposed tenant improvement will be provided under separate submittal. We are proposing a drive-thru.

The first application is for a plan amendment. We are requesting to change it from a BE, business employment, to CM, corridor mixed use. We're also asking for another application for the zoning to change it from RS 20 to CG, commercial general. The third application is for a vacation along the north and the east for a three-foot path easement and eight foot along the west. And our fourth application is waivers of development standards to increase the retaining wall from three feet to four feet. This is necessary to maintain adequate drainage and matching to the existing grade. We also have a waiver for modified driveway design standards. The departure distance is not where it's supposed to be, but we have pushed the entrance all the way as far as it can possibly go. I also do have some renderings of the landscape and how the building is going to look. With that, I conclude my presentation and I'm here to answer any questions that you may have.

TICK SEGERBLOM

This is a public hearing. Anyone here wishing to speak on this item? Seeing no one, we'll turn over to Commissioner Jones.

MOTION

JUSTIN JONES

Thank you, Mr. Chair, and thank you for presentation. I appreciate this as a tight site, so appreciate that you've done the best you can to adjust to the requirements from Public Works, et cetera. So, with that I'll go ahead and move for approval of agenda items 39, 40 and 41. No, 39 and 40. 41. 39, 40 and 41.

SAMI REAL

And 42

JUSTIN JONES

And 42, sorry.

TICK SEGERBLOM

You got it. All right, there's a motion. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None

ABSENT: William McCurdy II

ABSTAIN: None

TICK SEGERBLOM

Motion passes. Thank you.

SUSAN FLORIAN

Thank you, Commissioners.

40. ZC-24-0265-TCB ENTERPRISES NV, LLC SERIES SILVERADO & RAINY DAY INVESTMENTS, LLC:

ZONE CHANGE to reclassify 1.25 acres from an RS20 (Residential Single-Family 20) Zone to a CG (Commercial General) Zone. Generally located on the northeast corner of Ullom Drive and Silverado Ranch Boulevard within Enterprise (description on file). JJ/rr (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 39, 41 AND 42).

CONDITIONS OF APPROVAL –

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0274 2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

41. VS-24-0267-TCB ENTERPRISES NV, LLC SERIES SILVERADO & RAINY DAY INVESTMENTS, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Gary Avenue and Silverado Ranch Boulevard and between Ullom Drive and Arville Street within Enterprise (description on file). JJ/rr/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 39, 40 AND 42).

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended

with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include 25 feet to the back of curb for Ullom Drive, 45 feet to the back of curb for Silverado Ranch Boulevard and associated spandrel;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

42. WS-24-0266-TCB ENTERPRISES NV, LLC SERIES SILVERADO & RAINY DAY INVESTMENTS, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase retaining wall height; and 2) modified driveway design standards.

DESIGN REVIEW for a restaurant with drive-thru on 1.25 acres in a CG (Commercial General) Zone in the Airport Environs (AE-60) Overlay. Generally located on the northeast corner of Ullom Drive and Silverado Ranch Boulevard within Enterprise. JJ/rr/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 39, 40 AND 41).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Ullom Drive, 45 feet to the back of curb for Silverado Ranch Boulevard and associated spandrel;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger.

- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0274-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

(Companion Items 43-45)

43. ZC-24-0324-LANDHOLDING SERIES OF SOPHINVEST, LLC:

ZONE CHANGE to reclassify 1.43 acres from an RS20 (Residential Single-Family 20) Zone to an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the east side of Randall Street and the north side of Tres Lobos Avenue within Moapa Valley (description on file). MK/hw (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 44 AND 45).

CONDITIONS OF APPROVAL –

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0131-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

SAMI REAL

Next are companion Items 43 through 45.

- Item 43, ZC-24-0324. Zone change to reclassify 1.43 acres from an RS20 (Residential Single-Family 20) Zone to an RS3.3 (Residential single-family 3.3) Zone. Generally located on the east side of Randall Street and the north side of Tres Lobos Avenue within Moapa Valley.
- Item 44 WS-24-0325. Waivers and development standards for the following: reduced street landscaping, increased driveway width, eliminate streetlights and allow and attached sidewalk. Design review for a single-family attached duplex residential development on 1.43 acres in an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the east side of Randall Street and the north side of Tres Lobos Avenue within Moapa Valley. And then;
- Item 45, TM-24-500064. Tentative map consisting of five residential lots on 1.43 acres in an RS3.3 (Residential Single-Family) Zone. Generally located on the east side of Randall Street on the north side of Tres Lobos Avenue within Moapa Valley.

GENE GOTTSCHALK

I'm Gene Gottschalk, that's G-O-T-T-S-C-H-A-L-K from Moapa Valley Builders. We are the applicant for this project. So, for those who know Moapa Valley, this project is located immediately north of Lynn's Supermarket and east of the McDonald's. And what we're proposing to do there is to divide the site into five parcels. On these parcels we will build duplexes that look more or less like this. So, there will be five buildings with a total of 10 units, and these will be kept and operated as long-term rentals, which are

much needed in the area. We don't have enough rentals for young people that graduate from school there and want to stay in the area and can't quite afford to buy a house yet. So, should I just go through the different items here?

So, the first item is a zone change request from RS-20 to RS3.3 That's a conforming zone change request, and we need that for being able to build these duplexes because the RS3.3 allows for that. Then we're asking for some waivers. One is to reduce the width of the street landscaping from 10 feet to six feet along the street here on the west. This is so that we can have more backyard space for the resident of this unit here, because on each residence there will be a fence through the middle here that separates two backyards for the people that live there. The next waiver is to increase the driveway width. This is because these duplexes are built in the way that we have, there is a two-car garage for each resident. Those are located in the middle. This helps us mitigate noise from one side to the other from the residents. And because of how this is set up, it makes the driveway wider there in the middle than what is allowed in Title 30.

The next waiver is to eliminate the requirement for streetlights. We are not asking to waive the sidewalks because sidewalks unfortunately in that particular area are common and also, we have sidewalks on the other side of the street. So, we are not asking to waive that. We are asking to waive the streetlights, which I believe public works is recommending approval for that because there is sufficient light on other sides of the street already. And the last item is to ask for being able to build an attached sidewalk though instead of a detached sidewalk. And the attached sidewalk is what's common in this area and also located immediately across the street.

And then the last item is to approve the tentative map here that shows how we are proposing to cut this up into five lots.

TICK SEGERBLOM

Does that complete your presentation?

GENE GOTTSCHALK

Yes, I believe so.

TICK SEGERBLOM

All right, this is a public hearing. Anyone here wishing to speak? See no one here from Moapa Valley, we'll go ahead and close the hearing and turn it over to Commissioner Kirkpatrick.

MARILYN K. KIRKPATRICK

Thank you, Mr. Chairman. Antonio, you want to clarify. You said some contradicting information, so we just want to clarify what you're trying to do.

ANTONIO PAPZIAN

Thank you, Commissioner. We have contradicting conditions. So, if I can clarify, if you're so inclined to approve waiver standard number three, which is eliminate off-site streetlights. I have a condition for them to install all the off-sites so it's a little bit contradicting. So, if you are so inclined to approve that, I would like to clarify ours to say full off-site except for streetlights and install the conduit and pull boxes. So, if at a future date that we decide we need those streetlights, it would be nice that the conduit and the pull boxes are installed under the sidewalk.

MARILYN K. KIRKPATRICK

Okay, thank you. Mr. Gottschalk, do you understand that? We just want the infrastructure.

GENE GOTTSCHALK

Yes, and we'll have it all dug up so that should not be a huge problem to do. We will just need to know how far spaced these slides should-

MARILYN K. KIRKPATRICK

They're happy to share that information with you because it helps for the long run, so we appreciate that.

So, I am not opposed to this project. Thank you for doing some infill project. As you know we've just spent a lot of dollars out there trying to really modernize it.

GENE GOTTSCHALK

Thank you for that. It looks very nice. I drive personally down it every day.

MARILYN K. KIRKPATRICK

Well, I appreciate that. But I would ask that what I'd like you to do, and your word is good as far as the things that you've been part of out there. So, I don't mind eliminating the four feet of landscaping, but I still want it nice plush landscaping so that, you know that's a heat island out there, so we like to make sure that it stays cool.

GENE GOTTSCHALK

Yes. So, we are not planning on doing any grass for example because that requires more-

MARILYN K. KIRKPATRICK

I'm not asking for grass.

GENE GOTTSCHALK

So, do you want trees?

MARILYN K. KIRKPATRICK

I want to do what you do best. Make it nice and modern and plush because at the end of the day the more greenery that we have, the better it is for that entire area out there. And I'll take you on your word, so I don't have to put a condition, but I know how to get a hold of you, okay?

GENE GOTTSCHALK

Plush. Okay.

MOTION

MARILYN K. KIRKPATRICK

All right, so with that I'd make a motion to approve Items 42, 43, 44 and 45 (43, 44 and 45) and to amend to allow for the waiver development standards.

And do you want me, Antonio, so if I waive the development standards of reduced street landscaping, increased driveway, eliminate streetlights, and you also want me to clarify that on item number three as well? Okay, is that clear for the record? Right, that would be my motion, Mr. Chair.

TICK SEGERBLOM

There's a motion, cast your vote.

VOTE

VOTING AYE: Tick Segerblom, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None

ABSENT: William McCurdy II

ABSTAIN: None

TICK SEGERBLOM

That motion passes. Thank you.

GENE GOTTSCHALK

Thank you.

44. WS-24-0325-LANDHOLDING SERIES OF SOPHINVEST, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce street landscaping; 2) increase driveway width; 3) eliminate streetlights; and 4) allow an attached sidewalk.

DESIGN REVIEW for a single-family attached (duplex) residential development on 1.43 acres in an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the east side of Randall Street and the north side of Tres Lobos Avenue within Moapa Valley. MK/hw/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 43 AND 45).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised that the California Pepper Tree is not permitted per the SNRPC Regional Plant and that a large tree, as defined by Title 30, permitted by the SNRPC Regional Plant List will need to be provided in its place; that within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Install conduit and pull boxes;
- Comply with approved drainage study PW24-11701;
- Full off-site improvements except streetlights.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this

project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0131-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

45. TM-24-500064-LANDHOLDING SERIES OF SOPHINVEST, LLC:

TENTATIVE MAP consisting of 5 residential lots on 1.43 acres in an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the east side of Randall Street and the north side of Tres Lobos Avenue within Moapa Valley. MK/hw/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 43 AND 44).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Install conduit and pull boxes;
- Comply with approved drainage study PW24-11701;
- Full off-site improvements except streetlights.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0131-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

46. ZC-24-0357-MILES AHEAD TRUCKING, LLC:

ZONE CHANGE to reclassify 0.25 acres from an RS80 (Residential Single-Family 80) Zone to an IL (Industrial Light) Zone within the Airport Environs (AE-75) Overlay. Generally located on the west side of Searchlight Street, 320 feet south of Washburn Road within Sunrise Manor (description on file). MK/rr (For possible action)

ACTION: HELD NO DATE, PER COMMISSIONER KIRKPATRICK.

47. WS-24-0358-MILES AHEAD TRUCKING, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) street landscaping; 2) fence; 3) off-site improvements (curb/gutter, sidewalks, streetlights and partial paving); and 4) detached sidewalks.

DESIGN REVIEW for a parking lot for commercial vehicles (trucks) on 0.25 acres in an IL (Industrial Light) Zone within the Airport Environs (AE-75) Overlay. Generally located on the west side of Searchlight Street, 320 feet south of Washburn Road within Sunrise Manor. MK/rr/syp (For possible action)

ACTION: HELD NO DATE, PER COMMISSIONER KIRKPATRICK.

(Companion Items 48 and 49)

48. AG-24-900562: Approve the Settlement Agreement in the case LV Judson LP v. Clark County, District Court Case No. A-23-869800-J and Supreme Court Case No. 88450, authorize the Chair to sign the Agreement; and consider other matters properly related thereto. TS/sr (For possible action)
APPROVED.

ACTION: APPROVED (COMPANION ITEM 49).

SAMI REAL

Commissioners. Next are Items 48 and 49, which are companion and will be heard together.

- Item 48, AG-24-900562. Approve the settlement agreement in the case of L.B Hudson L.P versus Clark County District Court Case Number A-23-869800J and Supreme Court Case Number 88450. Authorize the Chair to sign the agreement and consider other matters properly related thereto.
- Item 49, WS-22-0147. Waivers of development standards for the following, reduced throat depth, reduced departure distance and off-site improvements, curb gutter, sidewalk streetlights and partial paving. Design reviews for the following office, warehouse facility and finished grade on a 6.2-acre portion of a 9.3-acre site and an MD (Design Manufacturing AE-65 and APZ-2) Zone. Generally located on the northwest corner of Lamb Boulevard in Judson Avenue within Sunrise Manor.

TICK SEGERBLOM

Good morning.

STEPHANIE ALLEN

Good morning, Mr. Chairman, Commissioners. Stephanie Allen, 1980 Festival Plaza Drive here on behalf of the applicant. We very much appreciate your staff working with us on this. I know my team as well as Rob and Lisa worked hard on this settlement agreement. We very much appreciate their efforts and would ask for your approval today.

TICK SEGERBLOM

All right, this is a public hearing. Anyone wishing to speak on this item, please come forward. And just line up and come on up and let us have it.

NORMA REICHENBACH

Norma Reichenbach, 2245 Moonlight Drive. I live on the west hand side of this property. Thank you for the opportunity to speak but beware this is not going to be a nice and politically correct speech so I'm going to apologize in advance, but this is honest and from me. The right to build on this land has never been in question. What is in question is the style and use of this colossal building. It is astonishing how someone who not only doesn't live in the city for the state or even a country from what I hear, with the financial means to override our existing elected officials, whose objective is to protect our local way of life, can be given the right to build a massive albatross in the middle of our rural preservation neighborhood with a complete lack of integrity, morals, scruples, and just plain blatant disregard for the surrounding lifelong hardworking blue collar property owners as proven by the history of the number of opposing signatures on file.

An elementary school and small business owners surrounding this land, the property sits in the middle, not on any outskirts, but in the middle of a vast majority of single story custom homes which homeowners built, and businesses which have been invested in and constructed by working class owners and their families over the last 30 to 60 years so that they could create a lifestyle and legacy not surrounded by environmental blocking and concrete buildings.

This particular style of building would bring down our property values and increase our interior street traffic by both individuals and major diesels emanating delivery vehicles in order to stay off the block long backed up traffic from the area of Lake Mead and Lamb. This is already happening now and will only increase by the building of this type of facility. Putting up a sign that says no big trucks allowed is only as good as the police officer sitting underneath that. The neighborhood has been in these chambers numerous times. This property was originally owned by the Catholic Church, then it was sold to an individual, then it was up for sale to be subdivided, rezoned and redesigned for a mini storage. Needless to say, it never got built on or ground broke. And we, the neighborhood, who don't have degrees in law or enough money to hire people to follow up on it daily, find out over seven years later it did not revert back to its original zoning as it should have.

It was underhandedly hard zoned with subdivided property lines not even close to what was promised. This was done corruptly and under the table by an unmentionable someone who thought he could run for governor, that stood in our homes and unashamedly lied to us, but who abused the power to do so based on deep pockets. One of the next potential buyers of this property held a neighborhood meeting with a local representative and turned down purchasing of this property due to the issues he would run into with blending into the neighborhood.

TICK SEGERBLOM

How much more time?

NORMA REICHENBACH

I'm almost done.

TICK SEGERBLOM

Okay, please.

NORMA REICHENBACH

It is believed that because the same local representative is involved in this issue that this present owner knew of the overwhelming amount and neighborhood involvement, he faced in protecting their way of life, and he felt he had enough money and time and didn't care about the neighborhood and he would not have to be concerned about it. This is not his neighborhood, his city, his state, or even the country he lives in. He would never allow this to be built in front of his house. Why do we have to allow it to be built in front of ours? These standards should not have been and should never have been overridden by the depth of a pocketbook. If this comes to fruition, it will only prove that the want of the one with money can far outweigh the hard work and wants of the many without.

TICK SEGERBLOM

Thank you.

NORMA REICHENBACH

And I have a (inaudible) report if I did it, in case anybody needs to fill it out and send it into their (inaudible)

TICK SEGERBLOM

Okay, thank you. Anyone here wishing to speak, please come forward.

JANIE WILDER

So, I apologize, I'm shaking because I'm freezing, but my name is Janie Wilder.

TICK SEGERBLOM

I need you to turn your map a little bit.

JANIE WILDER

I'm sorry?

TICK SEGERBLOM

Turn the map. I'm not sure which direction you're going to turn. There you go. Perfect.

JANIE WILDER

My name is Janie Wilder W-I-L-D-E-R. I live at 4165 Judson Avenue, three houses down from this place. First of all, I'd like to thank you. I know you're Democrats, Republicans sitting up there, but you all came together and not only did you listen to the lawyer, which when I was sitting there, I would've totally agreed to put one too, but you listened to the people out there and you made a wise choice. But then we get a card a week ago stating that they went to court and sued and won. We were never notified, and I guess as you can see, we're not rich. So, they probably figured it wasn't worthy to even let us know that this was happening. And it's been okay'd. I realize the City of Las Vegas here really doesn't care about us little people out here when it comes to big money. We showed you how this is all places for them and the streets are wide for the semi-trucks and they stay over there.

But when you get into our neighborhood, the streets are smaller, houses lined. A lot of people in their areas, they have to go out on Lamb. We have an elementary school which they've already built. You approved and they built a warehouse a block behind them in the middle of that neighborhood. Now it's going to be a block in front of this school, the elementary school. We explained to you that we have horses out there with all ages riding, we have all ages.

Our houses, the value will go down because this warehouse is going to be coming with semis, with the noise that they bring, the commotion that they bring. And like she pointed out; we don't care there's a sign. They will not abide by it because one of the ways, if they want to go one way, they're going to have to go through our neighborhood to get to a light, to get to that direction. Our Democrat City of Las Vegas let their people down when they decided to take money over the people that live here. But I do appreciate you guys because you are willing to hear it from both sides, which I guess our city isn't. Thank you very much. You all have a good day.

TICK SEGERBLOM

Thank you.

TOM ANDERSON

Good morning. My name is Tom Anderson. I live at 2265 Moonlight, which is right across the street from where this is being built. My card has the square shows, the whole property. Is this whole thing being developed commercial, because it's to have half acre lots on the backside on Moonlight. Is that still correct? Because it doesn't really specify.

TICK SEGERBLOM

Mister, this settlement allows them or requires them to have half acre lots on the other side, right?

ROBERT WARHOLA

Yes, it does.

TICK SEGERBLOM

Yeah. So, there will be a buffer on Moonlight.

TOM ANDERSON

Okay. Just like my neighbor, I didn't get a card, or I didn't know anything until four days ago. So, is this true, the owner took the county to court and beat them and that's why we're here? Because I'm just kind of curious. We didn't get any pre-meetings, nothing with Sunrise Manor, anything. And with me being here, does it even matter that I complain if this is a lost cause? I mean is there anything that can be done or can I be more informed with what exactly that they're planning on doing?

TICK SEGERBLOM

After you're done speaking, we'll address all those issues.

TOM ANDERSON

Okay, thank you. And then I pretty much believe that's about it. As far as, the building's supposed to be like 35 feet tall, but there's not going to be pumping stations for these trucks. So the foundation has to be elevated like 11 more feet, making the building probably 46 feet tall. And is the water going to be designed to run off toward Lamb? I'm sure you guys may know that or not because with us having rural properties, we don't have sidewalks and curbs to keep the water from coming in on our property. So this is just concerns of being a homeowner. And I don't know if you guys have answers to that at all. And that's it. I'll listen to what you guys have to say. And is there going to be any more meetings about this or this is just us complaining that we lost? Because last time I was in here we won.

TICK SEGERBLOM

Anyway, I apologize. Once you sit down, we'll go through, explain it all, what's happening. Thank you.

TOM ANDERSON

Thank you.

VAL HARDY

Hi, my name is Val Hardy. I live at 2334 Moonlight Drive where this developments may be made. I guess what I'm concerned with, I've never been against this development. Well, the only thing I'm against is the way that they position their property and what they're doing is yes, they give us four housing lots where if you look at the property lines, the rest of us exist back almost 150 feet back and they're encroaching in our neighborhood. And that's where I have my issues, is if they would put their development back to the east 150 feet, match it up with our property lines, then to me that's commercial. But when they encroach in our neighborhoods, that's when I have my issues because that's what they're doing.

These little dinky lots that they're doing aren't even comparable with what we're dealing with. And me as a homeowner, what you're doing is you're decreasing my value because you're going down sizing my lots. Because I have a 0.77 acres, and when you're going down to less than a quarter to a half, then guess what? That's have my issues. Because like I said, if they're taking, let me put it this way, we won the issue last time, they took it to court, we lost. Now we have to lick our wounds and say, "Okay, you guys get

whatever you want." Well, I don't like that approach. I'm a homeowner. Respect me as a homeowner, and at the same time respect me as a resident of that area because I raised my family there. I have my grandchildren come down and it doesn't seem like they're respecting any of us. They don't respect you and they don't respect us as homeowners. And that's all I have to say. Thank you.

MOTION

TICK SEGERBLOM

Thank you. Anyone else here wishing to speak? Seeing no one, will close to the public hearing and have the applicant come forward. So let me just go ahead and vent for a second. So just so you understand, you're right. When you were here last time we won, we defeated this project. It was totally inappropriate for that neighborhood and for that piece of property. Unfortunately, the developer went to court, we fought. I was sitting in the court when the judge ruled against us, but the judge ruled against us. And, as a lawyer, I'm ashamed to say that that's the way the legal process works, but that's what the judge says this is how it is, then you have to follow the law. Having said that, what's happened now is they've gone back because the judge ruled against us and said, here's our plan. We submitted it before and before us. We have really no choice because we're just voting to approve what the judge said.

But just know that going forward they still have to build this thing. And so, there's lots of hurdles that will come up and we're going to hold their feet to the fire and make sure that they do everything they've asked. There was a question about where the water's going to go. A drainage study has to be done appropriately, so we'll make sure that doesn't impact the neighborhood. They're not going to be allowed to, the trucks at least would come out on Judson. That doesn't mean they won't go down to Judson and come back through. So, we're going to have to really monitor that and make sure that trucks do not drive on Moonlight or Judson, that is not appropriate for that neighborhood. That neighborhood deserves to be protected and I will fight forever to protect it. But I apologize. I did the best I could do, but the truth is we're kind of between a rock and a hard place and so, today we're just affirming what the judge said we had to do. So having said that, I would make a motion to approve even though it kills me.

VOTE

VOTING AYE: Tick Segerblom, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft
VOTING NAY: None
ABSENT: William McCurdy II
ABSTAIN: None

TICK SEGERBLOM

All right, thank you. That motion passes. But again, neighbors, I will work with you forever. So, let's stay in touch. And thank you for coming down and expressing your opinions and concerns.

STEPHANIE ALLEN

Thank you very much. Appreciate it.

49. WS-22-0147-LV JUDSON, LP:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce throat depth; 2) reduce departure distance; and 3) off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving).

DESIGN REVIEWS for the following: 1) office/warehouse facility; and 2) finished grade on a 6.2 acre portion of a 9.3 acre site in an M-D (Design Manufacturing) (AE-65 & APZ-2) Zone. Generally located on the northwest corner of Lamb Boulevard and Judson Avenue within Sunrise Manor. TS/sr/jo (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEM 48).

CONDITIONS OF APPROVAL --

Current Planning

- The buildings shall be one story only with a maximum height of 35 feet;
- The building faces shall be constructed with enhanced articulation;
- The top of any windows facing west on the buildings shall not be placed above 12 feet in height;
- Lighting on the buildings shall not be placed more than 10 feet in height;
- Wall signs on the buildings shall not be illuminated;
- Monument signage only on N. Lamb Boulevard and Judson Avenue with a maximum height of 8 feet;
- No large truck access onto Judson Avenue whereas a large truck is defined as a truck having a gross vehicle weight rating (GVWR) of over 10,000 pounds - customer and employee vehicle access only;
- Add signage to prohibit large truck access onto Judson Avenue;
- No large truck access onto Moonlite Drive;
- A 10 foot high wall shall be constructed on the north and west sides of the property where it is zoned Industrial Park (IP);
- Intense landscaping shall be installed along the west property line inside the 10 foot high wall of the development where it is zoned IP with 24 inch box trees spaced 30 feet apart;
- Enhance the landscaping along N. Lamb Boulevard by adding 24 inch box trees spaced 30 feet apart;
- A double row of evergreen trees 24 inch box staggered/offset from one another planted 20 feet apart on center (per Clark County Code §30.04.02C2) shall be installed on the northwest corner of the property where it is zoned IP adjacent to APN 140-19-504-009;
- The residential lots shown on Exhibit Plan 1, included within the Settlement Agreement as Exhibit A, located on the west side of the property adjacent to Moonlite Drive shall be deed restricted as, and maintained as, Residential Single-Family 20 (RS20) lots and single-story homes to serve as a buffer to the RNP homes to the west;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;

- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements for Lamb Boulevard and Judson Avenue;
- Right-of-way dedication to include 30 feet for Moonlite Drive and associated spandrel;
- Execute a Restrictive Covenant Agreement (deed restrictions).
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

SEC. 6. APPEALS

50. WS-24-0290-COSMIC DEVELOPMENT, LLC:

APPEAL WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow a gated community; 2) increase wall height; and 3) eliminate street landscaping in conjunction with a proposed single-family residential subdivision on 2.11 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the north side of Ann Road, 585 feet west of Grand Canyon Drive within Lone Mountain. RM/rp/syp (For possible action)

ACTION: APPROVED. APPEAL – DENIED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Applicant is advised a tree-fee in lieu shall be paid to the County for each street tree waived; within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Comply with approved drainage study PW23-17751;
- Traffic study and compliance.
- Applicant is advised that off-site improvement permits may be required.

Fire Prevention Bureau

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated County; and to inquire with the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

SAMI REAL

Next on the agenda is Item 50, WS-24-0290. Appeal Waivers of development standards for the following: allow a gated community, increase wall height and eliminate street landscaping in conjunction with a proposed single-family residential subdivision on 2.11 acres and an RS-20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the north side of Ann Road, 585 feet West Grand Canyon Drive within Lone Mountain.

Commissioners, this is an appeal. The Planning Commission had approved the application, and it was appealed by an interested party who does not agree with the Planning Commission's decision to waive landscaping along and road and allow an eight-foot-tall perimeter wall.

TICK SEGERBLOM

Good morning.

PATRICIA LEE

Good morning.

TICK SEGERBLOM

Good morning.

PATRICIA LEE

My name is Patricia Lee, last name L-E-E.

TICK SEGERBLOM

Welcome to the other side of the bench.

PATRICIA LEE

I know. It's awkward.

DR. JOE JESSE OWENS III

All right, good morning. My name is Dr. Joe Jesse Owens III, last name O-W-E-N-S.

DR. JONATHAN LAMAR SNEAD

My name is Dr. Jonathan Lamar Snead. Last name S-N-E-A-D.

RONNIE LEE

My name is Ronnie Lee, last name L-E-E. I am the manager of the LLC Cosmic Development. We are working on Snowley Court, which is at 9748 West End Road. Parcel number 125-30-402-020. As a preliminary matter, I would like to make a record with respect to the issue of the appellants outstanding or rather the lack thereof. NRS 278.3195 only allows parties who have been aggrieved the right to initiate an appeal. To be aggrieved, the would-be appellant needs to have appeared either in person or in writing at the planning commission meeting. Here, the appellant neither appeared in person, nor did she submit anything in writing with respect to our request for a waiver.

The appellant who triggered this appeal hearing is therefore statutorily prohibited from bringing this appeal now. The legislature's logic in implementing this statute makes sense because it allows petitioners a pathway to finality. And if we had any notice of this appellant's grievances, we could have presented counterarguments and evidence to persuade the planning commission to grant the waiver notwithstanding the opposition. To allow this appeal to essentially interject, excuse me, to allow this appellant to essentially interject belated objections at the appellate stage is tantamount to sandbagging

the procedure in a post-hoc fashion, clearly frustrating the purpose of the statute. Having made my record of the procedural deficiencies of the appellant's claim, I will nonetheless move forward on the substance of addressing our initial waiver request, which was unanimously approved by the commission if the Commissioners so desire.

TICK SEGERBLOM

Commissioner Miller.

ROSS MILLER

Go ahead. If you could just, I think, briefly go through your presentation, which I've watched at the Planning Commission. You're correct. I didn't have the benefit of watching any objections, though I do understand that there were representatives at the town board. I understand that a particular concern is just the waiver of landscaping. I believe your presentation does have some slideshowing that landscaping throughout that area has been waived and is more imposing landscaping is more the exception than the rule and also the adjusted wall of length. I don't think we need a lengthy presentation, however.

RONNIE LEE

Yes, sir. I'll try to go through quickly. The three waivers that we were looking for was an entrance gate, waiving the landscaping requirement, and the height of the wall. I understand that the opposition is based on trying to keep this area rural and we understand what that looks like, but there's already language that indicates that there's an understanding that when you're on a major arterial that things are going to be slightly different.

We are on Ann Road. The property is located on Ann Road and Major four-lane arterial connected to the 215. The County has already completed urban improvements including six-foot sidewalks, streetlights, and curbs. Typically, not associated with the rural areas. Sewer, water, gas, and power utilities are all available directly in front of the property.

Currently, there are numerous developments in the area featuring high walls, no landscaping and gated entrances. Given the significant traffic, this area is no longer ideal for standard rural use. The installation of walls and gates would be necessary due to the traffic volume and there's no notable equestrian or horse activity along the portion of Ann Road.

Coming soon, there's a new development consisting of five communities built as estates that are under construction just east of our location. There's no agriculture here and there's no livestock. Directly across the street from us, there's a residence with over 150 half-acre estate homes. It's a gated community. Once again, there's no agriculture and there's no livestock.

Currently, this is what the parcel looks like. It's kind of an eyesore when you see the dilapidated wooden, probably non-permitted fence and the vehicles just sitting in the backyard. This is what we're trying to do, and I understand we're not Toll Brothers, it's just us trying to make our forever homes. We're just constituents in the community, citizens that are trying to do this. To be clear, there's two veterinarian doctors, a first responder, a real estate agent that's also a military veteran, a group of kids ranging from the ages of two to 16, including a child with special needs, a Nevada Supreme Court justice, and myself, who's also a military veteran.

Sorry about that. Jumped one. The homes will be two-story custom homes, and our plan is to have them fully move and ready with complete landscaping. I point out the landscaping because we're also doing the backyard landscaping, so they're going to be turnkey and the trees that are on the back wall of those yards will grow and also be visible from the street side and create shade, and we're planning on putting

40 trees instead of the nine that were requested. The estimated value of each property will be approximately \$4 million. I point this out because we're going to be increasing the overall value of our community right around us.

Again, this is the gate in question that's across the street from us. We didn't think this would be an issue. It was actually approved by all parties. We were going to put the gate, our own gate, across the street. Some of the reasons for the gate: the granted waiver would allow us to safeguard our families, increase privacy, and provide additional security. Located on a major four-lane roadway and road, we want to prevent people from mistakenly entering the cul-de-sac for safety reasons and ensure that our children, some of whom are younger, do not venture into the main street.

One of the residents is a special needs child making safety even more critical. Additionally, in Nevada Supreme Court justice resides in the cul-de-sac making the added sense of security paramount. Again, we're meeting all the specifications that are required for the building of the gate. We've also had approval from the fire department, the community board, which most of them are here, had also approved the gate portion of this and the Planning Commission approved it.

In regards to the landscaping, the granted waiver allows us to retain the use of 2,700 square feet that would have otherwise been lost to street-side landscaping. It also enables us to conserve water and maintain neighborhood continuity without diminishing the characteristics of the area in any way. According to the code, a detached sidewalk requires only a five-foot landscape strip, a five-foot sidewalk and five feet between the sidewalk and the property wall totaling 15 feet. For an attached sidewalk, the requirement is 10 feet from the back of sidewalk to the property line plus five feet sidewalk also totaling 15 feet. Therefore, it is unreasonable to require a ten-foot landscaping strip from the property line, as this would create a twenty-two-foot space from the street to our wall, the requirement would significantly increase project cost, reduce the size of two of the yards by approximately 2,700 square feet and cause unnecessary water waste without providing any real benefit to the community.

The wall height, the subdivision is adjacent to a major roadway. The configuration of the homes in approximately 14 feet grade from one side of the parcel to the other lends itself to higher perimeter walls on the southeast and north side. The higher walls will also reduce traffic noise reaching the homes and allow for greater privacy for the residents. This kind of shows you how the parcel will be divided.

Precedent. These parcels are all within walking distance of our future home. The properties have elevated walls along the property line without any landscaping, and this is up and down Ann Road. If I go off of Ann Road, I can find more. This was directly in walking distance. In summary, we hope you will agree with the Planning Commission's unanimous decision to approve our waivers and reject this appeal. It's important to note that our project will not harm the neighborhood area in any way and will benefit the community. The waivers allow us to avoid increased development costs, reduce water waste, and retain 2,700 square feet of usable space within our subdivision. Our project is located on a major four lane thoroughfare, and we are focused on addressing safety concerns, increasing security, reducing traffic noise, and enhancing privacy while still adding value and improving the community's appearance. Thank you for your time. Sorry if that was long.

TICK SEGERBLOM

Thank you. Is the appellant, the individual who appealed, here? Yes. Please come forward.

BRIGITTE SOLVIE

I think it's still morning. Good morning, commissioners. Yeah, I'm the appellant, Brigitte Solvie. 7030 North Conquistador Street. This parcel came to my attention. Yes, during both the Lone Mountain CAC

and I was unable to attend the Planning Commission because of family issues. However, I did file the appeal. I am not unopposed to the gate. I understand the gate on a main road, but what I am opposed to is the fact that we are still in a rural neighborhood preservation. It's an overlay and as long as we keep giving away our landscape strips, when we know that Las Vegas Valley Water District, Southern Nevada or SNWA have given us a plethora of trees that are both evergreen or deciduous that are water acceptable in their usage, that to deny just even nine trees on the outside of this property, if indeed it's going to be a white wall that's going to be very noticeable and stark.

Not to say that somewhere down the line it might get painted in another color, but that's still just, we're only talking nine trees. They have this property has unique benefit of having vacated a portion of road on the east perimeter, so they gained 30 feet back along that whole east line and have incorporated it into their lot design. We're only asking that they give back on Ann Road for the appropriate landscaping that should keep this area. Directly across the street is lush and beautiful. Yes, some of the homes up and down are without landscaping. They're much older. Long before complete streets came in and put in all the improvements on Ann Road--street lights, curb, gutter--which many meetings were held, and we had hoped that there would be some provisions for horse equestrian even if it was on the interior streets and those have been bypassed.

My appeal is asking for the RNP and the NPO, the low overlay, give back the landscaping along Ann Road because this is not a hard encumbrance for a very wealthy planned project, to just plant nine trees and give a little, the amount of water will be nominal to install some watering devices and water clocks and valves is nominal for this scale of a project. As to the height of the walls, we have coyotes. Coyotes will jump an eight-foot wall just as easily as they will six. I would personally suggest go back to a six-foot wall or maybe six and a half and top the perimeter outsides with some wrought iron, something that truly deters coyote activity, still gives plenty of potential for privacy.

They're going to have immense landscaping on the interior. Fine. That'll also deter a coyote jump, but an eight-foot around the whole perimeter is unacceptable for this neighborhood and if they're looking at security, each home will have its own security cameras, its own visuals, its own alarms. I'm just asking, let's try to keep this back in what the NPO, what the RNP area looks like. Let's dial it back a little bit. Stay within the ordinances and not give away and keep giving away and keep giving away. That's my appeal. Thank you for listening.

TICK SEGERBLOM

Thank you.

ROBERT WARHOLA

Commissioner Segerblom, can you open up the public hearing?

TICK SEGERBLOM

This is a public hearing. Anyone else here wishing to speak?

DON CAPE

Good morning, Commissioners. Don Cape, 4965 North Raleigh Street, also Chairman of the Lone Mountain CAC. It's unfortunate that the applicant has had to endure this additional step in their process. Know the CAC takes pride in working with the neighborhood to keep consistent with the rules and regulations that staff has put in place and it's been adopted. We actually worked with the applicant. We thought we had a resolution for their path forward to stay within parameters that are set forth within the Title 30 and the solution we came up with was instead of 10 foot landscape strip, we suggested a six-foot landscape strip and to avoid setting a precedent for an eight-foot screen wall, which is highly opposed in

the RMP, suggested if they did a two-foot retaining wall on the landscape side with a six-foot screen wall above that and burned the landscape on the street side that they would still appear to be an eight-foot wall on their property side. That was the compromise that we suggested to the applicant.

The upsetting part for me personally is that Planning Commission disregarded the notes that the CAC put forward for the applicant, which burdened them to have to come back here. That's our perspective as the CAC is not trying to set a precedent for an eight-foot screen wall and a compromise, which is a little bit of a trick to get the eight-foot wall for the applicant would be a two-foot retaining wall on the street side, burning the landscape up behind it, and a six-foot landscape because it is consistent with Ann Road with the additional landscaping that's been put on Ann Road. It's unfortunate they bought this property and didn't do it 10 years ago before Ann Road just put in, it wouldn't have mattered, but now we live in that current space, so we didn't feel it was too big of a hardship for the applicant based on what they're trying to accomplish here. Thank you.

TICK SEGERBLOM

Thank you.

CHRIS DARLING

Good morning, Commissioners. Chris Darling, 4785 Grand Canyon, Las Vegas, Nevada 89129. I'm part of the Low Mountain Community Advisory board as well. We thought we had a good meeting. We gave a couple of good suggestions and unfortunately, we're in the situation where we're at today. We're hoping that when it went to the Planning Commission, they would've helped enforce it, but I wanted to go over a couple details. They talked about high walls in the area. Yes, there's high walls in the area, but those high walls have a retaining wall in front of it, a small one and then a screen wall behind it with landscaping in front of them. That's one of the things we suggested. I personally own land on Ann Road. It's about, I don't know, 700 feet from this property and I have a small two-foot retaining wall. I stepped it back; I have landscaping there and then I went up with a six-foot wall.

It's not obnoxious. It's not eight foot tall, it's not bright and I try to keep in what the community has with the landscaping. Yes, there's some areas that are not going to go into it, but that don't happen because they're older. We're all neighbors in the area. We try to sit on the board. We want everything to look copacetic in the area and we live next to them. Some of us are doctors, some of us are lawyers, some of us are blue collar workers and we all want to try to live together in an area that is not full of walls where everybody just drives by a barren block wall. Thank you very much.

TICK SEGERBLOM

Thank you.

ALLISON BONANNO

Good morning Allison Bonanno 6950 Rome Boulevard. Bonanno, B-O-N-A-N-N-O. Ms. Kirkpatrick just spoke about earlier regarding paved road, about having consistency, and how important it is to be consistent and having standards. Also talking about reducing the heat islands. Landscaping is very important, and the standards were put in place to provide the uniformity. You guys worked tirelessly on Title 30 and everybody in the county had the opportunity to speak up and put their 2 cents in if they had a problem with it. And it's hard to make everybody agree on it and hard to make everyone happy, but the standards are put in place for that specific reason, and we should be abiding by that unless there are extenuating circumstances that are beyond normal. Everybody wants safety, everybody wants security. They want noise reduction. That is not something that is unique to this particular item. Ann road is an arterial and especially with an arterial, it is to keep it consistent.

When people are driving down Ann Road that they see that it's not one thing here, one thing there. A lot of money was put into this to make the aesthetics look good. Let's not go backwards. And when we allow those deviations, especially in those highly visible areas, we erode all of those efforts that we put forth into that area and we kind of thumb our nose at the Title 30 that we all worked so hard on. Another issue, and of course your phone went on lock mode, but I believe that these parcels are currently up for sale on Zillow and if that is the case, I don't know how we can already determine that the folks that are going to be living there need to have an extra level of security because of their profession or any children that have special needs. I could be wrong.

Just one property. Okay. One is at least one. Right? That's my plea to you and I'm also on the Lone Mountain Citizens Council. We deal with the folks there not just every two weeks, but we are in touch with them through social media. These are good people and we wouldn't be here if the folks in the Lone Mountain and the rural preservation areas didn't feel this way. We took time out of our day to come here to say that we speak with the people and for the people and they appreciate your leadership. Thank you very much.

TICK SEGERBLOM

Thank you. Anyone else here wishing to speak? Seeing no one. We'll close the public hearing. It's a public hearing, right? And turn it over to Commissioner Miller.

ROSS MILLER

Thank you. I think Mrs. Sully acknowledged that she was not present at the Planning Commission. Do we have any record of any written objections being filed at the Planning Commission?

SAMI REAL

We received some cards in protest, but none from the appellant.

ROSS MILLER

Okay. What's the legal implication of not having the appellant fail to appear at the Planning Commission and not submit written objections?

ROBERT WARHOLA

Right. In order to be agreed, the applicant's correct. In order to be agreed, the appellant has to appear in person or in writing at the Planning Commission meeting and since the appellant did not appear in person or in writing, then the appeal is not properly before you.

ROSS MILLER

So, I could make a motion then just on the basis of those procedural grounds to have it deny the appeal because it wasn't properly filed. Is that correct?

ROBERT WARHOLA

That's correct. Yes.

MOTION

ROSS MILLER

Great. Well, turning to the merits, I first had this item pulled when it came before the Planning Commission for a street name change. I have not seen the project, both myself and my Planning Commissioner, Tim Costello, who I had appointed, reviewed the project. I think it's a beautiful project. Obviously \$4 million homes along Ann Road are going to be an incredible addition. I appreciate the

concerns of the CAC, along with the Rural Preservation Association, that would like to see landscaping here. The reality is, if you look up and down Ann Road, there is no landscaping that has been mandated. This doesn't deviate any way. It's not going to impose any kind of eyesore. There's legitimate reasons for a gated community with the two-foot wall here. Frankly, I can't believe that the objections have gone this far. I just don't see any basis for it. This Commission routinely approves waivers of this type on all kinds of projects through the valley. These waivers are appropriate. I think it should have been appropriately left at the Planning Commission, who voted unanimously in favor of this. I think that also should be given some weight. The Planning Commission, of late, has not been voting unanimously. But then I think they saw the project for what it was. It was a lengthier presentation of the Planning Commission as to the detail about what is planned here.

Again, I think it's an incredible project, happy to see it go forward. They're putting 50 trees in, correct me if I don't have that number right, but in lieu of the nine trees that's mandated that will just be behind their walls, that wouldn't compromise their property line.

On that basis, I would make a motion to deny the appeal based upon the fact that it was not properly filed by virtue of the fact the appellant did not appear in person or object in writing of the Planning Commission and also on the basis of an independent review and finding the waivers to be appropriate.

TICK SEGERBLOM

Just make it clear, voting yes means we deny the appeal.

ROBERT WARHOLA

Yes, that's correct.

MARILYN K. KIRKPATRICK

May I ask a question? And I appreciate your comments Commissioner Miller, but I just want to... I've been here a while and I never seen this invoked on us because she used to appeal everything before the Planning Commission, and we never heard this before. I've appealed things, so I just want to understand, and maybe I need an offline briefing on it because I want to understand, because I also was here when we did the Complete Streets on Ann Road and look, those neighbors out there didn't want complete streets to begin with and they're shoved down their throat.

And so, there was the medians. We had to accommodate a lot of things. There's a lot of history on that road. I understand today that I'm somewhat forced to vote for it, but I want to understand going forward because, as a Commissioner, then I need to do something different in my District because I just have never heard this done so –

Offline, I suppose. I understand today I have to vote for it, at your recommendation, but I've been here a long time, never heard this invoked ever. I'll be supporting it. But I just want to understand because I just never heard this before.

TICK SEGERBLOM

And I think the motion was alternatively, so denied based on lack of jurisdiction but also based on the merits.

ROBERT WARHOLA

Correct.

TICK SEGERBLOM

There's a motion, cast your vote.

VOTE

VOTING AYE: Tick Segerblom, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None.

ABSENT: William McCurdy II

ABSTAIN: None

TICK SEGERBLOM

That motion passes. Thank you so much.

ROSS MILLER

Thank you.

SEC. 7. ORDINANCES

51. ORD-24-900429: Conduct a public hearing on an ordinance to amend Title 30 to update various land use requirements and procedures and make corrections and clarifications as appropriate, and direct staff accordingly. (For possible action)

ACTION: ADOPTED AS AMENDED (ORDINANCE 5175).

SAMI REAL

Next is Item 51, ORD-24-900429. Conduct a public hearing on an ordinance to amend Title 30 to update various land use requirements and procedures and make corrections and clarifications as appropriate and direct staff accordingly. Commissioners this ordinance reflects changes as previously directed by the Board and those clarifications and corrections that we've been tracking since the effective date of the Title 30 rewrite.

Additionally, I have a clarification to read into the record related to a new exemption added under landscape standards Section 30.04.01D75. Staff requests a revision to the new exemption C to read as follows: street landscaping shall not apply to the front yards adjacent to a residential local street of a single-family residential development. This revision is intended to clarify that not all street landscaping in front yards is exempt from the standards and will align with Title 30, prior to the rewrite where landscaping was not required alongside walks of residential local streets, which are defined in part as public streets internal to residential subdivisions.

Moving forward, we would also like support from the Board to conduct a more focused analysis of the current landscaping standards to ensure that we're appropriately siting trees along streets within parking lots and in buffer areas. The goal here would be to improve upon current standards to create thriving landscape areas while balancing the ongoing efforts for water conservation and combating the effects of heat islands. So, with that staff requests that you conduct a public hearing.

TICK SEGERBLOM

This is the public hearing?

SAMI REAL

That is correct, yes.

TICK SEGERBLOM

Okay. It's a public hearing. Anyone wishing to speak? Don't shoot us. That was a joke. I guess they weren't here to testify. All right, seeing no one. We'll close the public hearing and vote.

SAMI REAL

We need a vote. Yes, vote please.

MARILYN K. KIRKPATRICK

May I ask a question? On this Title 30 updates, we are going to come back and address landscaping in the future and address some other things. This is just so we keep doing a little bit at a time?

SAMI REAL

Yes. Right now, it's mostly all the clarifications and corrections that we've been tracking since we've since the effective date. And then what we would like to do is a more focused effort on landscaping to make sure that we're appropriately citing street trees where they need to be, parking lot trees that we're appropriately designing these buffer areas, and work with the landscape architect to make sure that we're creating landscaped areas that will ensure the survival of trees. And also, that we will continue going with our efforts for water conservation and then reducing the heat island impact.

MARILYN K. KIRKPATRICK

Okay, thank you.

MOTION

MICHAEL NAFT

(inaudible)

TICK SEGERBLOM

All right, there's the motion. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft

VOTING NAY: None

ABSENT: William McCurdy II, Ross Miller

ABSTAIN: None

TICK SEGERBLOM

That motion passed.

52. ORD-24-900490: Introduce an ordinance to consider adoption of a Development Agreement with SYA Group, LLC for a daycare facility on 1.30 acres, generally located north of Le Baron Avenue and east of Decatur Boulevard within Enterprise. JJ/lg (For possible action)

ACTION: INTRODUCED AND SET FOR PUBLIC HEARING ON SEPTEMBER 18, 2024, AT 9 A.M. (BILL 9-4-24-1)

SAMI REAL

Next is Item 52, ORD-24-900490. Introduce an ordinance to consider adoption of a development agreement with SYA Group LLC for a daycare facility on 1.3 acres. Generally located north of LeBaron Avenue in east of Decatur Boulevard with an enterprise. Commissioner staff request the Board set a public hearing for September 18, 2024.

TICK SEGERBLOM

All right, I'll introduce the ordinance and set the public hearing for September –

SAMI REAL

September 18, 2024.

TICK SEGERBLOM

Thank you so much.

PUBLIC COMMENTS

SAMI REAL

And then with that, this is the last time for public comments.

TICK SEGERBLOM

All right. This is the last period for public comment. Anyone wishing to speak? Speak now or forever hold your peace. All right. There's no one here. Meeting is adjourned or not adjourned. It's over. Thank you.

END PUBLIC COMMENTS

There being no further business to come before the Board at this time, at the hour of 11:01 a.m., the meeting was adjourned.

PLEASE NOTE: THE COUNTY CLERK KEEPS THE OFFICIAL RECORD OF ALL PROCEEDINGS OF THE COUNTY COMMISSION, THE CCWRD BOARD OF TRUSTEES, THE UMC HOSPITAL BOARD OF TRUSTEES, THE CLARK COUNTY LIQUOR AND GAMING LICENSING BOARD, AND THE CLARK COUNTY REDEVELOPMENT AGENCY. TO OBTAIN A COMPLETE AND ACCURATE RECORD OF ALL PROCEEDINGS, ANY PHOTOGRAPH, MAP, CHART, OR ANY OTHER DOCUMENT USED IN ANY PRESENTATION TO THE BOARD/TRUSTEES, REQUESTS SHOULD BE SUBMITTED TO THE COUNTY CLERK.

TO REFERENCE AGENDA ITEM ATTACHMENTS ONLINE: REFER TO THE MEETING LINK BELOW, SELECT THE ITEM (FILE # COLUMN), AND CLICK THE LINK FOR THE DESIRED ATTACHMENT.

[ONLINE MEETING LINK](#)

APPROVED:


Tick Segerblom (Oct 3, 2024 16:18 PDT)

TICK SEGERBLOM, CHAIR

ATTEST:



LYNN MARIE GOYA, CLARK COUNTY CLERK



Zoning Minutes for 9/04/2024 was Approved on 10/02/2024

Final Audit Report

2024-10-04

Created:	2024-10-02 (Pacific Daylight Time)
By:	Ricky McColl (FYM@ClarkCountyNV.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAaw8FpQtPhkRePpydaeS3WfB3athiimajR

"Zoning Minutes for 9/04/2024 was Approved on 10/02/2024" History

-  Document created by Ricky McColl (FYM@ClarkCountyNV.gov)
2024-10-02 - 11:07:23 AM PDT - IP address: 198.200.132.41
-  Document emailed to tsegerblom@clarkcountynv.gov for signature
2024-10-02 - 11:54:16 AM PDT
-  Email viewed by tsegerblom@clarkcountynv.gov
2024-10-03 - 4:17:41 PM PDT - IP address: 213.188.94.172
-  Agreement viewed by tsegerblom@clarkcountynv.gov
2024-10-03 - 4:17:42 PM PDT - IP address: 213.188.94.172
-  Signer tsegerblom@clarkcountynv.gov entered name at signing as Tick Segerblom
2024-10-03 - 4:18:07 PM PDT - IP address: 198.200.132.41
-  Document e-signed by Tick Segerblom (tsegerblom@clarkcountynv.gov)
Signature Date: 2024-10-03 - 4:18:09 PM PDT - Time Source: server- IP address: 198.200.132.41
-  Document emailed to Lynn Goya (Lynn.Goya@ClarkCountyNV.gov) for signature
2024-10-03 - 4:18:10 PM PDT
-  Agreement viewed by Lynn Goya (Lynn.Goya@ClarkCountyNV.gov)
2024-10-04 - 2:23:32 PM PDT - IP address: 198.200.132.69
-  Document e-signed by Lynn Goya (Lynn.Goya@ClarkCountyNV.gov)
Signature Date: 2024-10-04 - 2:23:41 PM PDT - Time Source: server- IP address: 198.200.132.69
-  Agreement completed.
2024-10-04 - 2:23:41 PM PDT



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NOTICE OF FINAL ACTION
CLARK COUNTY ZONING COMMISSION
9:00 A.M., WEDNESDAY, SEPTEMBER 4, 2024

LEGAL NOTICE: Following the final approval or denial of every action before the Planning Commission and/or the Board of County Commissioners, a letter indicating the action taken and the conditions under which any approval is granted will be sent to the correspondent address on the application submitted. The information herein will be filed with the Clark County Clerk, Commission Division, and serve as notice of final action for the purposes of NRS 278.0235 which marks the commencement of the twenty-five (25) day limitation period specified.

1. Public Comments.
2. Approval of the Agenda After Considering Requests to Add, Hold, or Delete Items. (For possible action)
3. Approval of minutes. (For possible action)

Board of County Commissioners' Zoning Meeting minutes for 08/07/24.

ROUTINE ACTION ITEMS (4 – 31): These items may be considered in one hearing and in one motion. Any person who does not agree with the recommendations by staff should request that the item be removed from this portion of the agenda and be heard separately when directed by the Board of County Commissioners.

4. AR-24-400079 (UC-22-0190)-CIRCUS CIRCUS LV, LLC:
 USE PERMITS SECOND APPLICATION FOR REVIEW for the following: 1) recreational facility (concerts/events); 2) live entertainment; 3) fairground; and 4) on-premises consumption of alcohol with accessory uses including food, beverage, and retail sales.
 WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce separation from live entertainment to a residential use; 2) reduce parking; 3) reduce setback from the future right-of-way (Las Vegas Boulevard South); 4) allow alternative street landscaping and screening; 5) allow landscaping and structures within the future right-of-way (Las Vegas Boulevard South); and 6) allow non-standard improvements (landscaping and fences) within the right-of-way (Las Vegas Boulevard South).
 DESIGN REVIEW for a recreational facility (concert/event/fairground/live entertainment) and all accessory buildings and structures on a portion of 77.4 acres in a CR (Commercial Resort) Zone. Generally located on the south side of Sahara Avenue, west side of Las Vegas Boulevard South, north side of Circus Circus Drive, and the east side of Sammy Davis Jr. Drive within Winchester. TS/tpd/syp
 (For possible action)

APPROVED.

**CONDITIONS OF APPROVAL -
 Comprehensive Planning**

- Remove the time limit.

Public Works - Development Review

- Compliance with previous conditions.

5. ET-24-400057 (NZN-21-0747)-RED ROCK RV PARK, LLC:
HOLDOVER ZONE CHANGE FIRST EXTENSION OF TIME to reclassify a 21.4 acre portion of a 23.6 acre site from an R-U (Rural Open Land) Zone and an H-2 (General Highway Frontage) Zone to an R-V-P (Recreational Vehicle Park) Zone.
USE PERMITS for the following: 1) management offices for a recreational vehicle park not within a centrally located service building; 2) convenience store; 3) gasoline station; 4) reduce the setback from a gasoline station to a residential use; 5) restaurant; 6) retail sales and services; 7) alcohol sales, beer and wine - packaged only; and 8) alcohol sales, liquor - packaged only.
WAIVER OF DEVELOPMENT STANDARDS for alternative landscaping.
DESIGN REVIEWS for the following: 1) recreational vehicle park; 2) convenience store; 3) gasoline station; 4) restaurant; and 5) retail sales and service on 23.6 acres in an R-V-P (Recreational Vehicle Park) Zone and an H-2 (General Highway Frontage) Zone in the Red Rock Overlay. Generally located on the north side of SR 160 and the west and south sides of SR 159 within Red Rock (description on file).
JJ/jor/ng (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Until March 16, 2027 to complete or the application will expire unless extended with approval of an extension of time.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a new application for a Master Plan Amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and that the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Compliance with previous conditions.

Southern Nevada Health District (SNHD) - Engineering

- Applicant is advised to contact the SNHD Environmental Health Division at septics@snhd.org or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

6. ET-24-400083 (DR-21-0400)-ALL TRUCK PARTS, LLC:
DESIGN REVIEWS FIRST EXTENSION OF TIME for the following: 1) retail/office and industrial buildings; 2) finished grade; and 3) lighting plan on 0.89 acres in an IP (Industrial Park) Zone within the Airport Environs (AE-65) Overlay. Generally located on the south side of Holt Avenue, 500 feet west of Nellis Boulevard within Sunrise Manor. TS/nai/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Until September 21, 2025 to commence or the application will expire unless extended with approval of an extension of time.

- Applicant is advised a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Compliance with previous conditions.

7. UC-24-0359-DAVENPORT, NATHAN L.:

USE PERMIT for a transitional living facility for released offenders in conjunction with an existing single-family residence on 0.5 acres in an RS20 (Residential Single-Family 20) Zone. Generally located on the south side of Robindale Road, 300 feet east of Ullom Drive within Enterprise. MN/mh/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- 24/7 on-site host manager;
- Full camera coverage of property, meaning front yard, side yards, and rear yard;
- 24/7 point of contact to be provided to the Commissioner's office with a copy to the Comprehensive Planning project file;
- No visitors;
- Maximum 6 residents;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Southern Nevada Health District (SNHD) - Engineering

- Applicant is advised to contact the SNHD Environmental Health Division at septics@snhd.org or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

8. UC-24-0378-TROCAM HOLDINGS, LLC:

USE PERMIT for a hotel with a mixture of transient and non-transient uses.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase retaining wall height; 2) eliminate loading spaces; and 3) reduce and eliminate parking lot landscaping.

DESIGN REVIEW for a hotel on 3.06 acres in a CR (Commercial Resort) Zone. Generally located on the west side of Cameron Street, 330 feet north of Tropicana Avenue within Paradise. MN/bb/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.

- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0346-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

9. VS-24-0277-PALM PROPERTIES, LLC:

VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file). TS/jor/syp (For possible action)

HELD - 10/02/24 - per the applicant.

10. WS-24-0276-PALM PROPERTIES, LLC:
WAIVER OF DEVELOPMENT STANDARDS to modify residential adjacency standards. DESIGN REVIEW for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone. Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor. TS/jor/syp (For possible action)

HELD - 10/02/24 - per the applicant.

11. WS-24-0366-VENETIAN VENUE PROPCO, LLC:
WAIVER OF DEVELOPMENT STANDARDS to exceed the maximum permissible sound levels in conjunction with an existing recreational facility, fairground, and music venue (Sphere Las Vegas) on 18.51 acres in a CR (Commercial Resort) Zone. Generally located on the south side of Sands Avenue and the east side of Koval Lane within Paradise. TS/jor/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- 1 year to review;
- Allowance for greater noise will be limited to no more than 12 days a year;
- Increase in noise level on those dates will be limited to a frequency no greater than 85 decibels, measured at the Sphere's property line;
- Park Towers and Meridian management will be notified no less than 14 days prior to each waiver event;
- Increase in noise shall be permitted to occur only between 9:00 a.m. and 11:30 p.m. on waiver days, except New Year's Eve which will be 1:00 a.m.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Remove boulders in right-of-way on Sands Avenue.

12. PA-24-700014-SUNRISE 96C, LLC:
PLAN AMENDMENT to redesignate the existing land use category from Public Use (PU) and Neighborhood Commercial (NC) to Urban Neighborhood (UN) on 5.21 acres. Generally located on the west side of Eastern Avenue and the south side of Rochelle Avenue within Paradise. TS/rk (For possible action)

ADOPTED.

13. ZC-24-0304-SUNRISE 96C, LLC:
ZONE CHANGE to reclassify 1.37 acres from a CC (Commercial Core) Zone to an RM32 (Residential Multi-Family 32) Zone. Generally located on the west side of Eastern Avenue and the south side of Rochelle Avenue within Paradise (description on file). TS/hw (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the

completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Fire Prevention Bureau

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0275-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

14. VS-24-0306-SUNRISE 96C, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Channel 10 Drive and Eastern Avenue and between Rochelle Avenue and University Avenue (alignment) within Paradise (description on file). TS/hw/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

Fire Prevention Bureau

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions.

15. DR-24-0305-SUNRISE 96C, LLC:

DESIGN REVIEW for modifications to and an expansion of an approved multi-family residential development on 5.21 acres in an RM32 (Residential Multi-Family 32) Zone. Generally located on the west side of Eastern Avenue and the south side of Rochelle Avenue within Paradise. TS/hw/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.

- Applicant is advised that all applications related to the proposed development, including ZC-22-0060, must remain active or additional land use applications may be required; that within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Comply with approved drainage study PW21-19925;
- Traffic study and compliance.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Fire Prevention Bureau

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions.

16. ZC-24-0307-MOUNTAIN VIEW DRS, LLC:

HOLDOVER ZONE CHANGE to reclassify 2.06 acres from an RS20 (Residential Single-Family) Zone to an IP (Industrial Park) Zone within the Airport Environs (AE-65 & AE-70) Overlay. Generally located on the south side of Sunset Road and the west side of Ullom Drive within Enterprise (description on file). MN/bb (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation;

- Applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation Noise Office at landuse@lasairport.com;
- Applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Department of Aviation Noise Office at landuse@lasairport.com;
- Applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation Noise Office when property sales/leases commence;
- Incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

17. VS-24-0309-MOUNTAIN VIEW DRS, LLC:

HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Decatur Boulevard and Ullom Drive, and between Sunset Road and CC 215 within Enterprise (description on file). MN/bb/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include 30 feet for Ullom Drive;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

18. UC-24-0308-MOUNTAIN VIEW DRS, LLC:
HOLDOVER USE PERMITS for the following: 1) hotel; and 2) transient and non-transient hotel with kitchens.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; 2) eliminate loading spaces; 3) modify buffering and screening standards; and 4) modified driveway geometries.
DESIGN REVIEWS for the following: 1) hotel; and 2) alternative parking lot landscaping on 2.06 acres in an IP (Industrial Park) Zone within the Airport Environs (AE-60 & AE-65) Overlay. Generally located on the south side of Sunset Road and the west side of Ullom Drive within Enterprise. MN/bb/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- **Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.**
- **Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.**

Public Works - Development Review

- **Drainage study and compliance;**
- **Traffic study and compliance;**
- **Right-of-way dedication to include 30 feet for Ullom Drive.**
- **Applicant is advised that off-site improvement permits may be required.**

Department of Aviation

- **Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;**
- **If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;**
- **No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation;**
- **Applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation Noise Office at landuse@lasairport.com;**
- **Applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Department of Aviation Noise Office at landuse@lasairport.com;**

- Applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation Noise Office when property sales/leases commence;
- Incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

19. ZC-24-0348-COUNTY OF CLARK (AVIATION):

ZONE CHANGE to reclassify 88.10 acres from a CR (Commercial Resort) Zone to a PF (Public Facility) Zone within the Airport Environs (AE-60, AE-65, AE-70, & AE-RPZ) Overlay. Generally located on the south side of Sunset Road and the west side of Gilespe Street within Enterprise (description on file). MN/gc (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

20. ZC-24-0349-COUNTY OF CLARK (AVIATION):

ZONE CHANGE to reclassify 3.76 acres from an RS5.2 (Residential Single-Family 5.2) Zone to a PF (Public Facility) Zone within the Airport Environs (AE-60 & AE-65) and Maryland Parkway Overlays. Generally located on the east side of University Center Drive and the north side of Hacienda Avenue within Paradise (description on file). JG/gc (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

21. ZC-24-0350-COUNTY OF CLARK (AVIATION):

ZONE CHANGE to reclassify 7.97 acres from a CR (Commercial Resort) Zone to a PF (Public Facility) Zone within the Airport Environs (AE-60 & AE-65) Overlay. Generally located on the northwest corner of Four Seasons Drive and Haven Street within Paradise (description on file). JG/gc (For possible action)

APPROVED.

22. ZC-24-0351-COUNTY OF CLARK (AVIATION):
ZONE CHANGE to reclassify 0.67 acres from a CR (Commercial Resort) Zone to a PF (Public Facility) Zone within the Airport Environs (AE-60) Overlay. Generally located on the east side of Las Vegas Boulevard South, 100 feet south of Four Seasons Drive within Paradise (description on file). JG/gc (For possible action)
APPROVED.
23. ZC-24-0352-COUNTY OF CLARK (AVIATION):
ZONE CHANGE to reclassify 1.22 acres from a CR (Commercial Resort) Zone to a PF (Public Facility) Zone within the Airport Environs (AE-70 & AE-75) Overlay. Generally located on the west side of Las Vegas Boulevard South, 850 feet north of Sunset Road within Paradise (description on file). MN/gc (For possible action)
APPROVED.
24. ZC-24-0363-WYKOFF NEWBERG CORP:
ZONE CHANGE to reclassify 0.50 acres from an H-2 (General Highway) Zone to a CG (Commercial General) Zone. Generally located on the south side of Oso Blanca Road, approximately 160 feet east of Grand Montecito Parkway within Lone Mountain (description on file). RM/lm (For possible action)
APPROVED.
CONDITIONS OF APPROVAL -
Fire Prevention Bureau
- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions.
- Clark County Water Reclamation District (CCWRD)**
- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; and that for any sanitary sewer needs, applicant is to contact the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.
25. WS-24-0364-WYKOFF NEWBERG CORP:
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) street landscaping; and 2) reduce gate setback.
DESIGN REVIEW for a communication utility building on 0.50 acres in a CG (Commercial General) Zone. Generally located on the south side of Oso Blanca Road, approximately 160 feet east of Grand Montecito Parkway within Lone Mountain. RM/lm/syp (For possible action)
APPROVED.
CONDITIONS OF APPROVAL -
Comprehensive Planning
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.
- Public Works - Development Review**
- Drainage study and compliance.

- Applicant is advised that Nevada Department of Transportation (NDOT) permits may be required.

Fire Prevention Bureau

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; and that for any sanitary sewer needs, to contact the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

26. ZC-24-0365-JAMESON K RICHARD FAMILY TRUST & VARGAS KIMBERLEE TRS:
ZONE CHANGE to reclassify a portion of a 3.91 acre site from an H-2 (General Highway Frontage) Zone to an IL (Industrial Light) Zone within the Airport Environs (AE-75) Overlay for an existing commercial/industrial development. Generally located on the north side of Las Vegas Boulevard North, 150 feet east of Sandy Lane within Sunrise Manor (description on file). WM/gc (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

27. ZC-24-0368-COUNTY OF CLARK (AVIATION) & MAJESTIC EJM ARROYO III, LLC (LEASE):
ZONE CHANGE to reclassify 21.38 acres from a CG (Commercial General) Zone to an IP (Industrial Park) Zone within the Airport Environs (AE-60) Overlay. Generally located on the southeast corner of Tenaya Way and Badura Avenue within Spring Valley (description on file). MN/sd (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0324-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

28. VS-24-0369-COUNTY OF CLARK (AVIATION) & MAJESTIC EJM ARROYO III, LLC (LEASE):
VACATE AND ABANDON easements of interest to Clark County located between Montessouri Street and Tenaya Way, and between Badura Avenue and Arby Avenue; a portion of right-of-way being Montessouri Street located between Badura Avenue and Arby Avenue; and a portion of right-of-way being Arby Avenue located between Montessouri Street and Tenaya Way within Spring Valley (description on file). MN/sd/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 4 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or

regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording;
- The installation of detached sidewalks will require the vacation of excess right-of-way together with a subdivision map granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or the execution of a License and Maintenance Agreement for non-standard improvements in the right-of-way.

29. WS-24-0370-COUNTY OF CLARK (AVIATION) & MAJESTIC EJM ARROYO III, LLC (LEASE):
WAIVER OF DEVELOPMENT STANDARDS for modified driveway design standards.
DESIGN REVIEW for a warehouse/distribution center on 21.38 acres in an IP (Industrial Park) Zone within the Airport Environs (AE-60) Overlay. Generally located on the southeast corner of Tenaya Way and Badura Avenue within Spring Valley. MN/sd/syp (For possible action)

APPROVED.

**CONDITIONS OF APPROVAL -
Comprehensive Planning**

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- The installation of detached sidewalks will require the vacation of excess right-of-way together with a subdivision map granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or the execution of a License and Maintenance Agreement for non-standard improvements in the right-of-way.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0324-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

30. TM-24-500072-COUNTY OF CLARK(AVIATION) & MAJESTIC EJM ARROYO III, LLC (LEASE): TENTATIVE MAP consisting of 1 commercial lot on 21.38 acres in an IP (Industrial Park) Zone within the Airport Environs (AE-60) Overlay. Generally located on the southeast corner of Tenaya Way and Badura Avenue within Spring Valley. MN/sd/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- The installation of detached sidewalks will require the vacation of excess right-of-way together with a subdivision map granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or the execution of a License and Maintenance Agreement for non-standard improvements in the right-of-way.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0324-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

31. ORD-24-900325 Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with LJC Properties, LLC for a single-family residential development on 4.90 acres, generally located on the east of Buffalo Drive and north of Torino Avenue within Enterprise. JJ/dw (For possible action)

ADOPTED.

NON-ROUTINE ACTION ITEMS (32 – 52): These items will be considered separately.

32. ET-22-400017 (UC-1721-06)-PALAZZO CONDO TOWER, LLC:
HOLDOVER USE PERMITS SIXTH EXTENSION OF TIME to commence the following: 1) resort condominiums in conjunction with an existing resort hotel (The Venetian); 2) increase building height; 3) associated accessory and incidental commercial uses, buildings, and structures; and 4) deviations from development standards.
DEVIATIONS for the following: 1) reduce on-site parking requirements; 2) reduce the height setback ratio from an arterial street; 3) encroachment into airspace; and 4) all other deviations as shown per plans on file.
DESIGN REVIEWS for the following: 1) a 632 foot high, high-rise resort condominium tower including kitchens in rooms; 2) all associated accessory uses, retail areas, and amenity areas (The Venetian/Palazzo); and 3) revisions to an already approved retail component associated with the Venetian/Palazzo (Walgreens) on a portion of 63.0 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the east side of Las Vegas Boulevard South and the south side of Sands Avenue within paradise. TS/jor/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Until September 4, 2026 to commence.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77;
- Applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 PART B of the Clark County Unified Development Code;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA and is still valid.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

33. UC-24-0268-LEXILAND, LLC ET AL & ROOHANI KHUSROW FAMILY TRUST:

USE PERMIT for outdoor storage and display.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) residential adjacency standards; 2) street landscaping; 3) buffering and screening; 4) off-site improvements (curb, gutter, sidewalk, streetlights and partial paving); 5) driveway geometrics; and 6) access gate.

DESIGN REVIEW for outdoor storage on a portion of 37.14 acres in a CG (Commercial General) Zone. Generally located on the west side of Las Vegas Boulevard South and the north side of Pebble Road within Enterprise. MN/lm/syp (For possible action)

HELD - 09/18/24 - per the applicant.

34. UC-24-0367-COUNTY OF CLARK (LV CONV AUTH):
USE PERMITS for the following: 1) multi-family dwelling; 2) allow a mixture of transient and non-transient uses in conjunction with a hotel; and 3) allow outdoor dining, drinking, and cooking not in conjunction with a primary eating and drinking establishment.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; 2) reduced parking; 3) reduced EV capable and EV installed parking spaces; 4) reduced loading spaces; 5) eliminate open space; 6) street landscaping; 7) buffering and screening; and 8) allow modified driveway design standards.
DESIGN REVIEWS for the following: 1) multi-family dwelling (tower); 2) hotel; 3) shopping center; 4) entertainment or recreational facilities (theater, amusement ride, and outdoor pool area); 5) outdoor dining, drinking, and cooking areas; 6) event plaza; 7) parking garage; and 8) all associated and accessory uses, structures, and incidental buildings and structures on 10.0 acres in a CR (Commercial Resort) Zone. Generally located on the east side of Las Vegas Boulevard South and the south side of Elvis Presley Boulevard within Winchester. TS/md/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Prior to the issuance of building and grading permits, or subdivision mapping, mitigate the impacts of the project including, but not limited to, issues identified by the technical reports and studies, and issues identified by the Board of County Commissioners or commit to mitigating the impacts of the project by entering into a Development Agreement with Clark County;
- Prior to the issuance of building and grading permits, enter into a Performance Agreement with Clark County which includes a Decommissioning Plan specifying the actions to be taken by the Developer or County in the event construction of the project is stopped or abandoned;
- Bond or other form of financial security, acceptable to Clark County, shall be provided with the Performance Agreement as security of the full and complete fulfillment of the decommissioning actions identified in the Decommissioning Plan;
- Administrative design review is required for the remainder of the LVCVA parcel (APN 162-09-703-025);
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised that a tree-fee in lieu shall be paid to the County for each street tree waived; approval of this application does not constitute or imply approval of a liquor license or any other County issued permit, license or approval; within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Coordinate with Public Works for the pedestrian bridge and if required execute an agreement;
- No advertising on pedestrian bridge;

- Allow the following permits prior to approval of off-site permits: all demolition, grading, including underground utilities, dewatering, foundation, and structural first lift with foundation;
- Coordinate with Public Works - Directors Office for any improvements on Las Vegas Boulevard South;
- Maintain the required width of all public access walkway segments so that a minimum Level of Service "C" is achieved under peak pedestrian volumes.
- Applicant is advised that off-site improvement permits may be required.

Department of Aviation

- Applicant may be required to file Federal Aviation Administration (FAA) Form 7480-1, "Notice of Landing Area Proposal" with the FAA, per 14 CFR Part 157;
- Applicant must comply with heliport conditions described in 30.03.06B5. "Heliport" of the Code, and any applicable conditions resulting from FAA approval;
- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that all helicopter noise complaints and inquiries regarding operations from this facility will be forwarded to the operator of this heliport; the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0109-2024 to obtain your POC exhibit; that flow contributions exceeding CCWRD estimates may require another POC analysis; and that the proposed development is anticipated to generate significant wastewater flows, which would require the following: the Developer is to install a wastewater meter to monitor the flows; the Developer is to ensure that all wastewater flows are routed to one discharge location from the site to flow through the

wastewater meter under desirable hydraulic conditions (i.e., minimize bends from the upstream manhole); and wastewater meter monthly fees shall be billed to the facility.

35. WC-24-400060 (NZC-22-0028)-AMH NV10 DEVELOPMENT, LLC:
HOLDOVER WAIVER OF CONDITIONS of a nonconforming zone change requiring no certificate of occupancy can be issued for any structure within this project unless and until a certificate of occupancy has been issued for the clubhouse (adjacent project to the north) for a previously approved single family residential development on 4.90 acres in an RS2 (Residential Single-Family 2) Zone. Generally located on the northwest corner of Oleta Avenue and Conquistador Street within Enterprise. JJ/rg/ng (For possible action)

HELD - 11/06/24 - per the applicant.

36. WS-24-0312-STUSSY DIETER REVOCABLE TRUST & STUSSY DIETER TRS:
HOLDOVER WAIVER OF DEVELOPMENT STANDARDS to eliminate full off-site improvements in conjunction with a minor subdivision map on 4.72 acres in an RS80 (Residential Single-Family 80) Zone. Generally located on the southeast corner of Tami Street and Ron Avenue within Moapa Valley. MK/jud/syp (For possible action)

HELD - 09/18/24 - per the Board of County Commissioners.

37. WS-24-0354-USA:
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce lot area; 2) reduce setbacks; 3) increase fill height; 4) reduce number of access drives; 5) increase retaining wall height; and 6) full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving).
DESIGN REVIEW for a single-family residential subdivision on 5.02 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Azure Drive, the north side of Bright Angel Way, and the east side of Park Street (alignment) within Lone Mountain. RM/bb/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- **Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.**
- **Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.**

Public Works - Development Review

- **Provide a 5 foot wide asphalt path along Bright Angle Way and Park Street;**
- **Drainage study and compliance;**
- **Right-of-way dedication to include 30 feet for Azure Drive, 30 feet for Bright Angel Way, 30 feet for Park Street, and associated spandrel(s);**
- **Execute a Restrictive Covenant Agreement (deed restrictions).**

Fire Prevention Bureau

- **Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.**

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; and for any sanitary sewer needs to contact the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

38. TM-24-500069-USA:

TENTATIVE MAP consisting of 9 single-family lots on 5.02 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Azure Drive, the north side of Bright Angel Way, and the east side of Park Street (alignment) within Lone Mountain. RM/bb/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Provide a 5 foot wide asphalt path along Bright Angel Way and Park Street;
- Drainage study and compliance;
- Right-of-way dedication to include 30 feet for Azure Drive, 30 feet for Bright Angel Way, 30 feet for Park Street, and associated spandrel(s);
- Execute a Restrictive Covenant Agreement (deed restrictions).

Building Department - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; and that for any sanitary sewer needs, to contact the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

39. PA-24-700011-TCB ENTERPRISES NV, LLC SERIES SILVERADO & RAINY DAY INVESTMENTS, LLC:

PLAN AMENDMENT to redesignate the existing land use category from Business Employment (BE) to Corridor Mixed-Use (CM) on 1.25 acres. Generally located on the northeast corner of Ullom Drive and Silverado Ranch Boulevard within Enterprise. JJ/gc (For possible action)

ADOPTED.

40. ZC-24-0265-TCB ENTERPRISES NV, LLC SERIES SILVERADO & RAINY DAY INVESTMENTS, LLC:
ZONE CHANGE to reclassify 1.25 acres from an RS20 (Residential Single-Family 20) Zone to a CG (Commercial General) Zone. Generally located on the northeast corner of Ullom Drive and Silverado Ranch Boulevard within Enterprise (description on file). JJ/rr (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0274-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

41. VS-24-0267-TCB ENTERPRISES NV, LLC SERIES SILVERADO & RAINY DAY INVESTMENTS, LLC:
VACATE AND ABANDON easements of interest to Clark County located between Gary Avenue and Silverado Ranch Boulevard and between Ullom Drive and Arville Street within Enterprise (description on file). JJ/rr/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include 25 feet to the back of curb for Ullom Drive, 45 feet to the back of curb for Silverado Ranch Boulevard and associated spandrel;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

42. WS-24-0266-TCB ENTERPRISES NV, LLC SERIES SILVERADO & RAINY DAY INVESTMENTS, LLC:
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase retaining wall height; and 2) modified driveway design standards.
DESIGN REVIEW for a restaurant with drive-thru on 1.25 acres in a CG (Commercial General) Zone in the Airport Environs (AE-60) Overlay. Generally located on the northeast corner of Ullom Drive and Silverado Ranch Boulevard within Enterprise. JJ/rr/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Ullom Drive, 45 feet to the back of curb for Silverado Ranch Boulevard and associated spandrel;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0274-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

43. ZC-24-0324-LANDHOLDING SERIES OF SOPHINVEST, LLC:
ZONE CHANGE to reclassify 1.43 acres from an RS20 (Residential Single-Family 20) Zone to an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the east side of Randall Street and the north side of Tres Lobos Avenue within Moapa Valley (description on file). MK/hw (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0131-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

44. WS-24-0325-LANDHOLDING SERIES OF SOPHINVEST, LLC:
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce street landscaping; 2) increase driveway width; 3) eliminate streetlights; and 4) allow an attached sidewalk.
DESIGN REVIEW for a single-family attached (duplex) residential development on 1.43 acres in an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the east side of Randall Street and the north side of Tres Lobos Avenue within Moapa Valley. MK/hw/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised that the California Pepper Tree is not permitted per the SNRPC Regional Plant and that a large tree, as defined by Title 30, permitted by the SNRPC Regional Plant List will need to be provided in its place; that within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Install conduit and pull boxes;
- Comply with approved drainage study PW24-11701;
- Full off-site improvements except streetlights.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0131-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

45. TM-24-500064-LANDHOLDING SERIES OF SOPHINVEST, LLC:
TENTATIVE MAP consisting of 5 residential lots on 1.43 acres in an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the east side of Randall Street and the north side of Tres Lobos Avenue within Moapa Valley. MK/hw/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- **Install conduit and pull boxes;**
- **Comply with approved drainage study PW24-11701;**
- **Full off-site improvements except streetlights.**

Clark County Water Reclamation District (CCWRD)

- **Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0131-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.**

46. ZC-24-0357-MILES AHEAD TRUCKING, LLC:
ZONE CHANGE to reclassify 0.25 acres from an RS80 (Residential Single-Family 80) Zone to an IL (Industrial Light) Zone within the Airport Environs (AE-75) Overlay. Generally located on the west side of Searchlight Street, 320 feet south of Washburn Road within Sunrise Manor (description on file). MK/rr (For possible action)

HELD - No Date - per Commissioner Kirkpatrick.

47. WS-24-0358-MILES AHEAD TRUCKING, LLC:
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) street landscaping; 2) fence; 3) off-site improvements (curb/gutter, sidewalks, streetlights and partial paving); and 4) detached sidewalks.
DESIGN REVIEW for a parking lot for commercial vehicles (trucks) on 0.25 acres in an IL (Industrial Light) Zone within the Airport Environs (AE-75) Overlay. Generally located on the west side of Searchlight Street, 320 feet south of Washburn Road within Sunrise Manor. MK/rr/syp (For possible action)

HELD - No Date - per Commissioner Kirkpatrick.

48. AG-24-900562: Approve the Settlement Agreement in the case LV Judson LP v. Clark County, District Court Case No. A-23-869800-J and Supreme Court Case No. 88450, authorize the Chair to sign the Agreement; and consider other matters properly related thereto. TS/sr (For possible action)

APPROVED.

49. WS-22-0147-LV JUDSON, LP:
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce throat depth; 2) reduce departure distance; and 3) off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving).
DESIGN REVIEWS for the following: 1) office/warehouse facility; and 2) finished grade on a 6.2 acre portion of a 9.3 acre site in an M-D (Design Manufacturing) (AE-65 & APZ-2) Zone. Generally located on the northwest corner of Lamb Boulevard and Judson Avenue within Sunrise Manor. TS/sr/jo (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Current Planning

- **The buildings shall be one story only with a maximum height of 35 feet;**
- **The building faces shall be constructed with enhanced articulation;**
- **The top of any windows facing west on the buildings shall not be placed above 12 feet in height;**
- **Lighting on the buildings shall not be placed more than 10 feet in height;**
- **Wall signs on the buildings shall not be illuminated;**

- Monument signage only on N. Lamb Boulevard and Judson Avenue with a maximum height of 8 feet;
- No large truck access onto Judson Avenue whereas a large truck is defined as a truck having a gross vehicle weight rating (GVWR) of over 10,000 pounds - customer and employee vehicle access only;
- Add signage to prohibit large truck access onto Judson Avenue;
- No large truck access onto Moonlite Drive;
- A 10 foot high wall shall be constructed on the north and west sides of the property where it is zoned Industrial Park (IP);
- Intense landscaping shall be installed along the west property line inside the 10 foot high wall of the development where it is zoned IP with 24 inch box trees spaced 30 feet apart;
- Enhance the landscaping along N. Lamb Boulevard by adding 24 inch box trees spaced 30 feet apart;
- A double row of evergreen trees 24 inch box staggered/offset from one another planted 20 feet apart on center (per Clark County Code §30.04.02C2) shall be installed on the northwest corner of the property where it is zoned IP adjacent to APN 140-19-504-009;
- The residential lots shown on Exhibit Plan 1, included within the Settlement Agreement as Exhibit A, located on the west side of the property adjacent to Moonlite Drive shall be deed restricted as, and maintained as, Residential Single-Family 20 (RS20) lots and single-story homes to serve as a buffer to the RNP homes to the west;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements for Lamb Boulevard and Judson Avenue;
- Right-of-way dedication to include 30 feet for Moonlite Drive and associated spandrel;
- Execute a Restrictive Covenant Agreement (deed restrictions).
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

APPEAL

50. WS-24-0290-COSMIC DEVELOPMENT, LLC:

APPEAL WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow a gated community; 2) increase wall height; and 3) eliminate street landscaping in conjunction with a proposed single-family residential subdivision on 2.11 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the north side of Ann Road, 585 feet west of Grand Canyon Drive within Lone Mountain. RM/rp/syp (For possible action)

APPROVED. APPEAL - DENIED
CONDITIONS OF APPROVAL -
Comprehensive Planning

- Applicant is advised a tree-fee in lieu shall be paid to the County for each street tree waived; within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Comply with approved drainage study PW23-17751;
- Traffic study and compliance.
- Applicant is advised that off-site improvement permits may be required.

Fire Prevention Bureau

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated County; and to inquire with the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

ORDINANCES

51. ORD-24-900429: Conduct a public hearing on an ordinance to amend Title 30 to update various land use requirements and procedures and make corrections and clarifications as appropriate, and direct staff accordingly. (For possible action)

ADOPTED - as amended.

52. ORD-24-900490: Introduce an ordinance to consider adoption of a Development Agreement with SYA Group, LLC for a daycare facility on 1.30 acres, generally located north of Le Baron Avenue and east of Decatur Boulevard within Enterprise. JJ/lg (For possible action)

INTRODUCED - public hearing 09/18/24.

PUBLIC COMMENTS

Comments by the General Public regarding any items not listed on the agenda as posted. No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on a future agenda.

COVER SHEET FOR MINUTES

MEETING CODE: Board of County Commissioners Zoning
MEETING DATE: October 2, 2024
SECRETARY: Susan Wohlbrandt
TYPED/PROOFED/COMPLETED: November 19, 2024

DISTRIBUTED:

SECRETARY: Susan Wohlbrandt
DATE: November 19, 2024

APPROVED BY BOARD:

DATE: November 6, 2024



togetherforbetter

Board of County Commissioners

Clark County, Nevada

Tick Segerblom, Chair
William McCurdy II, Vice Chair
Jim Gibson
Justin Jones
Marilyn K. Kirkpatrick
Ross Miller
Michael Naft

The Board of County Commissioners of Clark County, Nevada met in recessed regular session in full conformity with law and bylaws of said Boards, at the regular place of meeting in Clark County, Nevada, on Wednesday, October 2, 2024:

CLARK COUNTY GOVERNMENT CENTER
COMMISSION CHAMBERS
500 S GRAND CENTRAL PKWY
LAS VEGAS, NEVADA 89106

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SEC. 1. OPENING CEREMONIES

CALL TO ORDER

The meeting was called to order at 9:01 a.m. by Chair Segerblom with the following members present:

Commissioners Present:

Tick Segerblom, Chair
William McCurdy II, Vice Chair
Jim Gibson
Justin Jones
Marilyn K. Kirkpatrick
Ross Miller
Michael Naft

Absent:

None

Also Present:

Robert Warhola, Deputy District Attorney
Sami Real, Director, Comprehensive Planning
Antonio Papazian, Manager, Development Review
JaWaan Dodson, Assistant Manager, Development Review
Lynn Marie Goya, County Clerk
Jewel Gooden, Deputy Clerk
Susan Wohlbrandt, Deputy Clerk

SEC. 2. PUBLIC FORUM

1. Public Comments.

TICK SEGERBLOM

Good morning. This is the continuation of the Clark County Commission. Today we're dealing with Zoning issues. Well –

SAMI REAL

Commissioners –

TICK SEGERBLOM

Ms. Real, I'll turn it over to you now.

SAMI REAL

Commissioners, the first item on the agenda is public comment.

TICK SEGERBLOM

This is the first period of public comment. Anyone wishing to speak about an item on the agenda, you can come forward now and speak for three minutes. If you speak now, you can't speak when that item comes up. If it's on the consent agenda, there won't be a chance to speak, so that would be the time. But seeing no one wants to speak at this point, we'll close the public comment period, and turn it over to Ms. Real.

SEC. 3. AGENDA

2. Approval of the Agenda After Considering Requests to Add, Hold, or Delete Items. (For possible action)

SAMI REAL

The second item is the approval of the agenda. After considering any additions or deletions of items, staff has the following requests, which may require renotification fees in accordance with Title 30, hold to the November 6, 2024, Zoning Meeting:

- Item 4, AR-24-400-090 for WC-0174-16 and UC-0849-14,
- Item 8, BS-24-277,
- Item 9, WS-24-276,
- Item 16, SC-24-0261 and
- Item 20, WS-240-419.

The above public hearing items are going to be opened as a public hearing and immediately recessed until the dates as previously stated. With these deletions, which are Items 4, 8, 9, 16 and 20, the agenda stands ready for your approval.

MOTION

WILLIAM MCCURDY II

Mr. Chair, I move for approval with the recommended deletions read into the record by Ms. Real.

TICK SEGERBLOM

There is a motion, cast your vote.

VOTE

VOTING AYE:	Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft
VOTING NAY:	None
ABSENT:	None
ABSTAIN:	None

TICK SEGERBLOM

That motion passes.

3. Approval of minutes.

SAMI REAL

The third item on the agenda is the approval of the minutes. The minutes of the September 4, 2024, Zoning Meeting are ready for your approval.

MOTION

WILLIAM MCCURDY II

Mr. Chair, I move approval of the minutes.

TICK SEGERBLOM

There's a motion to approve the minutes, cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft
VOTING NAY: None
ABSENT: None
ABSTAIN: None

TICK SEGERBLOM

He made the motion, but he forgot to vote. It's okay. Motion passes.

SEC. 4. ROUTINE ACTION ITEMS 4 THROUGH 15

SAMI REAL

Next, are the Routine Action Items, which consist of Items 4 through 15 except items previously deleted. These items may be considered together in one motion and are subject to the conditions listed with each agenda item. In addition, staff has the following requests:

- Item 5, UC-24-0387, the applicant requests to withdraw without prejudice the motel portion of the application being used, permit number three, in design review number two.
- Item 7, UC-24-0399, staff requests to add current planning conditions from the applicant to read, "Developer agrees to plant ivy on the northern elevation of buildings. F-1 and D-1 which face the residential development to the north. Developer will ascertain whether the six-foot block wall, the existing six-foot block wall to the north of the site is engineered as to allow an additional two courses to be added to the overall height of the wall. If engineering allows, developer agrees to provide and install the two additional courses for residents who request an increase in height. Developer agrees to limit construction to Monday through Friday within normal daytime hours as defined by Title 30. And then lastly, developer agrees to secure the 10-foot-wide landscape area between buildings F-1 and D-1 by a locked gate."

If there are no objections, the public hearing is now open, and the routine action portion of the agenda stands ready for your approval.

MOTION

WILLIAM MCCURDY II

Mr. Chairman, approval of the routine action items.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft
VOTING NAY: None
ABSENT: None
ABSTAIN: None

TICK SEGERBLOM

There's a motion to approve the routine action. That motion passes.

4. AR-24-400090 (WC-0174-16 (UC-0849-14))-MGM GRAND PROPCO, LLC:

WAIVER OF CONDITIONS SIXTH APPLICATION FOR REVIEW of a use permit for live entertainment limited to daytime hours (6:00 a.m. to 10:00 p.m.) for a recreational facility (golf driving range) with accessory retail, eating and drinking facilities, live entertainment, and other accessory uses, and structures in conjunction with a resort hotel (MGM Grand) on a portion of 102.7 acres in a CR (Commercial Resort) Zone within the Airport Environs (AE-60 & AE-65) Overlay. Generally located on the southwest corner of Harmon Avenue and Koval Lane within Paradise. JG/bb/syp (For possible action)

ACTION: HELD TO NOVEMBER 6, 2024, PER THE APPLICANT.

5. UC-24-0387-SIENA 52 HOLDING LIMITED PARTNERSHIP & SIENA 53 HOLDING LIMITED PARTNERSHIP: HOLDOVER USE PERMITS for the following: 1) emergency/urgent care facility; 2) gas station; and 3) motel with transient and non-transient stays.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) alternative parking lot landscaping; 2) eliminate and reduce buffering and screening; 3) modify residential adjacency standards; and 4) reduce driveway departure distance.

DESIGN REVIEWS for the following: 1) shopping center; and 2) motel on 14.12 acres in a CG (Commercial General) Zone. Generally located on the south side of Charleston Boulevard and the west side of Broadalbin Drive within Sunrise Manor. TS/hw/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Provide screening on the egress gate along the western property line;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised that within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; a fee-in-lieu for reduced landscaping per Section 30.04.01E may apply; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way;
- Drainage study and compliance;
- Traffic study and compliance.
- Applicant is advised that off-site improvement permits may be required; and that Nevada Department of Transportation (NDOT) permits may be required.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0174-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

USE PERMIT #3 AND DESIGN REVIEW #2 WERE WITHDRAWN WITHOUT PREJUDICE.

6. TM-24-500076-SIENA 52 HOLDING LIMITED PARTNERSHIP & SIENA 53 HOLDING LIMITED PARTNERSHIP: HOLDOVER TENTATIVE MAP consisting of 1 commercial lot on 14.12 acres in a CG (General Commercial) Zone. Generally located on the south side of Charleston Boulevard and the west side of Broadalbin Drive within Sunrise Manor. TS/hw/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way.
- Applicant is advised that off-site improvement permits may be required; and that Nevada Department of Transportation (NDOT) permits may be required.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0174-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

7. UC-24-0399-TENAYA LOFTS, LLC:

HOLDOVER USE PERMIT for live-work dwellings.

WAIVER OF DEVELOPMENT STANDARDS to reduce buffering and screening.

DESIGN REVIEW for an office/warehouse complex with live-work dwelling units on 5.60 acres in an IP (Industrial Park) Zone in the Airport Environs (AE-60) Overlay. Generally located on the west side of Tenaya Way, 660 feet north of Sunset Road within Spring Valley. MN/rg/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Developer agrees to plant ivy on the northern elevation of Buildings F1 and D1, which face the residential development to the north;
- Developer will ascertain whether the existing 6 foot block wall to the north of the site is engineered as such to allow an additional 2 courses to be added to the overall height of the wall and if the engineering allows, developer agrees to provide and install the additional 2 courses for residents who request an increase in height;
- Developer agrees to limit construction to Monday through Friday within normal “Daytime Hours” as defined by Title 30;
- Developer agrees to secure the 10 foot wide landscaped area between Buildings F1 and D1 by a locked gate;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Department of Aviation

- Applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation Noise Office at landuse@lasairport.com;
- Applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Department of Aviation Noise Office at landuse@lasairport.com;
- Applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation Noise Office when property sales/leases commence;
- Incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height;
- Compliance with most recent recorded airport-related deed restrictions for APN's 163-34-411-011, 163-34-411-012.
- Applicant is advised that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0219-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

8. VS-24-0277-PALM PROPERTIES, LLC:

HOLDOVER VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file).

TS/jor/syp (For possible action)

ACTION: HELD TO NOVEMBER 6, 2024, PER THE APPLICANT.

9. WS-24-0276-PALM PROPERTIES, LLC:

HOLDOVER WAIVER OF DEVELOPMENT STANDARDS to modify residential adjacency standards.

DESIGN REVIEW for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone. Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor. TS/jor/syp (For possible action)

ACTION: HELD TO NOVEMBER 6, 2024, PER THE APPLICANT.

10. WS-24-0362-WIGWAM-PARVIN LIMITED PARTNERSHIP:

AMENDED WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; 2) reduce street landscaping (no longer needed); and 3) reduce parking lot landscaping (no longer needed). DESIGN REVIEW for modifications to a previously approved senior housing project on 5.0 acres in an RM32 (Residential Multi-family 32) Zone. Generally located on the north side of Arby Avenue and the west side of Torrey Pines Drive within Enterprise. MN/bb/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;

- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

11. ZC-24-0394-O'BRIEN, PATRICK T. TRUST & O'BRIEN, PATRICK T. TRS:

ZONE CHANGE to reclassify 11.73 acres from an RS80 (Residential Single-Family 80) Zone to a CG (Commercial General) Zone for a future commercial development. Generally located on the north side of Cottonwood Cove Road and the east side of Gasline Road within Searchlight (description on file). MN/rk/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Public Works - Development Review

- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements; and 90 days to record said separate document for the Cottonwood Cove improvement project.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD is unable to verify sewer capacity based on this zoning application; and may find instruction for submitting a Point of Connection (POC) request on the CCWRD's website; and that a CCWRD approved POC must be included when submitting civil improvement plans.

12. ORD-24-900412: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with MTL Trust for an industrial development on 4.3 acres, generally located west of Mann Street and north of Oleta Avenue within Enterprise. JJ/dw (For possible action)

ACTION: ADOPTED (ORDINANCE 5180).

13. ORD-24-900463: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with Diamond Cactus LLC for an industrial development on 3.8 acres, generally located west of Redwood Street and north of Cactus Avenue within Enterprise. JJ/dw (For possible action)

ACTION: ADOPTED (ORDINANCE 5181).

14. ORD-24-900551: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on July 17, 2024. (For possible action)

ACTION: ADOPTED (ORDINANCE 5182).

15. ORD-24-900578: Conduct a public hearing on an ordinance to amend the official zoning map reclassify certain properties as approved by the Board of County Commissioners on June 5, 2024, June 18, 2024, July 3, 2024, and Assessor's Books 125, 163, 176 and 177. (For possible action)

ACTION: ADOPTED (ORDINANCE 5183).

SEC. 5. NON-ROUTINE ACTION ITEMS 16 THROUGH 24

16. SC-24-0261-WESTERN IRA FUNDING LTD RTMT PL:

HOLDOVER STREET NAME CHANGE to change the name of Gagnier Boulevard to Dynamite Drive. Generally located on the south side of Roy Horn Way and the west side of Gagnier Boulevard within Spring Valley. MN/sd/syp (For possible action)

**ACTION: HELD TO NOVEMBER 6, 2024 - PER THE APPLICANT. APPLICANT IS ADVISED THAT RE-NOTIFICATION FEES ARE REQUIRED PRIOR TO THIS ITEM BEING PLACED ON THE AGENDA.
(COMPANION ITEMS 17-19)**

17. VS-24-0390-DBAC, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Eldorado Lane and Maulding Avenue and between Valley View Boulevard and Procyon Street within Enterprise (description on file). MN/jor/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 18 AND 19).

CONDITIONS OF APPROVAL --

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 4 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include 45 feet to the back-of-curb for Valley View Boulevard, 25 feet to the back-of-curb for Maulding Avenue, 25 feet to the back-of-curb for Procyon Street, 25 feet to the back-of-curb for Eldorado Lane and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;

- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require dedication to back-of-curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

SAMI REAL

Next are companion Items 17 through 19.

- Item 17, VS-24-0390, vacate and abandon easements of interest to Clark County located between El Dorado Lane and Maulding Avenue between Valley View Boulevard and Procyon Street within Enterprise.
- Item 18, WS-24-0391, waivers of development standards for the following: increased retaining wall height, reduced front setback, reduced net lot size, and eliminate off-site improvement streetlights. Design review for a proposed single-family residential subdivision on 10.06 acres in an RS-20 (Residential Single-Family 20) Zone located within the Airport Environs (AE-60) and the Neighborhood Protection (RNP) Overlays. Generally located on the east side of Valley View Boulevard and the south side of El Dorado Lane within Enterprise.
- Item 19, TM-24-500-078, tentative map consisting of 18 single-family lots on 10.06 acres in an RS-20 (Residential Single-Family) 20 Zone within the Airport Environs (AE-60) and Neighborhood Protection (RNP) overlays generally located on the east side of Valley View Boulevard and the south side of El Dorado Lane within Enterprise.

TICK SEGERBLOM

Good morning.

STEPHANIE ALLEN

Good morning, Mr. Chairman, Commissioners. Stephanie Allen, 1980 Festival Plaza Drive. Here on behalf of the applicant, Richmond American Homes. We're here for a site located at El Dorado and Valley View located down here on the bottom of the map. I want to show this larger map, just because there are three projects in this general area where Richmond is picking up the property and planning to do half-acre lots to conform with the current zoning on all three of these developments. We had a neighborhood meeting for all three developments, since they're all in the general area so I just wanted to orient you, mostly in case there's neighbors. We had a large meeting, there were about 50 - 40 to 50 people all on these three projects and all with one-story, half-acre lot developments. The one that's before you today is this El Dorado Valley View property, and here's a zoomed in aerial.

You can see it's about 10 acres on the southeast side of El Dorado and Valley View. And you can see there's half-acre homes on all three sides of the property. There's a significant history with the parcel to the north, and so the neighbors at the neighborhood meeting were ecstatic to hear that we're conforming with the RE zoning and doing half-acre lots. In addition, one-story homes as well.

We have an 18-lot development. This is the layout, with homes that will front on to Maulding to the south as well as on Procyon to the east. And then we have an 8-lot cul-de-sac that'll access off of El Dorado. At the meeting, the neighbors did ask if we would do a waiver for streetlights because we are proposing full

off sites right now on the plan. So, we did add a waiver for streetlights on Maulding and on Procyon they'd like to keep it dark, and so we added that as a request and would very much appreciate the commission's approval on that.

The other waivers were withdrawing waiver number one, which is the wall height waiver without prejudice. Waiver number two was with respect to just these internal eight lots for the front yard setback. You used to be able to measure your setback to the center line of the street, and so we'll have 20-foot setbacks on these eight homes. If you were able to measure to the center line of the street, we'd meet that 40 feet. All of the out exterior lots have the 40-foot front yard setbacks, so it's just on the eight internal lots and the Town Board recommended approval of that waiver, because it is internal to the project.

The last waiver is a couple of lot sizes. They all meet the gross size so they're all half-acre lots from a gross standpoint. However, there are a few corner lots that fall below the net lot size that's allowed, and we would very much appreciate this Commission's approval on those lots.

We do have detached sidewalk on the project which encroaches a little bit into that setback, and we think it's important to have those detached sidewalks for the safety of the kids in the area, but we would like a little flexibility on those lot sizes. I did bring an exhibit, just again, of the larger area, showing there are a number of communities here that have net lot sizes that are well below half acre lots. There's some pockets here. You can see several homes in the area that fall below that net lot size requirement that have previously been approved. So, it fits in with the area. It won't impact anyone adversely, and again, from the big picture perspective, the neighborhood is ecstatic that these are half-acre homes, all one stories. Richmond does a great job with their big one-story homes, expensive homes, and will be a nice addition to the area.

So, with that said, I'm happy to answer any questions and we'd very much appreciate your approval.

TICK SEGERBLOM

This is a public hearing. Anyone here wishing to speak on this item? I see no one. I will close the public hearing and turn it over to Commissioner Naft.

MICHAEL NAFT

Thank you, Mr. Chairman. Thanks, Ms. Allen for the presentation. I agree coming from the neighborhood meeting of 50-plus people to where we're at now demonstrates that people are pretty excited that this is going residential. I do just want to ask Mr. Papazian to clarify a condition related to Maulding and Procyon improvements.

ANTONIO PAPAZIAN

Thank you, Commissioner. We do have a contradicting condition to what they're asking for and if I could clarify, I would like to delete the full offsite improvements because they are asking for a waiver to not include streetlights on two of the streets. My condition is for them to construct all of the improvements that would include the streetlights. So, if I could add three conditions, the first one would be full offsite improvements on Valley View Boulevard and El Dorado Lane, which is where they're proposing to do the full improvements. And the second condition, full offsite improvements except for streetlights on Procyon Street and Maulding Avenue and install conduit and pull boxes for streetlights for Procyon Street and Maulding Avenue. And that's just in case in the future if we decide to put up those streetlights, that the conduits are in the ground, and we don't have to rip up anything to install those.

MICHAEL NAFT

Great. Thank you. Ms. Allen, the client understands that?

STEPHANIE ALLEN

Yes, we're fine with that.

MOTION

MICHAEL NAFT

Wonderful. And I move for the approval of Item 17, 18 and 19 reflecting the amended condition by Mr. Papazian.

TICK SEGERBLOM

There's a motion cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None

ABSENT: None

ABSTAIN: None

TICK SEGERBLOM

That motion passes. Thank you.

STEPHANIE ALLEN

Thank you very much.

18. WS-24-0391-DBAC, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase retaining wall height; 2) reduce front setback; 3) reduce net lot size; and 4) eliminate off-site improvements (streetlights).

DESIGN REVIEW for a proposed single-family residential subdivision on 10.06 acres in an RS20 (Residential Single-Family) Zone within the Airport Environs (AE-60) and Neighborhood Protection (RNP) Overlays. Generally located on the east side of Valley View Boulevard and the south side of Eldorado Lane within Enterprise. MN/jor/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 17 AND 19).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Full off-site improvements along Valley View Boulevard and Eldorado Lane;
- Full off-site improvements, except streetlights, on Maulding Avenue and Procyon Street;
- Install conduit and pull boxes for streetlights on Maulding Avenue and Procyon Street;
- Drainage study and compliance;
- Right-of-way dedication to include 45 feet to the back-of-curb for Valley View Boulevard, 25 feet to the back-of-curb for Maulding Avenue, 25 feet to the back-of-curb for Procyon Street, 25 feet to the back-of-curb for Eldorado Lane and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map.
- Applicant is advised that the installation of detached sidewalks will require dedication to back-of-curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation;
- For that portion that lies within the AE-60, the applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation Noise Office at landuse@lasairport.com;
- For that portion that lies within the AE-60, the applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Department of Aviation Noise Office at landuse@lasairport.com;
- For that portion that lies within the AE-60, the applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation Noise Office when property sales/leases commence;
- For that portion that lies within the AE-60 incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any

interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0134-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

WAIVER OF DEVELOPMENT STANDARDS #1 WAS WITHDRAWN WITHOUT PREJUDICE.

19. TM-24-500078-DBAC, LLC:

TENTATIVE MAP consisting of 18 single-family residential lots on 10.06 acres in an RS20 (Residential Single-Family) Zone within the Airport Environs (AE-60) and Neighborhood Protection (RNP) Overlays. Generally located on the east side of Valley View Boulevard and the south side of Eldorado Lane within Enterprise. MN/jor/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 17 AND 18).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Full off-site improvements along Valley View Boulevard and Eldorado Lane;
- Full off-site improvements, except streetlights, on Maulding Avenue and Procyon Street;
- Install conduit and pull boxes for streetlights on Maulding Avenue and Procyon Street;
- Drainage study and compliance;
- Right-of-way dedication to include 45 feet to the back-of-curb for Valley View Boulevard, 25 feet to the back-of-curb for Maulding Avenue, 25 feet to the back-of-curb for Procyon Street, 25 feet to the back-of-curb for Eldorado Lane and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map.
- Applicant is advised that the installation of detached sidewalks will require dedication to back-of-curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Building Department - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided.

Department of Aviation

- For that portion that lies within the AE-60 the applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation Noise Office at landuse@lasairport.com;
- For that portion that lies within the AE-60 the applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Department of Aviation Noise Office at landuse@lasairport.com;
- For that portion that lies within the AE-60 the applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation Noise Office when property sales/leases commence;
- For that portion that lies within the AE-60, incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height.
- Applicant is advised that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0134-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

20. WS-24-0419-MEEKRAT HOLDINGS, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) modify residential adjacency standards; and 2) reduce throat depth.

DESIGN REVIEW for restaurant buildings on 2.12 acres in a CG (General Commercial) Zone within the Airport Environs (AE-60) Overlay. Generally located on the north side of Quail Avenue and the east side of Jones Boulevard within Spring Valley. MN/sd/syp (For possible action)

ACTION: HELD TO NOVEMBER 6, 2024, PER THE APPLICANT.

21. WS-24-0437-MFE, INC.:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce street landscaping; 2) alternative parking lot landscaping; 3) reduce buffer landscaping; 4) modify residential adjacency standards; and 5) alternative driveway geometrics.

DESIGN REVIEWS for the following: 1) lighting; and 2) modifications and additions to a previously approved shopping center on a 2.75-acre portion of 3.79 acres in a CG (Commercial General) Zone. Generally located on the west side of Jones Boulevard and the south side of Cactus Avenue within Enterprise. JJ/hw/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL --

Comprehensive Planning

- All vacuum equipment to be located along Cactus Avenue only;
- Enter into a standard development agreement prior to any permits or subdivision mapping for the portion of the site currently being developed, in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance.
- Applicant is advised that off-site improvement permits may be required.

Fire Prevention Bureau

- Applicant to show fire hydrant locations on-site and within 750 feet.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; and that operational permits may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0373-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

WAIVER OF DEVELOPMENT STANDARDS #4C WAS WITHDRAWN.

SAMI REAL

Next on the agenda is Item 21, WS-24-0437, waivers of development standards for the following: reduced street landscaping, alternative parking lot landscaping, reduced buffer landscaping, modified residential adjacency standards and alternative driveway geometrics. Design reviews for the following: lighting and modifications and additions to a previously approved shopping center on a 2.75 acre portion of 3.79 acres in a CG (Commercial General) Zone. Generally located on the west side of Jones Boulevard in the south side of Cactus Avenue within Enterprise.

TICK SEGERBLOM

Good morning.

ROBERTO PIEDRA

Good morning. My name is Roberto Piedra with SCA Design, 2525 West Horizon Ridge.

TICK SEGERBLOM

Can you spell your last name, please?

ROBERTO PIEDRA

P-I-E-D-R-A.

TICK SEGERBLOM

Thank you.

ROBERTO PIEDRA

2525 West Horizon Ridge Parkway, Henderson, Nevada 89052. We're proposing to build two retail buildings and then two QSR buildings on the southwest corner of Jones and Cactus. During our town board meeting, one of the waivers that we were requesting was to have a trash enclosure within 10 feet of the residential. We have revised the trash enclosure to be well out of the 50-foot setback requirement, and we also added an additional landscape finger to remove the other waiver for reduced landscape fingers.

TICK SEGERBLOM

Did you complete your presentation?

ROBERTO PIEDRA

Yes.

TICK SEGERBLOM

All right, this is a public hearing. I have a card here. So, Mr. Allen, if you want to come forward, and anyone else.

MARK ALLEN

Good morning, Commissioners. My name is Mark Allen, last name A-L-L-E-N, 10544 Narssa Ridge Street, Las Vegas 89141.

I want to emphasize that I'm not against this development as a whole, however I must voice my concerns regarding the proposed placement of vacuum stalls directly behind my home. The proposed vacuum stalls on the south end of the car wash are another major concern. The noise generated by these machines running at all hours is too much for anyone living in the neighborhood. There needs to be some space between the residential neighborhood and the businesses. Please do not override these guidelines. I propose a condition be added to this plan so that they only have vacuum stalls on the north end of the car wash along West Cactus. Typically, a car wash this size has only three or four stalls and this area could accommodate those stalls. It's my understanding that they're requesting like 13, which would be like for a truck stop or something like that. I request that a condition be added to eliminate any vacuum stalls on the south end of the car wash.

Secondly, I propose that the trash dumpster be moved, which they've already recognized. By compromising in a small way. In making these changes, we can have a positive impact for the neighborhood while also maintaining development objectives. This condition of the vacuum stalls would foster a more harmonious relationship between corporate development and the residential environment.

By addressing these concerns proactively, we can ensure that our neighborhood remains peaceful and still create a positive outcome for the businesses, rather than only considering the corporation at the

expense of the neighborhood. I encourage you to consider a win-win for both the businesses in the neighborhood. Thank you for your consideration in this matter.

TICK SEGERBLOM

Thank you. Anyone here? Anyone else here?

YESENIA ALLEN

Yesenia Allen, 10544 Narssa Ridge Street.

TICK SEGERBLOM

Can you pull the microphone a little closer to your face, please?

YESENIA ALLEN

Oh, sorry. Yesenia Allen, 10544 Narssa Ridge Street. I just want to enter this into the record. The signatures we have from our neighbors are with us and recognize the issue that we're dealing with right now. Thank you.

TICK SEGERBLOM

Anyone else here wishing to speak? Seeing no one, I will close the public hearing and turn it over to Mr. Jones.

JUSTIN JONES

Thank you, Mr. Chair. Just to clarify, it's not my understanding that the car wash is part of this application; that was part of a prior application. Is that accurate?

ROBERTO PIEDRA

Correct.

JUSTIN JONES

Okay. So, I appreciate your concern. That is not part of this application. This is essentially a Phase II of this development, and the car wash part of it was approved quite some time ago, several years ago. So unfortunately, I can't really help you on that one here today, because it's not before us.

MARK ALLEN

It does state in the proposal that we read that the vacuum stalls are included in this, and it's stated 13 vacuum stalls, which I can't imagine in any development within five miles of our home there's 20 car washes and none of them have 13 car vacuum stalls. It would be very simple to be cooperative with the citizens in our community-

TICK SEGERBLOM

I apologize.

MARK ALLEN

-and just allow four stalls along the Cactus Street and not additional ones. Thank you.

JUSTIN JONES

Thank you. The time for public comment - if you can state your name though, we have to have record for it.

MARK ALLEN

Yes, sir. My name is Mark Allen, A-L-L-E-N.

MICHAEL NAFT

Thank you very much. Sami, can you clarify?

SAMI REAL

There are vacuum stalls shown on the plans, however the plans don't indicate whether or not they're existing or proposed vacuum stalls. So, maybe the applicant can clarify whether or not they're existing or proposed?

ROBERTO PIEDRA

The vacuum stalls are being proposed.

JUSTIN JONES

Okay, well then, I'm going to have to hold this. That was not part of my understanding of what was before us today, because the car wash was part of a prior application. Gurdev, if you want to clarify, that's fine, but that wasn't what we talked about.

GURDEV KULAR

Yeah, we're okay with doing the vacuums just along Cactus to appease their concerns, if that's okay to move forward with the rest of the application, then.

TICK SEGERBLOM

I apologize, you need to state your name for the record.

GURDEV KULAR

Sorry. Gurdev Kular, K-U-L-A-R.

JUSTIN JONES

Okay. Sami, does he need to submit new plans? Because that's different than what we have.

SAMI REAL

We can accept a condition to say that the vacuum stalls - because they are located along the residential, they're perpendicular to the residential on the south. So, we can add a condition saying that the vacuum stalls shall be placed along Cactus, and then they can accommodate that through subsequent plan revisions.

JUSTIN JONES

All right. And then to clarify with regards to waiver of development standard number two, I know that there was, in response to the Town Board, an effort to add additional landscape fingers. Is it correct to say that that does not result in the making waiver condition number two unnecessary? It's still necessary, although it addresses it in part.

SAMI REAL

Correct. So, the addition of the two landscape fingers is a positive attribute to the changes. However, it still requires the waiver of development standards. But the applicant was correct that the trash enclosure waiver, so that would be waiver 4-C, is no longer needed as a result of those revised plans.

MOTION

JUSTIN JONES

Okay. All right, well, then, with that clarification I will go ahead and move for approval of Agenda Item Number 21 with the withdrawal of waiver 4-C, and the additional condition that all vacuums be placed along Cactus Avenue.

TICK SEGERBLOM

All right, there's a motion. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None

ABSENT: None

ABSTAIN: None

TICK SEGERNLOM

That motion passes. Thank you, Mr. Allen, for coming and clarifying that.

SEC. 6. AGENDA ITEM

22. AG-24-900634: Discuss potential amendments to Title 30, and direct staff accordingly. (For possible action)

ACTION: STAFF DIRECTED.

SAMI REAL

Next is Item 22, AG-24-900-634, discuss potential amendments to Title 30 and direct staff accordingly. Commissioners, we have received two requests for discussion by the County Commissioners. The first request is to discuss possibly, in the non-urban areas, not requiring either street trees or having some additional flexibility, given that in the non-urban areas of the County there are large lots that may not be either appropriate or necessary to plant street trees.

And then the second request is related to our provision in Title 30 that allows for manufactured housing to be located on residential parcels if it's older than six years old when located in the RS-80 and RS-40 in the non-urban area. This exception is different than what NRS requires. NRS requires that the age of manufactured housing and on residential lots be no less than six years of age when it's being placed on a lot. So, those are the two items for discussion. And then I also welcome any other suggestions from the commissioners on other potential amendments that you would like us to look into.

MARILYN K. KIRKPATRICK

Thank you, Mr. Chairman. And so, I'm willing to - here's the issue that we have. So, in Logandale, Moapa and Overton they have existing one-acre farmland, and everybody is trying to combine their lots. It's like a \$7 savings, but the subdivision then requires them to put trees along the streets, and it doesn't allow for us - or the understanding was that they couldn't waive the fee. If it's already farmland, I'm willing to make it as narrow as possible, but it would be the same for Sandy Valley, Searchlight, but if it's already

farmland, those trees aren't going to really make a difference. But I do want to say if they're creating a subdivision map, they got to have trees. I don't want to waive that.

MICHAEL NAFT

Sure. I'll go next. That seems very reasonable to me. My item came to me from Searchlight, speaking of, which has just become basically a dumping ground for old manufacture homes. And so, we're trying to clean up the area and do better there. Discovered that in 2013 the Board at that time adopted a provision to navigate NRS. So, all I'm asking is that we close that up.

MARILYN K. KIRKPATRICK

I agree. I probably had the second most amount of manufactured homes. If they're there today, they're probably not licensed, and probably not permitted by the State.

SAMI REAL

So, can I ask a clarifying question? So then would the proposal for the manufactured homes then be to mirror what NRS states, and to no longer allow any manufactured homes regardless of what zoning district or where in the County so that they are all within six years of age when they're placed on the lot?

MICHAEL NAFT

Yeah, I'll let others speak to their district. I think it probably has to be Countywide, or else it gets more complicated. Really, I guess, for the Board's consideration would be whether or not there's a waiver process. My concern if we do that is that everyone's going to get a waiver and we're in the same position we are in now. So yes, my objective would be to mirror NRS.

SAMI REAL

I did research the other jurisdictions in Northern Nevada, and I know that Washoe County and also Reno, they require the age of manufactured homes to be no less than six years when they're placed. So, making these modifications would bring us in line with other jurisdictions in Nevada.

TICK SEGERBLOM

I'm not sure what my position would be, but I have some really old mobile homes and people come in and buy them and then they have to - the people that own the homes have to move them somewhere. But it sounds like they won't be able to move them anywhere.

MARILYN K. KIRKPATRICK

Well, you're not allowed by State today, anyways. That's why I was kind of shocked. So, State law - and this goes back to - Mr. Carpenter changed it, and Mark Menendo. So, the law - because at the time we were seeing a lot of sixties and seventies manufactured homes and they were filled with asbestos, so they were trying to take them down and they were not energy efficient and so many other things. So, today what I was saying to Commissioner Naft is if they're moving them today, they're probably not licensed by the State. The State requires a State manufacturer licensed person to come work on them. So, at least what I'm seeing in my district is, in many cases people are just stuccoing them, and people are - you can't even get a loan for them, an FHA loan. So, I don't know where they would move them to that they would actually be licensed by the State like they're supposed to. And I have tons of - some from the 50s, over by Nellis.

SAMI REAL

And I do want to clarify, this provision in NRS that's reflected in our Title 30, is it just applies to single-family residential lots. It doesn't apply to manufactured homes within manufactured home parks.

TICK SEGERBLOM

Oh.

SAMI REAL

So, I wanted to make that was clear.

TICK SEGERBLOM

They could move to another mobile home park.

SAMI REAL

Excuse me? I'm sorry.

TICK SEGERBLOM

They could move to another mobile home park.

SAMI REAL

Again, there's rules and requirements on moving manufactured homes, so they would still need to comply with that. But this age requirement in NRS only applies when the manufactured home is on a single-family residential lot, not within a manufactured home park.

MARILYN K. KIRKPATRICK

Well, yeah, listen, I'd go one step further and make them convert to real property, because they don't even pay real property tax. But I'll take this as a start.

TICK SEGERBLOM

All right, I was just worried because developers come in and buy these lots. These people have lived there for quite a while, but they own the house, but they can be evicted because they don't own the land. So, it sounds like they can find another place to go, which has been the issue, then they can still do that. All right, so anyway –

JUSTIN JONES

Sorry, sorry. Yes, I just had a clarifying question. So, I just want to – with regards to the residential lots, so for example, someone has a manufactured home in a place like Sandy Valley on a rural lot, and their manufactured home is six years and six months old. They can't physically move that to another lot in Sandy Valley?

SAMI REAL

That would be correct.

MICHAEL NAFT

Under current State law.

JUSTIN JONES

Okay. Well, I would say I'm fine with converting it to what State law is. Obviously, we should always be doing that. I would say from a policy perspective, there's probably a discussion to be had when it comes to housing affordability at the Legislature for whether that's really where we should be.

MICHAEL NAFT

And I think our action today will probably trigger that follow-up conversation.

TICK SEGERBLOM

And going back to the tree issue, so how will we decide whether it's land – it's waivable not for Moapa Valley, areas like that that we designate, or anybody can come in and say they're a farm and they don't have to do the trees?

SAMI REAL

The thought would be in the non-urban area, we have large lot zoning districts, we have RS-80, RS-40, so those are two-acre, one-acre lots. We also have an agricultural and open space zoning district that we would say in those zoning districts, street trees wouldn't apply unless it's a subdivision. We want subdivided lots or newly subdivided lots to comply. But if it's a major subdivision. Maybe we should clarify that versus a parcel map, because some of your parcel mergers are coming in as subdivisions.

MARILYN K. KIRKPATRICK

Right? Because that's the system that we have, right?

SAMI REAL

Correct.

MARILYN K. KIRKPATRICK

So, I mean my whole point is to put a waiver in so that we could look at them case by case or something, but it just seems silly to allow someone that has a two-acre parcel to become lined to trees because they're combining a couple lots.

SAMI REAL

Then no street trees. And then if there's anything else that the Board would like to direct us to look at coming up?

MICHAEL NAFT

Yes, actually, thanks for asking. We adopted a few years ago now the Stadium District Overlay Plan. We never moved forward with any tangible action on it. I'd like the Planning staff to move forward with developing concrete standards for the area if there's no objections.

JUSTIN JONES

Mr. Chair, also, I would say, sort of in line with the tree fee and lieu fee, I think when it comes to out of the urban area, industrial-type areas, we should probably take a look at what that means. Particularly in South I-15 corridor, which is going to be the subject to a lot of development in the future. Whether we have a different requirement for those industrial type areas, they're going to be part of new development that came up in Sloan recently and trying to find the right balance there. So, I don't know what the answer is, but maybe take a look at what's possible.

TICK SEGERBLOM

All right, I think that's just direction.

SAMI REAL

Yeah.

TICK SEGERBLOM

Okay.

SAMI REAL

Thank you very much.

SEC. 7. INTRODUCTION OF ORDINANCES

23. ORD-24-900471: Introduce an ordinance to consider adoption of a Development Agreement with ME 52 PARTNERS, LLC for a residential subdivision on 8.6 acres, generally located west of Rainbow Boulevard and north of Erie Avenue within Enterprise. JJ/dw (For possible action)

ACTION: INTRODUCED AND SET FOR PUBLIC HEARING ON WEDNESDAY OCTOBER 16, 2024, AT 10 A.M. (BILL 10-2-24-1)

SAMI REAL

And then the next item on the agenda, we have two ordinances for introduction. Item 23 is ORD-24-900-471. Introduce an ordinance to consider adoption of a Development Agreement with ME 52 PARTNERS, LLC for a residential subdivision on 8.6 acres. Generally located west of Rainbow Boulevard and north of Erie Avenue within Enterprise.

24. ORD-24-900591: Introduce an ordinance to amend Title 30 to clarify the process for appeals and providing for other matters properly related thereto; and set a public hearing. (For possible action)

ACTION: INTRODUCED AND SET FOR PUBLIC HEARING ON WEDNESDAY OCTOBER 16, 2024, AT 10 A.M. (BILL 10-2-24-2)

SAMI REAL

And then Item 24, ORD-24-900-591. Introduce an ordinance to amend Title 30 to clarify the process for appeals and providing for other matters properly related that to set a public hearing. Commissioners, we ask that you set a public hearing for October 16th, 2024. Item 24, I just want to clarify that we are now mirroring the language in NRS for who can file an appeal. So, we have carried forward the language that says that a grievred person can file an appeal and then again mirror the language in NRS. So, a grievred person is somebody who either shows up in person or through writing or through some other representation, and then we are clarifying that the applicant can file an appeal and that also a County Commissioner, County Manager, department head or their designee can also file an appeal.

TICK SEGERBLOM

You agree with that?

ROSS MILLER

Thank you. This one's moving a little quickly, and since I've been on the Board I think we've only had a handful of appeals, so I want to make sure we get the language right. I appreciate the mirroring of the definition of a grievred party. That certainly makes sense. Somebody that shows up and objects either in person or writing would be able to appeal an applicant, and then a County Commissioner, which I believe to have always been the case. But if that's not the case then we could correct that. But what instance would we need the County Manager or the director of the County department or their designee to be able to file an appeal? If either the applicant doesn't want to file the appeal, no aggrieved party wants to file the appeal. In what instance would you in the staff couldn't find a single Commissioner who was willing to support the appeal putting on the agenda? What's the rationale for including those other individuals? In my view, it should just be the applicant, somebody aggrieved by the appeal, or if staff can find even one Commissioner who would support an appeal, because it's not without hardship to the

applicant. In instances - the one that we just saw was 7-0 in front of the Planning Commission. They certainly didn't have my support because I had toured the project, seen it, my Planning Commissioner had weighed in, it was placed on the agenda, and it was 6-0 in front of - to deny the appeal. In the meantime, the applicant had to hire an attorney, they had to delay their plans, et cetera. There's additional hardship. There was not one single County Commissioner who supported that appeal being placed on the agenda.

MARILYN K. KIRKPATRICK

Well, I will just - and I don't care either way. Just as a County Commissioner, I want to be able to appeal things. But I can give you a couple of examples, and Antonio maybe has one where a road got vacated because the Planning Commission had changed something, and Airport has appealed on a couple since I've been here. And it may be a timing issue whether or not they can put it in at the same time. But those are the two that I know off the top of my head that I've seen since I've been here. But I'm not - I don't care either way. Just as a County Commissioner, if I want to appeal something then I want the ability to do that.

ROBERT WARHOLA

No, we can modify the language. But yes, Public Works has appealed on occasion, and the Airport has, and those are the two. I agree.

TICK SEGERBLOM

But arguably, they could reach out to one of us and ask us to appeal it.

ROBERT WARHOLA

Yes, they could. So, we can either modify the language now or we can modify it at the public hearing, and we can do that by eliminating, because the language at the public hearing, if you want to think about it for two weeks and then we could do that if you want or leave it the way it is. Or we can modify it now and delete County Manager and departments. So however, you want to handle it.

JUSTIN JONES

I would just say, just sort of devil's advocate here, I get that a department could go to a particular Commissioner, but the appeal time is very short, and so that might be a limiting factor in terms of if it comes to Airport's attention or somebody else's attention, they got to then go find a Commissioner to support it, as opposed to you only got five days in order to file an appeal. So, it might be an issue to -

MARILYN K. KIRKPATRICK

Maybe a compromise is just having the County Manager or his designee, because department heads meet with the County Manager often. I don't foresee us, I see Commissioners wanting to appeal more than our departments, but I don't -

ROBERT WARHOLA

Well, if we change it now, we probably can't go back in two weeks, but in two weeks we can do it at a public hearing. So, it gives you two weeks to think about it or to discuss it with staff or however you want to. Or we can make the change now.

TICK SEGERBLOM

That's okay. Let's just wait, keep it the way it is and raise the issue in two weeks. We can talk - not among ourselves, but we can talk to G-d if we want.

SAMI REAL

And then with that, we would ask you to set the public hearing for October 16, 2024, for Items 23 and 24.

TICK SEGERBLOM

Okay, I'll introduce the items and set the public hearing for October 16.

PUBLIC COMMENTS

SAMI REAL

And then this is the last time set aside for public comment.

TICK SEGERBLOM

This is the last time for public comment. Looks like somebody wants to complain about something.

LISA MAYO-DERISO

Good morning, Chairman, Commissioners. I want to put a couple of (inaudible). Good afternoon, I'm Lisa Mayo-DeRiso. I'm here today to update the public and you on 2024 F-1 from the perspective of small businesses and those trying to navigate the Las Vegas Strip. As everyone can see, construction and disruption has begun yet there has not been a public hearing on the traffic study that apparently was issued in April. We were able to find it online, but there was really no public comment given into that traffic study. And on or about August 26, F-1 applied for their special event permit. My efforts to get a copy were denied via FOIA request that I applied for. So, on September 4 I went down to Public Works, and I met with Scott, and he told me that it was a work in process and could not be shared.

I would argue that the second a document hits the desk of a public entity and has public entity letterhead on it, is a document the public has a right to see, but this is not the case associated with almost every F-1 document study. We can never get a copy of it. You are allowing the bridge bankruptcy to be constructed again. You're allowing trees to be removed and the Strip to be closed, and small businesses are already feeling the effect of this. Some restaurants and businesses are saying, "We're just going to close for two or three weeks because we can't observe the losses."

I want to put also into the public record today, the RTC survey I have here for public record. This survey was conducted with the culinary workers. It's very telling. This is probably why the public hasn't seen it. We're not a world-class destination without the culinary workers. They are usually the first and last person our tourists interact with while we're in our City. They're our brand. However, this study shows that 66% of them spent extra time getting to work. 31 minutes to 90 minutes more time during F-1 2023. 64. 22% of them were late to work. 35% of them at least once a week late to work. They were not compensated by F-1 for this extra time, anxiety, and stress it puts on the workers.

Last, we're 52 days from the F-1 race, and my clients are already experiencing canceled reservations due to transportation. Here's a picture of Gino Ferraro 20 seat reservation canceled. We are also having blocked driveways into the 24-hour casino. At Stage Door. It's blocked for 12 hours. Their driveway is blocked from traffic. Make no mistake, there'll be losses in 2024.

All I want to say to you is, what is the definition of insanity? This is happening again, and we still haven't known if a special event permit has been approved by you, you have the ability to deny the special event permit. Thank you very much.

TICK SEGERBLOM

Thank you. If you want to enter that the record, somebody will take that.

SAMI REAL

Thank you very much.

TICK SEGERBLOM

All right, anyone else here wishing to speak?

JIM GIBSON

If I might just make a public comment, clarifying comment. I don't know if they're reference to 12 hours of closure at Stage Door as the pictures that Ms. Mayo circulated yesterday, but that was about an hour. There was a collar, there had been paving done, and when the lids to things that are in the street, the utilities, are finished off with the surface, once it's established, a concrete collar has to be poured. What I was informed of is that the collar had to be poured yesterday at 7:30. The cones were there in that intersection at 8:30. An hour later, the paving contractor and the inspector from the Water District confirmed that they'd been removed. So, I don't know about the rest of it. If it's not that, then that's all I would say. I just want to make clear that yesterday was a Water District issue. There are no closures on Flamingo that were in effect yesterday for Formula 1.

TICK SEGERBLOM

And was that dealing with the water line they had to replace?

JIM GIBSON

Well, the paving ended up being occasioned, because there was a lot of work including what had been done to replace the broken water line.

TICK SEGERBLOM

All right, thank you. Anyone else wishing to make public comment? Seeing no one, we'll close the public hearing and close the meeting. See you in two weeks.

END PUBLIC COMMENTS


There being no further business to come before the Board at this time, at the hour of 9:40 a.m., the meeting was adjourned.

PLEASE NOTE: THE COUNTY CLERK KEEPS THE OFFICIAL RECORD OF ALL PROCEEDINGS OF THE COUNTY COMMISSION, THE CCWRD BOARD OF TRUSTEES, THE UMC HOSPITAL BOARD OF TRUSTEES, THE CLARK COUNTY LIQUOR AND GAMING LICENSING BOARD, AND THE CLARK COUNTY REDEVELOPMENT AGENCY. TO OBTAIN A COMPLETE AND ACCURATE RECORD OF ALL PROCEEDINGS, ANY PHOTOGRAPH, MAP, CHART, OR ANY OTHER DOCUMENT USED IN ANY PRESENTATION TO THE BOARD/TRUSTEES, REQUESTS SHOULD BE SUBMITTED TO THE COUNTY CLERK.

TO REFERENCE AGENDA ITEM ATTACHMENTS ONLINE: REFER TO THE MEETING LINK BELOW, SELECT THE ITEM (FILE # COLUMN), AND CLICK THE LINK FOR THE DESIRED ATTACHMENT.

[ONLINE MEETING LINK](#)

APPROVED:


Tick Segerblom (Nov 12, 2024 11:59 PST)

TICK SEGERBLOM, CHAIR

ATTEST:



LYNN MARIE GOYA, CLARK COUNTY CLERK







Zoning 10/02/2024 Minutes was Approved on 11/06/2024

Final Audit Report

2024-11-18

Created:	2024-11-06 (Pacific Standard Time)
By:	Ricky McColl (FYM@ClarkCountyNV.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAL69uwASS7oz4oen2inUwi1To5GKWZ0JU

"Zoning 10/02/2024 Minutes was Approved on 11/06/2024" History

-  Document created by Ricky McColl (FYM@ClarkCountyNV.gov)
2024-11-06 - 1:11:40 PM PST- IP address: 198.200.132.41
-  Document emailed to tsegerblom@clarkcountynv.gov for signature
2024-11-06 - 2:08:45 PM PST
-  Email viewed by tsegerblom@clarkcountynv.gov
2024-11-12 - 11:58:51 AM PST- IP address: 198.200.132.41
-  Agreement viewed by tsegerblom@clarkcountynv.gov
2024-11-12 - 11:58:52 AM PST- IP address: 198.200.132.41
-  Signer tsegerblom@clarkcountynv.gov entered name at signing as Tick Segerblom
2024-11-12 - 11:59:08 AM PST- IP address: 198.200.132.41
-  Document e-signed by Tick Segerblom (tsegerblom@clarkcountynv.gov)
Signature Date: 2024-11-12 - 11:59:10 AM PST - Time Source: server- IP address: 198.200.132.41
-  Document emailed to Lynn Goya (Lynn.Goya@ClarkCountyNV.gov) for signature
2024-11-12 - 11:59:11 AM PST
-  Agreement viewed by Lynn Goya (Lynn.Goya@ClarkCountyNV.gov)
2024-11-18 - 12:40:27 PM PST- IP address: 198.200.132.69
-  Document e-signed by Lynn Goya (Lynn.Goya@ClarkCountyNV.gov)
Signature Date: 2024-11-18 - 12:40:33 PM PST - Time Source: server- IP address: 198.200.132.69
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OCT 14 2024

Lynn Marie Goggin
CLERK

NOTICE OF FINAL ACTION
CLARK COUNTY ZONING COMMISSION
9:00 A.M., WEDNESDAY, OCTOBER 2, 2024

LEGAL NOTICE: Following the final approval or denial of every action before the Planning Commission and/or the Board of County Commissioners, a letter indicating the action taken and the conditions under which any approval is granted will be sent to the correspondent address on the application submitted. The information herein will be filed with the Clark County Clerk, Commission Division, and serve as notice of final action for the purposes of NRS 278.0235 which marks the commencement of the twenty-five (25) day limitation period specified.

1. Public Comments.
2. Approval of the Agenda After Considering Requests to Add, Hold, or Delete Items. (For possible action)
3. Approval of minutes. (For possible action)

Board of County Commissioners' Zoning Meeting minutes for 09/04/24.

ROUTINE ACTION ITEMS (4 – 15): These items may be considered in one hearing and in one motion. Any person who does not agree with the recommendations by staff should request that the item be removed from this portion of the agenda and be heard separately when directed by the Board of County Commissioners.

4. AR-24-400090 (WC-0174-16 (UC-0849-14))-MGM GRAND PROPCO, LLC:
 WAIVER OF CONDITIONS SIXTH APPLICATION FOR REVIEW of a use permit for live entertainment limited to daytime hours (6:00 a.m. to 10:00 p.m.) for a recreational facility (golf driving range) with accessory retail, eating and drinking facilities, live entertainment, and other accessory uses, and structures in conjunction with a resort hotel (MGM Grand) on a portion of 102.7 acres in a CR (Commercial Resort) Zone within the Airport Environs (AE-60 & AE-65) Overlay. Generally located on the southwest corner of Harmon Avenue and Koval Lane within Paradise. JG/bb/syp (For possible action)

HELD - 11/06/24 - per the applicant.

5. UC-24-0387-SIENA 52 HOLDING LIMITED PARTNERSHIP & SIENA 53 HOLDING LIMITED PARTNERSHIP:
 HOLDOVER USE PERMITS for the following: 1) emergency/urgent care facility; 2) gas station; and 3) motel with transient and non-transient stays.
 WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) alternative parking lot landscaping; 2) eliminate and reduce buffering and screening; 3) modify residential adjacency standards; and 4) reduce driveway departure distance.
 DESIGN REVIEWS for the following: 1) shopping center; and 2) motel on 14.12 acres in a CG (Commercial General) Zone. Generally located on the south side of Charleston Boulevard and the west side of Broadalbin Drive within Sunrise Manor. TS/hw/syp (For possible action)

APPROVED.

**CONDITIONS OF APPROVAL -
 Comprehensive Planning**

- Provide screening on the egress gate along the western property line;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.

- Applicant is advised that within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; a fee-in-lieu for reduced landscaping per Section 30.04.01E may apply; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way;
- Drainage study and compliance;
- Traffic study and compliance.
- Applicant is advised that off-site improvement permits may be required; and that Nevada Department of Transportation (NDOT) permits may be required.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0174-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

USE PERMIT #3 AND DESIGN REVIEW #2 WERE WITHDRAWN WITHOUT PREJUDICE.

6. TM-24-500076-SIENA 52 HOLDING LIMITED PARTNERSHIP & SIENA 53 HOLDING LIMITED PARTNERSHIP:
HOLDOVER TENTATIVE MAP consisting of 1 commercial lot on 14.12 acres in a CG (General Commercial) Zone. Generally located on the south side of Charleston Boulevard and the west side of Broadalbin Drive within Sunrise Manor. TS/hw/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;

- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way.
- Applicant is advised that off-site improvement permits may be required; and that Nevada Department of Transportation (NDOT) permits may be required.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0174-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

7. UC-24-0399-TENAYA LOFTS, LLC:

HOLDOVER USE PERMIT for live-work dwellings.

WAIVER OF DEVELOPMENT STANDARDS to reduce buffering and screening.

DESIGN REVIEW for an office/warehouse complex with live-work dwelling units on 5.60 acres in an IP (Industrial Park) Zone in the Airport Environs (AE-60) Overlay. Generally located on the west side of Tenaya Way, 660 feet north of Sunset Road within Spring Valley. MN/rg/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Developer agrees to plant ivy on the northern elevation of Buildings F1 and D1, which face the residential development to the north;
- Developer will ascertain whether the existing 6 foot block wall to the north of the site is engineered as such to allow an additional 2 courses to be added to the overall height of the wall and if the engineering allows, developer agrees to provide and install the additional 2 courses for residents who request an increase in height;
- Developer agrees to limit construction to Monday through Friday within normal "Daytime Hours" as defined by Title 30;
- Developer agrees to secure the 10 foot wide landscaped area between Buildings F1 and D1 by a locked gate;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Department of Aviation

- Applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation Noise Office at landuse@lasairport.com;
- Applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Department of Aviation Noise Office at landuse@lasairport.com;

- Applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation Noise Office when property sales/leases commence;
- Incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height;
- Compliance with most recent recorded airport-related deed restrictions for APN's 163-34-411-011, 163-34-411-012.
- Applicant is advised that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0219-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

8. VS-24-0277-PALM PROPERTIES, LLC:
HOLDOVER VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file). TS/jor/syp (For possible action)

HELD - 11/06/24 - per the applicant.

9. WS-24-0276-PALM PROPERTIES, LLC:
HOLDOVER WAIVER OF DEVELOPMENT STANDARDS to modify residential adjacency standards. DESIGN REVIEW for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone. Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor. TS/jor/syp (For possible action)

HELD - 11/06/24 - per the applicant.

10. WS-24-0362-WIGWAM-PARVIN LIMITED PARTNERSHIP:
AMENDED WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; 2) reduce street landscaping (no longer needed); and 3) reduce parking lot landscaping (no longer needed).
DESIGN REVIEW for modifications to a previously approved senior housing project on 5.0 acres in an RM32 (Residential Multi-family 32) Zone. Generally located on the north side of Arby Avenue and the west side of Torrey Pines Drive within Enterprise. MN/bb/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

11. ZC-24-0394-O'BRIEN, PATRICK T. TRUST & O'BRIEN, PATRICK T. TRS:
ZONE CHANGE to reclassify 11.73 acres from an RS80 (Residential Single-Family 80) Zone to a CG (Commercial General) Zone for a future commercial development. Generally located on the north side of Cottonwood Cove Road and the east side of Gasline Road within Searchlight (description on file). MN/rk/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Public Works - Development Review

- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements; and 90 days to record said separate document for the Cottonwood Cove improvement project.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD is unable to verify sewer capacity based on this zoning application; and may find instruction for submitting a Point of Connection (POC) request on the CCWRD's website; and that a CCWRD approved POC must be included when submitting civil improvement plans.

12. ORD-24-900412: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with MTL Trust for an industrial development on 4.3 acres, generally located west of Mann Street and north of Oleta Avenue within Enterprise. JJ/dw (For possible action)

ADOPTED.

13. ORD-24-900463: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with Diamond Cactus LLC for an industrial development on 3.8 acres, generally located west of Redwood Street and north of Cactus Avenue within Enterprise. JJ/dw (For possible action)

ADOPTED.

14. ORD-24-900551: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on July 17, 2024. (For possible action)

ADOPTED.

15. ORD-24-900578: Conduct a public hearing on an ordinance to amend the official zoning map reclassify certain properties as approved by the Board of County Commissioners on June 5, 2024, June 18, 2024, July 3, 2024 and Assessor's Books 125, 163, 176 and 177. (For possible action)

ADOPTED.

NON-ROUTINE ACTION ITEMS (16 – 24): These items will be considered separately.

16. SC-24-0261-WESTERN IRA FUNDING LTD RTMT PL:
HOLDOVER STREET NAME CHANGE to change the name of Gagnier Boulevard to Dynamite Drive. Generally located on the south side of Roy Horn Way and the west side of Gagnier Boulevard within Spring Valley. MN/sd/syp (For possible action)

HELD - 11/06/24 - per the applicant. Applicant is advised that re-notification fees are required prior to this item being placed on the agenda.

17. VS-24-0390-DBAC, LLC:
VACATE AND ABANDON easements of interest to Clark County located between Eldorado Lane and Maulding Avenue and between Valley View Boulevard and Procyon Street within Enterprise (description on file). MN/jor/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 4 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include 45 feet to the back-of-curb for Valley View Boulevard, 25 feet to the back-of-curb for Maulding Avenue, 25 feet to the back-of-curb for Procyon Street, 25 feet to the back-of-curb for Eldorado Lane and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;

- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require dedication to back-of-curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

18. WS-24-0391-DBAC, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase retaining wall height; 2) reduce front setback; 3) reduce net lot size; and 4) eliminate off-site improvements (streetlights). DESIGN REVIEW for a proposed single-family residential subdivision on 10.06 acres in an RS20 (Residential Single-Family 20) Zone within the Airport Environs (AE-60) and Neighborhood Protection (RNP) Overlays. Generally located on the east side of Valley View Boulevard and the south side of Eldorado Lane within Enterprise, MN/jor/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Full off-site improvements along Valley View Boulevard and Eldorado Lane;
- Full off-site improvements, except streetlights, on Maulding Avenue and Procyon Street;
- Install conduit and pull boxes for streetlights on Maulding Avenue and Procyon Street;
- Drainage study and compliance;
- Right-of-way dedication to include 45 feet to the back-of-curb for Valley View Boulevard, 25 feet to the back-of-curb for Maulding Avenue, 25 feet to the back-of-curb for Procyon Street, 25 feet to the back-of-curb for Eldorado Lane and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map.
- Applicant is advised that the installation of detached sidewalks will require dedication to back-of-curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;

- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation;
- For that portion that lies within the AE-60, the applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation Noise Office at landuse@lasairport.com;
- For that portion that lies within the AE-60, the applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Department of Aviation Noise Office at landuse@lasairport.com;
- For that portion that lies within the AE-60, the applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation Noise Office when property sales/leases commence;
- For that portion that lies within the AE-60 incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0134-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

WAIVER OF DEVELOPMENT STANDARDS #1 WAS WITHDRAWN WITHOUT PREJUDICE.

19. **TM-24-500078-DBAC, LLC:**
TENTATIVE MAP consisting of 18 single-family residential lots on 10.06 acres in an RS20 (Residential Single-Family 20) Zone within the Airport Environs (AE-60) and Neighborhood Protection (RNP) Overlays. Generally located on the east side of Valley View Boulevard and the south side of Eldorado Lane within Enterprise. MN/jor/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Full off-site improvements along Valley View Boulevard and Eldorado Lane;
- Full off-site improvements, except streetlights, on Maulding Avenue and Procyon Street;
- Install conduit and pull boxes for streetlights on Maulding Avenue and Procyon Street;
- Drainage study and compliance;
- Right-of-way dedication to include 45 feet to the back-of-curb for Valley View Boulevard, 25 feet to the back-of-curb for Maulding Avenue, 25 feet to the back-of-curb for Procyon Street, 25 feet to the back-of-curb for Eldorado Lane and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map.
- Applicant is advised that the installation of detached sidewalks will require dedication to back-of-curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Building Department - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided.

Department of Aviation

- For that portion that lies within the AE-60 the applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation Noise Office at landuse@lasairport.com;
- For that portion that lies within the AE-60 the applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Department of Aviation Noise Office at landuse@lasairport.com;
- For that portion that lies within the AE-60 the applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation Noise Office when property sales/leases commence;

- For that portion that lies within the AE-60, incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height.
- Applicant is advised that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0134-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

20. WS-24-0419-MEEKRAT HOLDINGS, LLC:
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) modify residential adjacency standards; and 2) reduce throat depth.
DESIGN REVIEW for restaurant buildings on 2.12 acres in a CG (General Commercial) Zone within the Airport Environs (AE-60) Overlay. Generally located on the north side of Quail Avenue and the east side of Jones Boulevard within Spring Valley. MN/sd/syp (For possible action)

HELD - 11/06/24 - per the applicant.

21. WS-24-0437-MFE, INC.:
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce street landscaping; 2) alternative parking lot landscaping; 3) reduce buffer landscaping; 4) modify residential adjacency standards; and 5) alternative driveway geometrics.
DESIGN REVIEWS for the following: 1) lighting; and 2) modifications and additions to a previously approved shopping center on a 2.75 acre portion of 3.79 acres in a CG (Commercial General) Zone. Generally located on the west side of Jones Boulevard and the south side of Cactus Avenue within Enterprise. JJ/hw/syp (For possible action)

APPROVED.

**CONDITIONS OF APPROVAL -
Comprehensive Planning**

- All vacuum equipment to be located along Cactus Avenue only;
- Enter into a standard development agreement prior to any permits or subdivision mapping for the portion of the site currently being developed, in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;

- Traffic study and compliance.
- Applicant is advised that off-site improvement permits may be required.

Fire Prevention Bureau

- Applicant to show fire hydrant locations on-site and within 750 feet.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; and that operational permits may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0373-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

WAIVER OF DEVELOPMENT STANDARDS #4C WAS WITHDRAWN.

AGENDA ITEM

22. AG-24-900634: Discuss potential amendments to Title 30, and direct staff accordingly. (For possible action)

STAFF DIRECTED.

ORDINANCES – INTRODUCTION

23. ORD-24-900471: Introduce an ordinance to consider adoption of a Development Agreement with ME 52 PARTNERS, LLC for a residential subdivision on 8.6 acres, generally located west of Rainbow Boulevard and north of Erie Avenue within Enterprise. JJ/dw (For possible action)

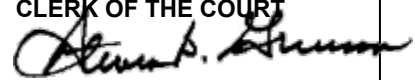
INTRODUCED - public hearing 10/16/24.

24. ORD-24-900591: Introduce an ordinance to amend Title 30 to clarify the process for appeals and providing for other matters properly related thereto; and set a public hearing. (For possible action)

INTRODUCED - public hearing 10/16/24.

PUBLIC COMMENTS

Comments by the General Public regarding any items not listed on the agenda as posted. No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on a future agenda.



ROP

STEVEN B. WOLFSON

District Attorney

CIVIL DIVISION

State Bar No. 001565

By: ROBERT T. WARHOLA

Chief Deputy District Attorney

State Bar No. 4410

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Attorneys for Respondent

Clark County

DISTRICT COURT

CLARK COUNTY, NEVADA

PALM PROPERTIES, LLC, a Nevada limited
liability company; LEADING EDGE
VENTURES, LLC, a Nevada limited liability
company; ROBERT LAUER, an individually.)

Case No: A-24-907944-J
Dept No: 18

Petitioners,

vs.

COUNTY OF CLARK, a political
subdivision of the State of Nevada, et al.,

Respondent.

RECORD OF THE PROCEEDINGS, VOLUME V

Respondent hereby files with the Court the Record of the Proceedings pursuant to Eighth Judicial District Court Rule 2.15 consisting of documents from the Clark County Clerk, Commission Division, and the Clark County Current Planning Division numbered ROP 000712 through ROP 000936.

DATED this 24th day of March, 2025.

STEVEN B. WOLFSON
DISTRICT ATTORNEY

By: /s/ Robert T. Warhola

ROBERT T. WARHOLA

Chief Deputy District Attorney

State Bar No. 4410

500 South Grand Central Pkwy., Suite 5075

Las Vegas, Nevada 89155-2215

Attorney for Respondent

CERTIFICATE OF ELECTRONIC SERVICE

I hereby certify that I am an employee of the Office of the Clark County District Attorney and that on this this 24th day of March, 2025 I served a true and correct copy of the foregoing **RECORD OF THE PROCEEDINGS, VOLUME V** (United States District Court Pacer System or the Eighth Judicial District Court Wiznet), by e-mailing the same to the following recipients. Service of the foregoing document by e-mail is in place of service via the United States Postal Service.

Amy L. Sugden, Esq.
SUGDEN LAW
375 E. Warm Springs, Ste. 104
Las Vegas, Nevada 89119
Attorney for Petitioners
amy@sugdenlaw.com

/s/Patricia C. Villa
An Employee of the Clark County District
Attorney's Office – Civil Division

COVER SHEET FOR MINUTES

MEETING CODE: Board of County Commissioners Zoning Meeting

MEETING DATE: November 6, 2024

SECRETARY: Michelle Hinkson

TYPED/PROOFED/COMPLETED: December 3, 2024

DISTRIBUTED:

SECRETARY: Michelle Hinkson

DATE: December 3, 2024

APPROVED BY BOARD:

DATE:

December 4, 2024



togetherforbetter

Board of County Commissioners

Clark County, Nevada

Tick Segerblom, Chair
William McCurdy II, Vice Chair
Jim Gibson
Justin Jones
Marilyn K. Kirkpatrick
Ross Miller
Michael Naft

The Board of County Commissioners of Clark County, Nevada met in recessed regular session in full conformity with law and bylaws of said Board at the regular place of meeting in Clark County, Nevada, on Wednesday, November 6, 2024:

CLARK COUNTY GOVERNMENT CENTER
COMMISSION CHAMBERS
500 S GRAND CENTRAL PKWY
LAS VEGAS, NEVADA 89106

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SEC. 1. OPENING CEREMONIES

CALL TO ORDER

The meeting was called to order at 9:02 a.m. by Vice Chair McCurdy with the following members present:

Commissioners Present:

William McCurdy II, Vice Chair
Jim Gibson
Justin Jones
Marilyn K. Kirkpatrick
Ross Miller
Michael Naft

Absent:

Tick Segerblom, Chair

Also Present:

Robert Warhola, Deputy District Attorney
Sami Real, Director, Comprehensive Planning
Antonio Papazian, Manager, Development Review
JaWaan Dodson, Assistant Manager, Development Review
Lynn Marie Goya, County Clerk
Jewel Gooden, Deputy Clerk
Michelle Hinkson, Deputy Clerk

SEC. 2. PUBLIC FORUM

1. Public Comment

SAMI REAL

Good morning, Commissioners. The first item on the agenda is public comment.

WILLIAM MCCURDY II

As the first time set aside for public comment, you'll be allotted three minutes. If there's anyone liking to come forward to speak to items that are posted on the agenda, please state the item number that you're speaking on behalf of and welcome.

MARGARET ANN COLEMAN

Good morning. My name is Margaret Ann Coleman. Can you put this on the scanner?

WILLIAM MCCURDY II

Good morning. What item are you?

MARGARET ANN COLEMAN

This is concerning –

WILLIAM MCCURDY II

Which item?

MARGARET ANN COLEMAN

– item. This is concerning, yesterday I was trying to continue 43 and 21. You had put together and approved concerning \$3 thousand, \$3 million, and \$8 million that was credit and due. You didn't give me a chance to comment, make a statement that that money –

WILLIAM MCCURDY II

Ms. Coleman?

MARGARET ANN COLEMAN

- this mines. If this is concerning the property –

WILLIAM MCCURDY II

If you could wait for the second portion of public comment at the end of the agenda, you'll be allowed to speak.

MARGARET ANN COLEMAN

This is on the agenda. This is concerning public comments.

WILLIAM MCCURDY II

Thank you.

MARGARET ANN COLEMAN

And approval agenda after concerning request.

WILLIAM MCCURDY II

All right.

MARGARET ANN COLEMAN

It's on the agenda.

WILLIAM MCCURDY II

Ms. Real.

MARGARET ANN COLEMAN

I have the right discuss. I have-

SEC. 3. AGENDA

2. Approval of the Agenda After Considering Requests to Add, Hold, or Delete Items. (For possible action)

ACTION: APPROVED.

SAMI REAL

The second item is the approval of the agenda. After considering any additions or deletions of items, Staff has the following requests, which may require renotification fees in accordance with Title 30.

- Hold to the November 20, 2024, Zoning Meeting: Item 7, VS-24-0277; Item 8, WS-24-0276; Item 12, UC-24-0436; and Item 26, AG-24-900729.
- Hold to the December 2, 2024, Zoning Meeting: Item 4, AR-24-400090 for WC-0174-16 and UC-0849-14.
- Hold to the February 5, 2025, Zoning Meeting: Item 19, WC-24-40060 for NZC-22-0028.

The above public hearing items are going to be opened as a public hearing and immediately recessed until the dates as previously stated. With these deletions, which are Items 4, 7, 8, 12, 19 and 26, the agenda stands ready for your approval.

MOTION

MICHAEL NAFT

Mr. Chair, I move approval of the agenda.

WILLIAM MCCURDY II

We have a motion on the board. Please cast your vote.

VOTE

VOTING AYE: William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None

ABSENT: Tick Segerblom

ABSTAIN: None

WILLIAM MCCURDY II

Motion is adopted.

3. Approval of minutes. (For possible action)

ACTION: APPROVED.

SAMI REAL

The third item on the agenda is the approval of the minutes. The minutes of the October 2, 2024, Zoning Meeting are ready for approval.

MOTION

MICHAEL NAFT

I move approval of the minutes.

WILLIAM MCCURDY II

All right, we have a motion by Commissioner Naft. Please cast your vote.

VOTE

VOTING AYE: William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None

ABSENT: Tick Segerblom

ABSTAIN: None

SEC. 4. ROUTINE ACTION ITEMS 4 THROUGH 10

ACTION: APPROVED.

SAMI REAL

Next are the Routine Action Items which consists of Items 4 through 10, except items previously deleted. These items may be considered together in one motion and are subject to the conditions listed with each agenda item. In addition, Staff has the following request:

- Item 9, WS-24-0419, add a Public Works condition to read: applicant to work with Public Works Development Review for the design of a median along Quail Avenue.

If there are no objections, the public hearing is now open, and the Routine Action portion of the agenda stands ready for approval.

MOTION

MICHAEL NAFT

I move approval of the Routine Action Items with the changes reflected in Ms. Real's statement.

WILLIAM MCCURDY II

All right, we have a motion by Commissioner Naft. Please cast your vote.

VOTE

VOTING AYE: William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None

ABSENT: Tick Segerblom

ABSTAIN: None

WILLIAM MCCURDY II

Motion is adopted.

4. AR-24-400090 (WC-0174-16 (UC-0849-14))-MGM GRAND PROPCO, LLC:

HOLDOVER WAIVER OF CONDITIONS SIXTH APPLICATION FOR REVIEW of a use permit for live entertainment limited to daytime hours (6:00 a.m. to 10:00 p.m.) for a recreational facility (golf driving range) with accessory retail, eating and drinking facilities, live entertainment, and other accessory uses, and structures in conjunction with a resort hotel (MGM Grand) on a portion of 102.7 acres in a CR (Commercial Resort) Zone within the Airport Environs (AE-60 & AE-65) Overlay. Generally located on the southwest corner of Harmon Avenue and Koval Lane within Paradise. JG/bb/syp (For possible action)

ACTION: HELD TO DECEMBER 4, 2024, PER THE APPLICANT, TO RETURN TO THE PARADISE TOWN BOARD.

5. AR-24-400106 (UC-22-0498)-RESORTS WORLD LAS VEGAS, LLC:

USE PERMITS SECOND APPLICATION FOR REVIEW for the following: 1) a recreational facility; 2) fairgrounds; and 3) live entertainment in conjunction with an existing resort hotel (Resorts World) on a portion of 86.9 acres in a CR (Commercial Resort) Zone. Generally located on the west side of Las Vegas Boulevard South, the east side of Sammy Davis Jr. Drive, and the north side of Genting Boulevard within Winchester. TS/tpd/kh (For possible action)

ACTION: APPROVED

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Until June 21, 2025 to review to determine if the use of the property pursuant to this application warrants an amendment to the Resorts World Development Agreement.
- Applicant is advised a substantial change in circumstances or regulations may warrant denial or added conditions to an application for review; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

6. ET-24-400101 (UC-22-0403)-J & R PROPERTIES LAS VEGAS, LLC:

USE PERMITS FIRST EXTENSION OF TIME for the following: 1) allow trailer, recreational vehicle, and watercraft vehicle wash in an IL Zone; 2) allow trailer, recreational vehicle, and watercraft vehicle wash in the Airport Environs (APZ-2) Overlay; 3) reduce separation from residential use; and 4) waive screening of outside storage area.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce gate setback; 2) alternative landscaping; 3) eliminate trash enclosure; 4) security fence location; and 5) commercial driveway standards.

DESIGN REVIEW for modifications to an existing mini-warehouse facility with outside storage of vehicles and vehicle wash on 2.7 acres in an IL (Industrial Light) Zone within the Airport Environs (AE-65 & APZ-2) Overlay. Generally located on the north side of Judson Avenue, 400 feet west of Nellis Boulevard within Sunrise Manor. TS/rp/kh (For possible action)

ACTION: APPROVED

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Until September 21, 2026 to commence or the application will expire unless extended with approval of an extension of time.
- Applicant is advised a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Compliance with previous conditions

7. VS-24-0277-PALM PROPERTIES, LLC:

HOLDOVER VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file). TS/jor/syp (For possible action)

ACTION: HELD TO NOVEMBER 20, 2024, PER COMMISSIONER SEGERBLOM.

8. WS-24-0276-PALM PROPERTIES, LLC:

HOLDOVER WAIVER OF DEVELOPMENT STANDARDS to modify residential adjacency standards.

DESIGN REVIEW for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone. Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor. TS/jor/syp (For possible action)

ACTION: HELD TO NOVEMBER 20, 2024, PER COMMISSIONER SEGERBLOM.

9. WS-24-0419-MEEKRAT HOLDINGS, LLC:

AMENDED HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) modify residential adjacency standards (no longer needed); and 2) reduce throat depth (no longer needed).

DESIGN REVIEW for restaurant buildings on 2.12 acres in a CG (General Commercial) Zone within the Airport Environs (AE-60) Overlay. Generally located on the north side of Quail Avenue and the east side of Jones Boulevard within Spring Valley. MN/sd/syp (For possible action)

ACTION: APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Expunge the design review portion of ZC-22-0628;
- Certificate of Occupancy and/or business license shall not be issued without approval of Certificate of Compliance.

- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; that this application is contingent upon obtaining a license from the State of Nevada and Clark County Business License Department; failure to abide by and faithfully comply with the conditions of approval, Clark County Code, and the provisions of the Nevada Revised Statutes or Nevada Administrative Code may result in revocation of this application; approval of this application does not constitute or imply approval of any other County issued permit, license or approval; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Applicant to work with Public Works - Development Review for the design of the median along Quail Avenue;
- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back-of-curb for Quail Avenue and associated spandrel;
- 30 days to coordinate with Public Works - Construction Management Division and submit separate document if required, for dedication of any necessary right-of-way and easements and 90 days to record said separate document for the Jones Boulevard improvement project.
- Applicant is advised that the installation of detached sidewalks will require dedication to back-of-curb, the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that permits and operational permits may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316.

10. WS-24-0473-J & J INVESTPROP, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setback; and 2) allow modified driveway geometrics in conjunction with a developing single-family residential subdivision on 1.6 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the east side of Haven Street, 283 feet south of Ford Avenue within Enterprise. MN/jud/kh
(For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0145-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

SEC. 5. NON-ROUTINE ACTION ITEMS 11 THROUGH 33

11. SC-24-0261-WESTERN IRA FUNDING LTD RTMT PL:

AMENDED HOLDOVER STREET NAME CHANGE to change the name of Gagnier Boulevard to Signature Boulevard (previously notified as Dynamite Drive). Generally located on the south side of Roy Horn Way and the west side of Gagnier Boulevard within Spring Valley. MN/sd/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Building Department - Addressing

- Subject to Signature Boulevard.
- Applicant shall be responsible for the installation of street signs, per Public Works requirements, within 60 calendar days of the approval of the application.

SAMI REAL

Next is Item 11, SC-24-0261; amended holdover street name change to change the name of Gagnier Boulevard to Signature Boulevard, previously noticed as Dynamite Drive. Generally located on the south side of Roy Horn Way and the west side of Gagnier Boulevard within Spring Valley.

WILLIAM MCCURDY II

Welcome.

ED GARCIA

Good morning, Commissioners. Ed Garcia, 9555 Hillwood Drive here on behalf of the applicant. As stated, this is a name change request from Gagnier Boulevard as it runs north-south terminating from Roy Horn to Badura Avenue. This is just to the east of the Uncommons Development. This was in conjunction with development application that came through and was approved a couple months ago right here on this parcel in the northeast. The rest of this property is also controlled by an affiliated ownership.

After consultation with the Uncommons folks, in order to pursue a branding opportunity with those folks, they came to the name and that's why the name changed from Dynamite to Signature Boulevard.

I know there was some discussion about extending this even further. There is one, along the alignment, it discontinues here to the south of Badura but further down the road there is one property owner with a current active Gagnier address. I don't believe they're interested in changing their address. And efforts to negotiate with them to change their address have been unsuccessful. So, we are simply requesting from Roy Horn to Badura to change it to Signature Boulevard, much as many of the properties within Uncommons have already been amended. With that, I'd respectfully request your approval.

WILLIAM MCCURDY II

All right, does that conclude your presentation?

ED GARCIA

It does.

WILLIAM MCCURDY II

All right, this is a public hearing. Is there anyone that would like to come forward at this time? Hearing and seeing no one, we'll close the public hearing and turn over to Commissioner Naft.

MICHAEL NAFT

Thank you. Can I just ask for Staff, does it appease some of the concerns if it terminates at Maule instead of Badura so that it's just capturing that Uncommons area? I understand that it's still that you still don't support the request.

ED GARCIA

Thank you. Commissioner. It would still be the same scenario whether it's terminated at Maule or Badura.

ANTONIO PAPZIAN

Okay. And just to comment real quick, the Uncommons have the name changes, they're all internal to their development?

MOTION

MICHAEL NAFT

Okay. I don't have a strong preference. I'm going to keep it at Badura as was requested and move for approval.

WILLIAM MCCURDY II

All right, we have a motion by Commissioner Naft. Please cast your vote.

VOTE

VOTING AYE:	William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft
VOTING NAY:	None
ABSENT:	Tick Segerblom
ABSTAIN:	None

WILLIAM MCCURDY II

Motion is adopted.

ED GARCIA

Thank you.

12. UC-24-0436-MANNA INVESTMENT GROUP, LLC:

USE PERMIT for a vehicle wash.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) modify residential adjacency standards; 2) alternative buffering and screening; and 3) allow attached sidewalks.

DESIGN REVIEW for a vehicle wash in conjunction with an existing shopping center on a portion of 4.09 acres in a CG (Commercial General) Zone. Generally located on the west side of Sandhill Road and the south side of Desert Inn Road within Paradise. TS/sd/kh (For possible action)

ACTION: HELD TO NOVEMBER 20, 2024, PER COMMISSIONER SEGERBLOM.

13. UC-24-0491-BUDDHAYA NANDHARAM, INC.:

USE PERMIT for a place of worship.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce street landscaping; 2) reduce parking lot landscaping; 3) alternative buffering and screening; 4) modify residential adjacency standards; 5) driveway geometrics; and 6) allow attached sidewalks.

DESIGN REVIEW for a place of worship on 2.17 acres in an RS20 (Residential Single-Family 20) Zone. Generally located on the north side of Kell Lane and the east side of Betty Lane within Sunrise Manor. MK/bb/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence, or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Install commercial curb return driveways per Uniform Standard Drawing 222.1;
- Remove on-site parking spaces along Kell Lane and Betty Lane opposite the driveways to the satisfaction of Public Works - Development Review to avoid vehicle conflicts;
- 30 days to submit revised plans to address denial of waivers of development standards #5b through #5f and revised plans shall be to the satisfaction of Public Works -Development Review;
- Compliance with approved drainage study PW19-19387;
- Full off-site improvements.

WAIVERS OF DEVELOPMENT STANDARDS #4 AND #5B THROUGH #5F WERE DENIED.

SAMI REAL

Next is Item 13, UC-24-0491; Use Permit for a place of worship, Waivers of Development Standards for the following: reduce street landscaping, reduce parking lot landscaping, alternative buffering and screening, modify residential adjacency standards, driveway geometrics, and allow attached sidewalks. Design review for a place of worship on 2.17 acres in an RS20 (Residential Single-Family 20) Zone. Generally located on the north side of Kell Lane in the east side of Betty Lane within Sunrise Manor.

WILLIAM MCCURDY II

Welcome.

JASON BUSH

How's it going? Jason Bush, 2546 Evansville. Here on behalf of the applicant.

Okay, so we met with Commissioner Kirkpatrick yesterday and discussed a couple changes as far as switching this to a commercial approach, and eliminating parking here, and doing the same thing here, and eliminating this parking. So, we're prepared to do that. So, if there's any other questions, I guess?

WILLIAM MCCURDY II

Does that complete your presentation?

JASON BUSH

Yeah.

WILLIAM MCCURDY II

All right. This is a public hearing. Is there anyone who would like to come forward at this time to speak on this item? Hearing and seeing no one, we'll close the public hearing and turn it over to Commissioner Kirkpatrick.

MARILYN K. KIRKPATRICK

I thank you Mr. Chair and thank you for meeting with us yesterday, as well as JaWaan from Public Works. So, thank you for agreeing to the condition, it's so that it's the commercial curb and entrance. It's going to make a lot of difference so people don't have to stop before they turn in, it can work that way.

Two, you've agreed to remove all the parking spaces adjacent to the commercial driveway that's both on Kell and on the other street. And then, you also agreed that you'd give us an updated plan within 30 days reflecting those changes, so that we have it on our file. And then any other things that may come up with Public Works we'd like to allow you the flexibility to work with them to get this done. What we don't want to see is another extension or for it to expire, so we want to help you move forward.

So, I just want to clarify with Antonio and JaWaan, so we do agree that they can have the streets landscaping waivers on Number One because they already have the fence that's right there, so it doesn't make sense to make them tear down the fence. We agree to the landscaping for the landscape aisle. We agree to that waiver, as well, because the parking lots already built so it wouldn't make any sense for them to tear it up and try and put water in there.

So, on Item Number 5, all of these conditions, which ones do I need to change? Because I think they've agreed to, like D, to make it to 30-foot along Kell. I think that they have agreed to do the same for Betty Lane. They may have some throat depth issues, and I'd like the flexibility for you to be able to work with them. So, if you can tell me what that is I'll make that motion.

ANTONIO PAPZIAN

Thank you, Commissioner. So just to clarify, we're going to condition them to the commercial curb return driveways per uniform standard drawing 222.1. We do see that they may have throat depth issues, and we will work with them on those, keeping it flexible. We're going to remove parking spaces opposite the driveway so that there is no conflict as a car is backing out of a spot as someone is ingressing the development that there is no conflict there. And then, to add the conditions, submit revised plans within 30 days.

MARILYN K. KIRKPATRICK

And so, on the Waiver of Development Standards, I'm allowing waiver one, waiver two. We didn't really talk about the alternate buffering and screening, but I think you said you already have a wall there and you're going to put that landscape. So, we agreed to that alternate. We're denying number four, and

we're denying number five, and then we're allowing for number six, is that correct? Is that the simplest way to –

ANTONIO PAPZIAN

Commissioner, I think Waiver Number 5A until they draw the commercial curb return driveways, it's going to be hard to tell. That's why I'm asking for that flexibility to work with them. They may still need 5A, which is the approach distance from Kell and it's definitely going to change with that curb return driveway. But without seeing it, I don't know how much it's going to change.

MARILYN K. KIRKPATRICK

But if I'm denying Waiver 5 in adding additional condition that they can work with you, does that cover it? Or do I leave five in? I just don't want it to be muddy for the NOFA.

ROBERT WARHOLA

You only need 5A, right, so approve 5A subject to working with Public Works.

MOTION

MARILYN K. KIRKPATRICK

Okay, got it.

Okay, so that's my motion. Are you clear, Sami? So, my motion would be to approve this with allowing Waiver Number 1, Waiver Number 2, Waiver Number 3, denying Waiver 4, denying Waiver 5A, and allowing Waiver Number 6, is that correct? And then adding a condition that to work with Public Works on any additional throat depths or other issues that may come up.

ROBERT WARHOLA

Right. We're approving 5A and denying the rest of five.

MARILYN K. KIRKPATRICK

Oh, approving. Okay.

ROBERT WARHOLA

Yeah.

MARILYN K. KIRKPATRICK

Approving 5A.

WILLIAM MCCURDY II

All right we have a motion by Commissioner Kirkpatrick. Please cast your vote.

MARILYN K. KIRKPATRICK

Messy. I should have asked. You're good with everything that I said, and you understand what I said. Okay, perfect. And you can reach out to our office if you feel you get stuck, but these guys are great to work with.

VOTE

VOTING AYE: William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft
VOTING NAY: None
ABSENT: Tick Segerblom
ABSTAIN: None

WILLIAM MCCURDY II
Motion is adopted.

(Companion Items 14 and 15)

14. VS-24-0494-AAA LAND INVESTMENT, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Arby Avenue and Warm Springs Road, and between Fort Apache Road and Plushstone Street within Spring Valley (description on file). JJ/rr/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEM 15).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

SAMI REAL

Next are Items 14 and 15.

- Item 14, VS-24-0494; vacate and abandon easements of interest to Clark County located between Arby Avenue and Warm Springs Road, and between Fort Apache Road and Plushstone Street within Spring Valley.
- Item 15, WS-24-0495; Waivers of Development Standards for the following: modify residential adjacency standards and driveway geometrics, design review for expansion of a commercial development on a 2.35-acre portion of a 4.11-acre site in a CG (Commercial General) Zone generally located on the east side of Fort Apache Road and the north side of Warm Springs Road within Spring Valley.

WILLIAM MCCURDY II

Welcome.

LEBENE OHENE

Good morning, Commissioner and congratulations Commissioners.

Good morning, Commissioners. Congratulations, Lebene Ohene, 520 South 4th Street representing the applicant on this application. To orient you to the site, the site is located on the east side of Fort Apache Road and approximately 270 feet north of Warm Springs Road. The parcel is currently zoned CG, and was part of the parcel to the south, which is currently developed. This request is only for the parcel indicated to the north.

The first application, which is Item Number 14, is a vacation of patent easements, 33-foot-wide patent easements, along the north and east property lines. Staff and Town Board recommended approval of the application. The main application is the WS and design review for a commercial center consisting of three buildings, two to the north, one in the center, which is a restaurant with drive-through, and one to the south, which is a restaurant, maybe, a tavern, if they can meet requirements.

The Residential Adjacency Standards, which is Waiver Number 1, the main issue with that is a reduction in this 200-foot setback to 97 feet. But this request is mitigated with landscaping, which is more than 19 feet, and in some areas, 32 feet along the east property line. On the northern property line, the two buildings buffer the restaurant with a drive-through. To further mitigate the impact of the reduction, an additional five feet of landscaping is proposed along the east side of the drive-through, which is indicated by this landscaping, as well as the 19-foot-plus landscaping area. That's the main waiver.

The Waiver Number 2 that deals with off-sites, it's basically to reduce the throat there from 75 feet to 50 feet. There is cross access to the sudden parcel running along the east property line. Public Works did not have an issue with the request, however because Planning recommended denial of the application based on the setback reduction, they basically recommended denial, as well. And to further show the property as designed, the property to the north has the proposed landscaping that buffers both the north and the east and additional adjacent to the drive-through, which as shown, has all the landscaping that is requested in the area which had the pattern easement, to the south. There is no existing landscaping. So, Town Board had a split vote so there was no recommendation to it, and we will appreciate your recommendation and approval of the application based on the request as submitted to Staff.

We appreciate your approval with the conditions as listed in your agenda and I'm here to answer any questions. Thank you.

WILLIAM MCCURDY II

Thank you. Does that complete your presentation? All right, this is a public hearing. Is there anyone that would like to come forward at this time to talk on these items? Hearing and seeing none, we'll turn it over to Commissioner Jones.

MOTION

JUSTIN JONES

Thank you. Mr. Vice Chair, I move approval of agenda Items 14 and 15.

WILLIAM MCCURDY II

All right, we have a motion by Commissioner Jones. Please cast your vote.

VOTE

VOTING AYE: William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None

ABSENT: Tick Segerblom

ABSTAIN: None

WILLIAM MCCURDY II

Motion is adopted.

LEBENE OHENE

Thank you, Commissioners, and have a good day.

15. WS-24-0495-AAA LAND INVESTMENT, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) modify residential adjacency standards; and 2) driveway geometrics.

DESIGN REVIEW for expansion of a commercial development on a 2.35 acre portion of a 4.11 acre site in a CG (Commercial General) Zone. Generally located on the east side of Fort Apache Road and the north side of Warm Springs Road within Spring Valley. JJ/rr/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEM 14).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence, or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance.
- Applicant is advised that off-site improvement permits may be required.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0415-2024

to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

(Companion Items 16-18)

16. VS-24-0504-MAK ZAK, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Pebble Road and Agate Avenue (alignment), and between Buffalo Drive (alignment) and Monte Cristo Way within Enterprise (description on file). JJ/rr/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 17 AND 18).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 4 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include 45 feet to the back-of-curb for Pebble Road and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

SAMI REAL

Next are Items 16 through 18, which will be heard together.

- Item 16, VS-24-0504; Vacate and abandon easements of interest to Clark County, located between Pebble Road and Agate Avenue alignment and between Buffalo Drive alignment and Monte Cristo Way, within Enterprise.

- Item 17, WS-24-0505; Waivers of Development Standards for the following: reduce setbacks, reduce lot sizes, alternative Neighborhood Protection (RNP) Overlay standards; increased retaining wall height, increased fill height, and increased driveway width, and curb type. Design review for a single-family residential development on five acres in an RS-20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Pebble Road, 300 feet west of Monte Cristo Way within Enterprise.
- And then Item 18, TM-24-50106; tentative map consisting of six single-family residential lots on five acres, in an RS20 (Residential Single-Family 20) Zone, within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Pebble Road 300 feet west of Monte Cristo Way within Enterprise.

WILLIAM MCCURDY II

Welcome.

STEPHANIE ALLEN

Thank you. Good morning, Mr. Chair, Commissioners. Stephanie Allen 1980 Festival Plaza Drive, here on behalf of the applicant, Richmond American Homes. If you could look on the aerial, this property is located just to the east of Buffalo Drive off of Pebble. It's located within a Rural Neighborhood Protection Zone, and we are not asking to change anything with respect to the zoning or the overlay, specifically. We actually have a half-acre lot community with a density of 1.8 units to the acre and all single-single story and single-family homes.

Galloway Grove is just to the east of this project on the north side of Pebble, and it'll be similar product, or the same product actually, as Galloway Grove.

In talking with some of the residents in the area, they were very happy to hear it was an extension of Galloway Grove that is extremely compatible and has been well-received in the RNP. So, this is just an extension of that community.

This property is a nine-lot community. You can see there's three homes that'll front onto Pebble. And then we have the cul-de-sacs on two different cul-de-sacs here. Nine homes. The density is 1.8 units to the acre. The waivers are unique to this property, partially because it's on Pebble Road. And also with the new Code, there's some different measurement requirements than used to be required.

So, we are asking for reduction only on the internal lots for the front yard setbacks to 20 feet, where 40 feet is required. We do have the 40-foot setbacks on the three lots that are on Pebble, so there's a lot of space in those front yards, but on the internal lots it's pretty consistent in the RNPs to have that 20-foot front yard setback. Home buyers would prefer the space be in their rear yards than in the front yards. And you used to be able to count to the center line of the street for front yard setbacks, so it's practically that way in a lot of the RNP communities now, it just measured out to 40 feet. So, you're going to see that waiver quite a bit with respect to front yard setbacks, specifically.

The lot sizes, there are three lot sizes along Pebble, again because of the dedication of that right of way that we have asked to reduce slightly. So that's our second waiver request. And it's only on these three lots that front onto Pebble. But as I mentioned, the overall density for the nine-lot community is well under the two units to the acre at the 1.8 units to the acre.

The RNP standard that's being waived is only with regards to the lots that front onto Pebble, that's an 80-foot right of way, but it is very rural in nature. So, it's currently not operating as a busy 80-foot right of way. It's within the RNP area. We are proposing full off-sites so at some point if the rest of the development develops out, there will be detached sidewalks and full offsite improvements adjacent to this project.

We have a request for additional retaining wall and fill and that retaining, and fill will be mostly in this southern southwestern corner. In fact, we're lower on these lots and a little bit higher on these lots, so it does require some fill and retaining in this corner.

We have a driveway width waiver because on Pebble we had to actually increase our driveway width. We're only allowed to have a 28-foot driveway width and we're asking for a 38-foot driveway width, which I believe is better. So, we're just asking to increase that driveway width.

And finally, we have a depressed L curb on Pebble Road specifically as part of the off sites that we're asking for a waiver on. So, those are the waiver requests. It's not quite as simple as you'd think, but again, this is all half-acre, one-story homes, which is what the neighborhood wants, and what we hear from neighbors, they want to preserve the RNP and keep a community similar to this. So, it'll certainly be compatible in harmonious with the area. The one-story homes are beautiful single story, the Robert and Rocco models, which are 4,000 square foot and 3,400 square foot homes, over a million dollars price points. And again, consistent with that neighborhood just immediately to the northeast.

So, with that said, we would very much appreciate your approval today. I'm happy to answer any questions.

WILLIAM MCCURDY II

Thank you. Does that complete your presentation?

STEPHANIE ALLEN

Yes, sir.

WILLIAM MCCURDY II

All right. Is there anyone who would like to come forward at this time? This is a public hearing. All right, hearing and seeing no one, we'll turn it over to Commissioner Jones.

JUSTIN JONES

Thank you, Mr. Vice-Chair. Ms. Allen, can you clarify with regards to Waiver Number 1, whether the reduction on the setbacks applies only to lots one, two, three, seven, eight, and nine or whether it applies to all nine lots?

STEPHANIE ALLEN

Correct. It just applies to the six you referenced, which are the internal lots, the three that front onto Pebble we meet the 40-foot front yard setback.

JUSTIN JONES

Okay Ms. Real does that clarify that issue?

SAMI REAL

It does. The plans that we have on file show that the front yard setback was proposed to be, we'll just say encroached upon, for lots four, five and six. So, if the setback reduction really only applies to, I'll say, just the three internal lots and not the lots fronting, then I would recommend a clarification or an addition of a condition that says that the setback reduction doesn't apply to those lots fronting Pebble.

STEPHANIE ALLEN

And we're fine with that.

MOTION

JUSTIN JONES

Very good. All right, well with that modification of Waiver Number 1 then I'll go ahead and move for approval of agenda Items 16, 17, and 18.

WILLIAM MCCURDY II

All right, we have a motion by Commissioner Jones. Cast your vote.

VOTE

VOTING AYE:	William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft
VOTING NAY:	None
ABSENT:	Tick Segerblom
ABSTAIN:	None

WILLIAM MCCURDY II

Motion is adopted.

STEPHANIE ALLEN

Thank you very much.

WILLIAM MCCURDY II

Thank you.

17. WS-24-0505-MAK ZAK, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; 2) reduce lot sizes; 3) alternative Neighborhood Protection (RNP) Overlay standards; 4) increase retaining wall height; 5) increase fill height; 6) increase driveway width; and 7) curb type.

DESIGN REVIEW for a single-family residential development on 5.0 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Pebble Road, 300 feet west of Monte Cristo Way within Enterprise. JJ/rr/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 16 AND 18).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Waiver of development standards #1 does not apply to Lots 4 through 6 which front Pebble Road;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 45 feet to the back-of-curb for Pebble Road and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- Circular driveways, or on-site turnarounds, must be provided for all lots along Pebble Road;
- The installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0215-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

18. TM-24-500106-MAK ZAK, LLC:

TENTATIVE MAP consisting of 9 single-family residential lots on 5.0 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Pebble Road, 300 feet west of Monte Cristo Way within Enterprise. JJ/rr/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 16 AND 17).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 45 feet to the back-of-curb for Pebble Road and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- Circular driveways, or on-site turnarounds, must be provided for all lots along Pebble Road;
- The installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0215-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

19. WC-24-400060 (NZC-22-0028)-AMH NV10 DEVELOPMENT, LLC:

HOLDOVER WAIVER OF CONDITIONS of a nonconforming zone change requiring no certificate of occupancy can be issued for any structure within this project unless and until a certificate of occupancy has been issued for the clubhouse (adjacent project to the north) for a previously approved single-family residential development on 4.90 acres in an RS2 (Residential Single-Family 2) Zone. Generally located on the northwest corner of Oleta Avenue and Conquistador Street within Enterprise. JJ/rg/ng (For possible action)

ACTION: HELD TO FEBRUARY 5, 2025, PER THE APPLICANT. APPLICANT IS ADVISED THAT RE-NOTIFICATION FEES ARE REQUIRED PRIOR TO THIS ITEM BEING PLACED ON THE AGENDA.

20. WS-24-0475-PANCIROV GREGORY T. & CYNTHIA M. FAMILY TRUST & PANCIROV GREGORY T. & CYNTHIA M. TRS:

WAIVER OF DEVELOPMENT STANDARDS to allow an attached sidewalk.

DESIGN REVIEW for an office/warehouse building on 0.98 acres in an IP (Industrial Park) Zone within the Airport Environs (AE-60) Overlay. Generally located on the south side of Martin Avenue, 730 feet east of Valley View Boulevard within Enterprise. MN/lm/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Full off-site improvements.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0299-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

SAMI REAL

Next is Item 20; WS-24-0475, waiver of development standards to allow an attached sidewalk and design review for an office building on 0.98 acres in an IP (Industrial Park) Zone within the Airport Environs (AE-60) Overlay generally located on the south side of Martin Avenue, 730 feet east of Valley View Boulevard within Enterprise.

WILLIAM MCCURDY II

Welcome.

NGUYEN DALKEY

Hello. Nguyen Dalkey with ACG on behalf of the applicant, 4310 Cameron Street, Suite 12A. So, we're asking to do an infill parcel with limited frontage and one access point. It will be an office warehouse. It will be owner-tenant occupied. And I've laid out a site plan for you here, we'll be off towards the middle of the property. And then here is also a rendering of the proposed development. And with that I would humbly ask for your approval. Thank you for your time and attention to this.

WILLIAM MCCURDY II

All right, does that complete your presentation? All right, this a public hearing, is there anyone would like to come forward at this time? All right, we'll close the public hearing and turn over to Commissioner Naft.

MOTION

MICHAEL NAFT

Thank you. I move approval of Item 20.

WILLIAM MCCURDY II

All right, we have a motion to floor, cast your vote.

VOTE

VOTING AYE: William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None

ABSENT: Tick Segerblom

ABSTAIN: None

21. WS-24-0484-MARQUEZ FAMILY TRUST ETAL & MARQUEZ, CHRISTIAN & GABRIELA TRS:

WAIVER OF DEVELOPMENT STANDARDS for off-site improvements (streetlights, curb, gutter, and sidewalk) in conjunction with a single family subdivision on 2.07 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Eldorado Lane and the east side of Placid Street within Enterprise. MN/nai/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Install a 5-foot-wide detached asphalt pathway along Eldorado Lane and Placid Street to the satisfaction of Public Works - Development Review;
- Execute a Restrictive Covenant Agreement (deed restrictions).

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0401-2023 to obtain your POC exhibit; and that wastewater flow rates that exceed CCWRD estimates may require another POC analysis.

SAMI REAL

Next is Item 21; WS-24-0484, waiver of development standards for offside improvements, streetlights, curb, gutter, and sidewalk in conjunction with a single-family subdivision on 2.07 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of El Dorado Lane and the east side of Placid Street within Enterprise.

JASON GRIFFITH

Hi, my name is Jason Griffith. G-R-I-F-F-I-T-H.

CHRISTIAN MARQUES

Good morning, Commissioners. I'm Christian Marquez. We're here to –

JASON GRIFFITH

We're here to ask for a waiver of the offside improvements for a plot of land that we have. And then we'll add the five-foot asphalt around the side.

WILLIAM MCCURDY II

All right, so does that conclude your presentation? All right, this is a public hearing. Is there anyone who'd like to come forward at this time? Seeing none, we'll close the public hearing and turn over to Commissioner Naft.

MOTION

MICHAEL NAFT

Thank you. In other words, you're asking for the waiver. I'm going to grant the waivers, but I'm going to require that there be a five-foot detached asphalt path, with that to be included in my motion for approval of Item 21.

WILLIAM MCCURDY II

I have a motion by Commissioner Naft. Cast your vote.

SAMI REAL

And Commissioner, just to clarify, that would be on both streets, El Dorado and Placid?

MICHAEL NAFT

Yes. Thank you.

SAMI REAL

Okay.

VOTE

VOTING AYE:	William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft
VOTING NAY:	None
ABSENT:	Tick Segerblom
ABSTAIN:	None

WILLIAM MCCURDY II

Motion is adopted.

JASON GRIFFITH

Thank you.

MICHAEL NAFT

Thank you.

22. WS-24-0488-SOUTH PAW RESORT CENTER, LLC:

WAIVER OF DEVELOPMENT STANDARDS for an alternative landscape buffer.

DESIGN REVIEW for site modifications for a previously approved kennel (dog daycare and boarding) with retail on 0.89 acres in an IP (Industrial Park) Zone. Generally located on the north side of Pyle Avenue and the east side of Ullom Drive within Enterprise. JJ/lm/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0128-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

WAIVER OF DEVELOPMENT STANDARDS #1B WAS DENIED

SAMI REAL

Next is Item 22, WS-24-0488; waiver of development standards for an alternative landscape buffer and design review for site modifications for a previously approved kennel, a dog daycare and boarding facility with retail on 0.89 acres in an IP (Industrial Park) Zone, generally located on the north side of Pile Avenue and the east side of Ullom Drive within Enterprise.

Welcome.

NICHOLAS SELL

Good morning, Commissioners. I'm Nicholas Sell with green Tunnel on design.

GEORGE RIVERA

Good morning, George Rivera.

NICHOLAS SELL

And we're representing 10160 Ullom Drive. We're asking for some landscaping changes. The first one, the landscape buffer along the north and the east sides of the property from a previously approved Silver Dollar Gum Evergreen with a 60-inch box tree to the Willow Acacia with a three-inch minimum caliper and a 24-inch box tree. We're also changing the landscape fingers around the site from the Arizona Ash with a 48-inch box to the Bay Laurel with a 24-inch box. And then we're also changing the trees on the west side of the property from the previously approved Arizona Ash with a 40-inch box to the Mesquite tree with a three-inch caliper and a 24-inch box.

We're also changing the shrubs around the site. We have a list of them here; Texas Ranger and the Indian Hawthorne, to the Prostrate Acacia, the Feathery Senna, the Gray Desert Spoon, Red Yucca, Bush Lantana, Compact Texas Ranger, Creeping Rosemary, and Yellow Bells. We're asking for some waivers on these trees. These are a 30-inch foot trees at maturity where 40-inch trees are required. That's along the landscape buffer and on Ullom Street. And that's the landscaping changes.

We also have some site plan changes. We are requesting a 377-square foot dog pool, specifically for dogs to use. This is four-and-a-half foot deep and we're also including a splash pad for the dogs, as well, that's adjacent to that. We're also proposing to move the wall that was five feet from the sidewalk closer to the sidewalk to just increase that yard. And our pool is requiring a design review. So, hope you can approve our request.

WILLIAM MCCURDY II

Thank you. Does that conclude your presentation?

NICHOLAS SELL

Yes.

WILLIAM MCCURDY II

All right. This is a public hearing. Is there anyone who'd like to come forward at this time? Hearing and seeing no one we'll turn over to Commissioner Jones.

JUSTIN JONES

Thank you, Mr. Vice Chair. I didn't have a chance to speak with you all. You didn't ask to meet with me beforehand, so I didn't have a chance to understand what your reasoning was for seeking the waiver on 1B. What is the reason for it?

NICHOLAS SELL

You're talking about the trees?

JUSTIN JONES

Yep.

NICHOLAS SELL

Just these trees were oversized, initially. We're just requesting a smaller box tree.

JUSTIN JONES

No, you're moving from evergreen to non-evergreen. That's what the waiver is.

NICHOLAS SELL

Yes, that's correct, too.

JUSTIN JONES

Okay, well that's what the waiver is. I'm just trying to understand.

NICHOLAS SELL

Yeah, we're just, I think that was just to match the surrounding area a little bit better.

MOTION

JUSTIN JONES

All right, I'm going to go ahead and move for approval of the Design Review and Waiver Development Standard 1A and denial of Waiver of Development Standard 1B. In the future, if you have other requests, then come see me first.

NICHOLAS SELL

Okay.

WILLIAM MCCURDY II

We have a motion on the floor, cast your vote.

VOTE

VOTING AYE: William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None

ABSENT: Tick Segerblom

ABSTAIN: None

WILLIAM MCCURDY II

Motion is adopted.

NICHOLAS SELL

Thank you.

GEORGE RIVERA

Thank you.

23. WS-24-0489-HARDY MAURICE W. & ANN REV LIV TR & HARDY MAURICE W. & ANN TRS:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) full off-site improvements; and 2) paved legal access for a proposed minor subdivision map on 2.07 acres in an RS20 (Residential Single-Family 20) Zone. Generally located on the south side of Tank Road, 380 feet west of Pioneer Road within Moapa Valley. MK/lm/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; that compliance with Hillside standards per 30.04.05K is required with future development; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Coordinate with the Division of Air Quality for dust control;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Applicant is advised private easement is to remain as Public Works amends the Transportation Element.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that there are no public sanitary sewer facilities available and none are planned within the next 5 years.

SAMI REAL

Next is Item 23, WS-24-0489; Waivers of Development Standards for the following: full off-site improvements and paved legal access for a proposed minor subdivision map on 2.07 acres in an RS20 (Residential Single-Family 20) Zone, generally located on the south side of Tank Road, 380 feet west of Pioneer Road within Moapa Valley.

WILLIAM MCCURDY II

Welcome.

BRYCE HARDY

Thank you. Good morning. My name is Bryce Hardy. My address is 3228 Quaint Ranch Street in Logandale. I'm here representing my Mom. She's elderly and we would like, she would like to, basically, what we want to do is just divide one parcel of land into half, into two parcels of land, a two-acre parcel into two one-acre parcels. And you can see it here on Tank Road, the zoning is already RE, which is for half acre. So, this is just divided into one acre. And so we went through the whole, my Dad passed away years ago, and before he passed away, he's like, "Someday," told my Mom, "we'd like to divide that in half just in case the kids, or grandkids, or great-grandkids, or someone needs a place to build a house on." And so, a couple years ago I said, "Mom, if you want me to, I'll start going through the process and see what it takes to put a line on that map."

She has no desire to do anything with it right now, just to divide it in half in case somewhere down the line if one of her grandkids or something wants to build a house.

So, we started going through the process and they said everything was good. They had given me 11 different requirements that we needed to do, which were all fine, except for two of them we decided we didn't want to do. One of them was paving the road and one of them was off-site improvements. I assume that means curb, and gutter, and streetlights, and that sort of thing. And so, I'm here basically just for the reason to ask if, when we divide that property in half, if we wouldn't have to pave the road and we wouldn't have to put off-site improvements. The reasoning behind that, you can see it's a rural, out in Logandale, it's a rural area, it's a gravel road, private road my Dad built years ago and want to keep that rural. It's quiet, we don't want paved roads where people are driving fast up and down.

Also, I guess, the cost, we don't want to be cost just to get one extra lot. And really, there's no traffic, on that where it's at right now, maybe one or two cars per week go past that and that would just be the people driving up to, there's a water tank up on the hill, it's just one or two cars driving up there, the water company trucks to service.

So, basically just asking to waive the requirement to pave Tank Road and to waive off-site improvements on Tank Road as we just divide that in half. All right.

WILLIAM MCCURDY II

All right, thank you. It looks like we have a card here. This is a public hearing. We'll invite up Danielle Holliday. And step back and we'll open up the public hearing.

DANIELLE HOLLIDAY

Good morning, Commissioners. My name is Danielle Holliday, I'm a resident at 2110 Liston in Logandale and I'm the owner of the business at Moapa Valley Boulevard and Liston, which would primarily be affected by anything that goes on down Liston or past that road. And I stand here in support of Mr. Hardy's request for the waiver of development standards. I believe that the logistics are correct and that we, as neighbors, do support him in this agenda.

WILLIAM MCCURDY II

All right, thank you.

DANIELLE HOLLIDAY

Thank you.

WILLIAM MCCURDY II

Is there anyone else that would like to come forward at this time?

DENISE ROBERTSON

My name is Denise Robertson, and I live at 1990 Liston Avenue, and I do not support this. I think it's fine to make the subdivision, the access down Liston, however, Commissioner Kirkpatrick and I have spoken about this several times. We just had a Corn Maze. And we had, can you zoom out on this at all, so you can see the access to this road? All right, can you zoom out on the aerial view? Oh, you can't?

Okay, so the access to Liston comes down our road. It is a road that has been accessed by Logandale Trails. And it goes down our road and connects to Pioneer Road. The only thing that I would object to is filtering more traffic down our road. That's the only thing that I would object to. In terms of the access to this road is off of Moapa Valley, Boulevard down Liston across the railroad tracks and then Tank Road, that's the only reason that I would object to it, because we don't have an access. The access on Liston to Logandale Trail is the access on Liston to the Corn Maze was always to be a temporary access. The permanent access was supposed to be on Whipple. We haven't recognized or realized that, but yet we're still filtering traffic down Liston Road by subdivision of lands or by changing land use.

Recently this Commission just changed 100 acres of agricultural to a commercial use via a use permit. And all of that traffic filtered right down our road, 334 cars one way, 334 cars the other way. It's a road that is a primitive road. There's no sidewalk, curb, and gutter. It's just literally the end of the pavement and then six feet to our fence. So, the amount of traffic, if we could limit it down that road is what we're looking for, is what I'm looking for. But as far as your subdivision goes, I think it's insignificant. It would be two people a day, not 300. So, thank you.

WILLIAM MCCURDY II

All right, thank you. Is there anyone else? Seeing no one else we'll close the public comment and turn over to Commissioner Kirkpatrick.

MARILYN K. KIRKPATRICK

Thank you, Mr. Chairman. So, I agree you shouldn't have to do off-sites and all that other stuff. But I do want to clear up the record a little bit because we gave a temporary special use permit, and I know it's not your application, but because it was brought up, and I've tried to address it in emails, and I've tried to do all that and it falls on deaf ears, I suppose, but we, and it's apples and oranges, but at the same time it impacts this area. So, I want to talk about this little area of what's coming.

So, one, we received a FLAP (Federal Lands Access Program) Grant, which we've been working on for four years, to pave Pioneer as a whole because we've had so many complaints about the dust coming forward. We had to wait somewhat because Chris Angel's property, he wanted a piece of land that I didn't own that I couldn't give him, so we had to redesign, and do that. So, we are trying to address the dust as a whole.

Two, we approved a Temporary Special Use Permit for one time to see if, one, we could have another access available to see what the impact was on the community. And we recognized that there was going to be an impact on the community, which is why three neighborhood meetings were held, which is why we allowed for one year. So, we are working to address that issue that I do think that the Corn Maze folks have worked pretty hard to address every light condition, all those other things, but there's work to do. But this Commission did not change all that agricultural for the long term, it's one time, it was one time to see what it works. And 90% of the kids that live out there, work at that Corn Maze, so we're trying to ensure that other things.

We have talked to the BLM about the access on Liston to Logandale Trails, they're aware it's an issue. We do have a BLM right-of-way patent. So, people can go that way. It's on purpose, so that people have access to the BLM stuff. And I'm sorry Mr. Hardy that you're getting drug into this. But this is daunting because I don't like being told that I don't understand the town, because I understand your town more than people think. I spend a lot of time out there, I just am not at the local grocery store every day, right? And we are trying to better that area and allow for some of that economic development.

I said this was not the proper place to have this conversation because it's not on the agenda, but I'm circling it in and the attorney's going to poke me in the eyeballs here in a couple of seconds. But that being said, I just wanted to be clear, though, so what happens to us is we subdivide and I understand why you're subdividing, and rightfully so, because crazy enough throughout the town we have people coming together on their properties so they can save on the tax piece. And we understood this always could be a one-house person because the zoning wouldn't allow an actual subdivision. But that's our terms that we use at Clark County.

I do, at some point, want to do a transportation, what's it called, Antonio, it's a transportation update?

ANTONIO PAPAZIAN

Commissioner, it'd be to update the Transportation Element because Tank Road is on the Transportation Element. And because it's on the Transportation Element, even though it appears it goes nowhere, we have to ask for dedication. And I would rather not ask for dedication to a road that doesn't go anywhere.

MARILYN K. KIRKPATRICK

We don't want your road; we want you to keep it. But there's a process. And I have a couple other ones. I think Sharon Street is another one, and I think there are a couple other things that we want to look at in the area. And we also actually had someone that built in our right-of-way, their home, and we don't want them to have to tear that down, either. So, we do want to do a Transportation Element at some point. So hopefully you would work with us to update that.

But until then I have to leave the easement on this application, correct, JaWaan or no? Or can I say, until such time that a transportation map is updated? So that you could move forward in the event that you decide to build tomorrow, right?

JAWAAN DODSON

That's correct, Commissioner.

MARILYN K. KIRKPATRICK

But we want to do that. But I also want to caution that this will never be on our paving list because we don't want to pave it. You don't want to pave it. And there's such a small amount of dollars. Is there some basic paving that he has to do, though? I think with the subdivision that you're required; I feel like we worked with Mr. Lyman on a similar situation. Is there some basic something that he has to do for asphalt or something there? No?

ANTONIO PAPAZIAN

No Commissioner. They're outside of the PM-10 requirements.

MARILYN K. KIRKPATRICK

Oh, okay.

ANTONIO PAPAZIAN

So, they could get a waiver for the asphalt, waiver for the off-sites. Just for my clarification, talking to Rob, is that direction for me to amend the Transportation Element on Tank Road?

MOTION

MARILYN K. KIRKPATRICK

I want to do a couple of them at the same time so that we can address some of the traffic issues. But you guys got to be nice to us out there, when we come with the Transportation Element, you're not nice to us. So, we're trying to help.

So, with that, long way around, we make a motion for approval allowing the two waivers that you've asked for.

BRYCE HARDY

Thank you.

WILLIAM MCCURDY II

All right, there's a motion for approval. Cast your vote.

MARILYN K. KIRKPATRICK

And it's clear that he has to give the easement until such time that map is done, correct?

ANTONIO PAPAZIAN

Commissioner, so because you're going to add a few things, it seems like to the amendment of the update we'll –

MARILYN K. KIRKPATRICK

In that general vicinity, yeah.

VOTE

VOTING AYE: William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None

ABSENT: Tick Segerblom

ABSTAIN: None

BRYCE HARDY

Thank you.

MARILYN K. KIRKPATRICK

Okay.

(Companion Items 24 and 25)

24. WS-24-0511-KOREN STRATEGIC INVESTMENTS:

AMENDED WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate street landscaping (no longer needed); 2) increase fill height; 3) increase retaining wall height; and 4) waive off-site improvements (curb, gutter, streetlights, and sidewalks).

DESIGN REVIEW for a proposed single-family residential subdivision on 4.51 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the north side of Racel Street and the west side of Sisk Road within Lone Mountain. MK/jor/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS, (COMPANION ITEM 25).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- No HOA;
- Residences limited to single story homes;
- Any retaining wall over 3.5 feet in height shall be tiered or incorporate another acceptable technique to soften the appearance of the increased wall height;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Minimum paving required along Racel Street, Sisk Road, and Meisenheimer Avenue;
- Drainage study and compliance;
- Execute a Restrictive Covenant Agreement (deed restrictions).

Fire Prevention Bureau.

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; and that for any sanitary sewer needs, to contact the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

SAMI REAL

Next are companion Items 24 and 25.

- Item 24, WS-24-0511; amended waivers of development standards for the following: eliminate street landscaping no longer needed, increased fill height, increased retaining wall height, and waive off-site improvements, curb gutter streetlights, and sidewalks. Design review for a proposed single-family residential subdivision on 4.51 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the north side of Racel Street and the west side of Sisk Road within Lone Mountain.
- And then Item 25, TM-24-500109; tentative map consisting of nine single-family residential lots on 4.51 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay, generally located on the north side of Racel Street and the west side of Sisk Road within Lone Mountain.

WILLIAM MCCURDY II

Welcome.

STEPHANIE ALLEN

Good morning again, Mr. Chairman, Commissioners, Stephanie Allen, 1980 Festival Plaza Drive here on behalf of the applicant, Richmond American Homes. This property is located in the northwest off of Racel and Sisk Road. We are not requesting any type of zone change or a plan amendment. It is simply a conforming application to the RNP and the RS20 development. Richmond is proposing half-acre lots with all one-story homes on the property. And we very much appreciate Staff and Town Board's recommendation on this application.

The one waiver that Staff is not supporting is our request to not do the full off-site improvements because this area is very rural, in nature. We have nine lots. You can see this is the layout, with three of the homes fronting onto Meisenheimer. At our neighborhood meeting, this was originally flipped and the neighbors asked us to move the homes that would front onto Meisenheimer instead of Racel, which is to the south. And then we have a cul-de-sac with six homes on the southern portion of the property. The Waiver Number 1 is no longer needed. Waivers 2 and 3 are with respect to the fill and the retaining wall. We're simply asking for a half-a-foot additional beyond what the code allows and that's mostly on this western wall.

And then the final waivers, as I mentioned, the off-sites to keep it rural, that's important to the residents in the area. And Richmond is willing to request that waiver if this Commission is willing to grant it.

The one-story homes are all of their large Robert and Rocco homes. This is 4,000 square feet. The Rocco is 3,400 square feet, roughly. And again, these are over a million-dollar homes and will be, certainly, a good addition to the area. And sticking with the rural character of the area.

So, with that said, I'm happy to answer any questions. We'd ask you to follow Staff and the Town Board's recommendation of approval, and also approve the one waiver of full off-sites, please. Happy to answer any questions.

WILLIAM MCCURDY II

All right, does that conclude your presentation?

STEPHANIE ALLEN

Yes, sir.

WILLIAM MCCURDY II

All right. This is a public hearing, is there anyone that would like to come forward at this time? Hearing and seeing none, close public hearing time, I'll turn it over to Commissioner Naft.

MARILYN K. KIRKPATRICK

How about me?

WILLIAM MCCURDY II

Oh, excuse me, Commissioner Kirkpatrick. Excuse me.

MOTION

MARILYN K. KIRKPATRICK

First, we want to thank Richmond American for building what the residents want. And half-acre single story is consistent with what's out there. So one, we're willing to waive the off-sites because no one around you has off-sites and what we don't want to create is a flooding issue in the event that we put off-sites and it moves the water different places. So, we support that.

We support you flipping the project so that now the landscaping has to be adjusted. And then, lastly, the three feet, if it's more than three-and-a-half feet, the tiered wall, or you got to do something to soften the look of it, because it won't match the existing neighborhood. Was there anything else, Antonio? Did I get them all?

ANTONIO PAPAZIAN

You did, Commissioner. Thank you. I would like to just clarify because they are asking for the waiver of off-sites, it sounds like you're willing to support it, that they cannot waive minimum asphalt requirements.

MARILYN K. KIRKPATRICK

Oh, right,

ANTONIO PAPAZIAN

because they are inside of the PM-10.

MARILYN K. KIRKPATRICK

I tried that on the last application, but you are inside the PM-10, so, okay. All right, with that, that's my motion.

WILLIAM MCCURDY II

We have a motion by Commissioner Kirkpatrick, please cast your vote.

MARILYN K. KIRKPATRICK

Oh, can I just clarify one more thing, no, HOA.

STEPHANIE ALLEN

Yes –

MARILYN K. KIRKPATRICK

Okay.

STEPHANIE ALLEN

—we understand that.

SAMI REAL

So, Commissioner, can I clarify, did you want to add the single story as a condition, as well?

MARILYN K. KIRKPATRICK

Yep. Because they have agreed to it. So, no HOA, single story only. And then the waiver of the off-sites, the landscape, and the wall, if it has to go more than three-and-a-half, you have to soften it.

STEPHANIE ALLEN

We're fine with all of that. I just wanted to clarify, they usually have a landscape maintenance agreement just to maintain the landscaping, but it's not a full-blown HOA.

MARILYN K. KIRKPATRICK

Yep. And if you're going to put a monument sign out, you got to be consistent with everything else out there. Low lighting, all that good stuff, to keep it rural.

STEPHANIE ALLEN

Got it.

MARILYN K. KIRKPATRICK

Okay, thank you.

WILLIAM MCCURDY II

All right, there's a motion. Votes have been cast.

VOTE

VOTING AYE: William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None

ABSENT: Tick Segerblom

ABSTAIN: None

WILLIAM MCCURDY II

Motion is adopted.

STEPHANIE ALLEN

Thank you very much. Appreciate it. And congratulations, you three on your election.

25. TM-24-500109-KOREN STRATEGIC INVESTMENTS:

TENTATIVE MAP consisting of 9 single-family residential lots on 4.51 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the north side of Racel Street and the west side of Sisk Road within Lone Mountain. MK/jor/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS, (COMPANION ITEM 24).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Minimum paving required along Racel Street, Sisk Road, and Meisenheimer Avenue;
- Drainage study and compliance;
- Execute a Restrictive Covenant Agreement (deed restrictions).

Building Department - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided;
- All streets shall have approved street names and suffixes.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; and for any sanitary sewer needs, to contact the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

SEC. 6. AGENDA ITEM

26. AG-24-900729: Discuss a potential amendment to Title 30 to address how setbacks are measured; and direct staff accordingly. (For possible action)

ACTION: HELD TO NOVEMBER 20, 2024, PER COMMISSIONER SEGERBLOM.

SEC. 7. INTRODUCTION OF ORDINANCES

27. ORD-24-900529: Introduce an ordinance to consider adoption of a Development Agreement with SCT Silverado Ranch & Arville LLC for a commercial development on 0.8 acres, generally located east of Arville Street and north of Silverado Ranch Boulevard within Enterprise. JJ/jm (For possible action)

ACTION: INTRODUCED AND SET FOR PUBLIC HEARING ON WEDNESDAY NOVEMBER 20, 2024, AT 10 A.M. (BILL 11-6-24-1).

SAMI REAL

Next are ordinances for introduction. Items 27 through 29 are ordinances to consider an adoption of a development agreement.

- Item 27 is ORD-24-900529 for a Development Agreement with SCT Silverado Ranch and Arville, LLC for commercial development on 0.88 acres.
- Item 28, ORD-24-900546 is for a Development Agreement with Fort Apache, LTD for a multifamily residential development on 9.1 acres.
- And Item 29, ORD-24-900599 is for a development agreement with GY Properties, LLC for an office warehouse building on 21 acres.

And then Items 30 through 33 are ordinances for introduction to amend the official zoning map.

- Item 30 is ORD-24-900699, and that's for actions taken by the Board of County Commissioners on August 21, 2024.
- Item 31, ORD-24-900708 is for actions taken by the Board of County Commissioners on August 7, 2024.
- Item 32 is ORD-24-900710 is for actions taken by the Board of County Commissioners on September 18, 2024.
- And then lastly, Item 33, ORD-24-900725 are for actions taken by the Board of County Commissioners on September 4, 2024. And then also in Assessor's Books 059, 104, 140, 161, 162, 163, 164, 175, 176 and 177.

So, with that, Staff requests that you set the public hearing for Items 27 through 33 for November 20, 2024.

WILLIAM MCCURDY II

All right, we'll set the public hearing for November 20, 2024.

28. ORD-24-900546: Introduce an ordinance to consider adoption of a Development Agreement with Fort Apache, LTD for a multi-family residential development on 9.1 acres, generally located west of Fort Apache Road and south of Pebble Road within Enterprise. JJ/dw (For possible action)

ACTION: INTRODUCED AND SET FOR PUBLIC HEARING ON WEDNESDAY NOVEMBER 20, 2024, AT 10 A.M. (BILL 11-6-24-2).

29. ORD-24-900599: Introduce an ordinance to consider adoption of a Development Agreement with G Y Properties LLC for an office/warehouse building on 2.1 acres, generally located west of Westwind Road and south of Sunset Road within Enterprise. MN/dw (For possible action)

ACTION: INTRODUCED AND SET FOR PUBLIC HEARING ON WEDNESDAY NOVEMBER 20, 2024, AT 10 A.M. (BILL 11-6-24-3).

30. ORD-24-900699: Introduce an ordinance to amend the official zoning map, reclassifying certain properties as approved by the Board of County Commissioners on August 21, 2024. (For possible action)

ACTION: INTRODUCED AND SET FOR PUBLIC HEARING ON WEDNESDAY NOVEMBER 20, 2024, AT 10 A.M. (BILL 11-6-24-4).

31. ORD-24-900708: Introduce an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on August 7, 2024. (For possible action)

ACTION: INTRODUCED AND SET FOR PUBLIC HEARING ON WEDNESDAY NOVEMBER 20, 2024, AT 10 A.M. (BILL 11-6-24-5).

32. ORD-24-900710: Introduce an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on September 18, 2024. (For possible action)

ACTION: INTRODUCED AND SET FOR PUBLIC HEARING ON WEDNESDAY NOVEMBER 20, 2024, AT 10 A.M. (BILL 11-6-24-6).

33. ORD-24-900725: Introduce an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on September 4, 2024 and in Assessor's Books 059, 104, 140, 161, 162, 163, 164, 175, 176, and 177 the attached zone changes were approved to reclassify certain properties and amend the zoning map. (For possible action)

ACTION: INTRODUCED AND SET FOR PUBLIC HEARING ON WEDNESDAY NOVEMBER 20, 2024, AT 10 A.M. (BILL 11-6-24-7).

PUBLIC COMMENTS

SAMI REAL

And then this is the last time set aside for public comment.

WILLIAM MCCURDY II

All right, this is the last time set aside for public comment. You'll be allotted three minutes, ask you to come up, please state your name for the record.

MARGARET ANN COLEMAN

Thank you. My name is Margaret Ann Coleman. I'm back here because I was trying to explain to you that \$3 million and that \$8 million you had given to the homeless or the Community Living Southwest of Nevada.

My home is important to me. The reason why I moved to Las Vegas is because I was trying to establish living arrangements for my family and myself. You all have given the opportunity to give my property that I have shown you the deed and I have tried to give to the Assessor's Office. I have tried giving to Schofield, and I find out that new evidence concerning Schofield is the overthrower concerning with Marilyn Kirkpatrick and the rest of their conspirators.

They have given my property to a Filipino that you guys have given Filipino Town the options to take over portion of the State and using me as a Guinea pig of taking my State Farm money of \$385,000 that I'm crediting due of money stolen, items stolen due to the rip off by Mike Schofield, that is Darren Holmes. There is a partnership that's overthrowing me for 43 years of me trying to collect my worker's compensation, that is that \$3 million and that \$8 million.

You have, I don't know how to pronounce the first name, Y-U-E-N Bosco as 1316 Wizard owner. I'm the owner. I have given my, as I told you before, my grant deed to you.

Now, I want to also discuss the homeless matter. You guys want to improve the homeless shelter. People are suffering up in there. You haven't lived up in there. We are complaining about the toilets. We are getting bladder and kidney problems. I lived there for going on 11 days now and it's just disgusting. Not that I'm trying to overthrow my chance of not having a place to have my head off the ground, because you threw me outside, putting this gentleman, Bosco that is a Filipino, as accountant in my home to run Filipino Town using my efforts of my \$3 billion, \$3 million. I need my money to get out of town. I'm tired of Las Vegas. I'm tired of you people being the thieves of my life. Have overthrown me. I can't take care of my kids. Where's my children? I don't know where any of my kids, you threw one out with no shoes on and her bootie shorts. Kevin Shisler's running everything. There's Judge Leavitt.

I'm pissed off at you people. I need my money. And the key.

WILLIAM MCCURDY II

Is there anyone else that would like to come forward at this time for public comment?

DENISE ROBERTSON

So, since I made the trip from Logandale to here, I wanted to just-

WILLIAM MCCURDY II

Pleas state your name for the record.

DENISE ROBERTSON

Oh, Denise Robertson. I live at 1990 Liston Avenue in Logandale. Nevada. Since I made the trip down here, I wanted to make one more comment. Like I said, I live on Liston Avenue. The access to Logandale Trails, which is a State Park, has always been, the Liston Avenue access was always the temporary access to Logandale State Park or to Logandale Trails. The Whipple Street access was supposed to be the main access. The next time I come and make public comment, I'll bring something so that you can see. It's just on the aerial view.

However, just recently, when they held meetings about the Corn Maze, because of the distance, it's 100 acres up on the hill towards Logandale Trails. But because of the distance, none of the people on Liston Avenue, which is the access to that particular property, were notified. So, the traffic is being filtered down our road, although we were not notified or were able to give public comment about that.

So, if there is going to be public comment about that particular use permit again in the future, I would absolutely love it if we could notify everybody who's affected by it. Because that access, again, is down Liston Avenue to this particular property. But because it's more than 1,500 feet from the property, the notification of a use permit was not, we are outside of that 1,500 feet, because Liston Avenue circles around, goes through a whole parcel of BLM land, and then to this particular property. And so, because of the distance, it's a rural area, because of the distance, we were not notified about it.

I think that if we had a chance to be notified about it and knew what was coming, none of us on that road would've been surprised about the increase in traffic on that road. Thank you.

WILLIAM MCCURDY II

Thank you. All right. Oh, one more public comment. Anyone else that want public comment, we just ask that you come down at this time. Please state your name for the record.

DANIELLE HOLLIDAY

My name is Danielle Holliday. I just wanted to come up once again as I am a resident of 2110 Liston, and I was notified as a business owner and as a resident of the Corn Maze traffic. Not all the residents have the same opinion. We actually really appreciate the economy boost that we get from the Corn Maze. And so, I just wanted you to know that that is not the popular opinion of everyone on Liston Road, regarding the Corn Maze or the Logandale Trails traffic. It is a mixed opinion and I'm here to represent the other side of that. And I'm very grateful for that special use permit, for the notice that was given, and for the opportunity to host the Corn Maze and Logandale Trails in Moapa Valley. Thank you.

WILLIAM MCCURDY II

Thank you.

MARILYN K. KIRKPATRICK

Mr. Chairman. You should have at least asked Danielle to tell us the name of her pizza place because she actually does have the best pizza out there.

DANIELLE HOLLIDAY

Pirates Landing.

WILLIAM MCCURDY II

Pirates Landing it is. All right, this meeting is adjourned. Thank you.

END PUBLIC COMMENTS


There being no further business to come before the Board at this time, at the hour of 10:02 a.m., the meeting was adjourned.

PLEASE NOTE: THE COUNTY CLERK KEEPS THE OFFICIAL RECORD OF ALL PROCEEDINGS OF THE COUNTY COMMISSION, THE CCWRD BOARD OF TRUSTEES, THE UMC HOSPITAL BOARD OF TRUSTEES, THE CLARK COUNTY LIQUOR AND GAMING LICENSING BOARD, AND THE CLARK COUNTY REDEVELOPMENT AGENCY. TO OBTAIN A COMPLETE AND ACCURATE RECORD OF ALL PROCEEDINGS, ANY PHOTOGRAPH, MAP, CHART, OR ANY OTHER DOCUMENT USED IN ANY PRESENTATION TO THE BOARD/TRUSTEES, REQUESTS SHOULD BE SUBMITTED TO THE COUNTY CLERK.

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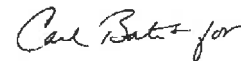
[ONLINE MEETING LINK](#)

APPROVED:


Tick Segerblom (Dec 5, 2024 14:45 PST)

TICK SEGERBLOM, CHAIR

ATTEST:



LYNN MARIE GOYA, CLARK COUNTY CLERK











Zoning Approved Minutes 11/6/2024 for signature

Final Audit Report

2024-12-05

Created:	2024-12-04 (Pacific Standard Time)
By:	Asano Taylor (TaylorA@ClarkCountyNV.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAkNoAeJ0VKNdo1Kc5ftRf7BNXYqmMikoh

"Zoning Approved Minutes 11/6/2024 for signature" History

-  Document created by Asano Taylor (TaylorA@ClarkCountyNV.gov)
2024-12-04 - 1:21:06 PM PST- IP address: 198.200.132.41
-  Document emailed to tsegerblom@clarkcountynv.gov for signature
2024-12-04 - 2:09:32 PM PST
-  Email viewed by tsegerblom@clarkcountynv.gov
2024-12-05 - 2:45:18 PM PST- IP address: 185.251.251.220
-  Agreement viewed by tsegerblom@clarkcountynv.gov
2024-12-05 - 2:45:18 PM PST- IP address: 185.251.251.220
-  Signer tsegerblom@clarkcountynv.gov entered name at signing as Tick Segerblom
2024-12-05 - 2:45:54 PM PST- IP address: 198.200.132.41
-  Document e-signed by Tick Segerblom (tsegerblom@clarkcountynv.gov)
Signature Date: 2024-12-05 - 2:45:56 PM PST - Time Source: server- IP address: 198.200.132.41
-  Document emailed to Carl Bates (cbates@clarkcountynv.gov) for signature
2024-12-05 - 2:45:57 PM PST
-  Agreement viewed by Carl Bates (cbates@clarkcountynv.gov)
2024-12-05 - 3:27:05 PM PST- IP address: 198.200.132.69
-  Document e-signed by Carl Bates (cbates@clarkcountynv.gov)
Signature Date: 2024-12-05 - 3:27:12 PM PST - Time Source: server- IP address: 198.200.132.69
-  Agreement completed.
2024-12-05 - 3:27:12 PM PST

FILED

NOV 19 2024

Lynn Marie Goyen
CLERK

NOTICE OF FINAL ACTION
CLARK COUNTY ZONING COMMISSION
9:00 A.M., WEDNESDAY, NOVEMBER 6, 2024

LEGAL NOTICE: Following the final approval or denial of every action before the Planning Commission and/or the Board of County Commissioners, a letter indicating the action taken and the conditions under which any approval is granted will be sent to the correspondent address on the application submitted. The information herein will be filed with the Clark County Clerk, Commission Division, and serve as notice of final action for the purposes of NRS 278.0235 which marks the commencement of the twenty-five (25) day limitation period specified.

1. Public Comments.
2. Approval of the Agenda After Considering Requests to Add, Hold, or Delete Items. (For possible action)
3. Approval of minutes. (For possible action)

Board of County Commissioners' Zoning Meeting minutes for 10/02/24.

ROUTINE ACTION ITEMS (4 – 10): These items may be considered in one hearing and in one motion. Any person who does not agree with the recommendations by staff should request that the item be removed from this portion of the agenda and be heard separately when directed by the Board of County Commissioners.

4. AR-24-400090 (WC-0174-16 (UC-0849-14))-MGM GRAND PROPCO, LLC:
HOLDOVER WAIVER OF CONDITIONS SIXTH APPLICATION FOR REVIEW of a use permit for live entertainment limited to daytime hours (6:00 a.m. to 10:00 p.m.) for a recreational facility (golf driving range) with accessory retail, eating and drinking facilities, live entertainment, and other accessory uses, and structures in conjunction with a resort hotel (MGM Grand) on a portion of 102.7 acres in a CR (Commercial Resort) Zone within the Airport Environs (AE-60 & AE-65) Overlay. Generally located on the southwest corner of Harmon Avenue and Koval Lane within Paradise. JG/bb/syp (For possible action)

HELD - 12/04/24 - per the applicant to return to the Paradise Town Board.

5. AR-24-400106 (UC-22-0498)-RESORTS WORLD LAS VEGAS, LLC:
USE PERMITS SECOND APPLICATION FOR REVIEW for the following: 1) a recreational facility; fairgrounds; and 3) live entertainment in conjunction with an existing resort hotel (Resorts World) on a portion of 86.9 acres in a CR (Commercial Resort) Zone. Generally located on the west side of Las Vegas Boulevard South, the east side of Sammy Davis Jr. Drive, and the north side of Genting Boulevard within Winchester. TS/tpd/kh (For possible action)

APPROVED.

**CONDITIONS OF APPROVAL -
Comprehensive Planning**

- Until June 21, 2025 to review to determine if the use of the property pursuant to this application warrants an amendment to the Resorts World Development Agreement.
- Applicant is advised a substantial change in circumstances or regulations may warrant denial or added conditions to an application for review; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

6. ET-24-400101 (UC-22-0403)-J & R PROPERTIES LAS VEGAS, LLC:
USE PERMITS FIRST EXTENSION OF TIME for the following: 1) allow trailer, recreational vehicle, and watercraft vehicle wash in an IL Zone; 2) allow trailer, recreational vehicle, and watercraft vehicle wash in the Airport Environs (APZ-2) Overlay; 3) reduce separation from residential use; and 4) waive screening of outside storage area.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce gate setback; 2) alternative landscaping; 3) eliminate trash enclosure; 4) security fence location; and 5) commercial driveway standards.
DESIGN REVIEW for modifications to an existing mini-warehouse facility with outside storage of vehicles and vehicle wash on 2.7 acres in an IL (Industrial Light) Zone within the Airport Environs (AE-65 & APZ-2) Overlay. Generally located on the north side of Judson Avenue, 400 feet west of Nellis Boulevard within Sunrise Manor. TS/rp/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Until September 21, 2026 to commence or the application will expire unless extended with approval of an extension of time.
- Applicant is advised a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Compliance with previous conditions.

7. VS-24-0277-PALM PROPERTIES, LLC:
HOLDOVER VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file). TS/jor/syp (For possible action)

HELD - 11/20/24 - per Commissioner Segerblom.

8. WS-24-0276-PALM PROPERTIES, LLC:
HOLDOVER WAIVER OF DEVELOPMENT STANDARDS to modify residential adjacency standards. DESIGN REVIEW for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone. Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor. TS/jor/syp (For possible action)

HELD - 11/20/24 - per Commissioner Segerblom.

9. WS-24-0419-MEEKRAT HOLDINGS, LLC:
AMENDED HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) modify residential adjacency standards (no longer needed); and 2) reduce throat depth (no longer needed).
DESIGN REVIEW for restaurant buildings on 2.12 acres in a CG (General Commercial) Zone within the Airport Environs (AE-60) Overlay. Generally located on the north side of Quail Avenue and the east side of Jones Boulevard within Spring Valley. MN/sd/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Expunge the design review portion of ZC-22-0628;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; that this application is contingent upon obtaining a license from the State of Nevada and Clark County Business License Department; failure to abide by and faithfully comply with the conditions of approval, Clark County Code, and the provisions of the Nevada Revised Statutes or Nevada Administrative Code may result in revocation of this application; approval of this application does not constitute or imply approval of any other County issued permit, license or approval; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Applicant to work with Public Works - Development Review for the design of the median along Quail Avenue;
- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back-of-curb for Quail Avenue and associated spandrel;
- 30 days to coordinate with Public Works - Construction Management Division and submit separate document if required, for dedication of any necessary right-of-way and easements and 90 days to record said separate document for the Jones Boulevard improvement project.
- Applicant is advised that the installation of detached sidewalks will require dedication to back-of-curb, the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.

- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that permits and operational permits may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316.

10. WS-24-0473-J & J INVESTPROP, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setback; and 2) allow modified driveway geometrics in conjunction with a developing single-family residential subdivision on 1.6 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the east side of Haven Street, 283 feet south of Ford Avenue within Enterprise. MN/jud/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0145-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

NON-ROUTINE ACTION ITEMS (11 – 33): These items will be considered separately.

11. SC-24-0261-WESTERN IRA FUNDING LTD RTMT PL:
AMENDED HOLDOVER STREET NAME CHANGE to change the name of Gagnier Boulevard to Signature Boulevard (previously notified as Dynamite Drive). Generally located on the south side of Roy Horn Way and the west side of Gagnier Boulevard within Spring Valley. MN/sd/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Building Department - Addressing

- **Subject to Signature Boulevard.**
- **Applicant shall be responsible for the installation of street signs, per Public Works requirements, within 60 calendar days of the approval of the application.**

12. UC-24-0436-MANNA INVESTMENT GROUP, LLC:
USE PERMIT for a vehicle wash.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) modify residential adjacency standards; 2) alternative buffering and screening; and 3) allow attached sidewalks.
DESIGN REVIEW for a vehicle wash in conjunction with an existing shopping center on a portion of 4.09 acres in a CG (Commercial General) Zone. Generally located on the west side of Sandhill Road and the south side of Desert Inn Road within Paradise. TS/sd/kh (For possible action)

HELD - 11/20/24 - per Commissioner Segerblom.

13. UC-24-0491-BUDDHAYA NANDHARAM, INC.:
USE PERMIT for a place of worship.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce street landscaping; 2) reduce parking lot landscaping; 3) alternative buffering and screening; 4) modify residential adjacency standards; 5) driveway geometrics; and 6) allow attached sidewalks.
DESIGN REVIEW for a place of worship on 2.17 acres in an RS20 (Residential Single-Family 20) Zone. Generally located on the north side of Kell Lane and the east side of Betty Lane within Sunrise Manor. MK/bb/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- **Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.**
- **Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.**

Public Works - Development Review

- **Install commercial curb return driveways per Uniform Standard Drawing 222.1;**
- **Remove on-site parking spaces along Kell Lane and Betty Lane opposite the driveways to the satisfaction of Public Works - Development Review to avoid vehicle conflicts;**
- **30 days to submit revised plans to address denial of waivers of development standards #5b through #5f and revised plans shall be to the satisfaction of Public Works - Development Review;**
- **Compliance with approved drainage study PW19-19387;**

- Full off-site improvements.

WAIVERS OF DEVELOPMENT STANDARDS #4 AND #5B THROUGH #5F WERE DENIED.

14. VS-24-0494-AAA LAND INVESTMENT, LLC:
VACATE AND ABANDON easements of interest to Clark County located between Arby Avenue and Warm Springs Road, and between Fort Apache Road and Plushstone Street within Spring Valley (description on file). JJ/rr/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

15. WS-24-0495-AAA LAND INVESTMENT, LLC:
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) modify residential adjacency standards; and 2) driveway geometrics.
DESIGN REVIEW for expansion of a commercial development on a 2.35 acre portion of a 4.11 acre site in a CG (Commercial General) Zone. Generally located on the east side of Fort Apache Road and the north side of Warm Springs Road within Spring Valley. JJ/rr/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance.
- Applicant is advised that off-site improvement permits may be required.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0415-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

16. VS-24-0504-MAK ZAK, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Pebble Road and Agate Avenue (alignment), and between Buffalo Drive (alignment) and Monte Cristo Way within Enterprise (description on file). JJ/rr/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 4 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include 45 feet to the back-of-curb for Pebble Road and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

17. WS-24-0505-MAK ZAK, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; 2) reduce lot sizes; 3) alternative Neighborhood Protection (RNP) Overlay standards; 4) increase retaining wall height; 5) increase fill height; 6) increase driveway width; and 7) curb type.

DESIGN REVIEW for a single-family residential development on 5.0 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Pebble Road, 300 feet west of Monte Cristo Way within Enterprise. JJ/rr/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Waiver of development standards #1 does not apply to Lots 4 through 6 which front Pebble Road;

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 45 feet to the back-of-curb for Pebble Road and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- Circular driveways, or on-site turnarounds, must be provided for all lots along Pebble Road;
- The installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0215-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

18. TM-24-500106-MAK ZAK, LLC:

TENTATIVE MAP consisting of 9 single-family residential lots on 5.0 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Pebble Road, 300 feet west of Monte Cristo Way within Enterprise. JJ/rr/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the

extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 45 feet to the back-of-curb for Pebble Road and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- Circular driveways, or on-site turnarounds, must be provided for all lots along Pebble Road;
- The installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0215-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

19. WC-24-400060 (NZC-22-0028)-AMH NV10 DEVELOPMENT, LLC:
HOLDOVER WAIVER OF CONDITIONS of a nonconforming zone change requiring no certificate of occupancy can be issued for any structure within this project unless and until a certificate of occupancy has been issued for the clubhouse (adjacent project to the north) for a previously approved single-family residential development on 4.90 acres in an RS2 (Residential Single-Family 2) Zone. Generally located on the northwest corner of Oleta Avenue and Conquistador Street within Enterprise. JJ/rg/ng (For possible action)

HELD - 02/05/25 - per the applicant. Applicant is advised that re-notification fees are required prior to this item being placed on the agenda.

20. WS-24-0475-PANCIROV GREGORY T. & CYNTHIA M. FAMILY TRUST & PANCIROV GREGORY T. & CYNTHIA M. TRS:
WAIVER OF DEVELOPMENT STANDARDS to allow an attached sidewalk.
DESIGN REVIEW for an office/warehouse building on 0.98 acres in an IP (Industrial Park) Zone within the Airport Environs (AE-60) Overlay. Generally located on the south side of Martin Avenue, 730 feet east of Valley View Boulevard within Enterprise. MN/lm/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Full off-site improvements.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0299-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

21. WS-24-0484-MARQUEZ FAMILY TRUST ETAL & MARQUEZ, CHRISTIAN & GABRIELA TRS: WAIVER OF DEVELOPMENT STANDARDS for off-site improvements (streetlights, curb, gutter, and sidewalk) in conjunction with a single family subdivision on 2.07 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Eldorado Lane and the east side of Placid Street within Enterprise. MN/nai/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Install a 5 foot wide detached asphalt pathway along Eldorado Lane and Placid Street to the satisfaction of Public Works - Development Review;
- Execute a Restrictive Covenant Agreement (deed restrictions).

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0401-2023 to obtain your POC exhibit; and that wastewater flow rates that exceed CCWRD estimates may require another POC analysis.

22. WS-24-0488-SOUTH PAW RESORT CENTER, LLC:

WAIVER OF DEVELOPMENT STANDARDS for an alternative landscape buffer.

DESIGN REVIEW for site modifications for a previously approved kennel (dog daycare and boarding) with retail on 0.89 acres in an IP (Industrial Park) Zone. Generally located on the north side of Pyle Avenue and the east side of Ullom Drive within Enterprise. JJ/lm/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0128-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

WAIVER OF DEVELOPMENT STANDARDS #1B WAS DENIED.

23. WS-24-0489-HARDY MAURICE W. & ANN REV LIV TR & HARDY MAURICE W. & ANN TRS: WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) full off-site improvements; and 2) paved legal access for a proposed minor subdivision map on 2.07 acres in an RS20 (Residential Single-Family 20) Zone. Generally located on the south side of Tank Road, 380 feet west of Pioneer Road within Moapa Valley. MK/lm/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; that compliance with Hillside standards per 30.04.05K is required with future development; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Coordinate with the Division of Air Quality for dust control;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Applicant is advised private easement is to remain as Public Works amends the Transportation Element.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that there are no public sanitary sewer facilities available and none are planned within the next 5 years.

24. WS-24-0511-KOREN STRATEGIC INVESTMENTS: AMENDED WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate street landscaping (no longer needed); 2) increase fill height; 3) increase retaining wall height; and 4) waive off-site improvements (curb, gutter, streetlights, and sidewalks). DESIGN REVIEW for a proposed single-family residential subdivision on 4.51 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the north side of Racel Street and the west side of Sisk Road within Lone Mountain. MK/jor/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- No HOA;
- Residences limited to single story homes;
- Any retaining wall over 3.5 feet in height shall be tiered or incorporate another acceptable technique to soften the appearance of the increased wall height;

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Minimum paving required along Racel Street, Sisk Road, and Meisenheimer Avenue;
- Drainage study and compliance;
- Execute a Restrictive Covenant Agreement (deed restrictions).

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; and that for any sanitary sewer needs, to contact the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

25. **TM-24-500109-KOREN STRATEGIC INVESTMENTS:**

TENTATIVE MAP consisting of 9 single-family residential lots on 4.51 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the north side of Racel Street and the west side of Sisk Road within Lone Mountain. MK/jor/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Minimum paving required along Racel Street, Sisk Road, and Meisenheimer Avenue;
- Drainage study and compliance;
- Execute a Restrictive Covenant Agreement (deed restrictions).

Building Department - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided;

- All streets shall have approved street names and suffixes.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; and for any sanitary sewer needs, to contact the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

AGENDA ITEM

26. AG-24-900729: Discuss a potential amendment to Title 30 to address how setbacks are measured; and direct staff accordingly. (For possible action)

HELD - 11/20/24 - per Commissioner Segerblom.

ORDINANCES – INTRODUCTION

27. ORD-24-900529: Introduce an ordinance to consider adoption of a Development Agreement with SCT Silverado Ranch & Arville LLC for a commercial development on 0.8 acres, generally located east of Arville Street and north of Silverado Ranch Boulevard within Enterprise. JJ/jm (For possible action)

INTRODUCED - public hearing 11/20/24.

28. ORD-24-900546: Introduce an ordinance to consider adoption of a Development Agreement with Fort Apache, LTD for a multi-family residential development on 9.1 acres, generally located west of Fort Apache Road and south of Pebble Road within Enterprise. JJ/dw (For possible action)

INTRODUCED - public hearing 11/20/24.

29. ORD-24-900599: Introduce an ordinance to consider adoption of a Development Agreement with G Y Properties LLC for an office/warehouse building on 2.1 acres, generally located west of Westwind Road and south of Sunset Road within Enterprise. MN/dw (For possible action)

INTRODUCED - public hearing 11/20/24.

30. ORD-24-900699: Introduce an ordinance to amend the official zoning map, reclassifying certain properties as approved by the Board of County Commissioners on August 21, 2024. (For possible action)

INTRODUCED - public hearing 11/20/24.

31. ORD-24-900708: Introduce an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on August 7, 2024. (For possible action)

INTRODUCED - public hearing 11/20/24.

32. ORD-24-900710: Introduce an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on September 18, 2024. (For possible action)

INTRODUCED - public hearing 11/20/24.

33. ORD-24-900725: Introduce an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on September 4, 2024 and in Assessor's Books 059, 104, 140, 161, 162, 163, 164, 175, 176, and 177 the attached zone changes were approved to reclassify certain properties and amend the zoning map. (For possible action)

INTRODUCED - public hearing 11/20/24.

PUBLIC COMMENTS

Comments by the General Public regarding any items not listed on the agenda as posted. No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on a future agenda.



togetherforbetter

Board of County Commissioners

Clark County, Nevada

Tick Segerblom, Chair
William McCurdy II, Vice Chair
Jim Gibson
Justin Jones
Marilyn K. Kirkpatrick
Ross Miller
Michael Naft

The Board of County Commissioners of Clark County, Nevada met in recessed regular session in full conformity with law and bylaws of said Board at the regular place of meeting in Clark County, Nevada, on Wednesday, November 20, 2024:

CLARK COUNTY GOVERNMENT CENTER
COMMISSION CHAMBERS
500 S GRAND CENTRAL PKWY
LAS VEGAS, NEVADA 89106

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SEC. 1. OPENING CEREMONIES

CALL TO ORDER

The meeting was called to order at Click or tap here to enter text. a.m. by Chair Segerblom with the following members present:

Commissioners Present:

Tick Segerblom, Chair
William McCurdy II, Vice Chair
Jim Gibson
Justin Jones
Marilyn K. Kirkpatrick
Ross Miller
Michael Naft

Absent:

None

Commissioner Miller exited the meeting following Item 40 presentation.

Also Present:

Robert Warhola, Deputy District Attorney
Sami Real, Director, Comprehensive Planning
Antonio Papazian, Manager, Development Review
JaWaan Dodson, Assistant Manager, Development Review
Lynn Marie Goya, County Clerk
Jewel Gooden, Deputy Clerk
Robin Delaney, Deputy Clerk

SEC. 2. PUBLIC FORUM

1. Public Comment

ACTION: NO ACTION WAS TAKEN BY THE BOARD.

TICK SEGERBLOM

Good morning. This is the County Commission Zoning Meeting on Wednesday. Ms. Real.

SAMI REAL

So good morning, Commissioners. Before we start today's meeting, Commissioner Naft wishes to say a few words about George Garcia, longtime land use consultant, who sadly passed away on October 26 of this year. So, Commissioner Naft?

MICHAEL NAFT

Yeah. Thank you, Sami.

George had become a fixture of this Chamber: of J.C. Garcia, Inc. He passed away, as Sami said, on October 26 very suddenly after a short battle against an aggressive lymphoma.

George founded J.C. Garcia in 1995. The firm is an internationally recognized leader in commercial real estate in Southern Nevada. George had 26 years of local government planning experience, serving for five years as the Planning Director for the City of Henderson. In addition to his personal successes, George was an animal lover who actively supported local rescues and shelter groups.

In his honor, his family, including his children, Melissa, Jordan and Chris, and Melissa and Chris I believe are here with us today, they've created the George C. Garcia Lymphoma Foundation to provide diagnosed lymphoma patients in southern Nevada with access to care and education.

I know, like all of us here, worked closely with George, as did many in the audience today and we're thinking, Melissa, of you and your whole family at this hard time. But always look forward – we know how proud George was, Melissa, to work with you and of your brothers and we're glad that you're here to continue in his legacy in the work that he spent his career on, planning and preparing for the future growth of Southern Nevada. Thank you, Ms. Real.

SAMI REAL

So, with that, we will begin today's meeting. So, the first item on the agenda is public comment.

TICK SEGERBLOM

This is the first period for public comment and anyone wishing to speak on an item on the agenda, please come forward and you have up to three minutes. Identify the item you're speaking on.

MARGARET ANN COLEMAN

Yes, this is – my name is Margaret Ann Coleman, C-O-L-E-M-A-N. This is concerning the agenda approval and it held and did items deleted.

This is concerning the program for the housing over at – on Las Vegas across from the funeral department. This place here has \$3 million that is credited due for my living arrangements. It's needing a lot of repairs and fixtures of that nature that I have views because I've been over there. Now I asked to be moved out due to the fact I am credit to be indoors and not on the ground or sleeping in that facility. They put me on navigation. You give me no credibility to maintain my own living arrangements. You want to take medication when you go in. You want to wheel and deal over that navigation in order to get your assistance. That is another default.

You made a statement concerning the people at the shelter. If they don't do right, they be arrested and put in jail. People being homeless due to the fact you all locked us outside with the constables. The Lopez and the Delregados have placed me in a situation of being locked out at 1316 Wizard and putting in Filipinos to, as you know, you open up a town section for them to live. Black people don't have that. You haven't given us that. I had Mormon Manor. You put each one of them and they are in that shelter. And they're talking about me, scorning and desecrating me every day.

I had an attorney called Attorney Welch that went to Florida that was – he was eight-balled it just for representing me to get my money. And from then on, I had been getting scorned and desecrated and never been able to collect. I'm needing you to cut me a check. Let me go. I help you, now help me. I need a car. I need to handle my own affairs. I'm 73 and I'm an adult and I would like to act that way. Thank you.

TICK SEGERBLOM

Thank you. Anyone else here wishes to speak – you want to come up on 55?

CARLOS IBARRA

Good morning, Commissioners. My name is Juan Carlos Ibarra, I-B-A-R-R-A. Me and my brother, we are a small developer here in Las Vegas and we support Item 55 proposed by Mr. Tick Segerblom. And it currently impacts our business. And again, we support Item 55. Thank you very much.

TICK SEGERBLOM

Thank you. Anyone else here wishing to speak? Seeing no one, well oh wait, here we go.

LEE DUSBABEK

Are you going to have public input after each one of these?

TICK SEGERBLOM

Yes. But also, but – I'm sorry, Sami. What were the three? There's three that have been –

SAMI REAL

So, Commissioner, we received a request to speak on Items 32, 33 and 34. Those items have requested to be held until December 4, 2024. I'll read those in next. So, if there's somebody here who wants to speak on Items 32, 33, 34, they can do so now during the public comment period or they can come back on December 4.

TICK SEGERBLOM

Yeah. So, you're welcome to speak now since you came all the way down there. So, thank you.

ROSS MILLER

It's in my district. So, I just wanted to let you know that it's undergoing a design change. So, some of you make comments may be relevant, some may not. But if you want to contact my office after the meeting, we'd be happy to discuss it with you as well. But look forward to listening to your comments this morning.

TICK SEGERBLOM

Well, you have to state your name and spell your last name for the record.

LEE DUSBABEK

Lee Dusbabek, 9355 Helena Avenue.

TICK SEGERBLOM

Thank you.

LEE DUSBABEK

Twenty-five years ago, I happened to be a member of the Lone Mountain Citizens Advisory Council when at that time you, the County and the City, came together in the same room and agreed to and signed a contract for the Rural Preservation Zone. And you promised us, the residents and everybody on TV watching here that's in the County, that you would uphold this. As you can tell, those three items are asking for waivers of all the things that you promised us. I'd just like to input that so you can consider it when you do vote. And was it December 9?

SAMI REAL

December 4.

LEE DUSBABEK

December 4. All right.

TICK SEGERBLOM

But also do you want to speak to Mr. Miller's staff? Are they – okay.

LEE DUSBABEK

Okay. So, I'll just contact him directly?

TICK SEGERBLOM

Yes.

LEE DUSBABEK

All right, thank you.

TICK SEGERBLOM

Thank you. Anyone else here wishing to speak?

CALVIN KOEHLER

My name's Calvin Koehler. I live at 9375 West Craig Road, and I'd like to speak on 32, 33 and 34 also.

The agreement he's talking about was between the City and the County on December 21, 2016, where they agreed to this. And then again on the 2021, Title 30 was passed by this Committee, which made it a Rural Estates area.

I'm only going to present two quick things. These are pictures of the development by Mr. Templeton that's up above my house in the same area. I'm not quite sure how he got in so many houses in such a small area, but this is a picture of what they look like and what the development he plans on making is going to look like. And this is a picture of the homes that exist there now and what they look like.

My neighbors have chickens, gardens, horses. There's actually a park on Lone Mountain for horses. That's what this area was developed for. It's what this Committee approved that development for. They're slowly chipping away on this and trying to make it Las Vegas City. And that's fine. If I wanted to live in Las Vegas City, I can afford to live in Las Vegas City. But I chose to live in Clark County. Reason behind that was so that I could have chickens, horses, gardens. If we allow this to happen now, it'll continue, and we might as well not even have Title 30. I thank you for your time.

TICK SEGERBLOM

Thank you. And I'm sorry, could you spell your last name?

CALVIN KOEHLER

Koehler. Koehler. It's K-O-E-H-L-E-R.

TICK SEGERBLOM

Great. Thank you.

CALVIN KOEHLER

Would you like to look at these pictures?

TICK SEGERBLOM

You could hand them to – here, right here.

CALVIN KOEHLER

Okay. Picture Number 1 is the development that's in existing above my place in the same area. And Picture Number 2 is normal homes in that area. They're not even close. Thank you.

TICK SEGERBLOM

Thank you.

CALVIN KOEHLER

Thank you for your time.

LUIS GUTIERREZ

Hello. Luis Gutierrez, 7500 West Lake Mead Boulevard here in Las Vegas. I also live in that general area. Regarding 33 and 34, why were we not notified about the extension or change of plans? Are we not communicating or is this – I would like some answers.

TICK SEGERBLOM

I'm sorry we can't – during public comment, we don't respond. But if you want to stick around –

LUIS GUTIERREZ

Well, for the public that's sitting here, we should have been notified of the extension. And also, just for the record, I'm not happy with the development.

TICK SEGERBLOM

Anyway, if you'll leave your name and number, we'll have Commissioner Miller's Office reach out to you.

LUIS GUTIERREZ

Are we going to be notified by mail?

TICK SEGERBLOM

I'm not sure. Sami?

ROSS MILLER

We just moved it this morning so there was no opportunity to let you know because they just put in the new design plan. So, we're moving it to December 5 – December 4, so you can come at that time.

LUIS GUTIERREZ

So hopefully we're not going to start playing these games with extensions and so people get all confused here. Because it may trigger worse than better. That's all.

TICK SEGERBLOM

All right, thank you. Anyone else here?

RUTH RIOS

Good morning. My name is Ruth Rios and I'm here with Dimas Gonzalez. My name is R-U-T-H R-I-O-S. His name is Dimas, D-I-M-A-S Gonzalez, G-O-N-Z-A-L-E-Z, on Item Number 22 that is being held.

Because we took the opportunity to come, we would like to speak just a little bit about it. We understand that it's being held. However, we want to address it. For the most part, we have taken care of all these items.

The only one that is remaining is the shipping containers in which we're going to be using license to make the structure of the house. We just want to make sure that we let you guys know that we are willing to comply with everything, but we are asking that at least the shipping containers, you guys allow us to keep it there since we're going to be using them for the construction of the house.

We are at this point just waiting for the grading plan to hopefully be approved within this month. And that's pretty much what we're asking. We have no more animals there because we do understand that we need to be living there to keep our animals there. There's no more selling any hay. Even though we had the permit, we didn't have the permit for the property, so we removed everything. So completely right now the lot is practically empty with the exception of the shipping containers that we are asking that you guys help us out with that.

WILLIAM MCCURDY II

We thank you for coming out today. While we can't go back and forth, we ask that you hang tight, or you wait for my office to reach out to you, and we'll be following up on some of the items that were in violation of the Code prior to this meeting. After this meeting. Excuse me. Is that okay?

RUTH RIOS

Say that again? I'm sorry.

WILLIAM MCCURDY II

My office will reach out to you afterwards.

RUTH RIOS

Okay.

WILLIAM MCCURDY II

Thank you.

RUTH RIOS

Thank you.

TICK SEGERBLOM

Thank you both. Anyone else here wishing to speak? Seeing no one, we'll close the – oops, here we go.

JEANALIN REHM

My name's Jeanalin Rehm. Good morning, guys. And this is Scott Rehm, and we are for Item 23 and we are asking for a home occupation, stable, livestock and to up our house count for household pets. And we are offering cow cuddles, and we wanted to –

TICK SEGERBLOM

Is this one, excuse me –

SAMI REAL

So, Commissioners, this item is actually off of the routine. So, we will hear this one.

TICK SEGERBLOM

This one is going to be heard if you want to stick around and-

JEANALIN REHM

Oh, okay.

TICK SEGERBLOM

– hear when the item is coming in.

JEANALIN REHM

Okay. All right.

TICK SEGERBLOM

Great. Thank you.

JEANALIN REHM

Sorry.

TICK SEGERBLOM

Sorry, we get a little confused. All right. Seeing no one else, we'll close the public hearing and ask Ms. –

SEC. 3. AGENDA

2. Approval of the Agenda After Considering Requests to Add, Hold, or Delete Items. (For possible action)

SAMI REAL

The second item is the approval of the agenda. After considering any additions or deletions of items, staff has the following request, which may require re-notification fees in accordance with Title 30:

- Hold to the December 4, 2024, Zoning Meeting: Item 32, VS-24-0509; Item 33, WS-24-0510; and Item 34, TM-24-500108.
- Hold to the December 18, 2024, Zoning Meeting: Item 21, UC-24-0436; Item 22, UC-24-0460; Item 26, VS-24-0457; Item 27 WS-24-0456; and Item 28, TM-24-500096.
- Hold to the January 22, 2025, Zoning Meeting: Item 43, WS-24-0526.
- And hold till the February 19, 2025, Zoning Meeting: Item 4, which is SDR-24-0334: and Item 5, DR-24-0335.

The above public hearing items are going to be open as a public hearing and immediately recessed until the dates as previously stated. With these deletions, which are Items 4, 5, 21, 22, 26, 27, 28, 32, 33, 34, and 43, the agenda stands ready for your approval.

Additionally, just to put it on and request the Commissioners, Commissioner Miller needs to leave early today and requests that his items be taken out of order and those items are Item 23 and Item 40.

MOTION

WILLIAM MCCURDY II

All right, Mr. Chair. With those changes read into the record, I move approval of the agenda.

TICK SEGERBLOM

There's a motion to approve the agenda. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft
VOTING NAY: None
ABSENT: None
ABSTAIN: None

TICK SEGERBLOM

That motion passes.

3. Approval of minutes. (For possible action)

SAMI REAL

The third item on the agenda is the approval of minutes. The minutes of the October 16, 2024, Zoning Meeting are ready for approval.

MOTION

WILLIAM MCCURDY II

Move approval of the minutes.

TICK SEGERBLOM

There's a motion. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft
VOTING NAY: None
ABSENT: None
ABSTAIN: None

TICK SEGERBLOM

That motion passes.

SEC. 4. ROUTINE ACTION ITEMS 4 THROUGH 17

SAMI REAL

Next are the Routine Action Items which consist of Items 4 through 17, except items previously deleted. These items may be considered together in one motion and are subject to the conditions listed with each agenda item.

In addition, staff has the following request: Item 9 for UC-24-0521, add a Public Works condition to read: a license and maintenance agreement for any non-standard improvements within the right-of-way along Las Vegas Boulevard South if required by Public Works Development Review.

If there are no objections, the public hearing is now open, and the Routine Action portion of the agenda stands ready for your approval.

MOTION

WILLIAM MCCURDY II

Chair, I move to approve the Routine Action Items with the recommended changes read into the record.

TICK SEGERBLOM

There's a motion. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None

ABSENT: None

ABSTAIN: None

TICK SEGERBLOM

That motion passes.

4. SDR-24-0334-MGM RESORTS LAND HOLDINGS II, LLC

HOLDOVER SIGN DESIGN REVIEW for modifications to an approved comprehensive sign plan for a resort hotel (Bellagio) on 76.63 acres in a CR (Commercial Resort) Zone. Generally located on the west side of Las Vegas Boulevard South and the south side of Flamingo Road within Paradise. JG/rr/syp (For possible action)

ACTION: DELETED FROM THE AGENDA (HELD TO FEBRUARY 19, 2025, PER THE APPLICANT. APPLICANT IS ADVISED THAT RE-NOTIFICATION FEES ARE REQUIRED PRIOR TO THIS ITEM BEING PLACED ON THE AGENDA).

5. DR-24-0335-BCORE PARADISE, LLC:

HOLDOVER DESIGN REVIEW for an expansion and modification to an existing resort hotel (Bellagio) on 85.77 acres in a CR (Commercial Resort) Zone. Generally located on the west side of Las Vegas Boulevard South and the south side of Flamingo Road within Paradise. JG/rr/syp (For possible action)

ACTION: DELETED FROM THE AGENDA (HELD TO FEBRUARY 19, 2025, PER THE APPLICANT. APPLICANT IS ADVISED THAT RE-NOTIFICATION FEES ARE REQUIRED PRIOR TO THIS ITEM BEING PLACED ON THE AGENDA).

6. ET-24-400107 (UC-20-0288)-WTML WARM SPRINGS, LLC:

USE PERMIT SECOND EXTENSION OF TIME for a cannabis establishment (retail cannabis store).

DESIGN REVIEW for a retail building for a cannabis establishment on 0.9 acres in a CG (Commercial General) Zone. Generally located on the south side of Warm Springs Road, 480 feet east of Haven Street within Enterprise. MN/mh/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Until August 19, 2026 to obtain valid business license for retail cannabis store or the application will expire unless extended with approval of an extension of time.
- Applicant is advised a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

7. WC-24-400111 (ZC-1965-04)-WIGWAM-PARVIN LIMITED PARTNERSHIP:

WAIVERS OF CONDITIONS of a zone change requiring the following: 1) a 45 foot setback on Las Vegas Boulevard South; 2) 20 foot minimum setback along all other street frontages; and 3) 20 foot wide landscape buffer with medium trees, 24 inch box in size, with shrubs to cover 50% of the landscape area and a detached sidewalk along Las Vegas Boulevard South unless prohibited by NDOT in conjunction with a proposed multi-family residential development on 9.23 acres in a CR (Commercial Resort) Zone. Generally located on the east side of Las Vegas Boulevard South and the south side of Jo Rae Avenue within Enterprise. MN/hw/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0290-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

8. VS-24-0520-WIGWAM-PARVIN LIMITED PARTNERSHIP:

VACATE AND ABANDON easements of interest to Clark County located between Jo Rae Avenue and Pyle Avenue and between Las Vegas Boulevard South and Giles Street; a portion of right-of-way being Pyle Avenue located between Las Vegas Boulevard South and Giles Street; a portion of right-of-way being Jo Rae Avenue located between Las Vegas Boulevard South and Giles Street; and a portion of right-of-way being Giles Street located between Jo Rae Avenue and Pyle Avenue within Enterprise (description on file). MN/hw/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include, 100 feet for Las Vegas Boulevard South, 25 feet to the back-of-curb for Giles Street and associated spandrels;
- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements for the Pyle Avenue improvement project, 90 days to record said separate document for the Pyle Avenue improvement project;
- The installation of detached sidewalks will require the recordation of this vacation of excess right-of-way, dedication to back-of-curb, and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

9. UC-24-0521-WIGWAM-PARVIN LIMITED PARTNERSHIP:

USE PERMIT to allow a multi-family residential development.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; and 2) alternative driveway geometrics.

DESIGN REVIEW for a proposed multi-family residential development on 9.23 acres in a CR (Commercial Resort) Zone. Generally located on the east side of Las Vegas Boulevard South and the south side of Jo Rae Avenue within Enterprise. MN/hw/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- A License and Maintenance Agreement for any non-standard improvements within the right-of-way along Las Vegas Boulevard South, if required by Public Works -Development Review;
- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include, 100 feet for Las Vegas Boulevard South, 25 feet to the back-of-curb for Giles Street and associated spandrels;
- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements for the Pyle Avenue

improvement project, 90 days to record said separate document for the Pyle Avenue improvement project;

- The installation of detached sidewalks will require the vacation of excess right-of-way, dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0290-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

10. ZC-24-0518-USA:

ZONE CHANGE to reclassify a 5.55 acre portion of 58.7 acres from an IH (Industrial Heavy) Zone to a PF (Public Facility) Zone within the Airport Environs (AE-70) Overlay. Generally located on the northwest side of Las Vegas Boulevard North and the north side of Nadine Petersen Boulevard within the Northeast County Planning Area (description on file). MK/rg (For possible action)

ACTION: APPROVED.

11. ORD-24-900529: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with SCT Silverado Ranch & Arville LLC for a commercial development on 0.8 acres, generally located east of Arville Street and north of Silverado Ranch Boulevard within Enterprise. JJ/jm (For possible action)

ACTION: ADOPTED (ORDINANCE 5189).

12. ORD-24-900546: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with Fort Apache, LTD for a multi-family residential development on 9.1 acres, generally located west of Fort Apache Road and south of Pebble Road within Enterprise. JJ/dw (For possible action)

ACTION: ADOPTED (ORDINANCE 5190).

13. ORD-24-900599: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with G Y Properties LLC for an office/warehouse building on 2.1 acres, generally located west of Westwind Road and south of Sunset Road within Enterprise. MN/dw (For possible action)

ACTION: ADOPTED (ORDINANCE 5191).

14. ORD-24-900699: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on August 21, 2024. (For possible action)

ACTION: ADOPTED (ORDINANCE 5192).

15. ORD-24-900708: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on August 7, 2024. (For possible action)

ACTION: ADOPTED (ORDINANCE 5193).

16. ORD-24-900710: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on September 18, 2024. (For possible action)

ACTION: ADOPTED (ORDINANCE 5194).

17. ORD-24-900725: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on September 4, 2024 and in Assessor's Books 059, 104, 140, 161, 162, 163, 164, 175, 176, and 177 the attached zone changes were approved to reclassify certain properties and amend the zoning map. (For possible action)

ACTION: ADOPTED (ORDINANCE 5195).

SEC. 5. NON-ROUTINE ACTION ITEMS 18 THROUGH 61

18. CP-24-900629: Conduct a public hearing, adopt the Flood Control Master Plan Update, and authorize the Chair to sign a Resolution amending the Plan. (For possible action)

ACTION: ADOPTED (RESOLUTION NO. 11-20-24-1).

SAMI REAL

All right. So, returning back to Item 18.

Item 18 is CP-24-900629. Conduct a public hearing, adopt the Flood Control Master Plan Update and authorize the Chair to sign a Resolution amending the plan. Commissioners, this is an update to the Flood Control Master Plan. Steve Parrish is here to give a brief presentation.

TICK SEGERBLOM

Good morning, Mr. Parrish. Two times in one week.

STEVEN PARRISH

I know, this is a record for me. Good morning, Mr. Chair, members of the Board. For the record, Steven Parrish, General Manager and Chief Engineer of the Clark County Regional Flood Control District.

I'm here today to present a master plan update for the Clark County outlying areas. We do five different master plans throughout Clark County. This master plan is dealing with those areas outside of the Las Vegas Valley and the outlying areas. The outlying areas are shown here. There are nine different areas. These are unincorporated areas. Just townships that are listed on the left-hand side of the slide there. So, we do one master plan update for all nine of these different areas.

We are required by NRS (Nevada Revised Statutes) to update our master plans every five years. So that prompted this update. And the purpose of these updates is to add any new information that we may

develop throughout the five-year period, identify areas perhaps that maybe need additional facilities shown on the master plan. We assess progress so if facilities have been completed, they're now shown as existing and then we identify any obstacles and recommend changes. The original master plan for Clark County included this area in 1986. The last update for the outlying areas was done in 2019.

This is the steps that we follow when we update a master plan. It starts with data collection. We check with Clark County, identify any different land uses that may be present or that have changed over the last five years. We normally will look at soils data to see if any changes occurred there. With that additional information, we'll update our facility planning and we'll update our hydrology model, so we'll determine how much water is draining out of here and then we'll identify facilities to deal with that water.

We will use a cost estimating tool that we developed in 2023 and during the Las Vegas Valley Master Plan update to develop cost estimates for those facilities. Once that work's all done, we'll go to the Town Advisory Boards or the Citizens Advisory Councils to talk about their areas. We did visit all six of those Advisory Boards and Councils and all recommended approval of their areas.

We develop a report at that point in time and then we submit for adoption. So, our Board adopted this plan in September and we're now here in front of the Board of County Commissioners to get adoption from Clark County.

I'm going to quickly go through each of the nine different areas. I'm going to go through this pretty fast, but if you have any questions or concerns, please stop me and we'll talk a little bit more in depth.

- The first area is the Blue Diamond area. There is no recommended changes on the plan for this area. Right now, we're showing a levee between the wash you see there on the north side of the town and the town itself to protect it. And then an all-weather crossing for Castelia Street is also proposed.
- In Coyote Springs there's no changes recommended for the plan here as well. All of these facilities were put on the plan per the developer's request that is doing the work out here. The developer is responsible for building these facilities and so there's no anticipated funds coming from the Regional Flood Control District for this work. As it's needed, the developer will build these facilities. There's no recommended changes to the plan here.
- In Good Springs there are two changes to the plan. The first is to the Pacific Avenue Channel. This is a channel proposed along Pacific Avenue. When we went to the Town Advisory Board, they expressed some concern about this channel was actually under design at the time. They were worried about aesthetics and other things and so the County has backed off on that design a little bit to address the Town Advisory Board's concerns. They may come back at a later time and continue the design after working with the Town Advisory Board.

Also, there was a change to the alignment for the outfall of a proposed detention basins along the south side of the Town to better match existing conditions.

- In Indian Springs, no changes proposed to the plan here. There's an existing detention basin and levee on the west side of Indian Springs. It's already built. There's a proposed facility that takes flows from the south around the west side of Indian Springs and up to US-95. No changes to the plan proposed with this update.

- Similarly in Gene, no changes proposed. It's kind of small to see, but there is one proposed crossing under Las Vegas Boulevard there. No changes to the plan proposed in this area.
- In Laughlin, there were a couple of changes proposed. The first is the addition of a sediment basin. This basin was needed to capture material that was washing into the storm drain that goes under Casino Drive right near State Route 163. It was difficult to keep that pipe maintained, so we're adding a sediment basin to capture that material before it enters the pipe. We adjusted the outfall for the Bridge Canyon Detention Basin to better match existing topography through there, through that area.

And then the last change was we moved the Bridge Canyon Detention Basin to the east. You can see in the yellow hatched area there is the Avi Kwa Ame National Monument was dedicated. This detention basin was originally proposed within that area and it's very difficult to get that permitted with the new monument dedication. So, we moved it downstream, made it a little longer and added some levees to act as a catcher's mitt for that water coming out of the canyon to the west.

And then in the south area, the southland area of Laughlin, this is down where the new bridge has been built over the Colorado River for Laughlin Boulevard. We're showing some facilities here, but no changes recommended to the plan in this location.

- In the Mount Charleston area, we are proposing some changes and some of you may recall last summer we had some pretty significant flooding on Mount Charleston as a result of Tropical Storm Hillary. Some additional facilities have been added including a channel that's upstream of Rainbow Canyon Boulevard. There's an all-weather crossing that will be built up there for that road. That's their sole access into the Rainbow Canyon area so we'll have a bridge there, but we added a channel to collect the flow and get it underneath that bridge.

And then along Echo Road, there was an existing berm that was along Echo Road that washed out during that storm event last summer. It wasn't built to 100-year standard, so we're proposing to rebuild that structure to a 100-year standard and protect the houses along Echo Road.

- In Nelson, we do have a channel proposed in Nelson. There were no changes recommended with the update to the master plan.
- And then the last area is Searchlight area and no recommended changes to the plan here. We do have a facility under design that will – this is the facility to the west that drains down to the southwest there. We're working on acquiring right away to build that facility, so be coming out to construction here shortly.

So, this is a table of the existing values of the existing facilities on the plan. In 2019, the value was \$77 million. In 2024, that value went up to \$133.8 million, which is an increase of about \$57 million. Most of that is due to inflation as a result of the five-year period. We've seen our cost go up significantly over the last five years. And then, if there are any facilities that were built in the last five-year period, those get added to the existing facility table.

And then in terms of proposed facilities, in 2019, the proposed facility's estimated cost was \$164 million. In 2024, that went up to \$294 million, which is \$130 million increase. Again, mainly due to inflation over the last five years and the addition of some new proposed facilities on the master plan.

So, we're asking today that the Board recommend or find that this MPU (Master Plan Update) is the most effective structural and regulatory means for correcting existing problems of flooding within the area and dealing with the probable effects of future development and adopt a master plan for Clark County outlying areas as amendment to the Master Plan.

I'd like to thank County staff as well and Public Works for all their hard work on this update as well as my own staff, Abby, Marina, and Lily Collins for all the hard work on this update. With that, happy to answer any questions.

TICK SEGERBLOM

Commissioner Naft.

MICHAEL NAFT

Thank you, Chairman. I just wanted to thank the District, and you personally for the work you put into Laughlin. Meeting both with me and without me, meeting with residents there and businesses there and allocating such significant resources to the area, which as we learned even recently, badly needs it, is greatly appreciated. Thank you for that. Chairman, if there – there is question to my left.

MARILYN K. KIRKPATRICK

Yeah, I just have one question and only because I know everybody in Moapa, Logandale and Overton are listening. They don't fall under this, they fall under the bigger Clark County budget, correct?

STEVEN PARRISH

We actually have a separate master plan just for the Moapa Valley. I think it's due to be updated next year, so it'll be the next one we do.

MARILYN K. KIRKPATRICK

Okay, perfect. Thank you.

TICK SEGERBLOM

All right, Commissioner Naft

MOTION

MICHAEL NAFT

I move for adoption of the Flood Control Master Plan Update.

TICK SEGERBLOM

Motion by Commissioner Naft. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft

VOTING NAY: None

ABSENT: Ross Miller

ABSTAIN: None

TICK SEGERBLOM

That motion passes. Thank you so much.

STEVEN PARRISH

Thank you.

19. ET-24-400110 (UC-20-0493)-5051 SLV, LLC:

USE PERMITS SECOND EXTENSION OF TIME for the following: 1) expand the Gaming Enterprise District; 2) a resort hotel; 3) public areas including the casino, showrooms, live entertainment, retail center, indoor and outdoor dining, entertainment, offices, conventions, back of house and parking structures; 4) associated accessory and incidental commercial uses, buildings, and structures; and 5) deviations from development standards.

DEVIATIONS for the following: 1) increase the height of high-rise towers; 2) encroachment into airspace; 3) reduce setbacks; 4) alternative landscaping; and 5) all other deviations as shown per plans on file.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) for non-standard improvements (landscaping) within the right-of-way; and 2) alternative driveway geometrics.

DESIGN REVIEWS for the following: 1) a resort hotel with all associated and accessory uses, structures and incidental buildings and structures; and 2) finished grade on 4.68 acres in a CR (Commercial Resort) Zone and within the Airport Environs (AE-65) Overlay. Generally located on the east side of Las Vegas Boulevard South, 500 feet south of Russell Road (alignment) within Paradise. JG/jm/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Until August 20, 2025 to commence or the application will expire unless extended with approval of an extension of time;
- As required by NRS 278.0205 and the Development Agreement Ordinance, applicant to submit their first report, due once every twenty-four (24) months, by November 30, 2024;
- Complete construction of perimeter wall on east side of the property within 90 days;
- Enclose the site with a solid 8 foot high wood construction fence made of dimensional lumber and faced with plywood, as required in Exhibit A of the Decommissioning Plan, within 90 days; only after contractor notifies the Clark County Building Department that the project has remobilized, and construction has restarted, can the wooden construction fence be removed;
- 24 hour on-site manned security must be provided immediately and throughout the duration of the construction project.
- Applicant is advised a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Compliance with previous conditions.

Department of Aviation

- The applicant shall be required to file a valid FAA Form 7460-1 "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the DOA;

- If the applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then it must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment ("AHABA") prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; the applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits will be issued until the applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA and is still valid, or a "Property Owner's Shielding Determination Statement" has been issued by the DOA;
- The applicant shall be advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that the FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

SAMI REAL

Next is Item 19, ET-24-400110 for (UC-20-0493); use permits second extension of time for the following: expand the Gaming Enterprise District, a resort hotel, public areas including the casino showrooms, live entertainment, retail center, indoor and outdoor dining, entertaining offices, conventions, back of house and parking structures. Associated accessory and incidental commercial uses, buildings and structures and deviations from development standards; deviations for the following: increase the height of the high-rise towers, encroachment into airspace, reduce setbacks, alternative landscaping and all other deviations as shown per plans on file. Waivers of development standards for the following: for non-standard improvements, landscaping within the right-of-way and alternative driveway geometrics. And then design reviews for the following, a resort hotel with all associated and accessory uses, structures and incidental buildings and structures and finished grade on 4.68 acres in a CR (Commercial Resort) Zone and within the Airport Environs (AE-65) Overlay, generally located on the east side of Las Vegas Boulevard South, 500 feet south of Russell Road alignment within Paradise.

Commissioners, I just want to add a couple things. So based on observations of site construction activities, construction has not been underway in over a year. Pursuant to the performance agreement for this project, project is deemed to be abandoned if construction is stopped for 180 days or longer and if abandoned, the applicant is to immediately commence decommissioning activities.

To address safety and security issues with an existing crane that remains on-site and a gap in a block wall on the eastern property boundary, the Department of Aviation is requesting an added condition to read: Owner is to complete construction of the security wall on the airport side of the project site, eastern property boundary, within 60 days in accordance with the previously approved design and specifications. And then additionally, they're requesting to replace their fifth condition to read that "On-site crane shall be dismantled and removed and the crane pads decommissioned within 90 days in compliance with the decommissioning plan per the performance agreement since the project has now been abandoned for more than 180 days."

Furthermore, staff recommends a review the decommissioning activities for the second meeting in February. That would be February 19, 2025, and then the required wooden fences outlined in the performance agreement also be constructed.

TICK SEGERBLOM

Good morning.

TONY CELESTE

Good morning, Mr. Chair, Town Board Members. My name is Tony Celeste, address 1980 Festival Plaza Drive here on behalf of the applicant. In the audience with me are Bill Shopoff and David Danasharouf who are the principals of the project, as well as Bill Smith who is the head of design and construction.

As you can see from the aerial, the site is about five acres located on the east side of Las Vegas Boulevard directly across the street from Bali Hai. To the northwest is the Mandalay Bay and we do share an eastern property line with the Airport.

I was here about three years ago where this Board graciously granted us entitlements to construct a brand new resort hotel. Part of those entitlements also expanded the Gaming Enterprise to this site. I'm here asking for an extension of time on this site so that we can resume construction. When you look at the extension of times, generally kinda two factors you take into consideration. One, is it still compatible with the area? And number two, what has gone on in the last few years with respect to the site or the development?

With respect to compatibility, we believe the site is more compatible than ever, especially in the last three years of what is coming in or planned to come in.

I'm blowing this out a little bit. Our site is here to the south. You can see you have the A's Ballpark and Integrated Resort hotel that is working its way through the system that is planned along Tropicana and Las Vegas Boulevard. As you go south, you do have the three tribes that have been accumulating property. While to my knowledge, nothing has been submitted with respect to any type of resort hotel, there have been publications in the news media outlets about some type of potential large-scale project.

You can see all of this is taking place not only south of Tropicana Boulevard, but importantly on the east side of Las Vegas Boulevard here. This is really the new corridor for potential development in this area. So, we think that not only have we always been compatible, but what you see, activities and developments over the recent years and moving forward that this is compatible more than ever. So, with that respect, we think we believe we still satisfy those requirements.

On the second part, as I mentioned, we've done actually substantial amount of work on the site. We have invested about \$125 million into the site. There has been substantial work on the site. The work includes site grading, basement excavation, concrete pile and foundation, underground plumbing and electrical, foundational walls to grade and perimeter walls. All this activity shows that we have about 19% of the project complete and that investment dollars, as I said, is about \$125 million into it.

We have a series of permits, active building permits. I outlined them all in our justification letter here, but I'll just show you the list of them here. They're ranging from foundational permits to garage structures, to the foundation to the walls, to concrete piles, everything that I just mentioned, EV chargers, grease interceptors, podium. So, all those are building permits we have and have remained active on the site.

So, as you can see, we've demonstrated that we have not just sat there and done nothing over the last several years. We have done a lot of construction, a lot of improvements to the site. Unfortunately, we did run into some financing issues. We are working to resolve that and that's why we are seeking the extension of time so that we can get back out there as soon as possible and recommence construction.

Speaking of some of the permits we have, over the last 24 hours to 48 hours, there's been a lot of different information I think that has been shared with you and that information I do think needs to provide some clarification, some context or additional background information. It had seemed to suggest that information that my client, the developer, has not been keeping the site clean, has not been keeping it orderly, has been derelict and we believe that is the furthest thing from the case here. So, by way of example, one of the things that was brought to our attention was the allegation that there was no dust control permit or that it had expired. We have provided Commissioner Gibson's office with our current dust control. As you can see right here, it does not expire until March of 2025. So, these are just some of the things I want to put on the record to make sure you understand that we are out there, we are taking care of the site and we're doing things that are necessary to advance this project.

Another thing is with respect to on-site security, this is our security agreement that we have with a third party to provide on-site security. That security is there 24/7. Right here is the contract. You can see it was executed a few years ago, but we did provide backup of the latest invoice November of this year showing the ongoing activities and on-site security that we have out there and that is part of our commitment that we made when we first came through with this entitlement process.

One of the other things that was mentioned and actually just read into the record, was about the back property line here and our security wall. As you may remember from three years ago, we had a lot of discussions and work with the Airport on how do we secure that back property line. And we came – there were conditions of approval, and we offered a very intricate design of a security wall back there that was crashproof and provided intense security along that wall. Now, there is a 35-foot wide opening as you can see there but let me give you some context on that. This was negotiated with the Airport to leave that area open for a period of time.

As you know, about a year ago, Clark County was doing public works improvement along Las Vegas Boulevard there, in front of our site and in order to limit additional truck traffic on the site, we came to an agreement with the Airport to utilize the private access road back there in order to help us not only alleviate construction traffic away from what the County was doing along Las Vegas Boulevard, but also it did help us with the backfill excavation there. That agreement, it was a written agreement right here, a temporary access permit. As you can see that was executed by our contractor, McCarthy, as well as the Airport. See right here at the end of the document is the execution of it by all the parties. Granted, this has now since expired and we have no problem with placing or filling in the rest of the wall and building it, but I think it's very important to give you context as to why that hole is on-site today. It was negotiated so that we could alleviate construction traffic on Las Vegas Boulevard as well as help us on the back portion of the site for the excavation. I understand now that that access road is closed off for most of the properties that share that property line, and we understand that, and we would ask for 90 days to be able to infill that piece of the wall.

What's interesting about that as well, this back portion of the wall, about – earlier this summer in May, June of this year, the Airport approached us because they were doing some fencing improvements on their side of the property, approached us in May or June of this year that they needed to tie into our wall with their fencing project as demonstrated by this exhibit here. We authorized them or granted them the ability to tie into our wall. The reason I bring that up is because at no point during this time period did the Airport reach out to us, or at least my understanding, reach out to us about wanting us to enclose that wall. So, we're happy to do so, but they've been out there, they've been monitoring, and we haven't had any of those course communication until just recently about the issue of that back wall. But like I said, we're going to fill that in hopefully, with this Board, if we could have it 90 days to do so. But I just again, some context on what has happened out there.

Other thing, when reading the staff report on the aviation section, you get into the FAA (Federal Aviation Administration) analysis. We have a, and the crane in particular, our crane tower is out there. It is permitted by the FAA until July 22, 2025. We have gone through those processes with the FAA and secured those approvals. There have been times where the flags, the red flags on there have deteriorated. The Airport has asked us to replace those, and we have, we have done it immediately. In fact, you can see right here correspondence again with the Airport and our general contractor on May 28, response May 28 saying the flags will be replaced the following day. So less than a 24-hour turnaround on replacing these flags so that everything is secure.

There's another reference in there about the light. The lighting on the boom seems to be dim. That is the first we have been made aware of it. We're working with our crane operator and the contractor right now and doing that analysis and that light will be changed as soon as possible, if in fact, it is dim. We are out there; we're monitoring the site, and we're working with the Airport on all these issues.

Another final point is that there was questioning whether we did have FAA approvals on the building height and the pylon. We have that until December 31, 2026. As you may recall, we initially came in with our FAA approval. We kinda had a – I'll just describe as a box that was approved and that was deemed to not be sufficient by the Airport. So, we held this item for several months so that our FAA consultant can go back and get 11 precise points on the building on the varying heights. We have gone back and renewed all 11 of those points on the building for our FAA determination of height. Those are still valid and valid until December 31, 2026. We have provided a copy of those.

So, with all that, we believe we have done a lot of work out there. It is still compatible. One of the things we are asking for obviously is an extension of time. When we submitted our first extension of time last year in October of 2023, it was our first extension and at that time you have a decision to make. You can either ask for a one-year administrative extension of time or you can ask for a two-year extension of time, which would then go through the public hearing process. We elected to do the administrative one. Had we come in with the public hearing, hopefully we would've been granted two years.

I guess where I'm going with this is we are asking technically for our second extension of time, but if we could get close to another year on the second extension of time, that'll really feel more like the first extension of time, which are generally given for two years. Gone back, looked at a lot of extension of times on the first one. The percentage of those approvals is extremely high, probably in the 99% range. So, while this is technically a second extension of time with an additional approximate one year, it really puts us still within the timeframe of that first extension of time, which is roughly two years. Like I said, we can agree with the Conditions of Approval with respect to the wall. Finishing the security wall, we'd ask for 90 days. We can also agree to the wood fencing around the property within 90 days if construction does not commence.

We agree with all of the conditions from the Airport with the exception of the last one that was read in. We would like to have the ability to have the crane remain up there. Obviously, there's going to be some reviews required of us prior to hopefully some type of extension of time that may be granted. So, at that time we'd like to provide an update as well. But considering we do have FAA approval for that crane until this summer, we would like to leave that crane up. With that, I appreciate your consideration and more than happy to answer any questions.

TICK SEGERBLOM

All right, this is a public hearing. Anyone here wishing to speak on this item? Seeing no one, I'll turn it over to Commissioner Gibson.

MOTION

JIM GIBSON

Thank you. There's been a lot of work over the past months. We've met you on behalf of your client, including phone calls and written submissions to us to keep us current on a regular basis as to the pursuit of the financing. Many of the things that you have approval for are, you've correctly stated what you have. The reality is when you abandon a project of course, and you know this, all of that goes away and that the determination today is really to establish whether or not it's abandoned in a technical way.

My concern has been that all of the questions that you've addressed have been brought to our attention and I wanted to make sure that the record was clear about them. I ask you to make sure that the dust control permit that has the year of expiration on it be repaired. Maybe you can go in and get a new one issued to you so there isn't a question about that.

I think it's important that your 24-hour manned security, you've provided our office with the evidence of security and the contract and the invoice, but it ought to be not on the Airport to notify the developer that the flag is gone. It ought to be on your client to ensure that the flag is always there. And so instead of responding immediately when you get a call about the light or the flag, please instruct your client that it's their responsibility to ensure that the light is burning brightly and that the flag is in repair.

The construction of the wooden fence is detailed in Item D of the Decommissioning Plan. I want to bring that forward so that just as it reads there, will be the current responsibility.

And so, what I'm inclined to do at this point, given that we are where we are and that we can't go on forever here. One of the things that cuts back the other way, yes, the area is ripe for development and that development has to be appropriate and has to fit within the Airport Environs and the other compatibility issues that are important to us along Las Vegas Boulevard.

But we're going to have projects that we believe are really happening. Where it appears as though the financing is all either in place or forthcoming reliably. And when you start taking a look at all of that, that puts a lot of pressure on us to not have a project that is started but can't complete itself. So, it's essential that the financing be found, in place, and that the work commence within the time I'm going to offer up as a suggestion to my colleagues. And if it's approved by a vote of the Commission, in all likelihood it is the very last extension that we'll be able to give, simply because we're trying to do everything we can do to accommodate a dressing up of the Boulevard on the east side, south of Tropicana. And I say that because it's important for you and your client to understand how tough this is, how serious this is for us as a County.

We know there are outstanding balances to be paid to contractors and subcontractors and potentially suppliers. That matters to us. We care that all of those dollars be paid in a timely way. They haven't been paid for a long time. So, it's essential that the financing efforts, we know that your folks have been working a lot, but we've got to find real success here.

And so, what I'm prepared to do is extend the special use permit, and this is my motion, for an additional nine months from today. So that will be August 20, 2025. That extension is to commence the work – recommence the work, I suppose is what I ought to say. And the application will expire unless it were extended and the likelihood of getting additional extension is remote.

The Development Agreement Ordinance requires a report that is due every 24 months. That report must be submitted by November 30, 2024, this year.

The construction of the perimeter wall on the east side needs to be completed within 90 days from today's date. The solid eight-foot wide fence that is described in more detail in the Decommissioning Plan under Item D needs to be in place within 90 days. So, it's not start building it in 90 days. It needs to be in place within 90 days.

Now there is an issue that is of concern in the area more because we don't want to have to deal with folks who don't have any business there, and it has to do with the height of the fence on the south side of the property. That problem is taken care of with an eight-foot fence. When construction recommences, you'll need to take a look at that, and our Building Department and you will have an opportunity to review how you deal with that when construction recommences. That wooden fence would need to remain in place until the construction is ready to recommence and then removed to the extent it is necessary in order to gain access to all of the property that is being developed.

Keep the security in place, and I think this is a part of what I read in your agreement, but ensure that they're every day, every shift, inspecting the whole property, not just in a trailer up on the Boulevard, but they need to be inspecting it all. For our interests, we care about anything that shouldn't be happening on the property, but we also care more than anything else about the integrity of the security on the east side of your property with the property line that is shared with the Airport. This would all be subject to the Comprehensive Planning and Public Works conditions that are in the staff report and the first four bullets enumerated in the DOA's recommended conditions. So, I'm not requiring that the crane come down.

TONY CELESTE

Thank you.

JIM GIBSON

The crane will have to come down if this doesn't work, and you'll have to have a plan to make sure that you can execute on that in the unfortunate circumstance that would require it. But for now, the crane can remain. But the maintenance of the crane, as I suggested earlier, is a must and we don't want to hear any different about that.

We have every reason to believe that there is a high level of commitment on the part of your clients, given the investment they've made up to this point, to get this refinanced and get the construction recommenced. For our part, we have all of the other pressures on us, including the integrity of the Boulevard, which is our most important street.

So that's my motion. And if it passes, I wish you the best. We remain open to conversation. We'll need regular reports to continue on the pursuit of the financing. And appreciate the good work that you've done on behalf of your clients, and the goodwill that has been exhibited by your clients as they've made decisions and agreed that this is not a two-year extension, this a nine-month extension. Do you understand what I've just indicated?

TONY CELESTE

We understand all of the conditions you've just read, and we agree with them. And I gratefully thank you for making that recommendation and working with us, not only today but previously and in the near future.

JIM GIBSON

Thank you. That's my motion, Mr. Chair.

TICK SEGERBLOM

I think that takes the record for the largest motion we've had, but very comprehensive and staff got all that. So, there's a motion, cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft
VOTING NAY: None
ABSENT: Ross Miller
ABSTAIN: None

TICK SEGERBLOM

That motion passes.

TONY CELESTE

Thank you, I appreciate it.

TICK SEGERBLOM

Good luck.

20. UC-24-0319-VAN DIEPEN, RICHARD & KATHRYN:

USE PERMIT for an accessory living quarters.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; and 2) reduce building separation.

DESIGN REVIEW for existing accessory structures in conjunction with an existing single-family residence on 0.23 acres in an RS5.2 (Residential Single-Family 5.2) Zone within the Historic Designation Overlay.

Generally located on the east side of Cochise Lane, 110 feet north of Geronimo Way within Paradise.

TS/jm/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- 1 year to complete the building permit and inspection process or the application will expire unless extended with approval of an extension of time;
- Paint roof of accessory living quarter to match the roof color of the residence.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

SAMI REAL

Next is Item 20, UC-24-0319, use permit for an accessory living quarters. Waivers of development standards for the following: reduce setback and reduce building separation. And then design review for existing accessory structures in conjunction with an existing single-family residence on .23 acres in an RS5.2 (Residential Single-Family 5.2) Zone within the Historic Designation Overlay. Generally located on the east side of Cochise Lane and 110 feet north of Geronimo Way within Paradise.

TICK SEGERBLOM

Good morning.

RICHARD VAN DIEPEN

Good morning. Good morning, Commissioners and staff. We appreciate your time today. I'm Rick Van Diepen. My last name is spelled V-A-N D-I-E-P-E-N. And I'm here with my wife, Kathryn Van Diepen. We're the homeowners at 3586 Cochise Lane.

I'm showing the site plan of our property here. During COVID, we built a casita for our mother-in-law who lives with us. And in 2021, we started designing a carport, a solar carport. We hired a design-build contractor, two different contractors to do both of those. And we designed everything to be code compliant.

We're here today because we're somewhat a victim of timing, I think. Our carport project was approved. And I have the permit here. Where'd it go? There's the approved permit for the solar carport in December 2022. So, the carport was approved, was built, and was inspected. And on final inspection at the end of September, the County told us that, "You have the wrong permit." Or told our contractor, "You have the wrong permit. You need a residential new construction permit, not just a solar structure permit." So, we resubmitted everything, paid the fees, and went through that whole process. And then during the review time in January, the Title 30 was updated, our property was rezoned, and our neighborhood was changed to a Historic Designation Overlay District. So, we're here today dealing with the planning comments, which are the final comments that we need to get resolved in order to actually get our permit after the fact, to get that approved and get the final inspection signed off.

So, the real issue here is that our existing casita, Contractor Number One, who we're still fighting with about getting a single anchor bolt special inspection approved. So that permit has expired and we're in the process of getting that done. However, the carport kicked in a problem there as well. So, the new Title 30 is evidently measured from – the problem is that the separations between the structures are less than what's approved. However, when it was designed under Title 30, the carport structure was 6 feet, 9 inches away from the house. And however, staff, and I know they're doing their job absolutely, their contention is that the setback should be measured from overhang to overhang. Which hasn't been my experience in the past. However, that's what the comment is related to.

So today we're asking for the use permit to get reissued for the casita. And also asking for waivers for the reduced setbacks between the structures, which are measured from the overhangs instead of from the buildings. So, if you see here, the existing casita is 6 feet, 10. In the previous Title 30, it was 6 feet. So, we literally went an extra foot to just play it safe. And then also in the back there is a Costco gazebo that we built ourselves, and that's 5 feet from the wall. However, from the overhangs, it's 3 feet away. So that's what we're requesting.

And also, I just wanted to say that our neighborhood, while we love it, it's a mid-century modern neighborhood, Paradise Palms. We've lived there for about 13 years now. We love it. It's very cool looking. And we know all our neighbors. There's 53 houses in our large cul-de-sac. We know almost everybody there. During construction of the carport and subsequently, we've heard nothing but rave reviews from everybody. They really like it and think it's a benefit. It makes our neighborhood look better. And they also like that it's solar and that it's going to make our whole property net-zero. And one of our neighbors even copied our paint color because they liked it so much.

So, we really did design it to be modern and simple to fit in with the neighborhood. And one of the staff recommendations for denial is that it doesn't fit in the neighborhood. So, I think that's debatable. But I do

want to just show you the carport. So, there it is. It's nice, heavy-duty steel. The gray is painted to match the gray on our trim and on the casita, so it all matches there. And you can see it's a bifacial solar. So, you can see the bottom of the panels, which collect solar from the top and the bottom. The eave at the top is eight inches, and it matches the eave and dimensions of our house.

I also wanted to point out that while our neighborhood is now considered, since January, a historic neighborhood and we're glad about that, it's definitely not uniform and it's definitely eclectic. And the other thing I wanted to point out is that of the 53 homes, there's exactly one in the middle there that I would argue did a pretty good job of integrating with the design of the house. All the rest have built in the original carports into some version of a garage, which are mostly ugly. Or they did some kind of janky aluminum wood or some other weird carport. Our next-door neighbor – where's that one? I don't have a picture of that one. Our next-door neighbor actually built theirs out of three-inch pipes. So, we're just asking for –

MOTION

TICK SEGERBLOM

Anyway, we're going to have to go out and inspect every house now. But anyway, thank you so much for your presentation. This is a public hearing. Anyone here wishing to speak on this item? Seeing no one, I'll close the public hearing. And let me say, I love the neighborhood. I don't want you to tear down a solar facility, which we all need.

But going forward, please try to match your things with the neighborhood. Your great blue that your neighbor is copying, I'm not sure how mid-century modern that is. But anyway, thank you so much for enhancing the neighborhood and continuing to make that neighborhood something we're proud of. So, with that motion, I would approve whatever it is we're trying to approve.

KATHRYN VAN DIEPEN

Carport. Setback.

TICK SEGERBLOM

Can I just move to approve the items?

SAMI REAL

Yes.

TICK SEGERBLOM

Okay, I move to approve the items. Thank you so much.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft

VOTING NAY: None

ABSENT: Ross Miller

ABSTAIN: None

TICK SEGERBLOM

That motion passed. Thank you for coming down.

21. UC-24-0436-MANNA INVESTMENT GROUP, LLC:

HOLDOVER USE PERMIT for a vehicle wash.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) modify residential adjacency standards; 2) alternative buffering and screening; and 3) allow attached sidewalks.

DESIGN REVIEW for a vehicle wash in conjunction with an existing shopping center on a portion of 4.09 acres in a CG (Commercial General) Zone. Generally located on the west side of Sandhill Road and the south side of Desert Inn Road within Paradise. TS/sd/kh (For possible action)

ACTION: DELETED FROM THE AGENDA (HELD TO DECEMBER 18, 2024, PER THE APPLICANT).

22. UC-24-0460-GONZALEZ, DIMAS:

HOLDOVER USE PERMITS for the following: 1) stable (residential); 2) livestock (small); 3) livestock (medium); and 4) livestock (large).

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow accessory structures prior to the principal structure; 2) reduce building separation; 3) allow a non-decorative fence in the front yard; 4) eliminate street landscaping; 5) full off-site improvements; and 6) allow 3 driveways in conjunction with proposed agricultural uses and future single-family residences on 1.47 acres in an RS20 (Residential Single-Family 20) Zone within the Airport Environs (AE-65) Overlay. Generally located on the south side of Cartier Avenue and the east side of Walnut Road within Sunrise Manor. WM/dd/syp (For possible action)

ACTION: DELETED FROM THE AGENDA (HELD TO DECEMBER 18, 2024, PER COMMISSIONER MCCURDY).

23. UC-24-0536-REHM, SCOTT & JEANALIN, JULIA:

USE PERMITS for the following: 1) home occupation; 2) stable; 3) livestock (small and large); and 4) household pets.

WAIVER OF DEVELOPMENT STANDARDS for reduced setbacks on 0.48 acres in an RS20 (Residential Single-Family 20) Zone. Generally located on the east side of Westwind Road, 610 feet south of Charleston Boulevard within the Spring Valley Planning Area. RM/tpd/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- 60 days to bring the on-site activities into compliance with Title 30;
- Obtain any required permits for the increase in household pets from Clark County Animal Control.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Southern Nevada Health District (SNHD) - Engineering

- Applicant is advised to contact the SNHD Environmental Health Division at septics@snhd.org or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

USE PERMITS # 1 THROUGH #3 AND WAIVER OF DEVELOPMENT STANDARDS WERE DENIED.

SAMI REAL

Next, if that's okay, we'll move to Item 23.

Item 23 is UC-24-0536. Use permits for the following: a home occupation, stable, livestock small and large, and household pets. Waiver of development standards for reduced setbacks on .48 acres in an RS20 (Residential Single-Family 20) Zone. Generally located on the east side of Westwind Road, 610 feet south of Charleston Boulevard within the Spring Valley Planning Area.

TICK SEGERBLOM

Good morning.

SCOTT REHM

Good morning.

JEANALIN REHM

Good morning. Yeah, I just want to say thank you for this opportunity.

TICK SEGERBLOM

I'm sorry, you need you to just state your name and spell your last name, please.

JEANALIN REHM

My name's Jeanalin Rehm and my last name is R-E-H-M.

SCOTT REHM

Scott Rehm, R-E-H-M.

JEANALIN REHM

And I blame him because he bought me four chickens. And so, it ended up – it's a gateway drug to more farm animals. And since I found out that our house was zoned to have 20 chickens and two large livestock, here I am. We bought a steer for cow cuddles to offer it to the Las Vegas community. And so, we found a lot of joy because we have four therapy-trained dogs and one service dog. He, Scott, is a USMC (United States Marine Corps.) veteran. And so, we have one of our dogs trained as a service dog. We do a lot of community work with our therapy dogs, and we've found a lot of joy in that. So, it's a trending thing where cuddling a cow is a thing. So here we are. We bought a steer, and we are approved. We have full liability insurance. We have our business license is Clark County and also with the City.

And I'm just asking for approval for a special use permit to legally sell eggs, which we have our producer certificate, everything. We're in compliance with everything. This is our eggs here that we sell. And I would love to be able to have an egg stand where people could pick up eggs legally. So, I'm asking for a waiver, a setback waiver, so people could pick up their eggs because the egg stand has to be 40 feet back. But I'm asking for it to be in the front of the house so customers could pick up easily.

And also, we're asking to up our dog count because I know, I believe you're only allowed to have three. But four of them are certified as therapy dogs. One is our –

SCOTT REHM

Guard dog.

JEANALIN REHM

– guard dog and one's a service dog for Scott. So, we are asking the special use permit to have customers on-site because we do travel off-site to offer cow cuddles to the community. Just this past weekend we're at a care home offering free cow cuddles to the residents. But we did have whoever came, they paid \$10 for a Johnny Cash experience and that's to hang out with our cow. And yeah. So, I don't know, do you guys have questions?

TICK SEGERBLOM

All right. If that completes your presentation, this is a public hearing. Anyone here wishing to deny these people making eggs? All right. Turn it over to Commissioner Miller.

MOTION

ROSS MILLER

All right. Thank you. Well, I'm frankly surprised there aren't a lot of people here to deny you making eggs. I can tell that you're well-intentioned here and obviously have, I think, maybe a noble purpose in trying to provide this service. Unfortunately, these are just not uses that are allowable in this area. We have an organization called Horses for Heroes that does similar things, and you wouldn't believe, there are hardly enough seats for the people that show up anytime that they come in and ask for approval. So, these restrictions are here for a reason on the prohibitions that cap the number of chickens. They make noise, operating a business from your home, and it's just not compatible with the area to be able to do it out of your home. So, I'd encourage you to look towards another location that's more suitable to try to run a business if you really intend on providing this service to the community.

That said, I'm going to follow staff's recommendation on these items and move for denial of the request for the permits for Number 1, 2, and 3. As to the permit for Number 4, the number of dogs, I'll make a motion to approve that, provided that you obtain the necessary permits from Animal Control, which would allow you to have up to eight dogs. That's my motion.

TICK SEGERBLOM

All right. There's a motion to deny 1, 2, and 3 and grant 4 with permission. All right, there's a motion. Cast your vote.

VOTE

VOTING AYE:	Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft
VOTING NAY:	None
ABSENT:	None
ABSTAIN:	None

TICK SEGERBLOM

That motion passes.

So, is there a time period in which they have to, I don't know if you already have the animals or how's that?

ROBERT WARHOLA

The Board can direct give them a grace period to remove the animals. Usually, it's 30 to 60 days.

TICK SEGERBLOM

Do you want to give them 60 days?

ROBERT WARHOLA

So, we have direction on that one.

TICK SEGERBLOM

Okay.

ROBERT WARHOLA

Notify.

TICK SEGERBLOM

All right. Thank you so much.

SCOTT REHM

Wait. What's –

TICK SEGERBLOM

So, we denied the – maybe the staff can go through with the –

SAMI REAL

So, the request was to allow for a home occupation to be able to sell those eggs. To have customers come to the site for the therapy piece of their request was to have a stable and then to have livestock small and large, so that includes the increased number of chickens and then it would include the cow. I believe that they are allowed to have a cow. It's the increase in the number of chickens that they're asking for.

And then they're requesting an increase in household pets, which was Waiver of Development Standards Number- sorry, Use Permit Number 4.

And then waiver of development standards was for reduced setbacks and that was to have their egg stand out on the edge of their property. And so, the motion was to approve the request for the increase in household pets and then deny the rest.

ROSS MILLER

Can't up (inaudible) a business, correct? And then you can't have more than 20 chickens. Is that accurate?

SAMI REAL

That is correct.

ROSS MILLER

Yeah.

SAMI REAL

And we'll work on them with bringing them into Code compliance.

TICK SEGERBLOM

All right. So, there were four items you asked for and the first three were denied, but we'll work with you. And then the fourth one with respect of the dogs, that was granted but you have to deal with Animal Control, I think.

SCOTT REHM

Okay. What would be the next step as far as –

SAMI REAL

What I'll do is I'll have the planner who was working on this reach out to them and guide them on what they would need to do to bring their site into compliance. And then we will need to direct them to Animal Control to apply for the necessary permits to increase the number of household pets too.

TICK SEGERBLOM

All right. So, our staff will reach out to you and go through everything.

SCOTT REHM

Okay.

TICK SEGERBLOM

All right. Thank you so much.

JEANALIN REHM

Thank you.

SCOTT REHM

Thank you.

(Companion Items 24 and 25)

24. VS-24-0277-PALM PROPERTIES, LLC:

HOLDOVER VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file). TS/jor/syp (For possible action)

ACTION: DENIED WITHOUT PREJUDICE (COMPANION ITEM 25).

SAMI REAL

Next are Items 24 and 25.

- Item 24, VS-24-0277; holdover, vacate, and abandon a portion of right-of-way, being Happy Valley Avenue, located between Nellis Boulevard and Aloha Avenue within Sunrise Manor.
- And then Item 25, WS-24-0276; holdover waiver of development standards to modify residential adjacency standards. Design review for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone. Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor.

TICK SEGERBLOM

Good morning.

MELISSA EURE

Morning, Chairman, Commissioners. Melissa Eure, E-U-R-E, 1055 Whitney Ranch Drive, Suite 210, here on behalf of the applicant.

So, what we have in front of you is an aerial to show you where the site location is. It is on Nellis and Happy Valley. What it used to be is a commercial shopping center at that site. The building came down several years ago, and what is there was a vacant lot for quite some time. Our client has developed the site to be for commercial truck parking. So, no actual structure beyond a guard shack would go there. And it's striped to allow trucks. So it is in the General Commercial Zone, which does allow a parking lot. And the underlying zoning is the Commercial Mixed Use.

This actually would be an administrative item, except for there is a waiver for the driveway on Happy Valley because this would be commercial traffic going onto a residential drive. Back around 2018 when it was still a commercial shopping center, there were three driveways accessing Nellis. NDOT (Nevada Department of Transportation), as part of their update to the Nellis Boulevard corridor, closed those driveways off, leaving the only legal access to the site off of Happy Valley.

The client here is proposing to put in landscaping to help buffer the site more fully. The guard shack would be located here. There isn't a gate, however, there is security cameras that could actually be accessed by Metro, along with LED solar lights placed throughout to improve the security and the visibility of this site.

So, as we know, given the increase of online ordering and e-commerce, there's become a need for a lot more to deliver those items that are being ordered. It used to be that there were fleets, and the companies would use their own trucks, their own drivers, and that's how deliveries would happen. Now, many of them are independent operators, and so they're purchasing their trucks and their vans. And many of them are branded. You can't tell them apart from the actual company's trucks that they do own. And they're using those to become entrepreneurs and have their own businesses. However, they aren't able to park those on the residential streets. So, I think we're well aware that there's quite a bit of issue with trucks being parked on roadways, making it difficult to see around and having other impacts on traffic circulation. So, this would help to pull those trucks off of the streets, give them a place that they could legally park their trucks. And many of the owner/operators are within the vicinity here, so this is close to home. If they drive, they're able to drive, park their vehicle where their truck is, then take their truck out while they're doing deliveries. Others could be dropped off to then use their truck during the day.

As mentioned, there is a guard shack there. There's a local veteran who works as the security guard on the site.

There would be a new trash enclosure added as well. So that way if they did have any trash that accumulated in their trucks, they'd have a place to take care of that.

We have received letters of support from the Nevada Trucking Association, also from the abutting residential neighbors here to the west and from the tavern across the street on Happy Valley, as well as from several of the truck drivers who are currently parking their trucks on the site. So, with that, would be happy to answer any questions that you have.

MOTION

TICK SEGERBLOM

This is a public hearing. Anyone here wishing to speak on this item? Seeing no one, we'll close the public hearing.

I appreciate the goal here, as far as having a place for truckers to park their trucks while they go home and get off the road. But truthfully, this is just not appropriate area in my mind. By having that many trucks enter on Happy Valley, which is a residential street, is not going to be good for the children that play there and everyone else.

And honestly, I think that we need to work with staff to create some type of a new zone or some type of something where we can have these truck lots. But just to put them on a major street like Nellis in an area like this, I just personally don't feel it's appropriate.

So, with that, I'm going to make a motion to deny the request. And they also wanted to request to change the sidewalk, I think we should deny that also. So, the future developers would have to come in for some type of waiver. But right now, I'd like to have the separated sidewalk. So, with that, I'd make a motion to deny.

JIM GIBSON

If you're denying the thing, you're requiring them to move the sidewalk not even on the property.

TICK SEGERBLOM

No, there's no sidewalk.

JIM GIBSON

Okay.

TICK SEGERBLOM

So, we're denying 24 and 25 without prejudice, so you can come back with something else. But the truth is, it's just not an appropriate area for these trucks. And I would like to work with staff to find an area. I know Marilyn, you have the same issue. But we need to figure out a way that we can accommodate the truckers who do have a need, but also work with neighborhoods and make sure.

MARILYN K. KIRKPATRICK

Mr. Chair, may I ask for a clarification? So currently it's an existing building, and their only issue with coming into code is that NDOT no longer allows as many drive wells on Nellis, which I've had to deal with that one myself. Because NDOT came through, and what they found out is back in the early 2000s, every 200 feet there was a driveway. So, we've closed a lot of them on our side. But if they close it, then you're denying them access that way. So, they'd have to just shut down the business? I'm asking, because –

TICK SEGERBLOM

Well truthfully, the business has been operating illegally for several years. And so, there's a lot of code violations involved in this too. That's what we're trying to –

MARILYN K. KIRKPATRICK

– no, I just wanted to be clear what we were doing, because I didn't want it to be just because of the NDOT stuff. But if you're saying they've got other issues and have had other issues – you're denying the vacation, I'm assuming, as well as the zoning, right? Because it's zone something?

TICK SEGERBLOM

– right, the vacation was just for the get rid of the requirement to have a detached sidewalk.

MARILYN K. KIRKPATRICK

Okay.

TICK SEGERBLOM

All right, that's my motion. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft

VOTING NAY: None

ABSENT: Ross Miller

ABSTAIN: None

TICK SEGERBLOM

That motion passes. I want to point out it is without prejudice, and so I'd be happy to work with you on that side.

JIM GIBSON

Mr. Chair, might I just – Melissa and I spoke on the telephone a couple of weeks ago. And I wanted to echo the comments that Commissioner Naft made about your father. I knew him really well and worked with him a lot. And he left a legacy you can be very proud of. And you do honor to him every time we hear you and see you, so thank you very much for your good work. And I didn't mean to make you cry, but I felt like it because I knew him so well. Anyway, I just wanted to make that comment.

MELISSA EURE

Thank you. At least I have a little bit of time to recover before the next item.

TICK SEGERBLOM

Thank you.

SAMI REAL

Sorry, with that, I lost track. So, the votes were registered, correct?

TICK SEGERBLOM

Correct.

25. WS-24-0276-PALM PROPERTIES, LLC:

HOLDOVER WAIVER OF DEVELOPMENT STANDARDS to modify residential adjacency standards.

DESIGN REVIEW for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone. Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor. TS/jor/syp (For possible action)

ACTION: DENIED WITHOUT PREJUDICE (COMPANION ITEM 24).

26. VS-24-0457-DBAC, LLC:

HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Pamalyn Avenue and Maule Avenue, and between Arville Street and Cameron Street, a portion of right-of-way being Arville Street located between Pamalyn Avenue and Maule Avenue, and portion of right-of-way being Maule Avenue located between Arville Street and Cameron Street within Enterprise (description on file). MN/lm/syp (For possible action)

ACTION: DELETED FROM THE AGENDA (HELD TO DECEMBER 18, 2024, PER THE APPLICANT).

27. WS-24-0456-DBAC, LLC:

HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase fill height; 2) increase retaining wall height; and 3) reduce driveway setback.

DESIGN REVIEW for a single-family residential subdivision on 3.11 acres in an RS20 (Residential Single-Family 20) Zone within the Airport Environs (AE-60) and Neighborhood Protection (RNP) Overlays. Generally located on the west side of Arville Street and the north side of Maule Avenue within Enterprise. MN/lm/syp (For possible action)

ACTION: DELETED FROM THE AGENDA (HELD TO DECEMBER 18, 2024, PER THE APPLICANT).

28. TM-24-500096-DBAC, LLC:

HOLDOVER TENTATIVE MAP consisting of 6 single-family residential lots and 1 common lot on 3.11 acres in an RS20 (Residential Single-Family 20) Zone within the Airport Environs (AE-60) and Neighborhood Protection (RNP) Overlays. Generally located on the west side of Arville Street and the north side of Maule Avenue within Enterprise. MN/lm/syp (For possible action)

ACTION: DELETED FROM THE AGENDA (HELD TO DECEMBER 18, 2024, PER THE APPLICANT).

(Companion Items 29, 30, and 31)

29. VS-24-0462-OMNI FAMILY LIMITED PARTNERSHIP:

HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Arby Avenue and Capovilla Avenue and between Valley View Boulevard and Procyon Street within Enterprise (description on file). MN/hw/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 30 AND 31).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 4 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include 45 feet to the back-of-curb for Valley View Boulevard, 25 feet to the back-of-curb for Arby Avenue, 25 feet to the back-of-curb for Procyon Street, 25 feet to the back-of-curb for Capovilla Avenue and associated spandrels;
- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements, 90 days to record said separate document for the Warm Springs storm drain improvement project;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

SAMI REAL

Okay. Next are Items 29, 30, and 31.

- Item 29, VS-24- 0462; holdover vacate, abandon easements of interest to Clark County, located between Arby Avenue and Capovilla Avenue and between Valley View Boulevard and Procyon Street within Enterprise.
- Item 30, WS-24-0461; holdover waivers of development standards for the following: reduce net lot area, reduce street landscaping, increase retaining wall height, increase fill height, alternative lot orientation, off-site improvement streetlights, and reduce driveway setbacks. Design review for a single-family residential subdivision on 7.5 acres in an RS20 (Residential Single-Family 20) Zone within the neighborhood protection RNP overlay. Generally located on the east side of Valley View Boulevard and the south side of Arby Avenue within Enterprise.
- And then Item 31, TM-24-500099; holdover tentative map consisting of 13 single-family residential lots on 7.5 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection RNP Overlay. Generally located on the east side of Valley View Boulevard and the south side of Arby Avenue within Enterprise.

TICK SEGERBLOM

Good morning.

STEPHANIE GRONAUER

Good morning, Mr. Chairman, Commissioners. Stephanie Gronauer, 1980 Festival Plaza Drive, here on behalf of the applicant, Richmond American Homes.

If I could direct your attention to the overhead. This property is located in the center at the southeast corner of Arby and Valley View. I have three properties on this aerial, because we did do a neighborhood meeting on August 7 with all three of these properties. Most importantly because Richmond American Homes is coming in on all three of those sites and they're honoring the RS20 zoning category. Which at that neighborhood meeting, there were about 40 people in attendance. They were very happy to hear that we were not asking for a zone change, and that Richmond American Homes would be coming in with RS20 products. Also, all single-story. So, this is all of Richmond's single-story, million dollar plus homes. So, generally speaking, the neighborhood was ecstatic about all three of these.

Arville and Maule will be on your December 18 agenda, and El Dorado Valley View is already approved. So, the one that's before you is Arby and Valley View. We are proposing a 13 lot, as I mentioned, RS20 development. The density is about 1.73 units to the acre. That's the net density for the 13 lots. Four of them will front onto the streets, which oftentimes rural preservation areas like that because you don't

have the walls. However, there will be a wall here on Arby, as well as Valley View and on Capovilla a little bit on that southern side, with accesses both on Arby and on Capovilla.

At the neighborhood meeting there were a couple of things that the residents asked. Most importantly, they did not want streetlights on the neighborhood streets. I believe they understood Valley View is a pretty major thoroughfare and streetlights are probably necessary on Valley View. But after the meeting, we did add a waiver to waive the off-site improvements specific to streetlights on Arby, on Procyon, and on Capovilla. And so, there is an if approved condition, and we submitted that at the neighbor's request. So, there will be lights on all of the homes. They have coach lighting so it won't be completely dark. But in line with their neighborhood, they very much wanted those streetlights to be eliminated on Arby, Procyon, and Capovilla.

Also, there was a mix of opinion on the sidewalks. We are showing detached sidewalks, which we know is very important for the safety of the community and the safety of the area. And the neighbors pretty much agreed with that. But a few of them did ask for asphalt paveways instead of concrete. Richmond's fine either way. So, whatever the Commission decides, we're fine with that.

Lastly, we do have – there's some fill and some retaining on this site. And there was a pretty significant retaining wall proposed on this corner here adjacent to an existing homeowner. Which we've worked with that homeowner on reducing the impact of that wall by providing a tiered wall. Mark Bangin provided a beautiful exhibit that I will submit into the record. But what we've worked out with them is doing a tiered wall on that eastern boundary. Actually, the eastern boundary as well as southern boundary of their property, so that you'll have their existing wall, some landscaping. And we were very specific with their request. They want laurel bays. So, we are going to provide 24-inch box bay laurel trees in that landscape easement area. And then we'll have a reduced retaining, still some retaining and this screened wall. So, it'll have a much nicer, softer feel and really provide them some privacy. This landscape easement would run along this property line and right here as well.

So, I did work with Sami, and she revised my conditions to be much better than they were. So, I would want to propose two conditions. One, that we provide for and include in the CC&Rs that a minimum of 15 24-inch box laurel trees be planted and maintained 30 feet on center within that landscape strip between the tiered wall. And with any changing in the landscaping to be approved by the HOA and the adjacent property owner. And the reason for that is this easement area will be maintained by the HOA. If for some reason at some point that tree selection changes, we want to make sure that the property owners know what's happening.

The second condition, that we provide and include in the CC&Rs is a gate to the landscape easement on Arby Avenue to be accessed and maintained by the HOA. Again, this property owner was very concerned with having a dead area between the home and the home to the west of them. So, we will provide a gate there, and that gate will be only accessed by the HOA.

So, with that said, I'm happy to answer any questions. I very much appreciate the neighborhood support. And I think we've tried to revise the application to reflect their requests. First of all, with the requested waiver for the streetlights on Arby, Procyon, and Capovilla, the offering of doing the asphalt pathways instead of the concrete if that's the Commission's desire, and then the two conditions I just read into the record to reduce that retaining impact on the neighbor that's immediately to the east of us. I'm happy to answer any questions.

TICK SEGERBLOM

This is a public hearing. Anyone here wishing to speak on this item? Seeing no one, we'll close the hearing and turn it over to Commissioner Naft.

MOTION

MICHAEL NAFT

Thank you, Chairman. Thank you, Ms. Allen, for the presentation, for your work on this.

My motion will include the two conditions that you read in and worked with Planning on.

Also, I just want to highlight it, it's already in the agenda item, but yes, full off-sites will be required on Valley View. On the other three streets we'll do the detached asphalt path, which has been my standard in these areas. Antonio, you're giving me a look.

ANTONIO PAPAIZIAN

Thank you, Commissioner. Just concrete on Valley View? Are we doing concrete path on Valley View and just asphalt on the side streets?

MICHAEL NAFT

Correct.

ANTONIO PAPAIZIAN

Thank you.

MICHAEL NAFT

Then if I've not missed anything else, I'll move for approval of Items 29, 30, and 31 with the conditions read into the record.

TICK SEGERBLOM

There's a motion, cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft

VOTING NAY: None

ABSENT: Ross Miller

ABSTAIN: None

TICK SEGERBLOM

And that motion passes. Thank you.

STEPHANIE GRONAUER

Thank you very much. And I'll provide your staff this exhibit as well for the record.

30. WS-24-0461-OMNI FAMILY LIMITED PARTNERSHIP:

HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce net lot area; 2) reduce street landscaping; 3) increase retaining wall height; 4) increase fill height; 5) alternative lot orientation; 6) off-site improvements (streetlights); and 7) reduce driveway setbacks.

DESIGN REVIEW for a single-family residential subdivision on 7.5 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the east side of Valley View Boulevard and the south side of Arby Avenue within Enterprise. MN/hw/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 29 AND 31).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- At a minimum, 5 gallon shrubs shall be provided within the landscaping strip between the tiered retaining wall;
- Provide for and include in the CC&Rs that a minimum of 15, 24 inch box Bay Laurel trees be planted and maintained 30 feet on center within the landscape strip between the tiered wall with any changes in landscaping to be approved by the HOA and adjacent property owners;
- Provide and include in the CC&Rs a gate to the landscape easement on Arby Avenue to be accessed and maintained by an HOA;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Full off-site improvement on Valley View Boulevard;
- Full off-site improvements except streetlights on Arby Avenue, Capovilla Avenue, and Procyon Street with sidewalks consisting of asphalt instead of concrete;
- Install conduit and pull boxes for streetlights;
- Drainage study and compliance;
- Right-of-way dedication to include 45 feet to the back of curb for Valley View Boulevard, 25 feet to the back of curb for Arby Avenue, 25 feet to the back of curb for Procyon Street, 25 feet to the back of curb for Capovilla Avenue and associated spandrels;
- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements, 90 days to record said separate document for the Warm Springs storm drain improvement project.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written

concurrence from the Department of Aviation;

- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed; that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Fire Prevention Bureau

- Applicant to show fire hydrant locations on-site and within 750 feet.
- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0135-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

31. TM-24-500099-OMNI FAMILY LIMITED PARTNERSHIP:

HOLDOVER TENTATIVE MAP consisting of 13 single-family residential lots on 7.5 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the east side of Valley View Boulevard and the south side of Arby Avenue within Enterprise. MN/hw/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 29 AND 30).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may

warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Full off-site improvement on Valley View Boulevard;
- Full off-site improvements except streetlights on Arby Avenue, Capovilla Avenue, and Procyon Street with sidewalks consisting of asphalt instead of concrete;
- Install conduit and pull boxes for streetlights;
- Drainage study and compliance;
- Right-of-way dedication to include 45 feet to the back of curb for Valley View Boulevard, 25 feet to the back of curb for Arby Avenue, 25 feet to the back of curb for Procyon Street, 25 feet to the back of curb for Capovilla Avenue and associated spandrels;
- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements, 90 days to record said separate document for the Warm Springs storm drain improvement project.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Building Department - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Fire Prevention Bureau

- Applicant to show fire hydrant locations on-site and within 750 feet.
- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0135-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

32. VS-24-0509-USA:

VACATE AND ABANDON easements of interest to Clark County located between Craig Road and Alexander Road and between Chieftain Street and Fort Apache Road; a portion of right-of-way being Helena Avenue located between Chieftain Street and Fort Apache Road; and a portion of right-of-way being Hickam Avenue located between Chieftain Street and Fort Apache Road within Lone Mountain (description on file). RM/hw/kh (For possible action)

ACTION: DELETED FROM THE AGENDA (HELD TO DECEMBER 4, 2024, PER THE APPLICANT).

33. WS-24-0510-USA:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce gross lot area; 2) reduce net lot area; 3) reduce front setbacks; 4) allow a gated community within the NPO-RNP; 5) reduce street landscaping; 6) reduce call box setback; 7) eliminate off-site improvements (curb, gutter, sidewalks, and streetlights); 8) increase the length of a non-through street without a county approved turnaround; and 9) eliminate street knuckles.

DESIGN REVIEW for a single-family residential subdivision on a 22.14 acre portion of 32.12 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Craig Road, north of Florine Avenue (alignment), east of Chieftain Street, and west of Fort Apache Road within Lone Mountain. RM/hw/kh (For possible action)

ACTION: DELETED FROM THE AGENDA (HELD TO DECEMBER 4, 2024, PER THE APPLICANT).

34. TM-24-500108-USA:

TENTATIVE MAP consisting of 39 single-family residential lots and 2 common lots on a 22.14 acre portion of 32.12 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Craig Road, north of Florine Avenue (alignment), east of Chieftain Street, and west of Fort Apache Road within Lone Mountain. RM/hw/kh (For possible action)

ACTION: DELETED FROM THE AGENDA (HELD TO DECEMBER 4, 2024, PER THE APPLICANT).

(Companion Items 35 and 36)

35. VS-24-0539-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:

VACATE AND ABANDON easements of interest to Clark County located between Torino Avenue and Ford Avenue (alignment) and between Belcastro Street and Rosanna Street within Enterprise (description on file). JJ/jud/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEM 36).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards

completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include 25 feet to the back of curb for Torino Avenue, 25 feet to the back of curb for Belcastro Street, and associated spandrels;
- The installation of detached sidewalks will require dedication to back-of-curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

SAMI REAL

Next are Items 35 and 36.

- Item 35, VS-24-0539, vacate and abandon easements of interest to Clark County located between Torino Avenue and Ford Avenue (alignment) between Belcastro Street and Rosanna Street within Enterprise.
- Item 36, WS-24-0538, waivers of development standards for the following: Reduce net lot size, increase fill height, increase retaining wall height, and increase driveway width. Design review for a single-family residential subdivision on 2.34 acres in an RS20 (Residential Single-Family) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the northeast corner of Belcastro Street and Torino Avenue within Enterprise.

TICK SEGERBLOM

Good morning again.

STEPHANIE GRONAUER

Good morning again, Mr. Chairman, Commissioners. Stephanie Gronauer, 1980 Festival Plaza Drive, here on behalf of the applicant, Richmond American Homes.

This is a little over a two-acre site located at Belcastro and Torino. Again, this is similar to the last item, where Richmond is proposing to stick with the RS20 zoning category. They are not seeking a zone change. And we are proposing a four-lot development with a density that's under the two units to the acre. We do have a couple of waivers that I just want to walk through briefly. These are the four lots. Three of them would face onto Torino. Which again, most RNP areas prefer that than having blocked in neighborhoods. So, we have three homes that are fronting onto Torino, and then the fourth home will front on to Belcastro. There is some fill and some retaining on this site. And it's a little small parcel, as you can see. Much of it is, you can see on this aerial, along the north. There's some pretty significant drainage and contours going on there. So that fourth lot requires some retaining along the northern property line. Along the eastern property line, the grading plan did just get approved. And my understanding is we will not need quite as much retaining. And there is a five-foot drainage easement along the side of this lot, so there will be a bit of a tiered appearance. There'll be their existing block wall, the five-foot drainage easement, and then our retaining and block wall on the other side of that easement area. But on this northern property line, that's where most of the retaining will exist. It's an undeveloped parcel to the north. And it is just necessary due to topography and the drainage in the overall area.

Again, these are Richmond's big one-story, over \$1 million homes that are very much in compliance and conformance with any RNP neighborhood fronting out onto the street. And I'm happy to answer any questions, but we'd very much appreciate your approval today.

TICK SEGERBLOM

This is a public hearing. Anyone here wishing to speak on this item? Seeing no one, I'll turn it over to Commissioner Jones.

MOTION

JUSTIN JONES

Thank you, Mr. Chair. Appreciate your efforts to keep this in line with the RNP, so I'll go ahead and move for approval of Agenda Items 35 and 36.

TICK SEGERBLOM

There's a motion, cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft

VOTING NAY: None

ABSENT: Ross Miller

ABSTAIN: None

TICK SEGERBLOM

And that motion passes. Thank you.

STEPHANIE GRONAUER

Thank you very much.

36. WS-24-0538-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce net lot size; 2) increase fill height; 3) increase retaining wall height; and 4) increase driveway width.

DESIGN REVIEW for a single-family residential subdivision on 2.34 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the northeast corner of Belcastro Street and Torino Avenue within Enterprise. JJ/jud/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEM 35).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Torino Avenue, 25 feet to the back of curb for Belcastro Street, and associated spandrel;
- The installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0214-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

(Companion Items 37, 38, and 39)

37. VS-24-0542-GOLDENSITES, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Camero Avenue and Mistral Avenue and between Cimarron Road and Durango Drive and portion of a right-of-way being Gagnier Boulevard located between Mistral Avenue and Camero Avenue within Enterprise (description on file). JJ/sd/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 38 AND 39).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 4 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording

SAMI REAL

Next are companion Items 37 through 39.

- Item 37, VS- 24-0542; vacate and abandon easements of interest to Clark County located between Camaro Avenue and Mistral Avenue and between Cimarron Road and Durango Drive and a portion of right-of-way being Gagnier Boulevard located between Mistral Avenue and Camaro Avenue within Enterprise.
- Item 38, WS-24-0543; waivers of development standards for the following: reduce setbacks, increase retaining wall height, increase fill height, waive full off-site improvements, and reduce street intersection offset. Design review for a single-family residential subdivision on 10.63 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay.

Generally located on the north side of Camaro Avenue and the east and west sides of Gagnier Boulevard (alignment) with an enterprise.

- And then Item 39, TM-24-500117; tentative map consisting of 20 single-family residential lots on 10.63 acres and an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the north side of Camaro Avenue and the east and west sides of Gagnier Boulevard (alignment) within Enterprise.

TICK SEGERBLOM

Good morning.

BOB GRONAUER

Good morning, Mr. Chairman and Commissioners. My name's Bob Gronauer. 1980 Festival Plaza Drive. I'm here representing Pinnacle Homes on these matters.

As you can take a look at the overhead here, highlighted in yellow, this is approximately 10.6 acres of property. It's located in the RNP area. We are proposing 20 homes. However, we do have some waiver development standards, and the reason is as I go through the story here, you'll appreciate this piece of property is fairly difficult to develop.

First of all, Pinnacle Homes purchased this property here and this property here in the auction not too long ago. And then this piece of property my client purchased from this property owner here. However, the reason why you don't see it, it is perfectly shaped in this area. You can see these are solar panels here. So, the family that sold the property here wanted this type of configuration.

So, which has made it a little bit tricky here for development purposes, but also on top of that, you can see here as you focus in here, this is a big drainage area on this property that's being impacted. And matter of fact, when I did the developments for William Lyon Homes many years ago, this was a big drainage concern for the neighbors in the area. So, the good news is with Frank White and Pinnacle Homes, by purchasing the airport properties, purchasing this additional property here, we're going to be able to help fix that drainage issue that still also lingers in this area. But because of that, we do have some fill and wall height waivers that we're asking for, and that's based because of the existing conditions on the property.

So, on the site plan that I have here, we have 20 homes. We have six homes that are located up here off Gagnier, which will have access coming in and out of the cul-de-sac located right here. The other 14 homes are going to have access on Camaro, as you can see here, will come out through in this area. We do have a waiver development standard of street separation between Gagnier and our private street here. Staff is recommending – well, they were recommending approval that the Public Works with the separation distance series because this is in an RNP area, these are rural standards out in this area, and so very little traffic would be coming out in this area.

One of the waivers that we're asking for is for a 20-foot front yard setback. That is typical what you see in all the developments. I believe you're looking at your current code now to put that back. These are not the Pinnacle Homes that you see, but these are homes in the area that have that 20-foot setback that was approved at the Town Board. We'd ask you to approve that waiver of development standard.

When you look at the wall height, our highest point of the wall height that we'll have is along our east property line. Because we're lower on the west property line here, we're about nine feet, six feet, about five feet and five feet lower than the west side here. But because of the drainage and the topography of the property here over along the east property line, we're going to have some wall heights. What we are

about higher, the wall height in this area would be about 8 feet, 7 inches. This would be about 7 feet and 1 inch. The highest point is about 11 feet, 1 inch in this area. This would be the highest point of the wall. The wall waiver that we're asking for, this is about 9 1/2 feet, and this is about 10 feet, 3 inches.

Also, adjacent in this area, we have a five-foot wide drainage easement, which also goes to a 10-foot wide drainage easement in this area. With respect to the fill, because of the hole that is in here because of topography, we do have a waiver for infill located on Lot 10 and on Lot 14 in this area. And again, it's because of the constraints on the property.

We did go to the Town Board. They did recommend the approval of some of our waivers that we're asking for. These are single-story homes that Pinnacle builds. The price points are going to be anywhere from about \$1.4 to \$1.5 million per house on an average. The floor plans are anywhere from 3,600 square feet to about approximately 4,700 square feet.

With that being said, we'd ask you to approve the application that is before you. And then on a side note, we are continuing to work with the neighbors in this area with respect to some of the drainage issues and designs.

And as we finalize our drainage study, we will continue to communicate with them. And matter of fact, we've been communicating our client with Robert Cunningham today with some of the neighbors in the area with respect to some of the design. And the last thing I'll point out is in working with the neighbors, this gray area here is a sewer easement area, about 30 feet in width. We already have that open for pedestrian activity. It's not for vehicular access, but for the neighbors who walk in north and south in this area. So, we wanted to keep that open for connectivity purposes and that was something that the neighbors did definitely like. That being said, I can answer any of the questions on these applications that are before you.

TICK SEGERBLOM

This is a public hearing. Anyone here wishing to speak on this item?

ROBERT GLAU

Good afternoon or still morning. My name is Robert Glau, G-L-A-U. I live at 8260 Gagnier right across the street from the little six-person cul-de-sac there. I have no problem with this development whatsoever except for I don't see any need for any streetlights, which Enterprise had mentioned. And I know that they're asking not to have the streetlights and I'm in favor of that. And secondly, the little walkway, we're not exactly sure where that comes out. We're just hoping it's not right in the guy's driveway that sits right next to that.

And then also the Town Board had requested on the west side of Gagnier to put a five-foot asphalt sidewalk, which makes no sense. It's a dead end cul-de-sac. No five-foot asphalt sidewalk from Windmill all the way to there. And to just have that little piece of black top across the front of their place doesn't seem to make any sense to me. So, I would ask you not to request that and not to have the streetlights. Otherwise, I'm totally in favor. Thank you.

TICK SEGERBLOM

Thank you. Anyone else? Seeing no one will close the public hearing and turn it over to Commissioner Jones.

JUSTIN JONES

Thank you, Mr. Chair. Mr. Gronauer, do you want to address those comments?

BOB GRONAUER

No, I am good unless you have any questions.

JUSTIN JONES

Okay. All right, then I'm go ahead and move for – well, I would say with regards to Waiver of Development Standards 4A, while I appreciate that there are other areas out there on Camaro who have had all of their off-sites waived that I think that it makes sense to have at least some of the off-sites put in there. So, agree on the streetlights that they aren't necessary at this time, but I'll require the developer to install curb and gutter out there. Do you want to comment on that JaWaan?

BOB GRONAUER

Yeah. Oh, okay. I'm sorry. I just wanted for clarification on Camaro?

JUSTIN JONES

Yes, on Camaro.

BOB GRONAUER

And that's curb and gutter and I'm sorry, I'm interrupting Antonio. Go ahead Antonio.

JUSTIN JONES

Go ahead Antonio.

ANTONIO PAPAIZIAN

Thank you, Commissioner. With the addition of the curb and gutter, I just want to make sure because their plans don't reflect it, that they'll be required to do full width paving as well.

JUSTIN JONES

Okay. All right. Curb gutter, full width paving and pull conduit in the event that there's a need for future streetlights but won't require a sidewalk at this time.

ANTONIO PAPAIZIAN

Thank you, Commissioner. If they're not required to do the sidewalk at this time, we do not need the conduit and the pool boxes. The reason we typically require the conduit and pool boxes when someone is doing the sidewalk is so we don't have to lift those panels to put the conduit underneath. And because there's not going to be any sidewalk, there's no panels to lift, so it won't be a problem in the future to install that should we have a project that installs streetlights.

JUSTIN JONES

Okay. All right, what he said. All right. I'll go ahead and move for approval of Agenda Items 37, 38, 39 – 38, 37 and 39 with the modification to Waiver Request 4A.

LYNN GOYA

Excuse me, Commissioner, could you repeat the motion as it's the final motion for clarification?

MOTION

JUSTIN JONES

Sure. So, I'm going to move for approval on Agenda Items 37, 38 and 39 with regards to Waiver request 4A. The requirement for streetlights and sidewalk will be granted, but the curb and gutter and partial paving will be denied. Is that accurate? Okay.

LYNN GOYA

Thank you.

JUSTIN JONES

That's a motion.

TICK SEGERBLOM

All right, there's a motion. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft

VOTING NAY: None

ABSENT: Ross Miller

ABSTAIN: None

TICK SEGERBLOM

That motion passes. Thank you.

BOB GRONAUER

Thank you.

38. WS-24-0543-GOLDENSSITES, LLC, THE PARSONS FAMILY REVOCABLE LIVING TRUST):

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; 2) increase retaining wall height; 3) increase fill height; 4) waive full off-site improvements; and 5) reduce street intersection off-set.

DESIGN REVIEW for a single-family residential subdivision on 10.63 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the north side of Camero Avenue and the east and west sides of Gagnier Boulevard (alignment) within Enterprise.

JJ/sd/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 37 AND 39).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Off-site improvements (curb, gutter, and paving) on Camero Avenue;
- Drainage study and compliance;

- Traffic study and compliance;
- Execute a Restrictive Covenant Agreement (deed restrictions).

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0075-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

WAIVER OF DEVELOPMENT STANDARDS #4A WAS DENIED FOR OFF-SITE IMPROVEMENTS (CURB, GUTTER, AND PARTIAL PAVING).

39. TM-24-500117-GOLDENSSITES, LLC, THE PARSONS FAMILY REVOCABLE LIVING TRUST):

TENTATIVE MAP consisting of 20 single-family residential lots on 10.63 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the north side of Camero Avenue and the east and west sides of Gagnier Boulevard (alignment) within Enterprise. JJ/sd/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 38 AND 39).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Off-site improvements (curb, gutter, and paving) on Camero Avenue;
- Drainage study and compliance;
- Traffic study and compliance;
- Execute a Restrictive Covenant Agreement (deed restrictions).

Building Department - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0075-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

40. WS-24-0522-CROCKER FAMILY REVOCABLE LIVING TRUST:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; and 2) eliminate full off-site improvements in conjunction with a proposed single-family residence on 0.5 acres in a RS20 (Residential Single-Family 20) Zone within the Neighborhood Preservation (RNP) Overlay. Generally located on the west side of El Capitan Way, 170 feet south of Washburn Road within Lone Mountain.
RM/jm/kh (For possible action)

ACTION: DELETED FROM THE AGENDA (HELD TO DECEMBER 4, 2024, PER THE BOARD OF COUNTY COMMISSIONERS).

SAMI REAL

All right. Next is Item 40, WS-24-0522; waiver of development standards for the following: reduce setbacks and eliminate full off-site improvements in conjunction with a proposed single-family residence on 0.5 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Preservation (RNP) Overlay. Generally located on the west side of El Capitan Way, 170 feet south of Washburn Road within Lone Mountain.

TICK SEGERBLOM

Is anyone here on this application? Item 40?

MOTION

ROSS MILLER

I'm not sure where they are. Can we move to pass it to the December 4 meeting?

SAMI REAL

Hold to December 4?

ROSS MILLER

Hold. Yes.

SAMI REAL

So then there is a motion to hold till December 4.

TICK SEGERBLOM

There's a motion to hold it until December 4. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None

ABSENT: None

ABSTAIN: None

TICK SEGERBLOM

That motion passes.

41. WS-24-0523-WARREN FAMILY REV LIV TR & WARREN, JOSEPH F. & CARRYN B. TRS:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce separation; 2) reduce setbacks; and 3) modify driveway geometrics for accessory structures in conjunction with an existing single-family residence on 2.28 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the west side of Fairfield Avenue, 320 feet south of Wigwam Avenue within Enterprise. MN/tpd/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- 1 year to complete the building permit and inspection process for existing accessory structures or this portion of the application will expire unless extended with approval of an extension of time;
- 2 years to commence the proposed RV cover or this portion of the application will expire unless extended with approval of an extension of time;
- Paint the proposed RV cover to match the primary dwelling.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Southern Nevada Health District (SNHD) - Engineering

- Applicant is advised to contact the SNHD Environmental Health Division at septics@snhd.org or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

SAMI REAL

Next is Item 41, WS-24-0523; waivers of development standards for the following: reduced separation, reduce setbacks and modified driveway geometrics for accessory structures in conjunction with an existing single-family residence on 2.28 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the west side of Fairfield Avenue, 320 feet south of Wigwam Avenue within Enterprise.

KAREN WARREN

Hello, thank you for your time today. My name is Karen Warren, W-A-R-R-E-N. And I am the homeowner in this case.

I also wanted to thank the staff for walking me through this whole process.

Okay. So, you will notice a lot on this item, but I am going to keep it short as I was advised to do. Essentially, we are looking to erect an RV shade cover on this part of the lot. This is the north facing right? So right here on the lot in working with Land Use, they brought up a lot of issues in terms of waivers, so we're just hoping to bring everything else on the property in compliance. Since we purchased it in 2017, we've made significant improvements. So, I open that up to any questions?

TICK SEGERBLOM

All right. This is a public hearing. Anyone here wishing to speak on this item? I see no one. It sounds like you've resolved all things. Commissioner Naft.

MICHAEL NAFT

Yeah. Thank you, Mr. Chairman. Thank you, Ms. Warren, for your patience today. But through this whole process, you bought a property that was in pretty bad distress that your neighbors were pretty displeased with, and you have, one, cleaned it up, but two are bringing most of what you're here to waive today were pre-existing issues prior to your purchase of the property, with the exception of what you just laid out. Yeah.

KAREN WARREN

Those were before pictures.

MICHAEL NAFT

Yeah. Thank you.

KAREN WARREN

Of our property. So yes.

MOTION

MICHAEL NAFT

So, thank you and I'm prepared to move for approval of Item 41 and appreciate your patience through this process.

TICK SEGERBLOM

All right. There's a motion. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft

VOTING NAY: None

ABSENT: Ross Miller

ABSTAIN: None

TICK SEGERBLOM

That motion passes. Thank you so much.

KAREN WARREN

Short and sweet. Thank you for your time. I appreciate it.

42. WS-24-0525-SEMMATERIALS ENERGY PTNRS, LLC:

AMENDED WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase fence height (no longer needed); 2) allow non-decorative fencing (no longer needed); 3) reduce access gate setbacks; 4) waive off-site improvements (streetlights); 5) allow attached sidewalks; 6) eliminate throat depth; and 7) eliminate driveway back-of-curb radius.

DESIGN REVIEW for site modifications for an existing asphalt batch plant on 6.76 acres in an IL (Industrial Light) Zone within the Airport Environs (AE-65) Overlay. Generally located on the southwest corner of Valley View Boulevard and Ponderosa Way within Paradise. MN/dd/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Paint the shipping containers to match the buildings and infrastructure on-site;
- Street landscaping along Ponderosa Way to consist of recommended plants from the Regional Plant List, or an approved alternative.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Full off-site improvements except streetlights on Ponderosa Way;
- Install conduit and pull boxes on Ponderosa Way.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation;
- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or

other temporary equipment; the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998; and that funds will not be available in the future should the owners wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0185-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

SAMI REAL

Next is Item 42, WS-24-0525; amended waivers of development standards for the following: increased fence height, which is no longer needed, allow non-decorative fencing. Again, no longer needed. Reduce access gate setbacks, wave off-site improvements being streetlights, allow attached sidewalks, eliminate throat depth and eliminate driveway back of curb radius. Design review for site modifications for an existing asphalt batch plant on 6.76 acres in an IL (Industrial Light) Zone within the Airport Environs (AE-65) Overlay generally located on the southwest corner of Valley View Boulevard and Ponderosa Way within Paradise.

TICK SEGERBLOM

Good morning.

MELISSA EURE

Good morning, Melissa Eure, E-U-R-E. 1055 Whitney Ranch Drive, Suite 210. Here on behalf of the applicant.

So again, here you can see on the aerial exactly where this batch plant sits. It's been there since the 1960s. So, it has been there for quite some time, and everything has developed around it.

Just importantly to note on here, there is a stormwater detention basin that is on this site and then there's already some paved area here. So, what has happened is on here you can see everything in the pink color is existing and what they'll be doing is adding some new tanks in order to decommission other tanks that are on the site as well as adding a new shade structure. They use polymer pellets that unfortunately the UV tends to deteriorate and destroy. So, in order to lose less of their supplies, they're putting this new shade structure. With these new equipment, it did trigger the need for the site to come into greater conformance with the current Title 30. And so quite a bit of what we have here and the waivers which I will focus on are in regards to the off-sites here along Ponderosa. The sidewalk and full off sites are existing on Valley View Boulevard.

What there is currently there's a berm here. This is where the stormwater detention basin is. The way the site operates is that trucks come in off Ponderosa, they enter on the far west gate here. They go through the scales, they come around, they load on here, they come back around, they stay with on the property to loop back around to then get weighed with their full weight before exiting out of this gate. So, gates do remain open during business hours, and we are asking to go ahead and put in an attached sidewalk. Currently, there is no sidewalk for this part of the property as well. There is some curb and gutter, however this would be adding the sidewalk. And then there is the existing oleanders on this side and what they would do is replant any oleanders that need to be replanted as they pulled back.

Because of these existing conditions there is a security fence that's also there in the gates and unfortunately, they're within the setbacks that our Title 30 currently requires. So, one of those is to allow the gates to be 7 feet and 8 feet from the property line versus 18 feet. Again, as mentioned, they are open during business hours, and they are one way only and we try to keep the trucks circulating on site versus on the actual right-of-way. These fencing here it is security fencing for a portion of it. It is non-decorative. You can kind of see the oleanders do a great job of screening what is there.

One of the bigger waivers we have is asking for the zero radius and some reduced throat depths, particularly for the western drive. So, the eastern drive will meet the standards. It's only on the westernmost driveway and you can see from the photo here. As trucks swing in to go to the scales, unfortunately in order to meet the driveway standards, the driveway would have to be moved more to the east. And what that would do is actually put it back up against where you have parking right here on the other side. So, if they move the driveway to put in the standard, it would then have the trucks turning in right behind where there's parking here and there is no curb gutter or entryway. It's literally just parked there. So, it would potentially back items up.

Also, because of the location of the stormwater basin, if that was moved over, the trucks would be entering basically right into the stormwater basin and there's no way to push back the interior drive without again impacting that existing stormwater basin on the site. So, any changes to the gate or to those drives would then be impacting the existing equipment and the stormwater tension Basin. So that's why we're asking that this driveway remain as it is on this side. So that way we don't impact the site operations. If we had to get rid of that drive, it would then force circulation onto the existing public right-of-way instead of keeping it on the site.

Finally, we are proposing the attached sidewalk as well as putting in the curb and gutter. However, we've requested a waiver of the streetlights on Ponderosa, all of the existing streetlights that there are on the north side of the street, that is where the electrical wiring and conduit is. There are none on the south side of the street where the property is located. So, we've asked that those streetlights not be required. One, it would cut off the drive. This is Ponderosa does end in a cul-de-sac. So, it would create quite a bit of impact for the existing businesses but also just because it'd be a little more difficult to bring all that in. There isn't an electrical connection very close by for that. So, we've asked to waive that, but we are fine with accepting staff's conditions on this. And with that, happy to answer any questions.

TICK SEGERBLOM

All right. This is a public hearing. Anyone here wishing to speak on the item? Seeing no one, we'll turn it over to Commissioner Naft.

MOTION

MICHAEL NAFT

Thank you, Mr. Chairman. I'm sure your client probably regrets wanting to put up a shade structure, but we're glad they're doing it and making the investment in the property. As you laid out, nearly all of these waivers are necessitated by permanent infrastructure that's on the property. So that's convinced me to move for approval of Item 42.

TICK SEGERBLOM

There's a motion. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft
VOTING NAY: None
ABSENT: Ross Miller
ABSTAIN: None

TICK SEGERBLOM

That motion passes.

MELISSA EURE

Thank you.

43. WS-24-0526-GHANOLI HOLDINGS, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase fence height; and 2) allow a non-decorative fence.

DESIGN REVIEW for modifications to a previously approved truck staging area on 0.49 acres in an IL (Industrial Light) Zone within the Airport Environs (AE-60) Overlay. Generally located on the south side of Martin Avenue and the east side of Crystal Street within Enterprise. MN/dd/kh (For possible action)

ACTION: DELETED FROM THE AGENDA (HELD TO JANUARY 22, 2025, PER THE APPLICANT).

(Companion Items 44 and 45)

44. WS-24-0527-COUNTY OF CLARK (AVIATION):

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; 2) increase wall height; 3) increase fill height; 4) eliminate off-site improvements (curb, gutter, sidewalks, and streetlights); and 5) reduce the street intersection off-set.

DESIGN REVIEW for single-family detached residences on 4.92 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the northwest corner of Valadez Street and Shelbourne Avenue within Enterprise. JJ/jud/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEM 45).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Comply with approved drainage study PW24-17122;

- Execute a Restrictive Covenant Agreement (deed restrictions).

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0113-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

SAMI REAL

Next are Items 44 and 45.

- Item 44 WS-24-0527. Waivers of development standards for the following: reduced step backs, increase wall height, increase fill height, eliminate off-site improvements being curb gutter sidewalks and streetlights and reduce the street intersection offset. Design review for single-family detached residences on 4.92 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the northwest corner of Valdez Street and Shelbourne Avenue within Enterprise.
- Item 45 TM-24-500114. Tentative map consisting of 10 single-family residential lots and common lots on 4.92 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the northwest corner of Valdez Street and Shelbourne Avenue within Enterprise.

TICK SEGERBLOM

Good morning.

BOB GRONAUER

Good morning, Mr. Chairman and Commissioners. My name is Bob Gronauer, 1980 Festival Plaza Drive. I'm here representing Pinnacle Homes on these next few matters.

What I have before you is an aerial map of our site. It's approximately five acres. This is also another one of these purchases through the Airport auction that Pinnacle Homes has purchased. And matter of fact this is in a rural neighborhood area. These are actually homes that Pinnacle came in and has already built. As you can see, we are sandwiched in between existing rural neighborhood preservation homes. These are single-story homes that we're proposing on the five acres. These are the elevations that you would see here that are being proposed.

We do have a waiver. Our first waiver is a waiver of the front yard setback, which is typical that you see in all these rural neighborhoods that are built like this. And it has that 20 foot yard setback in there. It's just a matter of the reason way you actually measure the distance to the setback, but this is no different than other developments in the area.

With respect to the site plan, this is 10 homes that are located on approximately five acres. We have our access coming in here off of Shelbourne Avenue. And this is another piece of property here where we have some drainage issues that we're dealing with because to the north, to the east, west and south of us, the grades have all been set on the property here. So, it's very hard for us to do anything more or less than what's already been set in the area.

So, our wall heights, we're low on the west side here of our property. On the east side we're a little bit higher. Our wall heights are going to be anywhere from 2 or 3 feet higher than the existing walls. You do have a 5 foot – in this area, a 5 foot drainage easement that separates the property walls in this area. Just

for the record, this would be about a 9 foot high, 9 foot 7inch wall. This is about 10 foot and 4 inch wall. This is also 10 foot and 2 inch wall. And this would be about a 9 foot, 9 inch wall in this area here. And again, that's just dealing with the topography and the grade on the property that's been set.

We'd ask you to approve the applications that are before you. And again, these are single story homes, same price points as I mentioned earlier with Pinnacle's proposal.

TICK SEGERBLOM

That completes your presentation, we'll –

BOB GRONAUER

Yes, sir.

TICK SEGERBLOM

– open it up for a public hearing. Anyone here wishing to speak on this item? Or these items? See no one. We'll close the public hearing and Commissioner Jones.

MOTION

JUSTIN JONES

Move for approval of 44 and 45.

TICK SEGERBLOM

There's a motion. Cast your vote

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft

VOTING NAY: None

ABSENT: Ross Miller

ABSTAIN: None

TICK SEGERBLOM

That motion passes. Thank you.

BOB GRONAUER

Thank you very much and I want to wish all of you a happy Thanksgiving with your families. Have a good one, take care.

45. TM-24-500114-COUNTY OF CLARK (AVIATION):

TENTATIVE MAP consisting of 10 single-family residential lots and common lots on 4.92 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the northwest corner of Valadez Street and Shelbourne Avenue within Enterprise. JJ/jud/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEM 44).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Comply with approved drainage study PW24-17122;
- Execute a Restrictive Covenant Agreement (deed restrictions).

Building Department - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0113-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

46. WS-24-0535-BLUE DIAMOND PB HOLDINGS, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce street landscape planter width; and 2) reduce driveway geometrics.

DESIGN REVIEW for commercial buildings on 0.89 acres in a CG (General Commercial) Zone within the Airport Environs (AE-60) Overlay. Generally located on the south side of Blue Diamond Road and the west side of Pinkbox Drive within Enterprise. JJ/sd/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;

- Traffic study and compliance;
- Full off-site improvements;
- The installation of detached sidewalks will require vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way;
- Coordinate with Real Property Management and the Department of Aviation to dedicate Pinkbox Drive.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0437-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

WAIVERS OF DEVELOPMENT STANDARDS #1 AND #2B WERE WITHDRAWN.

SAMI REAL

Next is Item 46, WS-24-0535; waivers of development standards for the following. Reduced street landscape planner width and reduced driveway geometrics, design review for commercial buildings on 0.89 acres in a CG (Commercial General) Zone within the Airport Environs (AE-60) Overlay generally located on the south side of Blue Diamond Road and the west side of Pink Box Drive within Enterprise.

TICK SEGERBLOM

Good morning.

GREG BORGEL

Good morning, Mr. Chairman. I'm Greg Borgel, 3747 Heritage Avenue here for the Pink Box Project, which is the first phase of development proposed for this property. With me in the audience is if you have questions appropriate for his consideration, is the Vice President of Development for the Siegel Group. The Pink Box item before you now is of course an element of the Siegel Group. And so, if you have questions that are beyond my capability, he's available to help out.

Secondly, we were advised fairly late in the game that some of the waivers were problematic, and we have put ourselves in the position of what we think is resolving those questions.

So, to work through it casually – and by the way, this is the elevation of the Pink Box that is before you. There are three waivers called out in the agenda or were, if you will, since we have resolved two of the three with certainty. On the reduced width of street landscaping, which is Waiver Number One, that's been eliminated. It was a very small area that was basically overlooked in the first analysis. And so, we would ask in conjunction with what we hope is your approval of the balance of the item, that that could be allowed to be withdrawn here.

And secondly on Item 2B, which was the throat depth question on which Public Works was quite concerned. The engineer for our side has gone through the equations and restructured the throat depth and that has been provided to staff for analysis and we think that that one can now be withdrawn as well. So that takes care of the throat depth and the landscaping waiver.

The remaining item is a reduction of the departure distance for the driveway on Pink Box Drive to 161 feet where 190 is required. First of all, we would point out that the Pink Box Drive, which amounts to being our private drive, although it has of course to be dedicated to the public for the purpose of extending utilities. But it is a very minor street which although it is adjacent to Blue Diamond Road, they are in a position where it can never cross Blue Diamond. So, it's a very minor intersection in question.

And secondly, by virtue of the redesign of the – and hoped for withdrawal that you will allow for the other waiver, we are now in a position where the redesign to accommodate the full throat depth as required by staff, has enabled a tentative and what we would suggest resolution to that remaining waiver. And that is that by virtue of redesigning – I put the landscape plan up so you could see that it is abundantly landscaped, but I'm drawing on the black line because it's easier to explain what we've done. By moving the throat depth question and resolving it, we believe, to here, we create a situation where we now have a location for a sign, which would, we think, resolve the last remaining waiver question, which is the distance along Pinkbox Drive.

This we believe strongly is the correct location for signage in order to create specifically the situation. And there is no sign waiver in front of you because we'll have to submit a sign program in the future. But we would want to put a sign in this area where the expansion of the throat depth has taken place. So that since this driveway serves –

JUSTIN JONES

Mr. Borgel, can you just skip to what you still need?

GREG BORGEL

We think we only need the remaining waiver for the reducing the driveway distance on Pink Box. And I was leading up to saying and concluding, I realize I've been accused of talking too much sometimes.

TICK SEGERBLOM

All the time.

GREG BORGEL

Well only when I'm here.

JUSTIN JONES

Sometimes when you're not.

GREG BORGEL

Well, there, I try to be quieter.

The purpose is because the driveway is now at the correct location in our opinion. And that is because the two sides of the building need to be served. One side for the access to the drive-thru and one side for the access to parking for people who don't choose to use the drive-thru. And that is where we have the handicapped parking, which was the conclusion I was reaching to and hoping that you would therefore approve of the reduction in departure distance for the driveway in light of the fact that it serves those two purposes.

TICK SEGERBLOM

Does that complete your presentation?

GREG BORGEL

I was finished.

TICK SEGERBLOM

Okay. All right. This is a public hearing. Anyone here wishing to speak about doughnuts? Seeing no one will close the public hearing. Did you have a comment Sami?

SAMI REAL

I just wanted to clarify. So, I think what Mr. Borgel was trying to say is that he withdraws Waiver of Development Standards Number 1 and 2B and finds that the Waiver of Development Standards 2A is still needed and then that's when I would defer to Public Works whether or not the Waiver of Development Standards 1, sorry, 2B is still needed.

ANTONIO PAPAIZIAN

Thanks Sami. It is not needed anymore. They meet the minimum requirement.

MOTION

JUSTIN JONES

Great. With that withdrawal of Waiver Requests Number 1 and 2B, I'll go ahead and move for approval of Agenda Item Number 46 with the request for Waiver 2A.

TICK SEGERBLOM

All right, there's a motion by Commissioner Jones, cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft

VOTING NAY: None

ABSENT: Ross Miller

ABSTAIN: None

TICK SEGERBLOM

Thank you. That motion passes Mr. Borgel.

GREG BORGEL

Thank you very much and we'll see you again another day and I'll try to be quieter or at least list –

TICK SEGERBLOM

It tough to have an old dog learn new tricks.

GREG BORGEL

We're trainable. Thank you.

(Companion Items 47 through 49)

47. PA-24-700015-NEVADA POWER COMPANY:

PLAN AMENDMENT to redesignate the existing land use category from Public Use (PU) to Neighborhood Commercial (NC) on 1.89 acres. Generally located on the north side of Russell Road, 550 feet east of Hualapai Way within Spring Valley. JJ/gc (For possible action)

ACTION: ADOPTED (RESOLUTION NO. R-11-20-24-2) (COMPANION ITEMS 48 AND 49).

SAMI REAL

Next are companion Items 47 through 49.

- Item 47, PA-24-700015; plan amendment to redesignate the existing land use category from Public Use to Neighborhood Commercial on 1.89 acres. Generally located on the north side of Russell Road 550 feet east of Hualapai Way within Spring Valley.
- Item 48, ZC-24-0310; zone change to reclassify 1.89 acres from an RS20 (Residential Single Family 20) Zone to a CG (Commercial General) Zone. Generally located on the north side of Russell Road 550 feet east of Hualapai Way within Spring Valley.
- Item 49, UC-24-0311; use permit for a mini warehouse facility. Waivers of development standards for the following: reduce and eliminate landscape buffer and screening and residential adjacency standards. Design review for a mini warehouse facility on 1.89 acres in a CG (Commercial General) Zone. Generally located on the north side of Russell Road 550 feet east of Hualapai Way within Spring Valley.

TICK SEGERBLOM

Good morning.

LEBENE OHENE

Good morning, Commissioners. Lebene Ohene, 520 South Fourth Street representing the applicant with three separate applications that have been read into the record by Ms. Real.

To orient you to the site, the parcel is located north of Russell Road and approximately 550 feet east of Hualapai Way. And to explain the PA application, which was the first application read into the record, which is the plan amendment. The parcel as it exists is a portion of a Nevada Energy site that was

subdivided Nevada Energy no longer needs the parcel. The parcel currently is zoned RS20 and master plan which is below master plan PU for Public Use.

Because they did not need the parcel anymore, the request is to change the master plan to NC and the zoning to CG. Now based on the master plan to our east is single-family residential, but that area is zone CM, which was the existing master plan before the residences were built and the residences in the area surrounding the Nevada Energy substation were all constructed after Nevada Energy constructed the location. On the zone change request, the zone change request is to go to CG to allow for the future mini storage warehouse.

The site is approximately 1.89 acres and the zoning surrounding it currently is RS3 and RS3.2 as well as some C2 to the west along Hualapai.

The development is a 29-unit mini storage warehouse for RVs and luxury vehicles. Based on the existing location and the site, we do have with the special use permit application some waivers and the design review to allow for the development. There is an existing driveway that serves both the existing and the energy station and will serve the site as well.

Because of the location of the site, there are some waivers. Some of those waivers primarily deal with some residential adjacency and some issues that are pre-existing. For instance, to the north because this is still residential even though it is more, it's a power station and more kind of an industrial use. There is landscaping that we've asked a waiver for to maintain.

In working through that development process through the neighborhood meeting, Town Board and Planning Commission, we worked with a Planning Commissioner, and we listened to the neighbors and also to the Town Board and have made some adjustments to the site.

For instance, three of the waivers, 1A, 1B and 1E, we withdrew those at Planning Commission without prejudice and that remains.

To the east, we proposed an eight-foot-high wall with a required fifteen-foot landscaping and even though to the northeast with a residential to the northeast NV Energy only provided 10 feet of landscaping. We're sticking to code and providing that.

On the west side we had to maintain the waiver because the roadway, existing roadway splits, there's an existing condition so therefore the landscaping, even though fifteen-foot is required, we had to request a waiver because there's only 7 feet and 14 feet. Because of that and for additional mitigation, we have proposed additional landscaping along the west side, which is split by the existing roadway.

Also, to mitigate some of the issues, sorry, I have this elevation which will properly depict our design. So, there's the two areas of landscaping. There's the required landscaping to the east and also the required landscaping buffer. And on the west, we included 11 additional trees to make sure that we mitigated the residential adjacency waivers, which are all the waivers, Number 2 in this area, the landscaping as well. Also taking into consideration of the residential on both sides, although the main building, Building A, which is to the west is 27 feet high, we made sure that the buildings were dropped in such a way that we didn't impact the residential to the west, although we are more than 120 feet from there with the two rows of landscaping.

The building to the east is 19.5 feet and this plan depicts how the main building, which is two-story sits as adjacent to the Western property line, which shows that even though we may be 28 feet, their residences are higher than us and we comply with all the grading requirements adjacent to the site.

With that said, we would appreciate your recommendation of approval with the waivers that were deleted and I'm here to answer any questions. Thank you.

TICK SEGERBLOM

All right, this is a public hearing. Anyone here wishing to speak on this item, please come forward.

HARSHA SARMA

Good morning.

TICK SEGERBLOM

Can you speak into the – yeah, hold the microphone.

HARSHA SARMA

Good morning. My name is Mr. Sarma, Harsha Sarma. I live at 5664 Teton Glacier Street, and this is my wife, Pilar. We are the neighbors to the west.

We live in the community called San Mateo, which is directly impacted by this site and this project, this is our community here and this is the proposed site underneath the two power lines. The –

WILLIAM MCCURDY II

Can we have you speak right into that mic? He's having a hard time –

HARSHA SARMA

We want to go on the record and state that my wife and I and our neighbors in the community are a hundred percent opposed to the zone change in this project. This lot falls within Commissioner Jones's jurisdiction and we're delighted with the work he's done with the park that he's built on Patrick that's coming up online here shortly. However, we think that the zone change is a mistake. We don't need additional mini storage.

Currently, there are six mini storage units within two miles of this property. I don't know if they should mention that at all. There's one here, that's My Self Storage, which is 0.8 miles away from the property. There's another one here on Cube Smart, which is 1.1 miles from the property. There's another one here, Extra Space, 1.3 miles from the property, another one Public Storage, 1.5 miles, another one that's 2.2 miles, Town Storage, another one that's 2.3 miles, another Extra Space.

So, she's pitching this as a luxury mini storage. I don't think a box with a bow matters, it's still storage and it's a 30,000 square foot structure that's going to be built directly behind our neighborhood with 15-foot trees I think is what she said. 10-foot trees. Am I incorrect on that? Was that the size of the building? She mentioned? I don't know if we're allowed to ask questions or not.

JUSTIN JONES

She can respond when she gets up again but –

HARSHA SARMA

Oh, and the primary reason we're opposed to this property, this project is the traffic impact. We have a new neighborhood development coming up across the street. I'll show you that. KB Homes is building right here on this lot. It's another 20 plus houses going in.

There are three schools close to this corner. There's Batterman, Fertitta, and Bishop Gorman right across the street. So, there's going to be more foot traffic for the students, more people walking around, and I don't think we need the traffic and the cars and that's why we respectfully asked the Commission to vote no on this project and see if there's any alternatives that could be used for this lot. I mean I don't know that NV Energy needs the money. I don't think they're desperate to sell it, so we want to see if the Commission would investigate another highest and best use for this parcel. I think that's it. I thank you for your time.

TICK SEGERBLOM

All right, thank you. Anyone else wishing to speak on this item? See no one will close the public hearing. Turn over to Commissioner Jones.

JUSTIN JONES

Thank you very much Mr. Chair and I appreciate the neighbors coming down and expressing their concerns with the site.

Initially I would say normally given the location I would not even consider a land use plan amendment change, or a zone change for this parcel because it is surrounded on three sides by residential. In this case because it is such an awkward parcel and a remnant from NV Energy's site, I think that there is a challenge for developing the residential for which it is currently zoned and if it were it would be a high-density residential project which would create in my mind far more traffic than what is proposed there. When Miss Ohene pitched this to me, I made it clear that the only commercial that would be permissible if this Board allows it would be mini storage because it is so low intensity. So just to clarify with regards to the waivers are 1, 1B and 1E?

LEBENE OHENE

Yes sir.

MOTION

JUSTIN JONES

Okay. So, I want to make sure it's very clear on the record that my motion will be to allow for the plan amendment and for the zone change to Neighborhood Commercial. However, that is not to say that if the applicant or some future developer decide that they want something else here that will be permissible. I will not recommend any other type of commercial on this parcel because I think it would be very inappropriate and would have detrimental effects to the neighborhood. I think that mini storage in this case is low-impact and has a benefit to the neighborhood in a way that other commercial ventures would not. So –

LEBENE OHENE

Yes sir, I understand.

JUSTIN JONES

I'll go ahead and move for approval of Agenda Items 47, 48 and 49 recognizing the withdrawal of Waivers 1A, 1B and 1E.

TICK SEGERBLOM

All right there's a motion. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft
VOTING NAY: None
ABSENT: Ross Miller
ABSTAIN: None

LEBENE OHENE

Thank you, Commissioner Jones. Thank you, Commissioners. Have a good day and happy Thanksgiving.

48. ZC-24-0310-NEVADA POWER COMPANY:

ZONE CHANGE to reclassify 1.89 acres from an RS20 (Residential Single-Family 20) Zone to a CG (Commercial General) Zone. Generally located on the north side of Russell Road, 550 feet east of Hualapai Way within Spring Valley (description on file). JJ/hw (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 47 AND 49).

CONDITIONS OF APPROVAL -

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0323-2024 to obtain your POC exhibit; and that flow contributions exceeding District estimates may require another POC analysis.

49. UC-24-0311-NEVADA POWER COMPANY:

USE PERMIT for a mini-warehouse facility.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce and eliminate landscape buffer and screening; and 2) residential adjacency standards.

DESIGN REVIEW for a mini-warehouse facility on 1.89 acres in a CG (Commercial General) Zone. Generally located on the north side of Russell Road, 550 feet east of Hualapai Way within Spring Valley. JJ/hw/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 47 AND 48).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- The addition of balconies or other second story external additions are prohibited;
- Business licenses shall not be issued for businesses conducted within individual units;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has

not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0323-2024 to obtain your POC exhibit; and that flow contributions exceeding District estimates may require another POC analysis.

WAIVERS OF DEVELOPMENT STANDARDS #1A, #1B, AND #1E WERE WITHDRAWN.

(Companion Items 50 through 54)

50. PA-24-700020-ROOHANI KHUSROW FAMILY TRUST:

PLAN AMENDMENT to redesignate the existing land use category from Ranch Estate Neighborhood (RN) to Low-Intensity Suburban Neighborhood (LN) on 5.0 acres. Generally located between Wigwam Avenue and Cougar Avenue on the west side of Edmond Street within Enterprise. JJ/rk (For possible action)

ACTION: ADOPTED (RESOLUTION 11-20-24-3) (COMPANION ITEMS 51, 52, 53, AND 54).

SAMI REAL

Next are companion items 50 through 54.

- Item 50, PA-24-700020, plan amendment to redesignate the existing land use category from Ranch Estate Neighborhood to Low Intensity Suburban Neighborhood on five acres. Generally located between Wigwam Avenue and Cougar Avenue on the west side of Edmonds Street within Enterprise.
- Item 51, ZC-24-0485, zone change to reclassify the following five acres from an RS20 (Residential Single Family 20) Zone to an RS5.2 (Residential Single-Family 5.2) Zone, 4.77 acres from an RS20 (Residential Single-Family) Zone and an H-2 (General Highway Frontage) Zone to an RS3.3 (Residential Single-Family 3.3) Zone and eliminate the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Wigwam Avenue in the east side of Edmonds Street within Enterprise.
- Item 52, VS-24-0486 amended vacate and abandon easements of interest to Clark County located between Wigwam Avenue and Ford Avenue and between Mohawk Street, Decatur Boulevard; a portion of right-of-way being Edmonds Street located between Wigwam Avenue (previously notified as Mohawk Street) and Ford Avenue and a portion of right-of-way being Cougar Avenue located between Mohawk Street (previously notified as Decatur Boulevard) and Edmonds Street within Enterprise.
- Item 53, WS-24-0487, waivers of development standards for the following: increased fill height, increased retaining wall height. Design review for a single-family detached residential development on 9.77 acres in an RS5.2 (Residential Single-Family 5.2) Zone and an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the south side of Wigwam Avenue in the east and west sides of Edmonds Street within Enterprise.

- And then finally Item 54, TM-24-500101 map consisting of 54 single-family residential lots and five common lots on 9.77 acres and an RS5.2 (Residential Single-Family 5.2) Zone and an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the south side of Wigwam Avenue and on the east and west sides of Edmonds Street with an Enterprise.

TICK SEGERBLOM

Good morning.

STEPHANIE GRONAUER

Good morning. Mr. Chairman Commissioner. Stephanie Gronauer, 1980 Festival Plaza Drive here on behalf of the applicant, Richmond American Homes.

This property is a unique piece of property. It's in the southwest just to the north of Blue Diamond Road. Edmond bisects the property with about five acres on the east side and about five acres on the west side of Edmond. This area has a mix of master plan, a mix of zoning just to the north of Blue Diamond. And additionally, the parcel on the west side has some very significant constraints with respect to development because it has a 100 foot power pole easement running up and down Edmond in this area. So, it makes it a difficult parcel to lay out an actual developable project.

This is the master plan. So, you can see everything in yellow is Ranch Estates and within the RNP. The beige is Mid-Intensity Suburban so that allows up to eight units to the acre. And then you can see along Blue Diamond you've got a whole bunch of commercial and industrial, but there is a small RNP in this area. Edmond right now is somewhat the dividing line, but you can see on the zoning map it's a pretty interesting dividing line because you have RS2 immediately across the street, which means 2,000 square foot lots across the street from what is the RNP.

Also, there's an overlay on a portion of that western or eastern parcel, excuse me, for RNP even though it's master planned Mid-intensity allowing up to eight units to the acre. So, this is a mix and an interesting parcel with as I said, a mix of overlays, a mix of master plan and then also a mix of density. So, when Richmond decided to look at this, they thought the best thing to do would be to conform and comply on the east side with the master plan that allows up to eight units to the acre. And on the west side provides somewhat of a transition because there are 2,000 square foot lots immediately across the street.

So that's what we have before you today is a plan that we think does just that provides that transition. Also, you'll see on the site plan it takes into account the fact that there is a power line easement. This exhibit shows it better. Everything in yellow on this western portion is encumbered by a power line easement, which means it's undevelopable for structures. So, about a third of the width of this parcel you can't put homes in. So, it presents a different challenge when they were laying this out on how and what is best for this area.

This is what's before you today as I mentioned on the east side we conform with the master plan. We do not have a plan amendment. It's Mid-Intensity Suburban allows up to eight units to the acre. I believe there's 38 homes on this east side with a density just around up to eight to the acre. The small lot development is to the north of us and to the east of us with those small compact lots. And this is certainly compatible with what's in the area and what the master plan contemplates.

As you go across to Edmonds, we have laid out 10,000 square foot lots on this western boundary because it is clearly RNP to the west of us; also, one-story homes. So, Richmond's proposing their one-story homes to provide that additional buffer. However, as we flip across the street here, we have roughly 7,000 square foot homes or lots, excuse me, with two-story homes. And the reason they have to be two-story is

because we cannot develop within that easement area. And you all know I just had two projects on this agenda where Richmond's the first to do all two-story homes. They're also the first to develop in an RNP and do half acre lots. Unfortunately, because of this power line easement, this lot is not ideal for those large half acre lots and can't be developed on in this yellow area. So, the homes that are on this eastern edge are two-story homes so that they can simply be backyards in that area and not have a structure there.

At the Town Board and at our neighborhood meeting way back in June, we did not have any neighbors in attendance. Mr. Van is counsel for a couple neighbors in the area and he did come to Planning Commission. Since that time, we've met with him to discuss possible amendments to the plan. He represents homeowners that live immediately to the west of the site, and I know he's here to speak on their behalf. Since that meeting, we sat down and basically at the meeting the two things, their first preference would be that this whole area be one-story homes.

So, Richmond did look at possibly doing really small one-story homes on these lots right here. They could fit a small one-story, but it doesn't pencil from an economic standpoint because you'll have large two stories across the street and then trying to put small one-story's even with the premium for one stories, it just doesn't pencil out unfortunately. But they did come up with two other alternatives that I did email to Mr. Van, all of which we're okay with and could live with. This is what we think is the best option because it has all one-stories on this Western Edge Option II or I guess Option Alternative I. We laid it out such that we would have one-story homes, four of them located right here and then put a really large two-story Paxton home on these two lots on the corner. And then proposing still the two stories on the east side but losing a lot as well.

So, the density would go down slightly, but we'd have to have some flexibility to put the big 2 story, 4,300 square foot homes on a couple of the lots. I don't think personally this is the better option because I think when you have one stories buffering an RNP that's better. But this will work for Richmond, and they would still have the four one-story homes which are adjacent to their homes.

Option II was we lose 2 lots, and we put 3 two-story homes on this western edge. Again, they're more profitable because they're large two-story homes. So, this pencils as well, the density certainly goes down with the loss of two lots. We still have one-story homes in this corner adjacent to Mr. Van's clients, but there would be some two-story homes up here and then also across the street.

So, as I mentioned, I've shared these plans – I don't know the preference from Mr. Van. Again, I think his preference would be that it be all one story. Unfortunately, that just doesn't work with the power poles or – I should say first preference would probably be all half-acre lots.

This property is just a unique parcel in the sense that it's difficult to develop and it also is adjacent to 2,000 square foot homes. So, putting million-dollar, half-acre lots on Edmond across from 2,000 square foot lots, not homes, lots is not a great transition. We think this provides a really good transition between the RNP and the higher density across Edmond and it'll certainly set a precedent.

So, Mr. Van mentioned his clients being concerned with the parcel to the northwest. This would certainly set a precedent to make sure that one-story homes and quarter-acre lots would be the appropriate transition there. So, with that said, I'm happy to answer any questions.

We did have five conditions that we submitted at Planning Commission and that are in your staff report. I'll quickly just walk through them. It was that we would do one-story homes on Lots 1 through 6 that we would have no more than 16 homes on this Western portion, no more than 38 homes on the eastern

portion, that we would tier any wall that's on the perimeter along a right-of-way that is above the allowed 3 foot of retaining and 6 foot screen and then that we would do wrought iron fencing on top of any retaining wall on this eastern portion that's over the three feet of retaining. That's mostly in this corner. We have some tall walls and so at Planning Commission we offered on top of those screen walls doing some view fencing just to break that up a little bit. So those conditions are in your staff report.

We're happy to agree to all of those. One final condition that we did talk about with the neighbors, the neighbors immediately west of us have a drainage channel that is adjacent to us. They asked if we would be willing to gate that with their permission. We're happy to do that. Obviously, we have to have their permission to touch their land, but Richmond's happy to add a gate on that easement area. So, with that said, I'm happy to answer any questions and we'd ask that you follow Planning Commission's recommendation of approval.

TICK SEGERBLOM

This is a public hearing. Anyone wishing to speak on this item, please come forward.

MICHAEL VAN

Good morning. Good morning, Chair and members of the Commission. I've been doing this a long time and what I do know is the designation, RNP is a term that should be sacrosanct, and it should continue with it a long-term reverence associated with it. It's longstanding in the area and in the County that what you want it to is if you can get something that's RE with an RNP. Then you know that you've got a nicer home, you've got nicer quality areas and neighbors bought based upon that protection. They moved there for the lifestyle. And you'll hear from neighbors who said that they sold homes, that they have done everything they could to get to that area for that very purpose. And now they feel like they are being encroached upon essentially for just for money. When you get right down to it's going to get down to the dollars.

There are two competing groups. One group is the neighbors who are there to preserve their neighborhood RNP. We want to preserve our neighborhoods. The developer is there to preserve their bottom line and the discussions that we've talked about, what they have said are things like, it just doesn't pencil, we just can't make it to the bottom line. However, I've heard today three different instances where there were RNP properties and lo and behold we can get half acre locks on all of those with all the other issues.

And there's also been, and I heard that Richmond American actually does have a half-acre product that they can put in there. It just doesn't pencil. So, for the developer, it's simply that it's the profitability. For the neighbors, the citizens, the Clark County residents. It's all about their lifestyle, their homes, where they bought, where they want to raise their children.

And with regard to this property, this current project, it's kind of interesting to me that it's not a master planned community. You have on the right-hand side of this on the east side I believe, that is higher density. It absolutely is. And there's nothing my clients have said. I've told them, "You got to give up on that argument, you're not going to win that argument". But on the left-hand side, this is RNP. And Edmonds creates a natural barrier. It's a barrier there. That's where you can say, "Yep, this is where it's going to go over." Everything on the one hand, you don't need this transitional period because if you go down a little bit further, they're half acre lots.

And speaking with Stephanie, she's been very professional. I appreciate that. I asked this simple question even with this area down here when you got the easement. So, let's just say that you take that property and instead of 16 lots, you have eight lots. Now you're going to have four lots that can be, you can build

the two-story on the front of it and they're going to have really big backyards because they can't build on the back part under that easement. But you can still put eight lots in there as opposed to 16, without a problem. And you are going to honor the integrity of the RNP. Edmonds is that natural barrier. There's no connecting roadways. They act as a, sorry.

TICK SEGERBLOM

You can go ahead and finish up.

MICHAEL VAN

All right. They act as though this is some type of master plan. It's not, there's no roadways, there's nothing that connects the two. And the developer is not the end user, he is not the neighbor, he is not going to be a citizen of Clark County.

The RNP is very important. When we did talk, they did propose a couple of proposals, and I apologize. I told Commissioner Jones this, my wife had surgery, and I was driving back Sunday or Monday and Tuesday and didn't get a chance to get the email, didn't get a chance to get it to the neighbors. And I asked Sephanie, I says, is there any way you can push this out a month so we can sit down and talk about it? And they can't for other reasons, and I understand that. But the Rural Alliance Advisory Committee states that the purpose is to encourage infill developments within Ranch Estate neighborhoods in accordance with compatible considerations contained in the Neighborhood Land Use Category definitions. Again, this is not a master planned community. They're trying to plug 54 homes into a very small area. 38 I get, I understand that, but the 16, you could just as easily have that be eight and continue with the RNP. Again, Edmonds is that natural barrier.

Lastly, you'll hear from some of the neighbors, there's a lot of issues that have been raised that we just don't know yet. Of course, there's the construction, the parking, the traffic, the streetlights, the height of the walls, which they did raise. But again, Richmond American, you heard earlier that they do have products that they can put on half acre lots in a quarter acre – on a half-acre lot in that area. And I appreciate the fact – I appreciate your time. I've been around Greg Borgel, and I don't want to be tagged with that, so I'm going to wrap it up right now. Please understand that the neighbors do not want this at all. The number one choice is to keep it an RNP.

TICK SEGERBLOM

Thank you. Anyone else here wishing to speak?

JOE KRATHWOHL

Good afternoon, gentlemen. My name is Joe Krathwohl. I live at 8435 Lindell Road. I am right in the middle of this RNP. And I was smiling, I see these big banners on the front of the walls here, "Together for Better." Well, together doesn't include existing homeowners.

I've been in Las Vegas now for 36 years, and the first place that I bought was a big half acre lot. And I remember because I supply animals to shows, Renaissance fairs, Springs Preserve, shows up and down Las Vegas Strip, that's my main job. And I remember I rescued a young tiger cub, and I don't know how the County found out, but next thing I know, I had a letter on my front door that said, "You have 30 days to move." I came down and after a big meeting I said, "Where can I live where I can live in peace and still do what I do?" And they said, "Oh, you got to be RNP. Once you're an RNP, you'll be okay."

Found a place, an RNP, this RNP. And when I saw what kind of a lifestyle it is, here's a picture of those poles. This is what people in my neighborhood use the setback for, space for their animals. I said, "This is awesome. This is where I need to be." Got my zoning changed, my tigers, condors, eagles, everything that

lives with me. It's been pretty good until about the last eight or nine years. Now, two or three times a year, I'm at one of these hearings trying to figure out exactly how to stop us from being bulldozed over. Because every time one of these projects, even along the perimeter, gets approved, all those cars shoot through our neighborhood. We have Star Nursery sending their big semi-trucks full of rocks through our neighborhood, crunching up the pavement that was there. It was never meant to be a truck route.

And we still can't get a light at Decatur and Windmill to help break down the traffic. So, you can't even get across Decatur anymore. And now we have people just walking up and down the street. It used to be we knew all of our neighbors, and now people slow down and case the front yard, taking an inventory of things that you have out there.

We have a church that was approved, ridiculous decision, because when they have an event, there'll be 400 cars parked up and down these streets blocking everybody's home, parked all over the BLM lots. And it's like, wow, what is happening here? Not to mention the ones that want to use our neighborhood as a cut-through to get from Blue Diamond Road up to Decatur. I've been almost hit several times in front of my own home just getting the mail, and it makes you just wonder, what do we do? Do we have to have a full-time police officer in the neighborhood? So, every time one of these gets approved it just gets worse.

And I noticed all day long it's abandonments and waivers. Well, why have rules at all then? I haven't heard a single developer today get denied. But I feel like I'm going to walk out of here because these are the homes that are in our neighborhood, and this is one of the last projects you approved of right across the street from my house. And this type of approval is ridiculous to me. I'm sorry, I don't want to die in front of my house so some developer can make a few extra bucks.

TICK SEGERBLOM

All right. Thank you so much. Anyone else here wishing to speak on this item?

CHRISTIAN HAGENBEEK

Hello everybody. I'm Christian Hagenbeek, 8580 Mohawk Street. I'll keep it short. But we purchased in the area because we wanted the benefits of the RNP. We worked with Stephanie, we're the lot that's right next to the build that they're building. We welcome growth in the area, but we would like to keep it at two homes per acre. That's why we purchased into that area. We talked to them, and we tried to compromise. We said that we would like single-story homes in that 16-home section instead of two-story homes. Unfortunately, we didn't get an option for that, so we opposed the build. They say they can't pencil in something because of the easement in that area. Well, I would like to use that easement for our benefit to keep our rules for the RNP. That's it. Thank you.

TICK SEGERBLOM

Thank you. Anyone else here wishing to speak?

GRANT PALM

Mr. Commissioner, Commission, thank you for your time here. My name's Grant Palm, P-A-L-M, and I'm a resident on that dividing line 8665 Edmond Street, and my concern is the density. I do have a young child. There really isn't any parks or anything like that for our children to go and play, ride bikes, anything like that in the area. So, with that extra density I've seen on the way taking my child to school, multiple accidents along Decatur just increase since all the building in that area. Again, my concern is just solely for the safety of the kids and just having a community to be able to enjoy and raise my son. So, thank you for your time.

TICK SEGERBLOM

Thank you. Anyone else? All right. Seeing no one else, we'll turn it over to Commissioner Jones.

JUSTIN JONES

Thank you, Mr. Chair. Is it okay if I ask Mr. Van to come back down?

So, I appreciate that you didn't have a chance to fully go through everything with the neighbors, but as you stand here today, you prefer more single stories or fewer lots?

MICHAEL VAN

Can I get both?

JUSTIN JONES

Nope.

MICHAEL VAN

The first option is probably better than the other two options. If there were a way to have – just because the one-stories are all on the one side. If they could cut down the number of lots on the opposite side from – I think it's eight, six or so, that would probably be better. But as it sits right now, these will all be one-stories. If they could cut this down to two or three lots instead of five or six and have one-stories, I think that would be better, or if they could just spread that out a little bit more. But literally you're doubling the number of homes in what everyone believed was what they were getting. Of course, the first option is keep it in the half acre lots. That's the first option.

JUSTIN JONES

Thank you. Ms. Gronauer, I've never said that before. Ms. Gronauer, or your client, I know there's constraints with regards to some of the other lots. With regards to Lot 16.

STEPHANIE GRONAUER

Yes.

JUSTIN JONES

Can that be single story because it is a larger lot?

STEPHANIE GRONAUER

I asked that question. I think it would be a pretty small single story. It wouldn't be the large, more expensive single story we have proposed because you can see it's oriented kind of funny with the driveway so it's not very deep. So that's why right now it has a two-story on it. The lot fit that I think Mr. Van just said if we lost – oops, sorry. If we lost two lots on that side, like he mentioned, these two-stories are called the Seth product. It would fit with their depth. We could put the bigger two-story here, which is a more expensive home. It's the most expensive home of all of them that we just would incorporate. But you can see it's still pretty constrained with the depth. The one-stories are the Powells, and one-stories take up a bigger footprint unfortunately.

But the Paxton, which we hadn't originally proposed is a 4,300 square foot two-story home. So, from a price point it would be the most expensive home probably in all of them. I know they don't want two-stories, but we could still keep the one-stories in this corner. I believe all of his clients live adjacent to these one-stories. The parcel in this corner is vacant. This is where his clients live is the southern half, and then this is vacant land. I know he's worried about precedent on this land next to us. And so again, back to – I think Richmond does a pretty good job of thinking through it. I think precedentially this is probably

the best because you have all one-stories on this, but if we need to lose lots, unfortunately the compromise was to try to add in some of the larger, nicer two-story products.

MOTION

JUSTIN JONES

All right. My motion will be to require that the developer reduce the number of homes on the home count on the southern side of the proposal. That south?

STEPHANIE GRONAUER

East.

JUSTIN JONES

Eastern side of the proposal by two, and to maintain single-story homes for the first – for lots – can we to go back to your lot thing?

STEPHANIE GRONAUER

One, two, and three, I believe.

JUSTIN JONES

For one, two, three and four.

MICHAEL VAN

Is there any way they can just keep all single-story on that left-hand side? That's one of the things that they were looking for. A fair compromise would be the single-story on the left-hand side, two less lots on the right-hand side, if they could go there.

JUSTIN JONES

All right. I'm going to require single-stories on all of those lots on the western side, and I understand that's the burden and I will talk to the seller about reducing the sales price if necessary.

STEPHANIE GRONAUER

Okay.

JUSTIN JONES

Okay. So, Sami?

SAMI REAL

Can I just ask for clarification? So, it's the western side of the western half –

JUSTIN JONES

Yes.

SAMI REAL

– is the single story? So going back to Lots one through six.

STEPHANIE GRONAUER

Yes.

JUSTIN JONES

So, Planning Commission and also an additional condition of reducing the lot count on the eastern side by two lots.

STEPHANIE GRONAUER

A maximum of 14 homes on the west side?

JUSTIN JONES

Yes. That's my motion.

TICK SEGERBLOM

All right. There's a motion. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft

VOTING NAY: None

ABSENT: Ross Miller

ABSTAIN: None

TICK SEGERBLOM

The motion passes.

STEPHANIE GRONAUER

Thank you very much.

TICK SEGERBLOM

Thank you.

51. ZC-24-0485-ROOHANI KHUSROW FAMILY TRUST:

ZONE CHANGE to reclassify the following: 1) 5.00 acres from an RS20 (Residential Single-Family 20) Zone to an RS5.2 (Residential Single-Family 5.2) Zone; 2) 4.77 acres from an RS20 (Residential Single-Family 20) Zone and an H-2 (General Highway Frontage) Zone to an RS3.3 (Residential Single-Family 3.3) Zone; and 3) eliminate within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Wigwam Avenue and on the east and west sides of Edmond Street within Enterprise (description on file). JJ/rg (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 50, 52, 53, AND 54).

CONDITIONS OF APPROVAL –

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code;

applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;

- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0181-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

52. VS-24-0486-ROOHANI KHUSROW FAMILY TRUST:

AMENDED VACATE AND ABANDON easements of interest to Clark County located between Wigwam Avenue and Ford Avenue, and between Mohawk Street and Decatur Boulevard; a portion of a right-of-way being Edmond Street located between Wigwam Avenue (previously notified as Mohawk Street) and Ford Avenue; and a portion of a right-of-way being Cougar Avenue located between Mohawk Street (previously notified as Decatur Boulevard) and Edmond Street within Enterprise (description on file). JJ/rg/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 50, 51, 53, AND 54).

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 4 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include 25 feet to the back of curb for Cougar Avenue, between 25 feet and 50 feet to the back of curb for Edmond Street, 35 feet to the back of curb for Wigwam Avenue and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

53. WS-24-0487-ROOHANI KHUSROW FAMILY TRUST:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase fill height; and 2) increase retaining wall height.

DESIGN REVIEW for a single-family detached residential development on 9.77 acres in an RS5.2 (Residential Single-Family 5.2) Zone and an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the south side of Wigwam Avenue and on the east and west sides of Edmond Street within Enterprise. JJ/rg/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 50, 51, 52, AND 54).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- 1 story homes on Lots 1 through 6;
- No more than 14 homes on the western half of the project consisting of no more than 6 homes on the western half and no more than 8 homes on the eastern half;
- No more than 38 homes on the eastern half of the project;
- Tiered retaining walls on any perimeter walls along a right-of-way that are above the allowed total of 9 feet (3 feet of retaining and 6 feet of screen);
- Wrought iron view fencing on top of any retaining walls on the eastern half of the project above the allowed total of 9 feet (3 feet of retaining and 6 feet of screen);
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Cougar Avenue, 25 feet to 50 feet to the back of curb for Edmond Street, 35 feet to the back of curb for Wigwam Avenue and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb, the vacation of excess right-of-way, and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code. Applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; and to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0181-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

54. TM-24-500101-ROOHANI KHUSROW FAMILY TRUST:

TENTATIVE MAP consisting of 54 single-family residential lots and 5 common lots on 9.77 acres in an RS5.2 (Residential Single-Family 5.2) Zone and an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the south side of Wigwam Avenue and on the east and west sides of Edmond Street within Enterprise. JJ/rg/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 50, 51, 52, AND 53).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- No more than 14 homes on the western half of the project consisting of no more than 6 homes on the western half and no more than 8 homes on the eastern half;
- No more than 38 homes on the eastern half of the project.
- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Cougar Avenue, 25 feet to 50 feet to the back of curb for Edmond Street, 35 feet to the back of curb for Wigwam Avenue and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb, the vacation of excess right-of-way, and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Building Department - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided;
- All streets shall have approved street names and suffixes.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0181-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

SEC. 6. AGENDA ITEM

55. AG-24-900729 **HOLDOVER: Discuss a potential amendment to Title 30 to address how setbacks are measured; and direct staff accordingly. (For possible action)**

ACTION: DISCUSSED.

SAMI REAL

Commissioners, next is Item 55, AG-24-900729. This is a holdover of a discussion to discuss a potential amendment to Title 30 to address how setbacks are measured and direct staff accordingly.

This item was requested to be put on the agenda by Commissioner Segerblom. Prior to the rewrite of Title 30, we allowed the setbacks for certain residential lots. Those would be the now RS20, 40 and 80 to be measured from the center line or from property line when there was a private road easement within the front portion of the property. And so, then that would then reduce the amount of setbacks. So, for instance, if the property line was in the center line of a private road easement and that private road easement was 40 feet, then the 40 foot required setback was then essentially reduced down to 20 feet. We removed that provision when we did the rewrite of Title 30 in an effort to standardize how we measured setbacks, and because those same lots when they were on public roads didn't get the benefit of that reduction. So again, this is a discussion item for the Board to possibly direct us to modify how we measure setbacks in those zoning districts.

TICK SEGERBLOM

Thank you. Well, just to start out, I would just like to just continue with the private but go back to the 20 foot as it was before Title 30 was amended. I think we heard a couple of things today about people talking about that, and the developers or the contractors that came in on my behalf also say that that's what they're used to and that makes it easier for them. But I'd open it up for discussion.

MARILYN K. KIRKPATRICK

Mr. Chair, I want to ask a couple questions. So, we worked pretty hard to try and save the rural component of it. So, the one acres, the three quarters acres, two acres, all of those. I wouldn't want that to apply because they can figure out how to make that work. And I struggle a little bit because as I said to you yesterday, I don't understand how – and we've been doing it I guess, how already the arterials, we let them take 10% off the net and all that other stuff so you don't actually end up with a half acre lot. So, the whole point is to have a half-acre lot and the whole reason for that is so that code, Animal Control has requirements on the horse turnouts, when horses can turn out and how much that you can have back there. And then people start asking for waivers on their garage setback because they want to open up the side of their home so they can go in and out.

So, I just hope that whatever we come up with, we protect those areas that we said we were going to protect for one, and two, we just have a streetscape that makes sense, because I don't know – we did detached sidewalks, we did all these things to try and keep it back and now we seem to undo most of our

work. So, I don't know, but I for sure don't want it on the larger lots because they can figure it out, whether private or public. And that's par for the course because I don't have a real direction today because it's just – I don't know why we couldn't just offer them a waiver to come in as opposed to change the Code.

TICK SEGERBLOM

Well, and that's the question. It just seemed like most people on those private cul-de-sacs would just like the 20-foot as an option, and having to go through the waiver process is obviously time-consuming. But is there something we could continue to work on this that you would support?

MARILYN K. KIRKPATRICK

Well, I'm going to be honest, and visually I'd have to see what it looks like visually on the street. But I do think whatever we do, it has to be consistent. But everybody's district is different for a variety of reasons. We're all trying to build something that looks good. Maybe it's the waiver. I don't know. I'm happy to be open-minded, but don't bother my one-acre, two-acre parcels, because they could figure it out regardless.

TICK SEGERBLOM

Well, and I don't think this was intended for the one-acres, obviously.

MARILYN K. KIRKPATRICK

But the way the Code reads it applies uniformly.

TICK SEGERBLOM

Well, but couldn't we limit that to half acres or less?

SAMI REAL

Correct. So, before the provision applied to the zoning districts that had the two-acre, one-acre and then we'll call it the half-acre, even though they're not true half-acres. So, if the direction is to not apply any reductions to the two-acre, one-acres, we can definitely do that.

Commissioner Segerblom, you had said for the cul-de-sac lots. So, if this is about the cul-de-sac lots, that's something else that we can narrow the exception down to if that's the direction of the Board. So those lots that front on a bulb of the cul-de-sac, because the cul-sac lots are a little bit larger in the sense that the private road easement for that cul-de-sac is a little larger. Then we could also just limit the exception to that, should the Board choose to proceed with that now and then continue to allow for the waiver process for all the other lots.

TICK SEGERBLOM

Commissioner Jones.

JUSTIN JONES

So, I'm just trying to think through stuff that we've just done recently. So how would that affect – there were proposals that we had at our last meeting, for example, that we had this discussion. So, if it were just the cul-de-sac – so I'll give you the example of the one that was today. It was a 10-lot development. Is that entire development considered a cul-de-sac?

SAMI REAL

I think that would be part of the direction. So, there's lots that front on cul-de-sac roads, and then there's lots that front on actual the bulb of the cul-de-sac. So, if the request is to have it apply to all the lots that

front on a private road, then we can do that. If the request is the concern with regards to those lots that are on the bulb of cul-de-sac, then we can narrow it down to that.

I'll also add that the City of Las Vegas, North Las Vegas and the City of Henderson don't allow their setbacks to be measured from property line when the property line is encumbered by a private road easement in the front. They instead require it to be measured from the edge of easement. The City of Las Vegas has a reduced width for those lots. So normally they require 50 feet when it's on a public road and then they reduced it down to 30 feet when it's on a private road.

And then City of North Las Vegas and City of Henderson have a 20-foot setback for, we'll just say those same lots, the 20,000 square foot lots. But again, they don't allow those to be measured from the center line or from the property line. For instance, there was a project earlier today where Commissioner Naft in his district, there was a private road easement, and the private road easement wasn't in the center line of the property line. So, on one side, the private road easement, I think probably was 30 feet, and on the other side it was only 10 feet into the property line. So, in that case, if it was measured from property line and there was 30 feet on one side, then the front yard setback theoretically would've been 10 feet. So there might be an argument to say if there is a proposal to do a reduce, that we do from the edge of easement instead of starting to allow people to measure from the front just to address the situation like that, where we do have an RNP lot that is now potentially, if the code was to reflect the regulations that were in effect prior to the rewrite, would then be 10 feet off of a road easement. And I don't think that that's the intent of the RNP or these half acre lots.

JUSTIN JONES

Yeah, I would say I'm definitely with Commissioner Kirkpatrick on not changing anything with regards to the one acre and above, and I feel like I'm a visual person and it would be really helpful to see photos to your point with regards to these cities. Maybe they're doing it better or something like that, but I don't know that I can visualize it unless we have some examples. So maybe if we can get that for the half acres?

TICK SEGERBLOM

That's why I said can we pull it and then I can try to work on it more, and we can get together and see what we're talking about.

SAMI REAL

And I can have staff work on that as well.

TICK SEGERBLOM

I honestly didn't realize this was so complicated, but we don't want to open a can of worms. So anyway, thank you so much and we'll continue to work on it.

SEC. 7. INTRODUCTION OF ORDINANCES

56. ORD-24-900565: Introduce an ordinance to consider adoption of a Development Agreement with Richmond American Homes of Nevada, Inc. for a single-family residential development on 7.11 acres, generally located north of Pebble Road and east of Durango Drive within Enterprise. JJ/dw (For possible action)

ACTION: INTRODUCED AND SET FOR PUBLIC HEARING ON WEDNESDAY, DECEMBER 4, 2024, AT 10 A.M. (BILL 11-20-24-1).

SAMI REAL

Thank you. All right, the next items are ordinances for introduction. Those are Items 56 through 61. These are, again, ordinances for introduction.

- Item 56 is ORD-24-900565, is an ordinance for our Development Agreement with Richmond American Homes of Nevada Inc for a single family-residential development on 7.11 acres.
- Item 57 is ORD-24-900572 for an ordinance for a Development Agreement with SHLV LLC for a shopping center on four acres.
- Item 58 ORD-24-90-0582 is an ordinance for a Development Agreement with BD Equities LLC for an office warehouse complex on 6.7 acres.
- Item 59 ORD-24-900734 is an ordinance for Development Agreement with SD North Parcels LLC for an office warehouse complex on 19.3 acres.
- Item 60 is ORD-24-900758. This is an ordinance to amend Title 30 to modify the street landscaping requirements and the regulations for manufactured homes.
- And then lastly is Item 61 ORD-24-900766, is an ordinance to amend the official zoning map to reclassify certain properties as approved by the Board of County Commissioners on October 2, 2024.

Commissioners, we request that you set the public hearing for December 4, 2024.

TICK SEGERBLOM

All right. What was the date?

SAMI REAL

December 4, 2024.

TICK SEGERBLOM

Okay, I'll introduce the ordinances and set up for a public hearing for December 4, 2024.

57. ORD-24-900572: Introduce an ordinance to consider adoption of a Development Agreement with SHLV LLC for a shopping center development on 4.0 acres, generally located south of Shelbourne Avenue and west of Rainbow Boulevard within Enterprise. JJ/dw (For possible action)

ACTION: INTRODUCED AND SET FOR PUBLIC HEARING ON WEDNESDAY, DECEMBER 4, 2024, AT 10 A.M. (BILL 11-20-24-2).

58. ORD-24-900582: Introduce an ordinance to consider adoption of a Development Agreement with BD Equities, LLC for an office/ warehouse complex on 6.7 acres, generally located west of Arville Street and north of Cougar Avenue within Enterprise. JJ/dw (For possible action)

ACTION: INTRODUCED AND SET FOR PUBLIC HEARING ON WEDNESDAY, DECEMBER 4, 2024, AT 10 A.M. (BILL 11-20-24-3).

59. ORD-24-900734: Introduce an ordinance to consider adoption of a Development Agreement with SD NORTH PARCELS LLC for an office/warehouse complex on 19.3 acres, generally located east of Tenaya Way and south of Patrick Lane within Spring Valley. MN/dd (For possible action)

ACTION: INTRODUCED AND SET FOR PUBLIC HEARING ON WEDNESDAY, DECEMBER 4, 2024, AT 10 A.M. (BILL 11-20-24-4).

60. ORD-24-900758: Introduce an ordinance to amend Title 30 to modify street landscaping requirements, regulations for manufactured homes, and providing for other matters properly related thereto; and set a public hearing. (For possible action)

ACTION: INTRODUCED AND SET FOR PUBLIC HEARING ON WEDNESDAY, DECEMBER 4, 2024, AT 10 A.M. (BILL 11-20-24-5).

61. ORD-24-900766: Introduce an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on October 2, 2024. (For possible action)

ACTION: INTRODUCED AND SET FOR PUBLIC HEARING ON WEDNESDAY, DECEMBER 4, 2024, AT 10 A.M. (BILL 11-20-24-6).

PUBLIC COMMENTS

SAMI REAL

All right. This is the last time set aside for public comment.

TICK SEGERBLOM

All right. Ms. Coleman.

MARGARET ANN COLEMAN

Yes.

TICK SEGERBLOM

Three minutes.

MARGARET ANN COLEMAN

Good afternoon. My name is Margaret Ann Coleman. I have been fighting for 43 years for my equal rights and for my life. Credit and due from a win on the job upon a writ of execution and garnishment upon collection. I have worked every day on A204984 on my collections. This is one reason why I say cut me a check. I ask you to let me go so I can grow with my money. I am trying to be a part of Nevadan society on growth of development and living arrangements. HUD was introduced to me by Deputy Shannon MulHughes that created the partnership and ownership under my name, placing it under the Mormon manner.

I have the right to take control and be a part of it and move in so I can be part of the society of helping the homeless people and placing them in the locations or getting a job where you have placed homeless people, and making calls to different of the Housing of Authority to see how many empty buildings do they have in order to position these people in the homeless shelter.

We're needing keys, we're needing places to move to. I know I had one and you took that from me, and I need to go back. If not back, pay me the \$642,000. That is \$300,507 that was from an insurance policy of my father placed in there for my public accommodation. You sold my house for \$301,500. All it adds up to \$642,000. Thank you.

TICK SEGERBLOM

Thank you. Anyone else wish to make a public comment?

MARGARET ANN COLEMAN

So, could you cut me a check and call me at (702) xxx-xxxx?

WILLIAM MCCURDY II

Don't put your number online.

TICK SEGERBLOM

All right. We'll close the public hearing and adjourn the meeting. Thank you so much.

SAMI REAL

And Happy Thanksgiving, everybody.

TICK SEGERBLOM

Happy Thanksgiving.

END PUBLIC COMMENTS

There being no further business to come before the Board at this time, at the hour of 12:03 p.m., the meeting was adjourned.

PLEASE NOTE: THE COUNTY CLERK KEEPS THE OFFICIAL RECORD OF ALL PROCEEDINGS OF THE COUNTY COMMISSION, THE CCWRD BOARD OF TRUSTEES, THE UMC HOSPITAL BOARD OF TRUSTEES, THE CLARK COUNTY LIQUOR AND GAMING LICENSING BOARD, AND THE CLARK COUNTY REDEVELOPMENT AGENCY. TO OBTAIN A COMPLETE AND ACCURATE RECORD OF ALL PROCEEDINGS, ANY PHOTOGRAPH, MAP, CHART, OR ANY OTHER DOCUMENT USED IN ANY PRESENTATION TO THE BOARD/TRUSTEES, REQUESTS SHOULD BE SUBMITTED TO THE COUNTY CLERK.

TO REFERENCE AGENDA ITEM ATTACHMENTS ONLINE: REFER TO THE MEETING LINK BELOW, SELECT THE ITEM (FILE # COLUMN), AND CLICK THE LINK FOR THE DESIRED ATTACHMENT.

[ONLINE MEETING LINK](#)

APPROVED: /s/ Tick Segerblom
TICK SEGERBLOM, CHAIR

ATTEST: /s/ Lynn Marie Goya
LYNN MARIE GOYA, CLARK COUNTY CLERK

Lynn Marie Goyen
CLERK

NOTICE OF FINAL ACTION
CLARK COUNTY ZONING COMMISSION
9:00 A.M., WEDNESDAY, NOVEMBER 20, 2024

LEGAL NOTICE: Following the final approval or denial of every action before the Planning Commission and/or the Board of County Commissioners, a letter indicating the action taken and the conditions under which any approval is granted will be sent to the correspondent address on the application submitted. The information herein will be filed with the Clark County Clerk, Commission Division, and serve as notice of final action for the purposes of NRS 278.0235 which marks the commencement of the twenty-five (25) day limitation period specified.

1. Public Comments.
2. Approval of the Agenda After Considering Requests to Add, Hold, or Delete Items. (For possible action)
3. Approval of minutes. (For possible action)

Board of County Commissioners' Zoning Meeting minutes for 10/16/24.

ROUTINE ACTION ITEMS (4 – 17): These items may be considered in one hearing and in one motion. Any person who does not agree with the recommendations by staff should request that the item be removed from this portion of the agenda and be heard separately when directed by the Board of County Commissioners.

4. SDR-24-0334-MGM RESORTS LAND HOLDINGS II, LLC
 HOLDOVER SIGN DESIGN REVIEW for modifications to an approved comprehensive sign plan for a resort hotel (Bellagio) on 76.63 acres in a CR (Commercial Resort) Zone. Generally located on the west side of Las Vegas Boulevard South and the south side of Flamingo Road within Paradise. JG/rr/syp (For possible action)

HELD - 02/19/25 - per the applicant. Applicant is advised that re-notification fees are required prior to this item being placed on the agenda.

5. DR-24-0335-BCORE PARADISE, LLC:
 HOLDOVER DESIGN REVIEW for an expansion and modification to an existing resort hotel (Bellagio) on 85.77 acres in a CR (Commercial Resort) Zone. Generally located on the west side of Las Vegas Boulevard South and the south side of Flamingo Road within Paradise. JG/rr/syp (For possible action)

HELD - 02/19/25 - per the applicant. Applicant is advised that re-notification fees are required prior to this item being placed on the agenda.

6. ET-24-400107 (UC-20-0288)-WTML WARM SPRINGS, LLC:
 USE PERMIT SECOND EXTENSION OF TIME for a cannabis establishment (retail cannabis store). DESIGN REVIEW for a retail building for a cannabis establishment on 0.9 acres in a CG (Commercial General) Zone. Generally located on the south side of Warm Springs Road, 480 feet east of Haven Street within Enterprise. MN/mh/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- **Until August 19, 2026 to obtain valid business license for retail cannabis store or the application will expire unless extended with approval of an extension of time.**

- Applicant is advised a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

7. WC-24-400111 (ZC-1965-04)-WIGWAM-PARVIN LIMITED PARTNERSHIP:
 WAIVERS OF CONDITIONS of a zone change requiring the following: 1) a 45 foot setback on Las Vegas Boulevard South; 2) 20 foot minimum setback along all other street frontages; and 3) 20 foot wide landscape buffer with medium trees, 24 inch box in size, with shrubs to cover 50% of the landscape area and a detached sidewalk along Las Vegas Boulevard South unless prohibited by NDOT in conjunction with a proposed multi-family residential development on 9.23 acres in a CR (Commercial Resort) Zone. Generally located on the east side of Las Vegas Boulevard South and the south side of Jo Rae Avenue within Enterprise. MN/hw/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0290-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

8. VS-24-0520-WIGWAM-PARVIN LIMITED PARTNERSHIP:
 VACATE AND ABANDON easements of interest to Clark County located between Jo Rae Avenue and Pyle Avenue and between Las Vegas Boulevard South and Giles Street; a portion of right-of-way being Pyle Avenue located between Las Vegas Boulevard South and Giles Street; a portion of right-of-way being Jo Rae Avenue located between Las Vegas Boulevard South and Giles Street; and a portion of right-of-way being Giles Street located between Jo Rae Avenue and Pyle Avenue within Enterprise (description on file). MN/hw/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include, 100 feet for Las Vegas Boulevard South, 25 feet to the back-of-curb for Giles Street and associated spandrels;
- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements for the Pyle Avenue improvement project, 90 days to record said separate document for the Pyle Avenue improvement project;
- The installation of detached sidewalks will require the recordation of this vacation of excess right-of-way, dedication to back-of-curb, and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;

- **Revise legal description, if necessary, prior to recording.**

9. **UC-24-0521-WIGWAM-PARVIN LIMITED PARTNERSHIP:**
USE PERMIT to allow a multi-family residential development.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; and 2) alternative driveway geometrics.
DESIGN REVIEW for a proposed multi-family residential development on 9.23 acres in a CR (Commercial Resort) Zone. Generally located on the east side of Las Vegas Boulevard South and the south side of Jo Rae Avenue within Enterprise. MN/hw/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- **Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;**
- **Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.**
- **Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.**

Public Works - Development Review

- **A License and Maintenance Agreement for any non-standard improvements within the right-of-way along Las Vegas Boulevard South, if required by Public Works - Development Review;**
- **Drainage study and compliance;**
- **Traffic study and compliance;**
- **Full off-site improvements;**
- **Right-of-way dedication to include, 100 feet for Las Vegas Boulevard South, 25 feet to the back-of-curb for Giles Street and associated spandrels;**
- **30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements for the Pyle Avenue improvement project, 90 days to record said separate document for the Pyle Avenue improvement project;**
- **The installation of detached sidewalks will require the vacation of excess right-of-way, dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices.**

Clark County Water Reclamation District (CCWRD)

- **Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0290-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.**

10. ZC-24-0518-USA:
ZONE CHANGE to reclassify a 5.55 acre portion of 58.7 acres from an IH (Industrial Heavy) Zone to a PF (Public Facility) Zone within the Airport Environs (AE-70) Overlay. Generally located on the northwest side of Las Vegas Boulevard North and the north side of Nadine Petersen Boulevard within the Northeast County Planning Area (description on file). MK/rg (For possible action)

APPROVED.

11. ORD-24-900529: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with SCT Silverado Ranch & Arville LLC for a commercial development on 0.8 acres, generally located east of Arville Street and north of Silverado Ranch Boulevard within Enterprise. JJ/jm (For possible action)

ADOPTED.

12. ORD-24-900546: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with Fort Apache, LTD for a multi-family residential development on 9.1 acres, generally located west of Fort Apache Road and south of Pebble Road within Enterprise. JJ/dw (For possible action)

ADOPTED.

13. ORD-24-900599: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with G Y Properties LLC for an office/warehouse building on 2.1 acres, generally located west of Westwind Road and south of Sunset Road within Enterprise. MN/dw (For possible action)

ADOPTED.

14. ORD-24-900699: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on August 21, 2024. (For possible action)

ADOPTED.

15. ORD-24-900708: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on August 7, 2024. (For possible action)

ADOPTED.

16. ORD-24-900710: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on September 18, 2024. (For possible action)

ADOPTED.

17. ORD-24-900725: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on September 4, 2024 and in Assessor's Books 059, 104, 140, 161, 162, 163, 164, 175, 176, and 177 the attached zone changes were approved to reclassify certain properties and amend the zoning map. (For possible action)

ADOPTED.

NON-ROUTINE ACTION ITEMS (18 – 61): These items will be considered separately.

18. CP-24-900629: Conduct a public hearing, adopt the Flood Control Master Plan Update, and authorize the Chair to sign a Resolution amending the Plan. (For possible action)

ADOPTED.

19. ET-24-400110 (UC-20-0493)-5051 SLV, LLC:
USE PERMITS SECOND EXTENSION OF TIME for the following: 1) expand the Gaming Enterprise District; 2) a resort hotel; 3) public areas including the casino, showrooms, live entertainment, retail center, indoor and outdoor dining, entertainment, offices, conventions, back of house and parking structures; 4) associated accessory and incidental commercial uses, buildings, and structures; and 5) deviations from development standards.
DEVIATIONS for the following: 1) increase the height of high-rise towers; 2) encroachment into airspace; 3) reduce setbacks; 4) alternative landscaping; and 5) all other deviations as shown per plans on file.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) for non-standard improvements (landscaping) within the right-of-way; and 2) alternative driveway geometrics.
DESIGN REVIEWS for the following: 1) a resort hotel with all associated and accessory uses, structures and incidental buildings and structures; and 2) finished grade on 4.68 acres in a CR (Commercial Resort) Zone and within the Airport Environs (AE-65) Overlay. Generally located on the east side of Las Vegas Boulevard South, 500 feet south of Russell Road (alignment) within Paradise. JG/jm/kh (For possible action)

APPROVED.

**CONDITIONS OF APPROVAL -
Comprehensive Planning**

- Until August 20, 2025 to commence or the application will expire unless extended with approval of an extension of time;
- As required by NRS 278.0205 and the Development Agreement Ordinance, applicant to submit their first report, due once every twenty-four (24) months, by November 30, 2024;
- Complete construction of perimeter wall on east side of the property within 90 days;
- Enclose the site with a solid 8 foot high wood construction fence made of dimensional lumber and faced with plywood, as required in Exhibit A of the Decommissioning Plan, within 90 days; only after contractor notifies the Clark County Building Department that the project has remobilized, and construction has restarted, can the wooden construction fence be removed;
- 24 hour on-site manned security must be provided immediately and throughout the duration of the construction project.
- Applicant is advised a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Compliance with previous conditions.

Department of Aviation

- The applicant shall be required to file a valid FAA Form 7460-1 "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the DOA;
- If the applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then it must also receive either a Permit from the Director of

Aviation or a Variance from the Airport Hazard Areas Board of Adjustment ("AHABA") prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; the applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc;

- No building permits will be issued until the applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA and is still valid, or a "Property Owner's Shielding Determination Statement" has been issued by the DOA;
- The applicant shall be advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that the FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

20. UC-24-0319-VAN DIEPEN, RICHARD & KATHRYN:

USE PERMIT for an accessory living quarters.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; and 2) reduce building separation.

DESIGN REVIEW for existing accessory structures in conjunction with an existing single-family residence on 0.23 acres in an RS5.2 (Residential Single-Family 5.2) Zone within the Historic Designation Overlay. Generally located on the east side of Cochise Lane, 110 feet north of Geronimo Way within Paradise. TS/jm/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- 1 year to complete the building permit and inspection process or the application will expire unless extended with approval of an extension of time;
- Paint roof of accessory living quarter to match the roof color of the residence.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

21. UC-24-0436-MANNA INVESTMENT GROUP, LLC:

HOLDOVER USE PERMIT for a vehicle wash.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) modify residential adjacency standards; 2) alternative buffering and screening; and 3) allow attached sidewalks.

DESIGN REVIEW for a vehicle wash in conjunction with an existing shopping center on a portion of 4.09 acres in a CG (Commercial General) Zone. Generally located on the west side of Sandhill Road and the south side of Desert Inn Road within Paradise. TS/sd/kh (For possible action)

HELD - 12/18/24 - per the applicant.

22. UC-24-0460-GONZALEZ, DIMAS:
HOLDOVER USE PERMITS for the following: 1) stable (residential); 2) livestock (small); 3) livestock (medium); and 4) livestock (large).
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow accessory structures prior to the principal structure; 2) reduce building separation; 3) allow a non-decorative fence in the front yard; 4) eliminate street landscaping; 5) full off-site improvements; and 6) allow 3 driveways in conjunction with proposed agricultural uses and future single-family residences on 1.47 acres in an RS20 (Residential Single-Family 20) Zone within the Airport Environs (AE-65) Overlay. Generally located on the south side of Cartier Avenue and the east side of Walnut Road within Sunrise Manor. WM/dd/syp (For possible action)

HELD - 12/18/24 - per Commissioner McCurdy.

23. UC-24-0536-REHM, SCOTT & JEANALIN, JULIA:
USE PERMITS for the following: 1) home occupation; 2) stable; 3) livestock (small and large); and 4) household pets.
WAIVER OF DEVELOPMENT STANDARDS for reduced setbacks on 0.48 acres in an RS20 (Residential Single-Family 20) Zone. Generally located on the east side of Westwind Road, 610 feet south of Charleston Boulevard within the Spring Valley Planning Area. RM/tpd/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- 60 days to bring the on-site activities into compliance with Title 30;
- Obtain any required permits for the increase in household pets from Clark County Animal Control.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Southern Nevada Health District (SNHD) - Engineering

- Applicant is advised to contact the SNHD Environmental Health Division at septics@snhd.org or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

USE PERMITS #1 THROUGH #3 AND WAIVER OF DEVELOPMENT STANDARDS WERE DENIED.

24. VS-24-0277-PALM PROPERTIES, LLC:
HOLDOVER VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file). TS/jor/syp (For possible action)

DENIED.

25. WS-24-0276-PALM PROPERTIES, LLC:
HOLDOVER WAIVER OF DEVELOPMENT STANDARDS to modify residential adjacency standards. DESIGN REVIEW for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone. Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor. TS/jor/syp (For possible action)

DENIED.

26. VS-24-0457-DBAC, LLC:
HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Pamalyn Avenue and Maule Avenue, and between Arville Street and Cameron Street, a portion of right-of-way being Arville Street located between Pamalyn Avenue and Maule Avenue, and portion of right-of-way being Maule Avenue located between Arville Street and Cameron Street within Enterprise (description on file). MN/lm/syp (For possible action)

HELD - 12/18/24 - per the applicant.

27. WS-24-0456-DBAC, LLC:
HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase fill height; 2) increase retaining wall height; and 3) reduce driveway setback.
DESIGN REVIEW for a single-family residential subdivision on 3.11 acres in an RS20 (Residential Single-Family 20) Zone within the Airport Environs (AE-60) and Neighborhood Protection (RNP) Overlays. Generally located on the west side of Arville Street and the north side of Maule Avenue within Enterprise. MN/lm/syp (For possible action)

HELD - 12/18/24 - per the applicant.

28. TM-24-500096-DBAC, LLC:
HOLDOVER TENTATIVE MAP consisting of 6 single-family residential lots and 1 common lot on 3.11 acres in an RS20 (Residential Single-Family 20) Zone within the Airport Environs (AE-60) and Neighborhood Protection (RNP) Overlays. Generally located on the west side of Arville Street and the north side of Maule Avenue within Enterprise. MN/lm/syp (For possible action)

HELD - 12/18/24 - per the applicant.

29. VS-24-0462-OMNI FAMILY LIMITED PARTNERSHIP:
HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Arby Avenue and Capovilla Avenue and between Valley View Boulevard and Procyon Street within Enterprise (description on file). MN/hw/kh (For possible action)

APPROVED.

**CONDITIONS OF APPROVAL -
Comprehensive Planning**

- Satisfy utility companies' requirements.
- Applicant is advised within 4 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include 45 feet to the back-of-curb for Valley View Boulevard, 25 feet to the back-of-curb for Arby Avenue, 25 feet to the back-of-curb for Procyon Street, 25 feet to the back-of-curb for Capovilla Avenue and associated spandrels;

- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements, 90 days to record said separate document for the Warm Springs storm drain improvement project;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

30. WS-24-0461-OMNI FAMILY LIMITED PARTNERSHIP:
 HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce net lot area; 2) reduce street landscaping; 3) increase retaining wall height; 4) increase fill height; 5) alternative lot orientation; 6) off-site improvements (streetlights); and 7) reduce driveway setbacks.
 DESIGN REVIEW for a single-family residential subdivision on 7.5 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the east side of Valley View Boulevard and the south side of Arby Avenue within Enterprise. MN/hw/kh
 (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- At a minimum, 5 gallon shrubs shall be provided within the landscaping strip between the tiered retaining wall;
- Provide for and include in the CC&Rs that a minimum of 15, 24 inch box Bay Laurel trees be planted and maintained 30 feet on center within the landscape strip between the tiered wall with any changes in landscaping to be approved by the HOA and adjacent property owners;
- Provide and include in the CC&Rs a gate to the landscape easement on Arby Avenue to be accessed and maintained by an HOA;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Full off-site improvement on Valley View Boulevard;
- Full off-site improvements except streetlights on Arby Avenue, Capovilla Avenue, and Procyon Street with sidewalks consisting of asphalt instead of concrete;
- Install conduit and pull boxes for streetlights;
- Drainage study and compliance;
- Right-of-way dedication to include 45 feet to the back of curb for Valley View Boulevard, 25 feet to the back of curb for Arby Avenue, 25 feet to the back of curb for Procyon Street, 25 feet to the back of curb for Capovilla Avenue and associated spandrels;
- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements, 90 days to record said separate document for the Warm Springs storm drain improvement project.

- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed; that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Fire Prevention Bureau

- Applicant to show fire hydrant locations on-site and within 750 feet.
- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0135-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

31. **TM-24-500099-OMNI FAMILY LIMITED PARTNERSHIP:**
HOLDOVER TENTATIVE MAP consisting of 13 single-family residential lots on 7.5 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the east side of Valley View Boulevard and the south side of Arby Avenue within Enterprise. MN/hw/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Full off-site improvement on Valley View Boulevard;
- Full off-site improvements except streetlights on Arby Avenue, Capovilla Avenue, and Procyon Street with sidewalks consisting of asphalt instead of concrete;
- Install conduit and pull boxes for streetlights;
- Drainage study and compliance;
- Right-of-way dedication to include 45 feet to the back of curb for Valley View Boulevard, 25 feet to the back of curb for Arby Avenue, 25 feet to the back of curb for Procyon Street, 25 feet to the back of curb for Capovilla Avenue and associated spandrels;
- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements, 90 days to record said separate document for the Warm Springs storm drain improvement project.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Building Department - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Fire Prevention Bureau

- Applicant to show fire hydrant locations on-site and within 750 feet.
- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0135-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

32. VS-24-0509-USA:

VACATE AND ABANDON easements of interest to Clark County located between Craig Road and Alexander Road and between Chieftain Street and Fort Apache Road; a portion of right-of-way being Helena Avenue located between Chieftain Street and Fort Apache Road; and a portion of right-of-way being Hickam Avenue located between Chieftain Street and Fort Apache Road within Lone Mountain (description on file). RM/hw/kh (For possible action)

HELD - 12/04/24 - per the applicant.

33. WS-24-0510-USA:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce gross lot area; 2) reduce net lot area; 3) reduce front setbacks; 4) allow a gated community within the NPO-RNP; 5) reduce street landscaping; 6) reduce call box setback; 7) eliminate off-site improvements (curb, gutter, sidewalks, and streetlights); 8) increase the length of a non-through street without a county approved turnaround; and 9) eliminate street knuckles.

DESIGN REVIEW for a single-family residential subdivision on a 22.14 acre portion of 32.12 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Craig Road, north of Florine Avenue (alignment), east of Chieftain Street, and west of Fort Apache Road within Lone Mountain. RM/hw/kh (For possible action)

HELD - 12/04/24 - per the applicant.

34. TM-24-500108-USA:

TENTATIVE MAP consisting of 39 single-family residential lots and 2 common lots on a 22.14 acre portion of 32.12 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Craig Road, north of Florine Avenue (alignment), east of Chieftain Street, and west of Fort Apache Road within Lone Mountain. RM/hw/kh (For possible action)

HELD - 12/04/24 - per the applicant.

35. VS-24-0539-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:

VACATE AND ABANDON easements of interest to Clark County located between Torino Avenue and Ford Avenue (alignment) and between Belcastro Street and Rosanna Street within Enterprise (description on file). JJ/jud/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include 25 feet to the back of curb for Torino Avenue, 25 feet to the back of curb for Belcastro Street, and associated spandrels;
- The installation of detached sidewalks will require dedication to back-of-curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

36. WS-24-0538-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce net lot size; 2) increase fill height; 3) increase retaining wall height; and 4) increase driveway width.
DESIGN REVIEW for a single-family residential subdivision on 2.34 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the northeast corner of Belcastro Street and Torino Avenue within Enterprise. JJ/jud/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Torino Avenue, 25 feet to the back of curb for Belcastro Street, and associated spandrel;
- The installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0214-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

37. VS-24-0542-GOLDENSITES, LLC:
VACATE AND ABANDON easements of interest to Clark County located between Camero Avenue and Mistral Avenue and between Cimarron Road and Durango Drive and portion of a right-of-way being Gagnier Boulevard located between Mistral Avenue and Camero Avenue within Enterprise (description on file). JJ/sd/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 4 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

38. WS-24-0543-GOLDENSSITES, LLC, THE PARSONS FAMILY REVOCABLE LIVING TRUST):
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; 2) increase retaining wall height; 3) increase fill height; 4) waive full off-site improvements; and 5) reduce street intersection off-set.

DESIGN REVIEW for a single-family residential subdivision on 10.63 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the north side of Camero Avenue and the east and west sides of Gagnier Boulevard (alignment) within Enterprise. JJ/sd/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Off-site improvements (curb, gutter, and paving) on Camero Avenue;
- Drainage study and compliance;
- Traffic study and compliance;
- Execute a Restrictive Covenant Agreement (deed restrictions).

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0075-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

WAIVER OF DEVELOPMENT STANDARDS #4A WAS DENIED FOR OFF-SITE IMPROVEMENTS (CURB, GUTTER, AND PARTIAL PAVING).

39. TM-24-500117-GOLDENSSITES, LLC, THE PARSONS FAMILY REVOCABLE LIVING TRUST): TENTATIVE MAP consisting of 20 single-family residential lots on 10.63 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the north side of Camero Avenue and the east and west sides of Gagnier Boulevard (alignment) within Enterprise. JJ/sd/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Off-site improvements (curb, gutter, and paving) on Camero Avenue;
- Drainage study and compliance;
- Traffic study and compliance;
- Execute a Restrictive Covenant Agreement (deed restrictions).

Building Department - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0075-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

40. WS-24-0522-CROCKER FAMILY REVOCABLE LIVING TRUST: WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; and 2) eliminate full off-site improvements in conjunction with a proposed single-family residence on 0.5 acres in a RS20 (Residential Single-Family 20) Zone within the Neighborhood Preservation (RNP) Overlay. Generally located on the west side of El Capitan Way, 170 feet south of Washburn Road within Lone Mountain. RM/jm/kh (For possible action)

HELD - 12/04/24 - per the Board of County Commissioners.

41. WS-24-0523-WARREN FAMILY REV LIV TR & WARREN, JOSEPH F. & CARRYN B. TRS: WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce separation; 2) reduce setbacks; and 3) modify driveway geometrics for accessory structures in conjunction with an existing single-family residence on 2.28 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the west side of Fairfield Avenue, 320 feet south of Wigwam Avenue within Enterprise. MN/tpd/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- 1 year to complete the building permit and inspection process for existing accessory structures or this portion of the application will expire unless extended with approval of an extension of time;
- 2 years to commence the proposed RV cover or this portion of the application will expire unless extended with approval of an extension of time;
- Paint the proposed RV cover to match the primary dwelling.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Southern Nevada Health District (SNHD) - Engineering

- Applicant is advised to contact the SNHD Environmental Health Division at septics@snhd.org or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

42. WS-24-0525-SEMMATERIALS ENERGY PTNRS, LLC:

AMENDED WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase fence height (no longer needed); 2) allow non-decorative fencing (no longer needed); 3) reduce access gate setbacks; 4) waive off-site improvements (streetlights); 5) allow attached sidewalks; 6) eliminate throat depth; and 7) eliminate driveway back-of-curb radius.

DESIGN REVIEW for site modifications for an existing asphalt batch plant on 6.76 acres in an IL (Industrial Light) Zone within the Airport Environs (AE-65) Overlay. Generally located on the southwest corner of Valley View Boulevard and Ponderosa Way within Paradise. MN/dd/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Paint the shipping containers to match the buildings and infrastructure on-site;
- Street landscaping along Ponderosa Way to consist of recommended plants from the Regional Plant List, or an approved alternative.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Full off-site improvements except streetlights on Ponderosa Way;
- Install conduit and pull boxes on Ponderosa Way.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation;
- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998; and that funds will not be available in the future should the owners wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0185-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

43. **WS-24-0526-GHANOLI HOLDINGS, LLC:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase fence height; and 2) allow a non-decorative fence.
DESIGN REVIEW for modifications to a previously approved truck staging area on 0.49 acres in an IL (Industrial Light) Zone within the Airport Environs (AE-60) Overlay. Generally located on the south side of Martin Avenue and the east side of Crystal Street within Enterprise. MN/dd/kh (For possible action)

HELD - 01/22/25 - per the applicant.

44. **WS-24-0527-COUNTY OF CLARK (AVIATION):**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; 2) increase wall height; 3) increase fill height; 4) eliminate off-site improvements (curb, gutter, sidewalks, and streetlights); and 5) reduce the street intersection off-set.
DESIGN REVIEW for single-family detached residences on 4.92 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the northwest corner of Valadez Street and Shelbourne Avenue within Enterprise. JJ/jud/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- **Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.**
- **Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.**

Public Works - Development Review

- **Comply with approved drainage study PW24-17122;**
- **Execute a Restrictive Covenant Agreement (deed restrictions).**

Clark County Water Reclamation District (CCWRD)

- **Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0113-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.**

45. **TM-24-500114-COUNTY OF CLARK (AVIATION):**
TENTATIVE MAP consisting of 10 single-family residential lots and common lots on 4.92 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the northwest corner of Valadez Street and Shelbourne Avenue within Enterprise. JJ/jud/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- **Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.**

Public Works - Development Review

- **Comply with approved drainage study PW24-17122;**
- **Execute a Restrictive Covenant Agreement (deed restrictions).**

Building Department - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0113-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

46. WS-24-0535-BLUE DIAMOND PB HOLDINGS, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce street landscape planter width; and 2) reduce driveway geometrics.

DESIGN REVIEW for commercial buildings on 0.89 acres in a CG (General Commercial) Zone within the Airport Environs (AE-60) Overlay. Generally located on the south side of Blue Diamond Road and the west side of Pinkbox Drive within Enterprise. JJ/sd/kh (For possible action)

APPROVED.**CONDITIONS OF APPROVAL -****Comprehensive Planning**

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- The installation of detached sidewalks will require vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way;
- Coordinate with Real Property Management and the Department of Aviation to dedicate Pinkbox Drive.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County

Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;

- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0437-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

WAIVERS OF DEVELOPMENT STANDARDS #1 AND #2B WERE WITHDRAWN.

47. PA-24-700015-NEVADA POWER COMPANY:

PLAN AMENDMENT to redesignate the existing land use category from Public Use (PU) to Neighborhood Commercial (NC) on 1.89 acres. Generally located on the north side of Russell Road, 550 feet east of Hualapai Way within Spring Valley. JJ/gc (For possible action)

ADOPTED.

48. ZC-24-0310-NEVADA POWER COMPANY:

ZONE CHANGE to reclassify 1.89 acres from an RS20 (Residential Single-Family 20) Zone to a CG (Commercial General) Zone. Generally located on the north side of Russell Road, 550 feet east of Hualapai Way within Spring Valley (description on file). JJ/hw (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0323-2024 to obtain your POC exhibit; and that flow contributions exceeding District estimates may require another POC analysis.

49. UC-24-0311-NEVADA POWER COMPANY:

USE PERMIT for a mini-warehouse facility.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce and eliminate landscape buffer and screening; and 2) residential adjacency standards.

DESIGN REVIEW for a mini-warehouse facility on 1.89 acres in a CG (Commercial General) Zone. Generally located on the north side of Russell Road, 550 feet east of Hualapai Way within Spring Valley. JJ/hw/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- The addition of balconies or other second story external additions are prohibited;

- Business licenses shall not be issued for businesses conducted within individual units;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0323-2024 to obtain your POC exhibit; and that flow contributions exceeding District estimates may require another POC analysis.

WAIVERS OF DEVELOPMENT STANDARDS #1A, #1B, AND #1E WERE WITHDRAWN.

50. PA-24-700020-ROOHANI KHUSROW FAMILY TRUST:
PLAN AMENDMENT to redesignate the existing land use category from Ranch Estate Neighborhood (RN) to Low-Intensity Suburban Neighborhood (LN) on 5.0 acres. Generally located between Wigwam Avenue and Cougar Avenue on the west side of Edmond Street within Enterprise. JJ/rk (For possible action)

ADOPTED.

51. ZC-24-0485-ROOHANI KHUSROW FAMILY TRUST:
ZONE CHANGE to reclassify the following: 1) 5.00 acres from an RS20 (Residential Single-Family 20) Zone to an RS5.2 (Residential Single-Family 5.2) Zone; 2) 4.77 acres from an RS20 (Residential Single-Family 20) Zone and an H-2 (General Highway Frontage) Zone to an RS3.3 (Residential Single-Family 3.3) Zone; and 3) eliminate the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Wigwam Avenue and on the east and west sides of Edmond Street within Enterprise (description on file). JJ/rg (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;

- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0181-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

52. VS-24-0486-ROOHANI KHUSROW FAMILY TRUST:

AMENDED VACATE AND ABANDON easements of interest to Clark County located between Wigwam Avenue and Ford Avenue, and between Mohawk Street and Decatur Boulevard; a portion of a right-of-way being Edmond Street located between Wigwam Avenue (previously notified as Mohawk Street) and Ford Avenue; and a portion of a right-of-way being Cougar Avenue located between Mohawk Street (previously notified as Decatur Boulevard) and Edmond Street within Enterprise (description on file). JJ/rg/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 4 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include 25 feet to the back of curb for Cougar Avenue, between 25 feet and 50 feet to the back of curb for Edmond Street, 35 feet to the back of curb for Wigwam Avenue and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;

- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

53. **WS-24-0487-ROOHANI KHUSROW FAMILY TRUST:**

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase fill height; and 2) increase retaining wall height.

DESIGN REVIEW for a single-family detached residential development on 9.77 acres in an RS5.2 (Residential Single-Family 5.2) Zone and an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the south side of Wigwam Avenue and on the east and west sides of Edmond Street within Enterprise. JJ/rg/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- 1 story homes on Lots 1 through 6;
- No more than 14 homes on the western half of the project consisting of no more than 6 homes on the western half and no more than 8 homes on the eastern half;
- No more than 38 homes on the eastern half of the project;
- Tiered retaining walls on any perimeter walls along a right-of-way that are above the allowed total of 9 feet (3 feet of retaining and 6 feet of screen);
- Wrought iron view fencing on top of any retaining walls on the eastern half of the project above the allowed total of 9 feet (3 feet of retaining and 6 feet of screen);
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Cougar Avenue, 25 feet to 50 feet to the back of curb for Edmond Street, 35 feet to the back of curb for Wigwam Avenue and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map.

- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb, the vacation of excess right-of-way, and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code. Applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; and to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0181-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

54. TM-24-500101-ROOHANI KHUSROW FAMILY TRUST:
TENTATIVE MAP consisting of 54 single-family residential lots and 5 common lots on 9.77 acres in an RS5.2 (Residential Single-Family 5.2) Zone and an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the south side of Wigwam Avenue and on the east and west sides of Edmond Street within Enterprise. JJ/rg/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- No more than 14 homes on the western half of the project consisting of no more than 6 homes on the western half and no more than 8 homes on the eastern half;

- No more than 38 homes on the eastern half of the project.
- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Cougar Avenue, 25 feet to 50 feet to the back of curb for Edmond Street, 35 feet to the back of curb for Wigwam Avenue and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb, the vacation of excess right-of-way, and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Building Department - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided;
- All streets shall have approved street names and suffixes.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0181-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

AGENDA ITEM

55. AG-24-900729 HOLDOVER: Discuss a potential amendment to Title 30 to address how setbacks are measured; and direct staff accordingly. (For possible action)

DISCUSSED.

ORDINANCES – INTRODUCTION

56. ORD-24-900565: Introduce an ordinance to consider adoption of a Development Agreement with Richmond American Homes of Nevada, Inc. for a single-family residential development on 7.11 acres, generally located north of Pebble Road and east of Durango Drive within Enterprise. JJ/dw (For possible action)

INTRODUCED - public hearing 12/04/24.

57. ORD-24-900572: Introduce an ordinance to consider adoption of a Development Agreement with SHLV LLC for a shopping center development on 4.0 acres, generally located south of Shelbourne Avenue and west of Rainbow Boulevard within Enterprise. JJ/dw (For possible action)

INTRODUCED - public hearing 12/04/24.

58. ORD-24-900582: Introduce an ordinance to consider adoption of a Development Agreement with BD Equities, LLC for an office/ warehouse complex on 6.7 acres, generally located west of Arville Street and north of Cougar Avenue within Enterprise. JJ/dw (For possible action)

INTRODUCED - public hearing 12/04/24.

59. ORD-24-900734: Introduce an ordinance to consider adoption of a Development Agreement with SD NORTH PARCELS LLC for an office/warehouse complex on 19.3 acres, generally located east of Tenaya Way and south of Patrick Lane within Spring Valley. MN/dd (For possible action)

INTRODUCED - public hearing 12/04/24.

60. ORD-24-900758: Introduce an ordinance to amend Title 30 to modify street landscaping requirements, regulations for manufactured homes, and providing for other matters properly related thereto; and set a public hearing. (For possible action)

INTRODUCED - public hearing 12/04/24.

61. ORD-24-900766: Introduce an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on October 2, 2024. (For possible action)

INTRODUCED - public hearing 12/04/24.

PUBLIC COMMENTS

Comments by the General Public regarding any items not listed on the agenda as posted. No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on a future agenda.

From: [Beatriz Martinez](#)
To: [Ala Gray](#)
Cc: [Gloria Wells](#); [Andrea Cole](#); [Melissa Eure](#)
Subject: RE: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277): Continuance Letter from 09/04/24 to 10/02/24
Date: Tuesday, September 3, 2024 10:52:00 PM
Attachments: [image001.png](#)

Perfect, thank you!

Beatriz Martinez

Community Liaison | District E, Commissioner Tick Segerblom

500 S. Grand Central Parkway, 6th Floor, Las Vegas, NV 89155

Email: Beatriz.Martinez@ClarkCountyNV.gov

Office: 702.455.0560



From: Ala Gray <agray@gcgarciainc.com>
Sent: Tuesday, September 3, 2024 3:48 PM
To: Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Cc: Gloria Wells <Gloria.Wells@clarkcountynv.gov>; Andrea Cole <acole@gcgarciainc.com>; Melissa Eure <meure@gcgarciainc.com>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277): Continuance Letter from 09/04/24 to 10/02/24

Yes, I sent this to the planner as well.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Sent: Tuesday, September 3, 2024 3:45 PM
To: Ala Gray <agray@gcgarciainc.com>
Cc: Gloria Wells <Gloria.Wells@clarkcountynv.gov>; Andrea Cole <acole@gcgarciainc.com>; Melissa Eure <meure@gcgarciainc.com>
Subject: Re: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277): Continuance Letter from 09/04/24 to 10/02/24

Thank you Ala, has this letter been sent to the assigned planner as well?

Sent from my iPhone

On Sep 3, 2024, at 3:31 PM, Ala Gray <agray@gcgarciainc.com> wrote:

Good afternoon Beatriz and Gloria,

I hope you are doing well. Please see the attached continuance request letter for the items WS-24-0276 & VS-24-0277 on 09/04/24 Board of County Commissioners meeting. The request is to continue from 09/04/24 to 10/02/24 Board of County Commissioners. Please distribute this letter to Commissioner Segerblom.

Thank you.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: CPAdmin
To: Andrea Cole; Gloria Wells; Beatriz Martinez
Cc: Melissa Eure; George Garcia; Ala Gray; CPAdmin; Jillee Opiniano-Rowland
Subject: RE: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277): Continuance Request from 10/02/24 to 11/06/24
Date: Tuesday, September 24, 2024 4:34:54 PM
Attachments: image001.png

Thank you, I will process.

Warm regards,

*Tiffany Jackson (TJ) she/her
Clark County Office Specialist
Department of Comprehensive Planning
T: 702-455-5004
tiffany.jackson@clarkcountynv.gov*



From: Andrea Cole <acole@gcgarciainc.com>
Sent: Tuesday, September 24, 2024 3:37 PM
To: Gloria Wells <Gloria.Wells@clarkcountynv.gov>; Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Cc: Melissa Eure <meure@gcgarciainc.com>; George Garcia <ggarcia@gcgarciainc.com>; Ala Gray <agray@gcgarciainc.com>; CPAdmin <CPAdmin@clarkcountynv.gov>; Jillee Opiniano-Rowland <Jillee.Opiniano@ClarkCountyNV.gov>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277): Continuance Request from 10/02/24 to 11/06/24

Good Afternoon! Attached is a request to continue our clients applications from 10/02/24 to 11/06/24. Would you be so kind as to distribute this to Commissioner Segerblom and the other Commissioners for the 10/02/24 Board of County Commissioners Meeting? Also, potentially forwarding to any others I may have missed. Planning is cc'd on this email. Thank you in advance for your assistance!

If you have any questions please feel free to contact me at the number listed below.

Thanks and Best Regards.

Andrea Cole, Project Coordination Manager
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
(702) 435-9909 Phone

(702) 435-0457 Fax
acole@gcgarciainc.com E-mail
<https://gcgarciainc.com> Website

From: [Ala Gray](#)
To: [Gloria Wells](#)
Cc: [Andrea Cole](#); [Beatriz Martinez](#)
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Today Mtg w//Tick Segerblom -Rescheduling
Date: Tuesday, September 24, 2024 10:20:31 AM
Attachments: [image001.png](#)

Hi Gloria,

Thank you for available dates and times to reschedule today's meeting. We will confirm with George and let you know. I sent you the cancelation calendar for today.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Sent: Tuesday, September 24, 2024 10:13 AM
To: Ala Gray <agray@gcgarciainc.com>
Cc: Andrea Cole <acole@gcgarciainc.com>; Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Subject: RE: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Today Mtg w//Tick Segerblom -Rescheduling

Good morning,

It's not a problem. Here is the Commissioner's availability:

9/30 – 3:00 p.m.
10/1 – 1:30 p.m.
10/3 – 11 or 11:30 a.m.
10/8 – 1:00 or 1:30 p.m.

Hope George feels well soon.

Gloria

Gloria Wells

Executive Assistant to
Clark County Commission Chair Tick Segerblom
500 S. Grand Central Parkway
Las Vegas, NV
Office: (702) 455-3500

Office Hours: Monday–Thursday: 7:30–5:30 p.m.



From: Ala Gray <agray@gcgarciainc.com>

Sent: Tuesday, September 24, 2024 9:41 AM

To: Gloria Wells <Gloria.Wells@clarkcountynv.gov>

Cc: Andrea Cole <acole@gcgarciainc.com>

Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Today Mtg w//Tick Segerblom
-Rescheduling

Importance: High

Good morning Gloria,

Unfortunately, George is not feeling well today, he is out of the office, so we are rescheduling all his meetings. We apologize for any inconvenience, and we want to ask if we can reschedule today's meeting with Commissioner Segerblom. Would you please provide the next couple of available dates and times to reschedule today's meeting?

Thank you.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Ala Gray

Sent: Tuesday, September 17, 2024 2:54 PM

To: 'Gloria Wells' <Gloria.Wells@clarkcountynv.gov>

Cc: Andrea Cole <acole@gcgarciainc.com>

Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom

Thank you very much!

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Gloria Wells <Gloria.Wells@clarkcountynv.gov>

Sent: Tuesday, September 17, 2024 2:52 PM
To: Ala Gray <agray@gcgarciainc.com>
Cc: Andrea Cole <acole@gcgarciainc.com>
Subject: RE: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom

The 24th is still open at 2:00 p.m.

Gloria

Gloria Wells

Executive Assistant to
Clark County Commission Chair Tick Segerblom
500 S. Grand Central Parkway
Las Vegas, NV
Office: (702) 455-3500
Office Hours: Monday–Thursday: 7:30–5:30 p.m.



From: Ala Gray <agray@gcgarciainc.com>
Sent: Tuesday, September 17, 2024 1:39 PM
To: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Cc: Andrea Cole <acole@gcgarciainc.com>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom

Hi Gloria,

I'm sorry. Per conversation between George and our client, they would like to change 09/23/24 to 09/24/24 at 2pm if it's still available. Please advise. Thank you.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Ala Gray
Sent: Monday, September 16, 2024 9:43 AM
To: 'Gloria Wells' <Gloria.Wells@clarkcountynv.gov>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom on 09/23/24

Thank you,
Have a wonderful Monday!

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcfgarciainc.com>

From: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Sent: Monday, September 16, 2024 9:38 AM
To: Ala Gray <agray@gcfgarciainc.com>
Subject: RE: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom on 09/23/24

Thank you.

Gloria

Gloria Wells

Executive Assistant to
Clark County Commission Chair Tick Segerblom
500 S. Grand Central Parkway
Las Vegas, NV
Office: (702) 455-3500
Office Hours: Monday-Thursday: 7:30-5:30 p.m.



From: Ala Gray <agray@gcfgarciainc.com>
Sent: Monday, September 16, 2024 9:14 AM
To: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Cc: Andrea Cole <acole@gcfgarciainc.com>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom on 09/23/24

Hi Gloria,

Thank you. September 23 at 10:00 am would work. I sent you our calendar invite.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcfgarciainc.com>

From: Gloria Wells <Gloria.Wells@clarkcountynv.gov>

Sent: Monday, September 16, 2024 9:02 AM

To: Ala Gray <agray@gcgarciainc.com>

Cc: Andrea Cole <acole@gcgarciainc.com>

Subject: RE: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Setting up briefing w/Tick Segerblom for 10/02/24 BCC

Good morning,

Commissioner Segerblom has the following availability:

9/18 – 1:30

9/23 – 10 a.m. or noon

9/24 – 2:00

Thank you.

Gloria

Gloria Wells

Executive Assistant to
Clark County Commission Chair Tick Segerblom
500 S. Grand Central Parkway
Las Vegas, NV
Office: (702) 455-3500
Office Hours: Monday-Thursday: 7:30-5:30 p.m.



From: Ala Gray <agray@gcgarciainc.com>

Sent: Monday, September 16, 2024 8:22 AM

To: Gloria Wells <Gloria.Wells@clarkcountynv.gov>

Cc: Andrea Cole <acole@gcgarciainc.com>

Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Setting up briefing w/Tick Segerblom for 10/02/24 BCC

Good morning Gloria,

I hope you had a nice weekend. Just following up on a couple of available dates and times for next week for the briefing. Please let me know. Thank you.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014

Office (702) 435-9909
<https://gcfgarciainc.com>

From: Ala Gray
Sent: Thursday, September 12, 2024 3:30 PM
To: 'Gloria Wells' <Gloria.Wells@clarkcountynv.gov>
Cc: Andrea Cole <acole@gcfgarciainc.com>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Setting up briefing w/Tick Segerblom for 10/02/24 BCC

Hi Gloria,

Since you close tomorrow, wanted to follow up to see if you had a chance to look for the week of September 23 if anything is available. Thank you.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcfgarciainc.com>

From: Ala Gray
Sent: Thursday, September 12, 2024 10:14 AM
To: 'Gloria Wells' <Gloria.Wells@clarkcountynv.gov>
Cc: Andrea Cole <acole@gcfgarciainc.com>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Setting up briefing w/Tick Segerblom for 10/02/24 BCC

Hi Gloria,

Thank you for your response. I look forward to hearing from you today.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcfgarciainc.com>

From: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Sent: Thursday, September 12, 2024 9:54 AM
To: Ala Gray <agray@gcfgarciainc.com>
Cc: Andrea Cole <acole@gcfgarciainc.com>

Subject: RE: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Setting up briefing w/Tick Segerblom for 10/02/24 BCC

Hi Ala,

I received your email yesterday. We've been out of the office. I will get back to you soon.

Thank you.

Gloria

Gloria Wells

Executive Assistant to
Clark County Commission Chair Tick Segerblom
500 S. Grand Central Parkway
Las Vegas, NV
Office: (702) 455-3500
Office Hours: Monday-Thursday: 7:30-5:30 p.m.



From: Ala Gray <agray@gcgarciainc.com>

Sent: Wednesday, September 11, 2024 11:39 AM

To: Gloria Wells <Gloria.Wells@clarkcountynv.gov>

Cc: Andrea Cole <acole@gcgarciainc.com>

Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Setting up briefing w/Tick Segerblom for 10/02/24 BCC

Good morning Gloria,

I hope you are doing well. We would like to set up a briefing with Commissioner Segerblom for the item that is on the 10/02/24 Board of County Commissioners meeting. Would you please see if something is available for the week of September 23? Thank you.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: [Sami Real](#)
To: [Beatriz Martinez](#)
Cc: [Jennifer Ammerman](#); [Tick Segerblom](#)
Subject: RE: HOLD Items VS-24-0277 and WS-24-0276
Date: Thursday, October 31, 2024 11:39:24 AM
Attachments: [image001.png](#)

Perfect.
Thank you!

Sami R. Real
Director, Department of Comprehensive Planning
Ph: (702) 455-3129
Business Hours: Mon. – Thurs., 7:30am to 5:30pm

From: Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Sent: Thursday, October 31, 2024 11:39 AM
To: Sami Real <Sami.Real@ClarkCountyNV.gov>
Cc: Jennifer Ammerman <jad@ClarkCountyNV.gov>; Tick Segerblom <Tsegerblom@ClarkCountyNV.gov>
Subject: RE: HOLD Items VS-24-0277 and WS-24-0276

Sorry about that! I will be to the second meeting in November.

Thank you!

Beatriz Martinez

Community Liaison | District E, Commissioner Tick Segerblom
500 S. Grand Central Parkway, 6th Floor, Las Vegas, NV 89155
Email: Beatriz.Martinez@ClarkCountyNV.gov
Office: 702.455.0560



From: Sami Real <Sami.Real@ClarkCountyNV.gov>
Sent: Thursday, October 31, 2024 11:37 AM
To: Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Cc: Jennifer Ammerman <jad@ClarkCountyNV.gov>; Tick Segerblom <Tsegerblom@ClarkCountyNV.gov>
Subject: RE: HOLD Items VS-24-0277 and WS-24-0276

Bea..
How long will these items be held for???
No date? Second meeting in November? Or???

Sami R. Real
Director, Department of Comprehensive Planning
Ph: (702) 455-3129
Business Hours: Mon. – Thurs., 7:30am to 5:30pm

From: Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Sent: Thursday, October 31, 2024 11:23 AM
To: Sami Real <Sami.Real@ClarkCountyNV.gov>
Cc: Jennifer Ammerman <jad@ClarkCountyNV.gov>; Tick Segerblom <Tsegerblom@ClarkCountyNV.gov>
Subject: HOLD Items VS-24-0277 and WS-24-0276

Hi Sami,

Commissioner Segerblom would like to hold items VS-24-0277 and WS-24-0276, we have made the consultant aware of the hold.

Thank you,

Beatriz Martinez

Community Liaison | District E, Commissioner Tick Segerblom

500 S. Grand Central Parkway, 6th Floor, Las Vegas, NV 89155

Email: Beatriz.Martinez@ClarkCountyNV.gov

Office: 702.455.0560



From: [Gloria Wells](#)
To: [Ala Gray](#)
Cc: [Andrea Cole](#); [Beatriz Martinez](#)
Subject: RE: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom -Rescheduling
Date: Thursday, September 26, 2024 10:37:18 AM
Attachments: [image001.png](#)

perfect

Gloria

Gloria Wells

Executive Assistant to
Clark County Commission Chair Tick Segerblom
500 S. Grand Central Parkway
Las Vegas, NV
Office: (702) 455-3500
Office Hours: Monday-Thursday: 7:30-5:30 p.m.



From: Ala Gray <agray@gcgarciainc.com>
Sent: Thursday, September 26, 2024 10:19 AM
To: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Cc: [Andrea Cole](#) <acole@gcgarciainc.com>; [Beatriz Martinez](#) <Beatriz.Martinez@ClarkCountyNV.gov>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom - Rescheduling

Good morning Gloria,

November 4th at 1:00pm would work. Thank you.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Sent: Thursday, September 26, 2024 10:09 AM
To: Ala Gray <agray@gcgarciainc.com>
Cc: [Andrea Cole](#) <acole@gcgarciainc.com>; [Beatriz Martinez](#) <Beatriz.Martinez@ClarkCountyNV.gov>
Subject: RE: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom - Rescheduling

Good morning Ala,

Here is some availability for the Commissioner:

10/29 – 10 a.m. – noon or 2-3:00 p.m.

10/30 – anytime

10/31 – 10:00 a.m., 1-3:00 p.m.

11/4 – 1:00 p.m.

Thank you.

Gloria

Gloria Wells

Executive Assistant to
Clark County Commission Chair Tick Segerblom
500 S. Grand Central Parkway
Las Vegas, NV
Office: (702) 455-3500
Office Hours: Monday-Thursday: 7:30-5:30 p.m.



From: Ala Gray <agray@gcgarciainc.com>

Sent: Tuesday, September 24, 2024 4:09 PM

To: Gloria Wells <Gloria.Wells@clarkcountynv.gov>

Cc: Andrea Cole <acole@gcgarciainc.com>; Beatriz Martinez
<Beatriz.Martinez@ClarkCountyNV.gov>

Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom - Rescheduling

Gloria,

We have requested the continuance for these applications from the 10/02/24 meeting to the 11/06/24 meeting. So, for this reason, we would like to hold the briefing with Commissioner Segerblom close to 11/06/24. Can you please see if anything is available in the week of 10/28/24 or 11/04/24 or 11/05/24? Thank you for your time and help.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Ala Gray
Sent: Tuesday, September 24, 2024 10:20 AM
To: 'Gloria Wells' <Gloria.Wells@clarkcountynv.gov>
Cc: Andrea Cole <acole@gcgarciainc.com>; Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Today Mtg w//Tick Segerblom -Rescheduling

Hi Gloria,

Thank you for available dates and times to reschedule today's meeting. We will confirm with George and let you know. I sent you the cancelation calendar for today.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Sent: Tuesday, September 24, 2024 10:13 AM
To: Ala Gray <agray@gcgarciainc.com>
Cc: Andrea Cole <acole@gcgarciainc.com>; Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Subject: RE: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Today Mtg w//Tick Segerblom -Rescheduling

Good morning,

It's not a problem. Here is the Commissioner's availability:

9/30 – 3:00 p.m.
10/1 – 1:30 p.m.
10/3 – 11 or 11:30 a.m.
10/8 – 1:00 or 1:30 p.m.

Hope George feels well soon.

Gloria

Gloria Wells
Executive Assistant to
Clark County Commission Chair Tick Segerblom

500 S. Grand Central Parkway
Las Vegas, NV
Office: (702) 455-3500
Office Hours: Monday–Thursday: 7:30–5:30 p.m.



From: Ala Gray <agray@gcgarciainc.com>
Sent: Tuesday, September 24, 2024 9:41 AM
To: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Cc: Andrea Cole <acole@gcgarciainc.com>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Today Mtg w//Tick Segerblom
-Rescheduling
Importance: High

Good morning Gloria,

Unfortunately, George is not feeling well today, he is out of the office, so we are rescheduling all his meetings. We apologize for any inconvenience, and we want to ask if we can reschedule today's meeting with Commissioner Segerblom. Would you please provide the next couple of available dates and times to reschedule today's meeting?

Thank you.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Ala Gray
Sent: Tuesday, September 17, 2024 2:54 PM
To: 'Gloria Wells' <Gloria.Wells@clarkcountynv.gov>
Cc: Andrea Cole <acole@gcgarciainc.com>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom

Thank you very much!

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909

<https://gcgarciainc.com>

From: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Sent: Tuesday, September 17, 2024 2:52 PM
To: Ala Gray <agray@gcgarciainc.com>
Cc: Andrea Cole <acole@gcgarciainc.com>
Subject: RE: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom

The 24th is still open at 2:00 p.m.

Gloria

Gloria Wells

Executive Assistant to
Clark County Commission Chair Tick Segerblom
500 S. Grand Central Parkway
Las Vegas, NV
Office: (702) 455-3500
Office Hours: Monday-Thursday: 7:30-5:30 p.m.



From: Ala Gray <agray@gcgarciainc.com>
Sent: Tuesday, September 17, 2024 1:39 PM
To: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Cc: Andrea Cole <acole@gcgarciainc.com>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom

Hi Gloria,

I'm sorry. Per conversation between George and our client, they would like to change 09/23/24 to 09/24/24 at 2pm if it's still available. Please advise. Thank you.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Ala Gray
Sent: Monday, September 16, 2024 9:43 AM
To: 'Gloria Wells' <Gloria.Wells@clarkcountynv.gov>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom on 09/23/24

Thank you,
Have a wonderful Monday!

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Sent: Monday, September 16, 2024 9:38 AM
To: Ala Gray <agray@gcgarciainc.com>
Subject: RE: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom on 09/23/24

Thank you.

Gloria

Gloria Wells

Executive Assistant to
Clark County Commission Chair Tick Segerblom
500 S. Grand Central Parkway
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From: Ala Gray <agray@gcgarciainc.com>
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To: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Cc: Andrea Cole <acole@gcgarciainc.com>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom on 09/23/24

Hi Gloria,

Thank you. September 23 at 10:00 am would work. I sent you our calendar invite.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.

1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Sent: Monday, September 16, 2024 9:02 AM
To: Ala Gray <agray@gcgarciainc.com>
Cc: Andrea Cole <acole@gcgarciainc.com>
Subject: RE: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Setting up briefing w/Tick Segerblom for 10/02/24 BCC

Good morning,

Commissioner Segerblom has the following availability:

9/18 – 1:30
9/23 – 10 a.m. or noon
9/24 – 2:00

Thank you.

Gloria

Gloria Wells

Executive Assistant to
Clark County Commission Chair Tick Segerblom
500 S. Grand Central Parkway
Las Vegas, NV
Office: (702) 455-3500
Office Hours: Monday–Thursday: 7:30–5:30 p.m.



From: Ala Gray <agray@gcgarciainc.com>
Sent: Monday, September 16, 2024 8:22 AM
To: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Cc: Andrea Cole <acole@gcgarciainc.com>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Setting up briefing w/Tick Segerblom for 10/02/24 BCC

Good morning Gloria,

I hope you had a nice weekend. Just following up on a couple of available dates and times for next week for the briefing. Please let me know. Thank you.

Ala Gray,

Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Ala Gray
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Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Setting up briefing w/Tick Segerblom for 10/02/24 BCC

Hi Gloria,

Since you close tomorrow, wanted to follow up to see if you had a chance to look for the week of September 23 if anything is available. Thank you.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Ala Gray
Sent: Thursday, September 12, 2024 10:14 AM
To: 'Gloria Wells' <Gloria.Wells@clarkcountynv.gov>
Cc: Andrea Cole <acole@gcgarciainc.com>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Setting up briefing w/Tick Segerblom for 10/02/24 BCC

Hi Gloria,

Thank you for your response. I look forward to hearing from you today.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Sent: Thursday, September 12, 2024 9:54 AM
To: Ala Gray <agray@gcgarciainc.com>
Cc: Andrea Cole <acole@gcgarciainc.com>
Subject: RE: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Setting up briefing w/Tick Segerblom for 10/02/24 BCC

Hi Ala,

I received your email yesterday. We've been out of the office. I will get back to you soon.

Thank you.

Gloria

Gloria Wells

Executive Assistant to
Clark County Commission Chair Tick Segerblom
500 S. Grand Central Parkway
Las Vegas, NV
Office: (702) 455-3500
Office Hours: Monday-Thursday: 7:30-5:30 p.m.



From: Ala Gray <agray@gcgarciainc.com>
Sent: Wednesday, September 11, 2024 11:39 AM
To: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Cc: Andrea Cole <acole@gcgarciainc.com>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Setting up briefing w/Tick Segerblom for 10/02/24 BCC

Good morning Gloria,

I hope you are doing well. We would like to set up a briefing with Commissioner Segerblom for the item that is on the 10/02/24 Board of County Commissioners meeting. Would you please see if something is available for the week of September 23? Thank you.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: [Beatriz Martinez](#)
To: [Ala Gray](#)
Cc: [Gloria Wells](#); ggarcia@gcgarciainc.com
Subject: FW: HOLD Items VS-24-0277 and WS-24-0276
Date: Thursday, October 31, 2024 11:29:00 AM
Attachments: [image001.png](#)

FYI for your records.

Beatriz Martinez

Community Liaison | District E, Commissioner Tick Segerblom

500 S. Grand Central Parkway, 6th Floor, Las Vegas, NV 89155

Email: Beatriz.Martinez@ClarkCountyNV.gov

Office: 702.455.0560



From: Beatriz Martinez
Sent: Thursday, October 31, 2024 11:22 AM
To: ggarcia@gcgarciainc.com
Cc: Tick Segerblom <Tsegerblom@ClarkCountyNV.gov>
Subject: RE: HOLD Items VS-24-0277 and WS-24-0276

Hi George

The Commissioner will be requesting to hold the item. Let me know if you have any questions

Thank you,

Beatriz Martinez

Community Liaison | District E, Commissioner Tick Segerblom

500 S. Grand Central Parkway, 6th Floor, Las Vegas, NV 89155

Email: Beatriz.Martinez@ClarkCountyNV.gov

Office: 702.455.0560



From: Beatriz Martinez
Sent: Wednesday, October 30, 2024 9:16 AM
To: ggarcia@gcgarciainc.com
Cc: Tick Segerblom <Tsegerblom@ClarkCountyNV.gov>
Subject: HOLD Items VS-24-0277 and WS-24-0276

Good morning George,

The Commissioner would like to hold items VS-24-0277 and WS-24-0276 to the November 20 BCC meeting, is that ok with the applicant?

Thank you,

Beatriz Martinez

Community Liaison | District E, Commissioner Tick Segerblom

500 S. Grand Central Parkway, 6th Floor, Las Vegas, NV 89155

Email: Beatriz.Martinez@ClarkCountyNV.gov

Office: 702.455.0560



From: [Beatriz Martinez](#)
To: [Jesus Ruiz](#)
Subject: RE: LEDGE BCC Action - Nellis & Happy Valley
Date: Wednesday, November 13, 2024 10:51:00 AM
Attachments: [image002.png](#)

Yes, that is correct. The applicant's consultant passed away unexpectedly so the Commissioner wanted to hold it for two more weeks.

Thank you,

Beatriz Martinez

Community Liaison | District E, Commissioner Tick Segerblom

500 S. Grand Central Parkway, 6th Floor, Las Vegas, NV 89155

Email: Beatriz.Martinez@ClarkCountyNV.gov

Office: 702.455.0560



From: Jesus Ruiz <Jesus.Ruiz@ClarkCountyNV.gov>
Sent: Wednesday, November 13, 2024 7:31 AM
To: Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Subject: FW: LEDGE BCC Action - Nellis & Happy Valley

Ms., Beatriz,

Can you confirm that the hearing for 3125 S. Nellis Blvd. was pushed back to 11-20-24.

Please and thank you in advance.

Jesus Ruiz

Code Enforcement Officer, Clark County

service integrity respect accountability excellence leadership

From: Andrea Cole <acole@gcgarciainc.com>
Sent: Wednesday, November 6, 2024 4:31 PM
To: Jesus Ruiz <Jesus.Ruiz@ClarkCountyNV.gov>
Subject: LEDGE BCC Action - Nellis & Happy Valley

Officer Ruiz,

The applications were continued at the request of the Commissioner from today's BCC hearing to the 11/20/24 hearing date.

If you have any questions please feel free to contact me at the number listed

below.

Thanks and Best Regards.

Andrea Cole, Project Coordination Manager
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
(702) 435-9909 Phone
(702) 435-0457 Fax
acole@gcgarciainc.com E-mail
<https://gcgarciainc.com> Website

From: Jesus Ruiz <Jesus.Ruiz@ClarkCountyNV.gov>
Sent: Friday, October 4, 2024 2:18 PM
To: Andrea Cole <acole@gcgarciainc.com>
Cc: George Garcia <ggarcia@gcgarciainc.com>
Subject: RE: LEDGE BCC Action - Nellis & Happy Valley

I am sure we are well aware that this has gone on well past what was agreed upon after the appeal hearing. I am waiting to hear back from the commissioners office as well before I talk to my supervisor about the case.

Jesus Ruiz

Code Enforcement Officer, Clark County

service integrity respect accountability excellence leadership

From: Andrea Cole <acole@gcgarciainc.com>
Sent: Friday, October 4, 2024 2:14 PM
To: Jesus Ruiz <Jesus.Ruiz@ClarkCountyNV.gov>
Cc: George Garcia <ggarcia@gcgarciainc.com>
Subject: LEDGE BCC Action - Nellis & Happy Valley

Good Afternoon Officer Ruiz,

I hope you are doing well! We are continuing to work with the Commissioner and his office on the site. The applications were continued from the 10/02/24 BCC meeting to 11/06/24.

If you have any questions please feel free to contact me at the number listed below.

Thanks and Best Regards.

Andrea Cole, Project Coordination Manager

G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
(702) 435-9909 Phone
(702) 435-0457 Fax
acole@gcgarciainc.com E-mail
<https://gcgarciainc.com> Website

From: Jesus Ruiz <Jesus.Ruiz@ClarkCountyNV.gov>
Sent: Friday, October 4, 2024 2:08:44 PM
To: George Garcia <ggarcia@gcgarciainc.com>
Subject: RE: LEDGE BCC Action - Nellis & Happy Valley

Sir,

Can I get an update on your meeting on 10-2-24.

Please and thank you.

Jesus Ruiz

Code Enforcement Officer, Clark County

service integrity respect accountability excellence leadership

From: George Garcia <ggarcia@gcgarciainc.com>
Sent: Wednesday, September 4, 2024 4:19 PM
To: Jesus Ruiz <Jesus.Ruiz@ClarkCountyNV.gov>
Subject: Re: LEDGE BCC Action - Nellis & Happy Valley

Oct 2nd

Sent via the Samsung Galaxy S22 Ultra 5G, an AT&T 5G smartphone
Get [Outlook for Android](#)

From: Jesus Ruiz <Jesus.Ruiz@ClarkCountyNV.gov>
Sent: Wednesday, September 4, 2024 4:05:53 PM
To: George Garcia <ggarcia@gcgarciainc.com>
Subject: RE: LEDGE BCC Action - Nellis & Happy Valley
Do you have a date for the next BCC meeting?

Jesus Ruiz

Code Enforcement Officer, Clark County

service integrity respect accountability excellence leadership

From: George Garcia <ggarcia@gcgarciainc.com>

Sent: Wednesday, September 4, 2024 1:40 PM

To: Jesus Ruiz <Jesus.Ruiz@ClarkCountyNV.gov>

Cc: Andrea Cole <acole@gcgarciainc.com>; Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>

Subject: LEDGE BCC Action - Nellis & Happy Valley

Officer Ruiz,

Today the BCC continued our item for 30 days. We are still working with the Commissioner's office.

Call/rely with any comments or questions you may have.

George Garcia

Sent via the Samsung Galaxy S22 Ultra 5G, an AT&T 5G smartphone

Get [Outlook for Android](#)

From: [Beatriz Martinez](#)
To: [Melissa Eure](#)
Cc: [Andrea Cole](#)
Subject: RE: Nellis & Happy Valley WS-24-0276
Date: Thursday, November 21, 2024 4:04:00 PM
Attachments: [image001.png](#)

Hi Melissa,

I spoke to Code Enforcement on the issue and they will give the applicant a couple of months to comply as long as the applicant is making process on remediating the site. Code will probably be making monthly status checks on the property to check on the progress.

Beatriz Martinez

Community Liaison | District E, Commissioner Tick Segerblom

500 S. Grand Central Parkway, 6th Floor, Las Vegas, NV 89155

Email: Beatriz.Martinez@ClarkCountyNV.gov

Office: 702.455.0560



From: Melissa Eure <meure@gcgarciainc.com>
Sent: Thursday, November 21, 2024 1:53 PM
To: Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Cc: Andrea Cole <acole@gcgarciainc.com>
Subject: Nellis & Happy Valley WS-24-0276

Hi Beatriz,

We had told the code enforcement officer that we would update him after the meeting on the status of the approval. I have a feeling that once we do that, he will quickly move on to looking to enforce fines. Would it be appropriate to have you reach out to him and copy me? Or should we reach out with you copied on it that way you can reach out to him afterwards to make sure that he stands down as discussed for the next few months?

Just trying to figure out how to make this as little of a headache as possible.

Thank You,

Melissa Eure

President/Director of Planning

G.C. Garcia, Inc.

1055 Whitney Ranch Dr., Suite 210

Henderson, NV 89014
(702) 435-9909 Phone
(702) 435-0457 Fax
E-mail meure@gcgarciainc.com
Website <https://gcgarciainc.com>

From: [Andrea Cole](#)
To: [Jesus Ruiz](#)
Cc: [Melissa Eure](#); [Beatriz Martinez](#)
Subject: LEDGE BCC Action - Nellis & Happy Valley
Date: Monday, November 25, 2024 4:42:30 PM

The contact is Rob Lauer, email is roblauer@protonmail.com & phone number is (702) 271-4436.

If you have any questions please feel free to contact me at the number listed below.

Thanks and Best Regards.

Andrea Cole, Project Coordination Manager
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
(702) 435-9909 Phone
(702) 435-0457 Fax
acole@gcgarciainc.com E-mail
<https://gcgarciainc.com> Website

From: Jesus Ruiz <Jesus.Ruiz@ClarkCountyNV.gov>
Sent: Friday, November 22, 2024 12:26 PM
To: Andrea Cole <acole@gcgarciainc.com>
Cc: Melissa Eure <meure@gcgarciainc.com>; Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Subject: RE: LEDGE BCC Action - Nellis & Happy Valley

Understood. I will wait to hear back from the commissioners office on some of the details/directives given to correct the violation.

Who will be my point of contact for the property owner after today?

Jesus Ruiz

Code Enforcement Officer, Clark County

service integrity respect accountability excellence leadership

From: Andrea Cole <acole@gcgarciainc.com>
Sent: Friday, November 22, 2024 9:01 AM
To: Jesus Ruiz <Jesus.Ruiz@ClarkCountyNV.gov>
Cc: Melissa Eure <meure@gcgarciainc.com>; Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Subject: LEDGE BCC Action - Nellis & Happy Valley

Officer Ruiz,

The applications were denied without prejudice at the 11/20/24 Board of County Commissioners meeting.

If you have any questions please feel free to contact me at the number listed below.

Thanks and Best Regards.

Andrea Cole, Project Coordination Manager

G.C. Garcia, Inc.

1055 Whitney Ranch Dr., Suite 210

Henderson, NV 89014

(702) 435-9909 Phone

(702) 435-0457 Fax

acole@gcgarciainc.com E-mail

<https://gcgarciainc.com> Website

From: [Ala Gray](#)
To: [Gloria Wells](#)
Cc: [Andrea Cole](#); [Beatriz Martinez](#)
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom 11/04/24
Date: Monday, September 30, 2024 10:06:56 AM
Attachments: [image001.png](#)

I'll go ahead and send the calendar invite so we both have it on the schedule.
Please let me know if you will have any changes.
Have a great day!

Ala Gray
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Sent: Monday, September 30, 2024 9:59 AM
To: Ala Gray <agray@gcgarciainc.com>
Cc: Andrea Cole <acole@gcgarciainc.com>; Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Subject: RE: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom 11/04/24

If you like, but we already have it on the calendar.

Gloria

Gloria Wells

Executive Assistant to
Clark County Commission Chair Tick Segerblom
500 S. Grand Central Parkway
Las Vegas, NV
Office: (702) 455-3500
Office Hours: Monday-Thursday: 7:30-5:30 p.m.



From: Ala Gray <agray@gcgarciainc.com>
Sent: Monday, September 30, 2024 9:45 AM
To: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Cc: Andrea Cole <acole@gcgarciainc.com>; Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom 11/04/24

Good morning Gloria,

I hope you had a nice weekend. Would you like me to send you our calendar invite for 11/04/24?

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Sent: Thursday, September 26, 2024 10:37 AM
To: Ala Gray <agray@gcgarciainc.com>
Cc: Andrea Cole <acole@gcgarciainc.com>; Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Subject: RE: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom - Rescheduling

perfect

Gloria

Gloria Wells

Executive Assistant to
Clark County Commission Chair Tick Segerblom
500 S. Grand Central Parkway
Las Vegas, NV
Office: (702) 455-3500
Office Hours: Monday-Thursday: 7:30-5:30 p.m.



From: Ala Gray <agray@gcgarciainc.com>
Sent: Thursday, September 26, 2024 10:19 AM
To: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Cc: Andrea Cole <acole@gcgarciainc.com>; Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom - Rescheduling

Good morning Gloria,

November 4th at 1:00pm would work. Thank you.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Sent: Thursday, September 26, 2024 10:09 AM
To: Ala Gray <agray@gcgarciainc.com>
Cc: Andrea Cole <acole@gcgarciainc.com>; Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Subject: RE: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom - Rescheduling

Good morning Ala,

Here is some availability for the Commissioner:

10/29 – 10 a.m. – noon or 2-3:00 p.m.
10/30 – anytime
10/31 – 10:00 a.m., 1-3:99 p.m.
11/4 – 1:00 p.m.

Thank you.

Gloria

Gloria Wells

Executive Assistant to
Clark County Commission Chair Tick Segerblom
500 S. Grand Central Parkway
Las Vegas, NV
Office: (702) 455-3500
Office Hours: Monday–Thursday: 7:30–5:30 p.m.



From: Ala Gray <agray@gcgarciainc.com>
Sent: Tuesday, September 24, 2024 4:09 PM
To: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Cc: Andrea Cole <acole@gcgarciainc.com>; Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom -

Rescheduling

Gloria,

We have requested the continuance for these applications from the 10/02/24 meeting to the 11/06/24 meeting. So, for this reason, we would like to hold the briefing with Commissioner Segerblom close to 11/06/24. Can you please see if anything is available in the week of 10/28/24 or 11/04/24 or 11/05/24? Thank you for your time and help.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Ala Gray
Sent: Tuesday, September 24, 2024 10:20 AM
To: 'Gloria Wells' <Gloria.Wells@clarkcountynv.gov>
Cc: Andrea Cole <acole@gcgarciainc.com>; Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Today Mtg w//Tick Segerblom -Rescheduling

Hi Gloria,

Thank you for available dates and times to reschedule today's meeting. We will confirm with George and let you know. I sent you the cancelation calendar for today.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Sent: Tuesday, September 24, 2024 10:13 AM
To: Ala Gray <agray@gcgarciainc.com>
Cc: Andrea Cole <acole@gcgarciainc.com>; Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Subject: RE: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Today Mtg w//Tick

Segerblom -Rescheduling

Good morning,

It's not a problem. Here is the Commissioner's availability:

9/30 – 3:00 p.m.

10/1 – 1:30 p.m.

10/3 – 11 or 11:30 a.m.

10/8 – 1:00 or 1:30 p.m.

Hope George feels well soon.

Gloria

Gloria Wells

Executive Assistant to
Clark County Commission Chair Tick Segerblom
500 S. Grand Central Parkway
Las Vegas, NV
Office: (702) 455-3500
Office Hours: Monday–Thursday: 7:30–5:30 p.m.



From: Ala Gray <agray@gcgarciainc.com>

Sent: Tuesday, September 24, 2024 9:41 AM

To: Gloria Wells <Gloria.Wells@clarkcountynv.gov>

Cc: Andrea Cole <acole@gcgarciainc.com>

Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Today Mtg w//Tick Segerblom -Rescheduling

Importance: High

Good morning Gloria,

Unfortunately, George is not feeling well today, he is out of the office, so we are rescheduling all his meetings. We apologize for any inconvenience, and we want to ask if we can reschedule today's meeting with Commissioner Segerblom. Would you please provide the next couple of available dates and times to reschedule today's meeting?

Thank you.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014

Office (702) 435-9909
<https://gcfgarciainc.com>

From: Ala Gray
Sent: Tuesday, September 17, 2024 2:54 PM
To: 'Gloria Wells' <Gloria.Wells@clarkcountynv.gov>
Cc: Andrea Cole <acole@gcfgarciainc.com>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom

Thank you very much!

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcfgarciainc.com>

From: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Sent: Tuesday, September 17, 2024 2:52 PM
To: Ala Gray <agray@gcfgarciainc.com>
Cc: Andrea Cole <acole@gcfgarciainc.com>
Subject: RE: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom

The 24th is still open at 2:00 p.m.

Gloria

Gloria Wells

Executive Assistant to
Clark County Commission Chair Tick Segerblom
500 S. Grand Central Parkway
Las Vegas, NV
Office: (702) 455-3500
Office Hours: Monday–Thursday: 7:30–5:30 p.m.



From: Ala Gray <agray@gcfgarciainc.com>
Sent: Tuesday, September 17, 2024 1:39 PM
To: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Cc: Andrea Cole <acole@gcfgarciainc.com>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom

Hi Gloria,

I'm sorry. Per conversation between George and our client, they would like to change 09/23/24 to 09/24/24 at 2pm if it's still available. Please advise. Thank you.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Ala Gray
Sent: Monday, September 16, 2024 9:43 AM
To: 'Gloria Wells' <Gloria.Wells@clarkcountynv.gov>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom on 09/23/24

Thank you,
Have a wonderful Monday!

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Sent: Monday, September 16, 2024 9:38 AM
To: Ala Gray <agray@gcgarciainc.com>
Subject: RE: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom on 09/23/24

Thank you.

Gloria

Gloria Wells

Executive Assistant to
Clark County Commission Chair Tick Segerblom
500 S. Grand Central Parkway
Las Vegas, NV
Office: (702) 455-3500
Office Hours: Monday-Thursday: 7:30-5:30 p.m.



From: Ala Gray <agray@gcgarciainc.com>
Sent: Monday, September 16, 2024 9:14 AM
To: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Cc: Andrea Cole <acole@gcgarciainc.com>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom on 09/23/24

Hi Gloria,

Thank you. September 23 at 10:00 am would work. I sent you our calendar invite.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Sent: Monday, September 16, 2024 9:02 AM
To: Ala Gray <agray@gcgarciainc.com>
Cc: Andrea Cole <acole@gcgarciainc.com>
Subject: RE: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Setting up briefing w/Tick Segerblom for 10/02/24 BCC

Good morning,

Commissioner Segerblom has the following availability:

9/18 – 1:30
9/23 – 10 a.m. or noon
9/24 – 2:00

Thank you.

Gloria

Gloria Wells

Executive Assistant to
Clark County Commission Chair Tick Segerblom
500 S. Grand Central Parkway
Las Vegas, NV
Office: (702) 455-3500

Office Hours: Monday-Thursday: 7:30-5:30 p.m.



From: Ala Gray <agray@gcgarciainc.com>

Sent: Monday, September 16, 2024 8:22 AM

To: Gloria Wells <Gloria.Wells@clarkcountynv.gov>

Cc: Andrea Cole <acole@gcgarciainc.com>

Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Setting up briefing w/Tick Segerblom for 10/02/24 BCC

Good morning Gloria,

I hope you had a nice weekend. Just following up on a couple of available dates and times for next week for the briefing. Please let me know. Thank you.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Ala Gray

Sent: Thursday, September 12, 2024 3:30 PM

To: 'Gloria Wells' <Gloria.Wells@clarkcountynv.gov>

Cc: Andrea Cole <acole@gcgarciainc.com>

Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Setting up briefing w/Tick Segerblom for 10/02/24 BCC

Hi Gloria,

Since you close tomorrow, wanted to follow up to see if you had a chance to look for the week of September 23 if anything is available. Thank you.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Ala Gray

Sent: Thursday, September 12, 2024 10:14 AM

To: 'Gloria Wells' <Gloria.Wells@clarkcountynv.gov>

Cc: Andrea Cole <acole@gcgarciainc.com>

Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Setting up briefing w/Tick Segerblom for 10/02/24 BCC

Hi Gloria,

Thank you for your response. I look forward to hearing from you today.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Gloria Wells <Gloria.Wells@clarkcountynv.gov>

Sent: Thursday, September 12, 2024 9:54 AM

To: Ala Gray <agray@gcgarciainc.com>

Cc: Andrea Cole <acole@gcgarciainc.com>

Subject: RE: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Setting up briefing w/Tick Segerblom for 10/02/24 BCC

Hi Ala,

I received your email yesterday. We've been out of the office. I will get back to you soon.

Thank you.

Gloria

Gloria Wells

Executive Assistant to
Clark County Commission Chair Tick Segerblom
500 S. Grand Central Parkway
Las Vegas, NV

Office: (702) 455-3500

Office Hours: Monday-Thursday: 7:30-5:30 p.m.



From: Ala Gray <agray@gcgarciainc.com>

Sent: Wednesday, September 11, 2024 11:39 AM

To: Gloria Wells <Gloria.Wells@clarkcountynv.gov>

Cc: Andrea Cole <acole@gcgarciainc.com>

Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Setting up briefing w/Tick Segerblom for 10/02/24 BCC

Good morning Gloria,

I hope you are doing well. We would like to set up a briefing with Commissioner Segerblom for the item that is on the 10/02/24 Board of County Commissioners meeting. Would you please see if something is available for the week of September 23? Thank you.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: [Beatriz Martinez](#)
To: [Andrea Cole](#)
Cc: [Melissa Eure](#)
Subject: RE: Nellis & Happy Valley- Air Quality
Date: Wednesday, January 29, 2025 9:40:00 AM
Attachments: [image001.png](#)

Hi Andrea,

No update, I would suggest the owner follows the direction the department has provided him.

Beatriz Martinez

Community Liaison | District E, Commissioner Tick Segerblom

500 S. Grand Central Parkway, 6th Floor, Las Vegas, NV 89155

Email: Beatriz.Martinez@ClarkCountyNV.gov

Office: 702.455.0560



From: Andrea Cole <acole@gcgarciainc.com>
Sent: Wednesday, January 29, 2025 9:39 AM
To: Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Cc: Melissa Eure <meure@gcgarciainc.com>
Subject: Nellis & Happy Valley- Air Quality

Good Morning Beatriz,

I hope your week is going well! I just wanted to follow up on the below to see if there is any update. Please advise when you have a moment.

If you have any questions please feel free to contact me at the number listed below.

Thanks and Best Regards.

Andrea Cole, Project Coordination Manager
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
(702) 435-9909 Phone
(702) 435-0457 Fax
acole@gcgarciainc.com E-mail
<https://gcgarciainc.com> Website

From: Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>

Sent: Tuesday, January 14, 2025 2:59 PM
To: Melissa Eure <meure@gcgarciainc.com>
Cc: Andrea Cole <acole@gcgarciainc.com>
Subject: RE: Nellis & Happy Valley- Air Quality

Hi!

Unfortunately I have not. I will circle back with them.

Beatriz Martinez

Community Liaison | District E, Commissioner Tick Segerblom

500 S. Grand Central Parkway, 6th Floor, Las Vegas, NV 89155

Email: Beatriz.Martinez@ClarkCountyNV.gov

Office: 702.455.0560



From: Melissa Eure <meure@gcgarciainc.com>
Sent: Tuesday, January 14, 2025 1:24 PM
To: Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Cc: Andrea Cole <acole@gcgarciainc.com>
Subject: RE: Nellis & Happy Valley- Air Quality

Hi Beatriz,

I hope you had a happy holiday and a very happy new year's! I just wanted to check in on the below and see if you had heard anything back from Air Quality? I haven't heard from the client, so I'm assuming he hasn't received any additional letters but still wanted to follow up.

Thank You,

Melissa Eure

President/Director of Planning

From: Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Sent: Thursday, December 12, 2024 2:36 PM
To: Melissa Eure <meure@gcgarciainc.com>
Cc: Andrea Cole <acole@gcgarciainc.com>; Robert Lauer (roblauer@protonmail.com) <roblauer@protonmail.com>
Subject: RE: Nellis & Happy Valley- Air Quality

Hi Melissa,

I am still waiting on a response from Air Quality. I know they did send an email out to Robert yesterday but they are doing some research.

Thank you,

Beatriz Martinez

Community Liaison | District E, Commissioner Tick Segerblom

500 S. Grand Central Parkway, 6th Floor, Las Vegas, NV 89155

Email: Beatriz.Martinez@ClarkCountyNV.gov

Office: 702.455.0560



From: Melissa Eure

Sent: Tuesday, December 10, 2024 12:20 PM

To: Beatriz Martinez

Cc: Andrea Cole ; Robert Lauer (roblauer@protonmail.com)

Subject: Nellis & Happy Valley- Air Quality

Hi Beatriz,

I hope you've had a good start to your week. The client for the Nellis & Happy Valley issue hasn't had any issues with code enforcement, but he is getting constant emails/calls from Air Quality. He was willing to submit for a dust permit, but was told he couldn't because the project wasn't approved. I know the Commissioner is granting him the additional time and you were able to let code enforcement know about the situation. Would you be able to reach out to Air Quality as well and let them know what is going so that they understand?

Thank You,

Melissa Eure

President/Director of Planning

G.C. Garcia, Inc.

1055 Whitney Ranch Dr., Suite 210

Henderson, NV 89014

(702) 435-9909 Phone

(702) 435-0457 Fax

E-mail meure@gcgarciainc.com

Website <https://gcgarciainc.com>

RECEIVED CC DAO
2025 AUG 4 PM1:24

EXHIBIT "3"

EXHIBIT "3"



4701 W. Russell Road 2nd Floor
Las Vegas, NV 89118-2231
Phone: (702) 455-5942 • Fax: (702) 383-9994
Marci Henson, Director

April 24, 2025

Cara Monday

Re: Records Request Submitted on April 14, 2025
Requested NOV's from 4/14/2023 to 4/14/2025

Dear Mr. / Ms. Monday

Enclosed are the documents/files you requested above. Notices of Noncompliance issued from 4/14/2023 thru 3/31/2025 have been uploaded. **No NOV's issued during this time frame.**

If you have any questions or concerns, please call us at (702) 455-5942 for assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "John Hill".

John Hill, Operations Manager
DES Division of Air Quality

BOARD OF COUNTY COMMISSIONERS
TICK SEGERBLOM, Chair • WILLIAM MCCURDY II, Vice Chair • APRIL BECKER
JAMES B. GIBSON • JUSTIN JONES • MARILYN KIRKPATRICK • MICHAEL NAFT
KEVIN SCHILLER, County Manager

RECEIVED CC DAO
2025 AUG 4 PM1:24

R

EXHIBIT "4"

EXHIBIT "4"



DES
DEPARTMENT OF ENVIRONMENT
AND SUSTAINABILITY



air quality



desert conservation



sustainability

4701 W. Russell Road 2nd Floor
Las Vegas, NV 89118-2231
Phone: (702) 455-5942 • Fax: (702) 383-9994
Marci Henson, Director

April 16, 2025

Amy Sugden

Sugden Law

Re: Records Request Submitted on April 10, 2025
Requested NOV's from 1/1/2024 to 4/10/2025

Dear Mr. / Ms. Sugden

Enclosed are the documents/files you requested. Notices of Noncompliance issued from 1/1/2024 thru 3/31/2025 have been uploaded. **No NOV's issued during this time frame.** If you have any questions or concerns, please call us at (702) 455-5942 for assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "John Hill".

John Hill, Operations Manager
DES Division of Air Quality

BOARD OF COUNTY COMMISSIONERS
TICK SEGERBLOM, Chair • WILLIAM MCCURDY II, Vice Chair • APRIL BECKER
JAMES B. GIBSON • JUSTIN JONES • MARILYN KIRKPATRICK • MICHAEL NAFT



DES
DEPARTMENT OF ENVIRONMENT
AND SUSTAINABILITY



4701 W. Russell Road 2nd Floor
Las Vegas, NV 89118-2231
Phone: (702) 455-5942 • Fax: (702) 383-9994
Marci Henson, Director

April 16, 2025

Amy Sugden

Sugden Law

Re: Records Request Submitted on April 10, 2025
Requested NOV's from 1/1/2024 to 4/10/2025

Dear Mr. / Ms. Sugden:

Enclosed are the documents/files you requested. Notices of Noncompliance issued from 1/1/2024 thru 3/31/2025 have been uploaded. No NOV's issued during this time frame. If you have any questions or concerns, please call us at (702) 455-5942 for assistance.

Sincerely,

John Hill, Operations Manager
DES Division of Air Quality

BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, NEVADA
CLARK COUNTY COMMISSIONERS' OFFICE • 4701 W. RUSSELL ROAD, SUITE 200 • LAS VEGAS, NV 89118-2231
PHONE: (702) 455-5942 • FAX: (702) 383-9994 • WWW.COUNTYCLARK.NV.GOV



2737 7130 5106

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	O S I 4825 E. CAREY AVE LLC	Date: Apr 23, 2024
Mailing Address:	800 BRICKELL AVE STE 904, MIAMI, FL 33131	
Assessor's Parcels:	140-20-501-006	
Property Location:	4825 Carey Ave., Las Vegas 89115	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	4.45		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel, Type II
Disturbance Factors:	Parking, Vehicular Travel, Material Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved vehicle storage yard greater than 5,000 square feet on APN 140-20-501-006. There were dozens of work service vehicles, construction materials and trailers throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



7760 7586 8467

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	WEATHERS VERONICA L	Date: Apr 23, 2024
Mailing Address:	7448 Redbreast Ct., N Las Vegas, NV 89084	
Assessor's Parcels:	140-21-305-014	
Property Location:	NEC Kell Ln. and Betty Ln.	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Noel Crandall at 702-455-1658 or by email at crandall@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	1.01		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	0.41 acres of unstable soils
Disturbance Factors:	Parking, Vehicular Travel	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection of parcel 140-21-305-014 and observed an unpaved parking lot. There were tractor trailers and tractors parked on the lot disturbing over 18,000 Sq. Ft. This parking lot was created after January 1, 2003, which is not in compliance with AQR 92.3.1. I conducted a Soil Stabilization Test in accordance with AQR Section 90.4.1.1., which failed. I took photos of the vehicles and will begin routine inspections of the site.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ **Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.**
 - **Including the cities of Las Vegas, North Las Vegas and Henderson.**
- ❖ **Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.**
 - **Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.**
- ❖ **An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:**
 - **New use or change of existing use.**
 - **Improvements or expansion of existing lot/yard.**
 - **Paving exemptions or delays have expired their time limit and paving is now required.**

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) **Paving may not apply to rural public parking facilities such as trailheads and campgrounds.**
 - ◆ **Must be located outside the Las Vegas Valley BLM Disposal Boundary**
 - 2) **Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.**
 - ◆ **All access, parking and loading areas used by on-road vehicles shall be paved.**
 - 3) **Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.**
 - ◆ **All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.**
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - **Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.**

April 2016



7759 1814 9280

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	ESCRIBA SASHA	Date: Apr 11, 2024
Mailing Address:	9720 TRAIL RIDER DRIVE, LAS VEGAS, NV 89117	
Assessor's Parcels:	175-14-702-003	
Property Location:	SOUTHEAST OF BLUE DIAMOND ROAD/FORTNEY ROAD, LAS VEGAS, NV 89161	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.66		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	dry, loose and powdery
Disturbance Factors:	Parking, Vehicular Travel, Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 175-14-702-003. There were approximately nine Conex boxes, five cars, four trailers and various other materials throughout the parcel. This unpaved storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
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 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	SILVER MULE L L C	Date: Apr 30, 2024
Mailing Address:	PO BOX 91330, HENDERSON, NV 89009-1330	
Assessor's Parcels:	179-33-110-032, 179-33-110-031	
Property Location:	820 SAN EDUARDO AVE., HENDERSON 89002	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	1.83		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel
Disturbance Factors:	Parking, Vehicular Travel, Material Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved equipment/vehicle storage yard greater than 5,000 square feet on APNs 179-33-110-031 & 179-33-110-032. There were hundreds of pieces of construction material, vehicles, trailers and construction equipment throughout the parcels. These storage yards were created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
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 - Paving exemptions or delays have expired their time limit and paving is now required.
- *Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

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 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
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 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	BENITEZ-SALDANA JOEL	Date: Apr 30, 2024
Mailing Address:	828 SANTA HELENA AVENUE, HENDERSON, NV 89002	
Assessor's Parcels:	179-33-210-043	
Property Location:	828 SANTA HELENA AVE., HENDERSON 89002	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.92		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel
Disturbance Factors:	Parking, Vehicular Travel, Material Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 179-33-210-043. There were two work vehicles, one front end loader/backhoe, multiple boxes of stone pavers, pallets of construction materials and one trailer throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave** – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	FLOWERS BAKING CO HENDERSON LLC	Date: Apr 24, 2024
Mailing Address:	1919 FLOWERS CIRCLE, THOMASVILLE, GA 31757	
Assessor's Parcels:	179-34-204-002	
Property Location:	501 CONESTOGA WAY, HENDERSON, NV 89002	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	22.69		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	dry, loose and powery
Disturbance Factors:	Parking, Vehicular Travel, Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	Yes	Generated By:	winds
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 179-34-204-002. There were over half-a dozen semi-trucks, semi-truck trailers, nine-yard trash containers, construction equipment and materials throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	TRONSON GORDON LIVING TRUST and TRONSON GORDON TRS	Date: Apr 23, 2024
Mailing Address:	1215 SAN EDUARDO AVE, HENDERSON, NV 89002-9437	
Assessor's Parcels:	179-34-310-003	
Property Location:	1211 SAN EDUARDO AVE, HENDERSON 89002	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.97		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel
Disturbance Factors:	Parking, Vehicular Travel, Storage, Material Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved vehicle storage yard greater than 5,000 square feet on APN 179-34-310-003. There were approximately half-a dozen passenger vehicles, half-a dozen trailers, construction equipment materials and haul truck throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave** – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	CHEVEZ JOSE DANIEL ROMERO AND RIVAS AURA ELIZABETH	Date: Aug 5, 2024
Mailing Address:	1712 BRACKEN AVE., LAS VEGAS, NV 89104	
Assessor's Parcels:	161-07-110-029	
Property Location:	SW Startford Ave. & Glen Ave., CC Sunrise Manor - 89121	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.00		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	chat
Disturbance Factors:	Parking, Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 161-07-110-029. There were approximately two dozen 52" truck cabs and trailers throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

❖ Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	G V R COMMERCIAL LAND L L C	Date: Aug 21, 2024
Mailing Address:	2360 CORPORATE CIR # 330, HENDERSON, NV 89074	
Assessor's Parcels:	178-19-210-009	
Property Location:	2215 VILLAGE VIEW DR., HENDERSON - 89052	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	1.08		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel and patches of dirt
Disturbance Factors:	Parking, Vehicular Travel, Storage, Material Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 178-19-210-009 containing one landscaping pick-up truck and trailer, two nine-yard trash containers, dozens of clay panting pots, multiple material stockpiles and multiple tire tracks. This storage yard was created after 1/1/03, which is a violation of AQR Section 92.3.1. If needed, I photographed the landscaping contractor service truck with company logo working on-site. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.



City of Henderson
Department of Building and Fire Safety
240 Water Street, P.O. Box 95050
Henderson, NV 89009-5050
(702)267-3600 Fax (702)267-3601

Requirements to Obtain a Building Permit

Chain Link Fence

The following are required to obtain a Building Permit for a chain link fence:

1. A completed Building Permit Application must be submitted. The form may be obtained from the Building Department
2. A site drawing showing the subject property and location of the fence to be constructed. The plan should indicate the length and height of each section of fence. The chain link fence shall not exceed six feet in height.
3. The fence shall be designed in such a manner that existing drainage will not be altered in any fashion. As an alternate, Hydrology Studies and a Grading Plan may be submitted.
4. A structural detail of the construction of the fence is not required unless the fence is unusually tall.
5. Building Permit and review fees. The fees may be estimated by completing the permit fee calculation on the Building Permit Application.

Masonry (Concrete) Fence

The following are required to obtain a Building Permit for a masonry fence:

1. A completed Building Permit Application must be submitted. The form may be obtained from the Building Department
2. A site drawing showing the subject property and location of the fence to be constructed. The plan should indicate the length and height of each section of fence. The fence shall be a maximum of six feet except in the required front yard setback where the maximum is 32 inches.
3. The fence shall be designed in such a manner that existing drainage will not be altered in any fashion. As an alternate, Hydrology Studies and a Grading Plan may be submitted.
4. A structural detail of the construction of the fence including footings, reinforcement, dimensions, etc. As an alternate, the city will provide a standard fence wall detail that may be used.
5. Building Permit and review fees. The fees may be estimated by completing the permit fee calculation on the Building Permit Application.
6. If future development is impending, different wall options may be considered.
7. Masonry fences cannot be constructed on vacant property.



Signs

Signs or notices required for the purpose of preventing soil disturbance of unauthorized access that result in fugitive dust of nuisance conditions will not require a sign permit.

Lot Maintenance

1. Property owners are required to maintain their properties in compliance with the adopted ordinances (trash and rubbish are not allowed to accumulate and/or must be removed).
2. You may wish to design your fence in a manner that trash will not accumulate.

Lot Grading

Lots may not be graded without an approved hydrology study and grading permit. The homeowner may wish to cover the property with gravel to prevent fugitive dust and may do so if the natural terrain is not disturbed. Washes and low flow areas may not be filled in.



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	MIRANDA FAVIOLA and MARQUEZ HOMERO MERAZ	Date: Dec 13, 2024
Mailing Address:	7019 ALABASTER PEAK ST, Las Vegas, NV 89166	
Assessor's Parcels:	126-08-801-002	
Property Location:	Kyle Canyon Rd & Reymore St Jurisdiction: CC Lower Kyle Canyon	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Damon Lindsay at 702-455-0151 or by email at damon.lindsay@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	3.27	
Complaint Received:	No	Complaint No.:
Soil Condition:	Stable	Note:
Disturbance Factors:	Parking, Vehicular Travel, Material Storage, Equipment Storage	Other:
Fugitive Dust Observed:	No	Generated By: Unknown
Photography:	Yes	
Silt Content Test:	N/A	Percent Silt Content:
Opacity Test:	N/A	Percent Opacity:
Inspector Notes:		Approved By: Satyra George

I conducted a Vacant Land Inspection on parcel 126-08-801-002, and observed an unpaved storage yard over 5,000 square feet that was created after January 1, 2003. There was stockpiling, staging, construction vehicles, construction equipment and trailers parked throughout the parcel. A Post 2003 Section 92 Vacant Land Notice of Noncompliance is being issued to the property owner.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	COLLINS 12K LLC	Date: Dec 13, 2024
Mailing Address:	4485 RIVIERA RIDGE AVE, Las Vegas, NV 89115	
Assessor's Parcels:	126-09-501-017	
Property Location:	North of intersection of Kyle Canyon Road and Elvis Alive Drive Jurisdiction: CC Lower Kyle Canyon	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Damon Lindsay at 702-455-0151 or by email at damon.lindsay@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	2.55	Complaint No.:	
Complaint Received:	No	Note:	
Soil Condition:	Stable	Other:	
Disturbance Factors:	Vehicular Travel, Storage, Material Storage	Generated By:	Unknown
Fugitive Dust Observed:	No	Percent Silt Content:	
Photography:	Yes	Percent Opacity:	
Silt Content Test:	N/A	Approved By:	Satyra George
Opacity Test:	N/A		
Inspector Notes:			

I conducted a Vacant Land Inspection on parcel 126-09-501-017, and observed an unpaved storage yard over 5,000 square feet that was created after January 1, 2003. There was stockpiling, staging, and trailers parked throughout the parcel. A Post 2003 Section 92 Vacant Land Notice of Noncompliance is being issued to the property owner.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	TONOPAH & TIDEWATER RAILROAD CO/ TRUMAN	Date: Dec 5, 2024
Mailing Address:	4680 N. Cimarron Road, Las Vegas, NV 89129	
Assessor's Parcels:	161-07-103-015, 161-07-103-014, 161-07-103-016	
Property Location:	2596 STRATFORD AVE Jurisdiction: CC Sunrise Manor - 89121	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Andrew Kirk at 702-306-0257 or by email at andrew.kirk@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	4.11	Complaint No.:	
Complaint Received:	No	Note:	Soils had recently been watered prior to my inspection
Soil Condition:	Stable	Other:	
Disturbance Factors:	Parking, Vehicular Travel, Storage	Generated By:	Unknown
Fugitive Dust Observed:	No	Percent Silt Content:	
Photography:	Yes	Percent Opacity:	
Silt Content Test:	N/A	Approved By:	Satyra George
Opacity Test:	N/A		

Inspector Notes: I conducted an unpaved parking/storage yard inspection on parcel #161-07-103-015 (3.19 acres), 161-07-103-014 (.46 acres), and 161-07-103-016 (.46 acres), due to the expiration of Dust Control Operating Permit (DCOP) #57148 on August 29, 2024. During this inspection, I observed an active unpaved parking/storage yard containing dozens of trucks, some heavy equipment, three mechanical maintenance bays, multiple Connex boxes, and miscellaneous materials being stored inside this 4.11 acre facility surrounded by fencing on the western, southern, and northern ends. Multiple people were observed working within the maintenance bays and portable offices and vehicles were seen entering/exiting the property. Based on all of this, I determined that parcel #161-07-103-014, 161-07-103-015, and 161-07-103-016 were out of compliance with Clark County Air Quality Regulations (CCAQRs) Section 92. I am issuing a Notice of Noncompliance (NON) with possible Notice of Violation (NOV) to the property owner to pave the entire site or remove all vehicles, equipment, and materials stored onsite within 30 days of receipt of this notice.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To: TAJALLI HAMID R

Date: Dec 11, 2024

Mailing Address: 7844 DESERT BELL AVE, LAS VEGAS, NV 89128-7996

Assessor's Parcels: 161-18-510-054

Property Location: 3909 E DESERT INN RD., CC Paradise - 89121

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage: 0.00

Complaint Received: No

Complaint No.:

Soil Condition: Unstable

Note: gravel, soils

Disturbance Factors: Vehicular Travel, Storage

Other:

Fugitive Dust Observed: No

Generated By: Unknown

Photography: Yes

Silt Content Test: N/A

Percent Silt Content:

Opacity Test: N/A

Percent Opacity:

Inspector Notes:

Approved By: Satyra George

I conducted a routine inspection and observed an unpaved storage yard on APN 161-18-510-054. There were over two dozen trucks and passenger vehicles stored throughout the parcel. This storage yard was created post January 1, 2003, which is not in compliance with AQR 92.3.1. Please contact me to discuss your plan to bring your sites into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
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- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	KANDEL SCOTT M	Date: Dec 11, 2024
Mailing Address:	3905 TIORA ST, Las Vegas, NV 89129	
Assessor's Parcels:	161-27-302-001, 161-27-311-003	
Property Location:	6000 Clark Street - CC Whitney - 89122	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.37	Complaint No.:	
Complaint Received:	No	Note:	dry, loose and powdery
Soil Condition:	Unstable	Other:	
Disturbance Factors:	Parking, Vehicular Travel, Storage, Equipment Storage	Generated By:	Unknown
Fugitive Dust Observed:	No	Percent Silt Content:	
Photography:	Yes	Percent Opacity:	
Silt Content Test:	N/A	Approved By:	Satyra George
Opacity Test:	N/A		

Inspector Notes:

I conducted a routine inspection and observed an unpaved storage yard on APNs 161-27-302-001 & -003. There were over one dozen trucks, trailers, containers, passenger vehicles and dozens of portable toilets throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR 92.3.1. Please contact me to discuss you plan to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	DANIELS LAS VEGAS L L C	Date: Dec 12, 2024
Mailing Address:	12313 PORTSMOUTH TERR, LAKEWOOD RANCH, FL 34211	
Assessor's Parcels:	161-27-306-005, 161-27-311-015	
Property Location:	6080 BOULDER HWY, CC Whitney - 89122	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	4.48		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	Type II, gravel
Disturbance Factors:	Parking, Vehicular Travel, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard on APNs 161-27-306-005 & 161-27-311-015. There are dozens of trucks and trailers throughout the parcels. These storage yards were created post January 1, 2003, which is not in compliance with AQR 92.3.1. Please contact me to discuss your plan to bring your sites into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

❖ **Control Measures:**

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To: DHALAI NAGI

Date: Dec 11, 2024

Mailing Address: 6583 AMERICAN BEAUTY AVE, LAS VEGAS, NV 89142

Assessor's Parcels: 161-27-312-002

Property Location: 6046 BOULDER HWY., CC Whitney - 89122

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage: 0.24

Complaint Received: No

Complaint No.:

Soil Condition: Stable

Note: gravel

Disturbance Factors: Vehicular Travel, Storage

Other:

Fugitive Dust Observed: No

Generated By: Unknown

Photography: Yes

Silt Content Test: N/A

Percent Silt Content:

Opacity Test: N/A

Percent Opacity:

Inspector Notes:

Approved By: Satyra George

I conducted a routine inspection and observed an unpaved storage yard on APN 161-27-312-002. There were approximately one dozen trucks trailers throughout the parcel. This storage yards was created post January 1, 2003, which is not in compliance with AQR 92.3.1. Please contact me to discuss your plan to bring your sites into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
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- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

❖ **Control Measures:**

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
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 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	BAYVIEW ACQUISITIONS L L C	Date: Dec 11, 2024
Mailing Address:	74 HUNT VALLEY TRL, HENDERSON, NV 89052	
Assessor's Parcels:	161-28-510-033	
Property Location:	5717 BOULDER HWY., CC Whitney - 89122	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.71	Complaint No.:	
Complaint Received:	No	Note:	dry, loose and powdery
Soil Condition:	Unstable	Other:	
Disturbance Factors:	Parking, Vehicular Travel, Storage, Material Storage	Generated By:	Unknown
Fugitive Dust Observed:	No	Percent Silt Content:	
Photography:	Yes	Percent Opacity:	
Silt Content Test:	N/A	Approved By:	Satyra George
Opacity Test:	N/A		

Inspector Notes:

I conducted a routine inspection and observed an unpaved storage yard on APN 161-28-510-033. There were approximately one dozen trucks, trailers, passenger vehicles and mobile homes throughout the parcel. This storage yard was created post January 1, 2003, which is not in compliance with AQR 92.3.1. Please contact me to discuss your plan to bring your sites into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	AMALIA L L C	Date: Dec 11, 2024
Mailing Address:	5810 MISSOURI, LAS VEGAS, NV 89122	
Assessor's Parcels:	161-28-611-003	
Property Location:	SE of Missouri St./Stephanie St., CC Whitney - 89122	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.23	Complaint No.:	
Complaint Received:	No	Note:	gravel
Soil Condition:	Stable	Other:	
Disturbance Factors:	Vehicular Travel, Storage	Generated By:	Unknown
Fugitive Dust Observed:	No	Percent Silt Content:	
Photography:	Yes	Percent Opacity:	
Silt Content Test:	N/A	Approved By:	Satyra George
Opacity Test:	N/A		

Inspector Notes:
I conducted a routine inspection and observed an unpaved storage yard on APN 161-28-611-003. There are over a dozen trucks and passenger vehicles throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR 92.3.1. Please contact me to discuss your plan to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	Dewey & Decatur LLC	Date: Dec 2, 2024
Mailing Address:	5130 Mountain Top Circle, Las Vegas, NV, NV 89148	
Assessor's Parcels:	162-30-401-001	
Property Location:	NEC of Decatur Blvd./Dewey Dr., Las Vegas 89118	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	8.14	Complaint No.:	
Complaint Received:	No	Note:	dry, powdery soils
Soil Condition:	Unstable	Other:	
Disturbance Factors:	Parking, Vehicular Travel, Material Storage, Equipment Storage	Generated By:	Unknown
Fugitive Dust Observed:	No	Percent Silt Content:	
Photography:	Yes	Percent Opacity:	
Silt Content Test:	N/A	Approved By:	Satyra George
Opacity Test:	N/A		

Inspector Notes:

I conducted a re-inspection and observed an unpaved storage yard on APN 162-30-401-001. I observed over two dozen automobiles, dozens of pallets of materials and other construction materials covering an area over 5,000 sq. ft. DCOP 57422, covering a portion of parcel, was issued on November 29, 2023, to apply pavement for a parking/outside material storage lot, due to it being a Post January 1, 2003, unpaved storage lot. There is no construction activity on-site, no paving has been done, the permit has expired, and the permittee's DCOP renewal application has been denied due to failure to meet Section 92 Requirements.

A Section 92 Notice of Non-compliance is being issued to remove all unpaved parking/storage over 5,000 square feet throughout the parcel within 30 days.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	REPUBLIC SILVER STATE DISPOSAL	Date: Dec 11, 2024
Mailing Address:	REPUBLIC SILVER STATE DISPOSAL C/O PPTY TAX DEPT PO BOX 29246, PHOENIX, AZ 85038-9246	
Assessor's Parcels:	178-02-701-006	
Property Location:	SEC of Sunset Road & Eastgate Road, Henderson - 89011	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	5.83	Complaint No.:	
Complaint Received:	No	Note:	dry, loose and powdery
Soil Condition:	Unstable	Other:	
Disturbance Factors:	Material Storage, Equipment Storage	Generated By:	Unknown
Fugitive Dust Observed:	No	Percent Silt Content:	
Photography:	Yes	Percent Opacity:	
Silt Content Test:	N/A	Approved By:	Satyra George
Opacity Test:	N/A		

Inspector Notes:
I conducted a routine inspection and observed an unpaved storage yard on APN 178-02-701-006. There were approximately two dozen nine-yard containers on the northern part of the parcel: these containers are in the 50,000 sq. ft. area on the north side of the parcel. This storage yard was created post January 1, 2003, which is not in compliance with AQR 92.3.1. Please contact me to discuss your plan to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	CHRISTY LORRETTA S and MEZA CHRISTY JO	Date: Dec 11, 2024
Mailing Address:	5039 TITANIUM AVE, LAS VEGAS, NV 89120-1578	
Assessor's Parcels:	161-28-510-023	
Property Location:	5675 BOULDER HWY., CC Whitney - 89122	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.99	Complaint No.:	
Complaint Received:	No	Note:	dry, loose and powdery
Soil Condition:	Unstable	Other:	
Disturbance Factors:	Parking, Storage	Generated By:	Unknown
Fugitive Dust Observed:	No	Percent Silt Content:	
Photography:	Yes	Percent Opacity:	
Silt Content Test:	N/A	Approved By:	Satyra George
Opacity Test:	N/A		

Inspector Notes:
I conducted a routine inspection and observed an unpaved storage yard on APN161-28-510-023. There were dozens of passenger vehicles and trucks throughout the parcel. This storage yards was created post January 1, 2003, which is not in compliance with AQR 92.3.1. Please contact me to discuss your plan to bring your sites into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave** – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	BENCHMARK CONTRACTING INC	Date: Feb 22, 2024
Mailing Address:	5553 SUMAC RIDGE CT, LAS VEGAS, NV 89149-4020	
Assessor's Parcels:	138-12-111-004	
Property Location:	3820 N JONES BLVD	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.63	Complaint No.:	
Complaint Received:	No	Note:	dry, powdery, loose soils
Soil Condition:	Unstable	Other:	
Disturbance Factors:	Parking, Storage, Equipment Storage	Generated By:	Unknown
Fugitive Dust Observed:	No	Percent Silt Content:	
Photography:	Yes	Percent Opacity:	
Silt Content Test:	N/A	Approved By:	Satyra George
Opacity Test:	N/A		

Inspector Notes:
I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 138-12-111-004. There was heavy construction equipment, traffic cones/safety equipment, metal beams, three service vehicles and other material throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
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 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
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 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	ROQUE PATRICIA GOMEZ	Date: Feb 22, 2024
Mailing Address:	3600 BEESON CT, LAS VEGAS, NV 89130	
Assessor's Parcels:	138-12-612-001	
Property Location:	3600 BEESON CT	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.54	Complaint No.:	
Complaint Received:	No	Note:	dry, loose and powdery
Soil Condition:	Unstable	Other:	
Disturbance Factors:	Parking, Vehicular Travel, Material Storage, Equipment Storage	Generated By:	Unknown
Fugitive Dust Observed:	No	Percent Silt Content:	
Photography:	Yes	Percent Opacity:	
Silt Content Test:	N/A	Approved By:	Satyra George
Opacity Test:	N/A		

Inspector Notes:

I conducted a routine inspection and observed an unpaved landscaping equipment/vehicle storage yard greater than 5,000 square feet on APN 138-12-612-001. There were approximately one dozen service truck/trailers, construction equipment and landscaping material throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	VEGAS VISION GROUP L L C	Date: Feb 12, 2024
Mailing Address:	2000 STOCKTON AVE, LAS VEGAS, NV 89104	
Assessor's Parcels:	138-12-801-012	
Property Location:	NW of RANCHO DR./CHEYENNE AVE.	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.69	Complaint No.:	
Complaint Received:	No	Note:	gravel, dirt, rain
Soil Condition:	Stable	Other:	
Disturbance Factors:	Parking, Vehicular Travel, Storage	Generated By:	Unknown
Fugitive Dust Observed:	No	Percent Silt Content:	
Photography:	Yes	Percent Opacity:	
Silt Content Test:	N/A	Approved By:	Satyra George
Opacity Test:	N/A		

Inspector Notes:
I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 138-12-801-012. There were dozens of trucks, trailers, passenger vehicles, tow trucks and motor homes throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	PIERRO'S LANDSCAPE & MAINTENANCE L L C	Date: Feb 12, 2024
Mailing Address:	5852 THAI COAST ST, LAS VEGAS, NV 89130	
Assessor's Parcels:	138-12-810-012	
Property Location:	5249 RICKY ROAD, LAS VEGAS	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	1.24	Complaint No.:	
Complaint Received:	No	Note:	gravel, rain
Soil Condition:	Stable	Other:	
Disturbance Factors:	Parking, Storage, Equipment Storage	Generated By:	Unknown
Fugitive Dust Observed:	No	Percent Silt Content:	
Photography:	Yes	Percent Opacity:	
Silt Content Test:	N/A	Approved By:	Satyra George
Opacity Test:	N/A		

Inspector Notes:
I conducted a routine inspection and observed an unpaved landscaping equipment/vehicle storage yard greater than 5,000 square feet on APN 138-12-810-012. There were dozens of landscaping service trucks, trailers, and equipment pieces throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	LINDA PROPERTIES	Date: Feb 12, 2024
Mailing Address:	10217 IMPERIAL POINTE AVE, LAS VEGAS, NV 89134	
Assessor's Parcels:	138-12-810-013	
Property Location:	5300 RICKY ROAD, LAS VEGAS	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierrez@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	1.30		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel, asphalt millings, rain
Disturbance Factors:	Parking, Vehicular Travel, Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved landscaping equipment/vehicle storage yard greater than 5,000 square feet on APN 138-12-810-013. There were over one dozen truck/trailers, passenger vehicles, construction and service trucks throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	CHIRINO LEONARDO M and CORTES MAGDALENA RAMIREZ	Date: Feb 12, 2024
Mailing Address:	5807 SHEILA AVE, LAS VEGAS, NV 89108	
Assessor's Parcels:	138-13-310-037	
Property Location:	5807 SHEILA AVE	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.45	
Complaint Received:	No	Complaint No.:
Soil Condition:	Stable	Note: rain
Disturbance Factors:	Vehicular Travel, Storage	Other:
Fugitive Dust Observed:	No	Generated By: Unknown
Photography:	Yes	
Silt Content Test:	N/A	Percent Silt Content:
Opacity Test:	N/A	Percent Opacity:
Inspector Notes:		Approved By: Satyra George

I conducted a routine inspection and observed an unpaved vehicle and material storage yard greater than 5,000 square feet on APN 138-13-310-037. There were approximately two dozen passenger vehicles, trailers and boats throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	MENDOZA CLAUDIA CALIXTO and MARTIN JOSE FRANCISCO	Date: Feb 22, 2024
Mailing Address:	820 ROCK SPRINGS DR, LAS VEGAS, NV 89128	
Assessor's Parcels:	138-24-305-018	
Property Location:	1841 N MICHAEL WAY	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.42	Complaint No.:	
Complaint Received:	No	Note:	dry, loose and powdery
Soil Condition:	Unstable	Other:	
Disturbance Factors:	Parking, Vehicular Travel, Material Storage, Equipment Storage	Generated By:	Unknown
Fugitive Dust Observed:	No	Percent Silt Content:	
Photography:	Yes	Percent Opacity:	
Silt Content Test:	N/A	Approved By:	Satyra George
Opacity Test:	N/A		

Inspector Notes:
I conducted a routine inspection and observed an unpaved masonry material storage yard greater than 5,000 square feet on APN 138-24-305-018. There were over one dozen brick pallets, one nine-yard trash container, pallet truck, wood beams, service trucks and other material throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	M E C INC	Date: Feb 12, 2024
Mailing Address:	4090 W HACIENDA AVE # 100, LAS VEGAS, NV 89118	
Assessor's Parcels:	139-10-603-003	
Property Location:	116 E GOWAN RD, NORTH LAS VEGAS	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	4.44	Complaint No.:	
Complaint Received:	No	Note:	gravel, dirt, rain
Soil Condition:	Stable	Other:	
Disturbance Factors:	Parking, Storage	Generated By:	Unknown
Fugitive Dust Observed:	No	Percent Silt Content:	
Photography:	Yes	Percent Opacity:	
Silt Content Test:	N/A	Approved By:	Satyra George
Opacity Test:	N/A		

Inspector Notes:
I conducted a routine inspection and observed an unpaved vehicle storage yard greater than 5,000 square feet on APN 139-10-603-003. There were dozens of passenger vehicles, trucks and truck trailers throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
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 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	IGLESIA EVANGELICA N J D L A D D	Date: Feb 12, 2024
Mailing Address:	2727 CIVIC CENTER DR., NORTH LAS VEGAS, NV 89030	
Assessor's Parcels:	139-14-710-028	
Property Location:	2727 CIVIC CENTER DR., NORTH LAS VEGAS	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.00		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel, dirt, rain
Disturbance Factors:	Parking, Vehicular Travel, Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved landscaping equipment/vehicle storage yard greater than 5,000 square feet on APN 139-14-710-028. There were over one dozen haul trucks, trailers, construction vehicles and service trucks throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	ANDRADE-MORENO FAMILY TRUST ETAL ANDRADE EFRAIN CARREON TRS	Date: Feb 13, 2024
Mailing Address:	4304 WEST LA MADRE WAY, LAS VEGAS, NV 89031	
Assessor's Parcels:	139-17-301-011	
Property Location:	SWC of CITIZEN AVE/SIMMONS ST, NORTH LAS VEGAS	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	1.00	Complaint No.:	
Complaint Received:	No	Note:	gravel, dirt, rain
Soil Condition:	Stable	Other:	
Disturbance Factors:	Parking, Material Storage, Equipment Storage	Generated By:	Unknown
Fugitive Dust Observed:	No	Percent Silt Content:	
Photography:	Yes	Percent Opacity:	
Silt Content Test:	N/A	Approved By:	Satyra George
Opacity Test:	N/A		

Inspector Notes:
I conducted a routine inspection and observed an unpaved heavy equipment/construction material storage yard greater than 5,000 square feet on APN 139-17-301-011. There were dozens of pieces of heavy construction equipment, haul trucks, trailers, storage containers and passenger vehicles throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	INZUNZA JUAN MANUEL	Date: Feb 22, 2024
Mailing Address:	3900 SIX GUN RD, NORTH LAS VEGAS, NV 89032	
Assessor's Parcels:	140-19-601-019	
Property Location:	4000 E LAKE MEAD BLVD	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.48	Complaint No.:	
Complaint Received:	No	Note:	Dry, Loose, Powdery
Soil Condition:	Unstable	Other:	
Disturbance Factors:	Parking, Vehicular Travel, Storage	Generated By:	Unknown
Fugitive Dust Observed:	No	Percent Silt Content:	
Photography:	Yes	Percent Opacity:	
Silt Content Test:	N/A	Approved By:	Satyra George
Opacity Test:	N/A		

Inspector Notes: I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 140-19-601-019. There were approximately two dozen vehicles and conex boxes throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Pre) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To: KELL LN TRUST

Date: Feb 27, 2024

Mailing Address: 5151 Kell Ln, Las Vegas, NV 89156

Assessor's Parcels: 140-21-401-003

Property Location: 5151 Kell Ln

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), property owners/operators shall implement and maintain control measures to prevent fugitive dust on any unpaved parking lot or storage yard established before January 1, 2003, that is equal to or greater than 5,000 square feet.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance. You may resolve this matter by implementing one or more of the control measures described in AQR 92.3.4 or by discontinuing use of this parcel as a parking lot/storage yard and returning all soils to a stable condition in accordance with AQR 92.4.

Within 30 days of receiving this notice, you must have implemented one or more of the control measures described in AQR 92.3.4. You may also discontinue the use of this parcel by removing all equipment and materials from the property and stabilizing the soil in accordance with AQR 92.4.

Failure to comply with the provisions of AQR Section 92 may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Upon receipt of this Noncompliance Notice, immediately contact Noel Crandall at 702-455-1658 or by email at crandall@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action.

Section 92 (Pre) Inspection Form – Summary

Acreage: 1.01

Complaint Received: No

Complaint No.:

Soil Condition: Stable

Note:

Could not determine the soils condition, area fenced in, looked stable from recent rains.

Disturbance Factors: Vehicular Travel, Storage

Other:

storage of vehicles.

Fugitive Dust Observed: No

Generated By:

NA

Photography: Yes

Silt Content Test: N/A

Percent Silt Content:

Opacity Test: N/A

Percent Opacity:

Inspector Notes:

Approved By:

Satyra George

I conducted a routine inspection and observed an unpaved storage lot on parcel 140-21-401-003. There were approximately 10 tractors, 1 tractor trailer, a boat, and approximately 3 cars parked throughout the parcel. This storage lot was created after January 1, 2003, which is not in compliance with AQR 92.3.1.



Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

9489 0090 0027 6451 8633 68

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	Seabass Realty LLC	Date: Feb 29, 2024
Mailing Address:	PO Box 786, Carroll, IA 51401	
Assessor's Parcels:	177-02-603-026, 177-02-603-017	
Property Location:	2050 E. Maule Avenue & 2076 E. Maule Avenue, Las Vegas, NV 89119	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Canduella Rowsell at 725-377-4270 or by email at canduella.rowsell@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.92		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	
Disturbance Factors:		Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved parking lot on parcels #177-02-603-026 and 177-02-603-017 located at 2076 E Maule Ave and 2050 E. Maule Ave, Las Vegas, NV 89119. There were 8 tour buses parked on-site on unpaved areas over 5,000 square feet. This parking lot was created after January 1, 2003, which is not in compliance with AQR 92.3.1. There were no workers present onsite. I also took photos of the site. I will be issuing a Notice of Noncompliance to the parcels owner to remove the buses or pave the parking lot.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave** – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	PANCIROV GREGORY T & CYNTHIA M FAMILY TRUST and PANCIROV GREGORY T & CYNTHIA M TRS	Date: Feb 12, 2024
Mailing Address:	444 East Warm Springs Road, STE 120, Las Vegas, NV 89119	
Assessor's Parcels:	177-05-202-002	
Property Location:	Southeast of Valley View Blvd./Martin Ave., Las Vegas 89118	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.98	
Complaint Received:	No	Complaint No.:
Soil Condition:	Stable	Note: recent rain
Disturbance Factors:	Vehicular Travel, Storage	Other:
Fugitive Dust Observed:	No	Generated By: Unknown
Photography:	Yes	
Silt Content Test:	N/A	Percent Silt Content:
Opacity Test:	N/A	Percent Opacity:
Inspector Notes:		Approved By: Satyra George

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 177-05-202-002. There were approximately eight 53-foot long truck trailers throughout the parcel. This storage yard was created after January 1, 2003, which is a violation of AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Previously, a Notice of Non-Compliance was issued to the landowner on December 6, 2023, for an unpaved storage yard greater than 5,000 sq. ft. The sight was brought into compliance on January 8, 2024, because the area used for parking/storage was under 5,000 sq. ft. at that time. However, the site has since once again exceeded the 5,000 sq. ft. limitation.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave** – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	PRICE RYAN INC	Date: Feb 11, 2025
Mailing Address:	1610 Nevada Hwy, Boulder City, NV 89005-1903	
Assessor's Parcels:	178-12-504-004	
Property Location:	118 King St. Henderson	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.40		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel
Disturbance Factors:	Parking, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Katrinka Byers

I conducted a routine inspection and observed an unpaved storage yard on APN 178-12-504-004. There were over one dozen boats, trailers and motor homes stored throughout the parcel. this storage yard was created after January 1, 2003, which is not in compliance with AQR 92.3.1. Please contact me to discuss your plan to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.3.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments, and Code Enforcement within Clark County, City of Las Vegas, City of Henderson, and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use, and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.
 - Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

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 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trail heads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate, or similar bulk materials.
 - ◆ All access, parking, and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking, and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and sign-off by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

January 2025



City of Henderson
Department of Building and Fire Safety
240 Water Street, P.O. Box 95050
Henderson, NV 89009-5050
(702)267-3600 Fax (702)267-3601

Requirements to Obtain a Building Permit

Chain Link Fence

The following are required to obtain a Building Permit for a chain link fence:

1. A completed Building Permit Application must be submitted. The form may be obtained from the Building Department
2. A site drawing showing the subject property and location of the fence to be constructed. The plan should indicate the length and height of each section of fence. The chain link fence shall not exceed six feet in height.
3. The fence shall be designed in such a manner that existing drainage will not be altered in any fashion. As an alternate, Hydrology Studies and a Grading Plan may be submitted.
4. A structural detail of the construction of the fence is not required unless the fence is unusually tall.
5. Building Permit and review fees. The fees may be estimated by completing the permit fee calculation on the Building Permit Application.

Masonry (Concrete) Fence

The following are required to obtain a Building Permit for a masonry fence:

1. A completed Building Permit Application must be submitted. The form may be obtained from the Building Department
2. A site drawing showing the subject property and location of the fence to be constructed. The plan should indicate the length and height of each section of fence. The fence shall be a maximum of six feet except in the required front yard setback where the maximum is 32 inches.
3. The fence shall be designed in such a manner that existing drainage will not be altered in any fashion. As an alternate, Hydrology Studies and a Grading Plan may be submitted.
4. A structural detail of the construction of the fence including footings, reinforcement, dimensions, etc. As an alternate, the city will provide a standard fence wall detail that may be used.
5. Building Permit and review fees. The fees may be estimated by completing the permit fee calculation on the Building Permit Application.
6. If future development is impending, different wall options may be considered.
7. Masonry fences cannot be constructed on vacant property.



Signs

Signs or notices required for the purpose of preventing soil disturbance of unauthorized access that result in fugitive dust of nuisance conditions will not require a sign permit.

Lot Maintenance

1. Property owners are required to maintain their properties in compliance with the adopted ordinances (trash and rubbish are not allowed to accumulate and/or must be removed).
2. You may wish to design your fence in a manner that trash will not accumulate.

Lot Grading

Lots may not be graded without an approved hydrology study and grading permit. The homeowner may wish to cover the property with gravel to prevent fugitive dust and may do so if the natural terrain is not disturbed. Washes and low flow areas may not be filled in.



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	3975 HACIENDA L L C	Date: Feb 11, 2025
Mailing Address:	4025 JACOBS LADDER TR, HAYDEN LAKE, ID 83835	
Assessor's Parcels:	162-30-701-011, 162-30-701-012	
Property Location:	3975 W Hacienda Ave and 4055 W HACIENDA AVE, CC Paradise - 89118	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	4.32		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel, covered in layer of dirt
Disturbance Factors:	Parking, Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed unstable soil conditions on unpaved storage yards greater than 5,000 square feet on APNs 162-30-701-011 & -012. There were approximately two dozen trucks/trailers and dozens of passenger vehicles on-site. These storage yards were created after January 1, 2003, and not in compliance with AQR 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.



Air Quality Regulations: Section 92 CONTROL MEASURES

Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.3.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments, and Code Enforcement within Clark County, City of Las Vegas, City of Henderson, and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use, and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.
 - Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

❖ Control Measures:

- ❖ **Pave** – Use asphaltic concrete (AC), concrete pavement, cement, or brick pavers.

- **Paving is the only option available with the possible exception of:**

- 1) Paving may not apply to rural public parking facilities such as trail heads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
- 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate, or similar bulk materials.
 - ◆ All access, parking, and loading areas used by on-road vehicles shall be paved.
- 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking, and loading areas used primarily by rubber tired vehicles shall be paved.

- **Approval for exceptions 1 – 3 above requires review and sign-off by the local entity's development services or building department and DAQ.**

- Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

January 2025



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	LOPEZ ALBERTO FLORES & VERONICA	Date: Feb 24, 2025
Mailing Address:	6120 SHELTER CREEK, LAS VEGAS, NV 89110	
Assessor's Parcels:	140-20-101-004, 140-20-101-002	
Property Location:	4684 E CAREY AVE, CC Sunrise Manor - 89115	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.98		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel, Type II
Disturbance Factors:	Parking, Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard over 5,000 square feet on APNs 140-20-101-002 & -004. There were dozens of passenger vehicles stored throughout each of the parcels. These storage yards were created after January 1, 2003, which is not in compliance with AQR 92.3.1. Please contact me to discuss your plan to bring your site into compliance with Air Quality Regulations.



Air Quality Regulations: Section 92 CONTROL MEASURES

Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.3.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments, and Code Enforcement within Clark County, City of Las Vegas, City of Henderson, and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use, and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.
 - Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave** – Use asphaltic concrete (AC), concrete pavement, cement, or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trail heads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate, or similar bulk materials.
 - ◆ All access, parking, and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking, and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and sign-off by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

January 2025



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	NEW MARION L L C	Date: Feb 25, 2025
Mailing Address:	9337 Canyon Shadow Lane, Las Vegas, NV 89117-7126	
Assessor's Parcels:	140-20-202-004	
Property Location:	NW Marion Dr/Lake Mead - CC Sunrise Manor	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	3.38		
Complaint Received:	No	Complaint No.:	.
Soil Condition:	Unstable	Note:	dry, loose and powdery
Disturbance Factors:	Parking, Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard over 5,000 square feet on APN 140-20-202-004. There were dozens of passenger vehicles and portable toilets stored throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR 92.3.1. Please contact me to discuss your plan to bring your site into compliance with Air Quality Regulations.



Air Quality Regulations: Section 92 CONTROL MEASURES

Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.3.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments, and Code Enforcement within Clark County, City of Las Vegas, City of Henderson, and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use, and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.
 - Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

❖ Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement, or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trail heads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate, or similar bulk materials.
 - ◆ All access, parking, and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking, and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and sign-off by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

January 2025



Division of Air Quality
 4701 W. Russell Rd. Suite 200 2nd Floor
 Las Vegas, NV 89118
 Main Number: (702)455-5942
 Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	2925 FREMONT HOLDINGS L L C	Date: Feb 13, 2025
Mailing Address:	5201 S TORREY PINES DR UNIT 1244, LAS VEGAS, NV 89118	
Assessor's Parcels:	162-01-202-014	
Property Location:	2909 FREMONT ST, CC Sunrise Manor - 89104	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.46		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	crusted
Disturbance Factors:	Parking, Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Katrinka Byers

I conducted a routine inspection and observed an unpaved storage yard over 5,000 square feet on APN 162-01-202-014. There were dozens of passenger vehicles stored throughout each of the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR 92.3.1. Please contact me to discuss your plan to bring your site into compliance with Air Quality Regulations.



Air Quality Regulations: Section 92 CONTROL MEASURES

Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.3.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments, and Code Enforcement within Clark County, City of Las Vegas, City of Henderson, and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use, and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.
 - Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

❖ Control Measures:

- ❖ **Pave** – Use asphaltic concrete (AC), concrete pavement, cement, or brick pavers.

➤ Paving is the only option available with the possible exception of:

- 1) Paving may not apply to rural public parking facilities such as trail heads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
- 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate, or similar bulk materials.
 - ◆ All access, parking, and loading areas used by on-road vehicles shall be paved.
- 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking, and loading areas used primarily by rubber tired vehicles shall be paved.

➤ Approval for exceptions 1 – 3 above requires review and sign-off by the local entity's development services or building department and DAQ.

- Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

January 2025



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	REY DE AUTOS TRUST and KABOLI RAMON STEVE TRS	Date: Feb 12, 2025
Mailing Address:	2434 PING DR., HENDERSON, NV 89074	
Assessor's Parcels:	178-01-312-027, 178-01-312-026	
Property Location:	1717 PALM ST., HENDERSON - 89011	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.32		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel
Disturbance Factors:	Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Katrinka Byers

I conducted a routine inspection and observed an unpaved storage yard over 5,000 square feet on APNs 178-01-312-026 & -027. There were dozens of passenger vehicles stored throughout each of the two parcels. These storage yards was created after January 1, 2003, which is not in compliance with AQR 92.3.1. Please contact me to discuss your plan to bring your site into compliance with Air Quality Regulations.



Air Quality Regulations: Section 92 CONTROL MEASURES

Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.3.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments, and Code Enforcement within Clark County, City of Las Vegas, City of Henderson, and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
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- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
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❖ Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement, or brick pavers.
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 - 1) Paving may not apply to rural public parking facilities such as trail heads and campgrounds.
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 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate, or similar bulk materials.
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 - Approval for exceptions 1 – 3 above requires review and sign-off by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

January 2025



City of Henderson
Department of Building and Fire Safety
240 Water Street, P.O. Box 95050
Henderson, NV 89009-5050
(702)267-3600 Fax (702)267-3601

Requirements to Obtain a Building Permit

Chain Link Fence

The following are required to obtain a Building Permit for a chain link fence:

1. A completed Building Permit Application must be submitted. The form may be obtained from the Building Department
2. A site drawing showing the subject property and location of the fence to be constructed. The plan should indicate the length and height of each section of fence. The chain link fence shall not exceed six feet in height.
3. The fence shall be designed in such a manner that existing drainage will not be altered in any fashion. As an alternate, Hydrology Studies and a Grading Plan may be submitted.
4. A structural detail of the construction of the fence is not required unless the fence is unusually tall.
5. Building Permit and review fees. The fees may be estimated by completing the permit fee calculation on the Building Permit Application.

Masonry (Concrete) Fence

The following are required to obtain a Building Permit for a masonry fence:

1. A completed Building Permit Application must be submitted. The form may be obtained from the Building Department
2. A site drawing showing the subject property and location of the fence to be constructed. The plan should indicate the length and height of each section of fence. The fence shall be a maximum of six feet except in the required front yard setback where the maximum is 32 inches.
3. The fence shall be designed in such a manner that existing drainage will not be altered in any fashion. As an alternate, Hydrology Studies and a Grading Plan may be submitted.
4. A structural detail of the construction of the fence including footings, reinforcement, dimensions, etc. As an alternate, the city will provide a standard fence wall detail that may be used.
5. Building Permit and review fees. The fees may be estimated by completing the permit fee calculation on the Building Permit Application.
6. If future development is impending, different wall options may be considered.
7. Masonry fences cannot be constructed on vacant property.



Signs

Signs or notices required for the purpose of preventing soil disturbance of unauthorized access that result in fugitive dust of nuisance conditions will not require a sign permit.

Lot Maintenance

1. Property owners are required to maintain their properties in compliance with the adopted ordinances (trash and rubbish are not allowed to accumulate and/or must be removed).
2. You may wish to design your fence in a manner that trash will not accumulate.

Lot Grading

Lots may not be graded without an approved hydrology study and grading permit. The homeowner may wish to cover the property with gravel to prevent fugitive dust and may do so if the natural terrain is not disturbed. Washes and low flow areas may not be filled in.



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	SUNSET PROPERTY 1 L L C ALL CITY AUTO BODY INC LEASE	Date: Feb 12, 2025
Mailing Address:	3446 W HACIENDA AVE, LAS VEGAS NV, NV 891181729	
Assessor's Parcels:	178-02-202-018	
Property Location:	700 W Sunset Rd., Henderson - 89011	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	2.50		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel
Disturbance Factors:	Parking, Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Katrinka Byers

I conducted a routine inspection and observed an unpaved storage yard on APN 178-02-202-018. There were over two dozen boats, passenger cars, trailers and motor homes stored throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR 92.3.1. Please contact me to discuss your plan to bring your site into compliance with Air Quality Regulations.



Air Quality Regulations: Section 92 CONTROL MEASURES

Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.3.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments, and Code Enforcement within Clark County, City of Las Vegas, City of Henderson, and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use, and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.
 - Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

❖ Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement, or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trail heads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate, or similar bulk materials.
 - ◆ All access, parking, and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking, and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and sign-off by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

January 2025



City of Henderson
Department of Building and Fire Safety
240 Water Street, P.O. Box 95050
Henderson, NV 89009-5050
(702)267-3600 Fax (702)267-3601

Requirements to Obtain a Building Permit

Chain Link Fence

The following are required to obtain a Building Permit for a chain link fence:

1. A completed Building Permit Application must be submitted. The form may be obtained from the Building Department
2. A site drawing showing the subject property and location of the fence to be constructed. The plan should indicate the length and height of each section of fence. The chain link fence shall not exceed six feet in height.
3. The fence shall be designed in such a manner that existing drainage will not be altered in any fashion. As an alternate, Hydrology Studies and a Grading Plan may be submitted.
4. A structural detail of the construction of the fence is not required unless the fence is unusually tall.
5. Building Permit and review fees. The fees may be estimated by completing the permit fee calculation on the Building Permit Application.

Masonry (Concrete) Fence

The following are required to obtain a Building Permit for a masonry fence:

1. A completed Building Permit Application must be submitted. The form may be obtained from the Building Department
2. A site drawing showing the subject property and location of the fence to be constructed. The plan should indicate the length and height of each section of fence. The fence shall be a maximum of six feet except in the required front yard setback where the maximum is 32 inches.
3. The fence shall be designed in such a manner that existing drainage will not be altered in any fashion. As an alternate, Hydrology Studies and a Grading Plan may be submitted.
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5. Building Permit and review fees. The fees may be estimated by completing the permit fee calculation on the Building Permit Application.
6. If future development is impending, different wall options may be considered.
7. Masonry fences cannot be constructed on vacant property.



Signs

Signs or notices required for the purpose of preventing soil disturbance of unauthorized access that result in fugitive dust of nuisance conditions will not require a sign permit.

Lot Maintenance

1. Property owners are required to maintain their properties in compliance with the adopted ordinances (trash and rubbish are not allowed to accumulate and/or must be removed).
2. You may wish to design your fence in a manner that trash will not accumulate.

Lot Grading

Lots may not be graded without an approved hydrology study and grading permit. The homeowner may wish to cover the property with gravel to prevent fugitive dust and may do so if the natural terrain is not disturbed. Washes and low flow areas may not be filled in.



Division of Air Quality
 4701 W. Russell Rd. Suite 200 2nd Floor
 Las Vegas, NV 89118
 Main Number: (702)455-5942
 Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	NICOLA AMPAC I & II L P C/O NICOLA WLTH REAL EST ACQ LTD ETAL	Date: Feb 12, 2025
Mailing Address:	1508 W BROADWAY 5TH FLR, VANCOUVER, BC V6J 1W8	
Assessor's Parcels:	178-14-111-029	
Property Location:	931 AMERICAN PACIFIC DR., Henderson - 89014	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	13.59	
Complaint Received:	No	Complaint No.:
Soil Condition:	Stable	Note: gravel
Disturbance Factors:	Parking, Vehicular Travel, Storage, Material Storage, Equipment Storage	Other:
Fugitive Dust Observed:	No	Generated By: Unknown
Photography:	Yes	
Silt Content Test:	N/A	Percent Silt Content:
Opacity Test:	N/A	Percent Opacity:
Inspector Notes:		Approved By: Katrinka Byers

I conducted a routine inspection and observed an unpaved storage yard on APN 178-14-111-029. There were over three dozen passenger cars, pieces of construction equipment, boats, trailers and motor homes stored throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR 92.3.1. Please contact me to discuss your plan to bring your site into compliance with Air Quality Regulations.



Air Quality Regulations: Section 92 CONTROL MEASURES

Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.3.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments, and Code Enforcement within Clark County, City of Las Vegas, City of Henderson, and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use, and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.
 - Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

❖ Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement, or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trail heads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate, or similar bulk materials.
 - ◆ All access, parking, and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking, and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and sign-off by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

January 2025



City of Henderson
Department of Building and Fire Safety
240 Water Street, P.O. Box 95050
Henderson, NV 89009-5050
(702)267-3600 Fax (702)267-3601

Requirements to Obtain a Building Permit

Chain Link Fence

The following are required to obtain a Building Permit for a chain link fence:

1. A completed Building Permit Application must be submitted. The form may be obtained from the Building Department
2. A site drawing showing the subject property and location of the fence to be constructed. The plan should indicate the length and height of each section of fence. The chain link fence shall not exceed six feet in height.
3. The fence shall be designed in such a manner that existing drainage will not be altered in any fashion. As an alternate, Hydrology Studies and a Grading Plan may be submitted.
4. A structural detail of the construction of the fence is not required unless the fence is unusually tall.
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5. Building Permit and review fees. The fees may be estimated by completing the permit fee calculation on the Building Permit Application.
6. If future development is impending, different wall options may be considered.
7. Masonry fences cannot be constructed on vacant property.



Signs

Signs or notices required for the purpose of preventing soil disturbance of unauthorized access that result in fugitive dust of nuisance conditions will not require a sign permit.

Lot Maintenance

1. Property owners are required to maintain their properties in compliance with the adopted ordinances (trash and rubbish are not allowed to accumulate and/or must be removed).
2. You may wish to design your fence in a manner that trash will not accumulate.

Lot Grading

Lots may not be graded without an approved hydrology study and grading permit. The homeowner may wish to cover the property with gravel to prevent fugitive dust and may do so if the natural terrain is not disturbed. Washes and low flow areas may not be filled in.



7724 4052 5375

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	OCEAN SPRAY CRANBERRIES INC C/O M BRUMFIELD	Date: Feb 6, 2025
Mailing Address:	1301 AMERICAN PACIFIC DR., HENDERSON, NV 89074-8806	
Assessor's Parcels:	178-15-110-002	
Property Location:	1301 American Pacific Dr., Henderson - 89074	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.00		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel
Disturbance Factors:	Parking, Vehicular Travel, Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard over 5,000 square feet on APN 178-15-110-002. There were dozens of pieces of construction site vehicles, buggies, emergency lights, trailers, construction equipment, and various other construction materials throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR 92.3.1. Please contact me to discuss your plan to bring your site into compliance with Air Quality Regulations.



Air Quality Regulations: Section 92 CONTROL MEASURES

Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.3.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments, and Code Enforcement within Clark County, City of Las Vegas, City of Henderson, and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
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 - Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

❖ Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement, or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trail heads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate, or similar bulk materials.
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 - ◆ All access, parking, and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and sign-off by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

January 2025



City of Henderson
Department of Building and Fire Safety
240 Water Street, P.O. Box 95050
Henderson, NV 89009-5050
(702)267-3600 Fax (702)267-3601

Requirements to Obtain a Building Permit

Chain Link Fence

The following are required to obtain a Building Permit for a chain link fence:

1. A completed Building Permit Application must be submitted. The form may be obtained from the Building Department
2. A site drawing showing the subject property and location of the fence to be constructed. The plan should indicate the length and height of each section of fence. The chain link fence shall not exceed six feet in height.
3. The fence shall be designed in such a manner that existing drainage will not be altered in any fashion. As an alternate, Hydrology Studies and a Grading Plan may be submitted.
4. A structural detail of the construction of the fence is not required unless the fence is unusually tall.
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Masonry (Concrete) Fence

The following are required to obtain a Building Permit for a masonry fence:

1. A completed Building Permit Application must be submitted. The form may be obtained from the Building Department
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6. If future development is impending, different wall options may be considered.
7. Masonry fences cannot be constructed on vacant property.



Signs

Signs or notices required for the purpose of preventing soil disturbance of unauthorized access that result in fugitive dust of nuisance conditions will not require a sign permit.

Lot Maintenance

1. Property owners are required to maintain their properties in compliance with the adopted ordinances (trash and rubbish are not allowed to accumulate and/or must be removed).
2. You may wish to design your fence in a manner that trash will not accumulate.

Lot Grading

Lots may not be graded without an approved hydrology study and grading permit. The homeowner may wish to cover the property with gravel to prevent fugitive dust and may do so if the natural terrain is not disturbed. Washes and low flow areas may not be filled in.



7724 3706 0127

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	FURBER DEVELOPMENT	Date: Feb 6, 2025
Mailing Address:	2341 DEERFIELD DR., FORT MILL, SC 29715-8298	
Assessor's Parcels:	178-15-111-019	
Property Location:	175 PACIFIC CENTER DR, Henderson - 89074	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	2.33		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	dry, loose, powdery, possible rap covered in layers of dirt
Disturbance Factors:	Parking, Vehicular Travel, Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard over 5,000 square feet on APN 178-15-111-019. There are over a dozen trailers, forklifts, and various pieces of rubber-tired construction vehicles on-site. This storage yard was created post-January 1, 2003, and is not in compliance with Air Quality Regulations (AQRs) 92.3.1. Please contact me to discuss your plan to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.3.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
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January 2025



City of Henderson
Department of Building and Fire Safety
240 Water Street, P.O. Box 95050
Henderson, NV 89009-5050
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7724 3808 3271

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	SCHOOL BOARD OF TRUSTEES	Date: Feb 6, 2025
Mailing Address:	1180 MILITARY TRIBUTE PL, Henderson, NV 89074	
Assessor's Parcels:	178-15-202-001, 178-15-210-004	
Property Location:	S & SW of Intersection of Pacific Center Drive/Center Point Drive, Henderson - 89074	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

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Section 92 (Post) Inspection Form – Summary

Acreage:	10.85		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	dry, loose and powdery
Disturbance Factors:	Parking, Vehicular Travel, Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed unpaved storage yards over 5,000 square feet on APN 178-15-202-001 & 178-15-210-004. There are dozens of trailers, portable school trailers and other pieces of construction equipment throughout the parcels. These storage yards were created post January 1, 2003, which is not in compliance with AQR 92.3.1. Please contact me to discuss your plan to bring your sites into compliance with Air Quality Regulations.



Air Quality Regulations: Section 92 CONTROL MEASURES

Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.3.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments, and Code Enforcement within Clark County, City of Las Vegas, City of Henderson, and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use, and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.
 - Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

❖ Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement, or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trail heads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate, or similar bulk materials.
 - ◆ All access, parking, and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking, and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and sign-off by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

January 2025



City of Henderson
Department of Building and Fire Safety
240 Water Street, P.O. Box 95050
Henderson, NV 89009-5050
(702)267-3600 Fax (702)267-3601

Requirements to Obtain a Building Permit

Chain Link Fence

The following are required to obtain a Building Permit for a chain link fence:

1. A completed Building Permit Application must be submitted. The form may be obtained from the Building Department
2. A site drawing showing the subject property and location of the fence to be constructed. The plan should indicate the length and height of each section of fence. The chain link fence shall not exceed six feet in height.
3. The fence shall be designed in such a manner that existing drainage will not be altered in any fashion. As an alternate, Hydrology Studies and a Grading Plan may be submitted.
4. A structural detail of the construction of the fence is not required unless the fence is unusually tall.
5. Building Permit and review fees. The fees may be estimated by completing the permit fee calculation on the Building Permit Application.

Masonry (Concrete) Fence

The following are required to obtain a Building Permit for a masonry fence:

1. A completed Building Permit Application must be submitted. The form may be obtained from the Building Department
2. A site drawing showing the subject property and location of the fence to be constructed. The plan should indicate the length and height of each section of fence. The fence shall be a maximum of six feet except in the required front yard setback where the maximum is 32 inches.
3. The fence shall be designed in such a manner that existing drainage will not be altered in any fashion. As an alternate, Hydrology Studies and a Grading Plan may be submitted.
4. A structural detail of the construction of the fence including footings, reinforcement, dimensions, etc. As an alternate, the city will provide a standard fence wall detail that may be used.
5. Building Permit and review fees. The fees may be estimated by completing the permit fee calculation on the Building Permit Application.
6. If future development is impending, different wall options may be considered.
7. Masonry fences cannot be constructed on vacant property.



Signs

Signs or notices required for the purpose of preventing soil disturbance of unauthorized access that result in fugitive dust of nuisance conditions will not require a sign permit.

Lot Maintenance

1. Property owners are required to maintain their properties in compliance with the adopted ordinances (trash and rubbish are not allowed to accumulate and/or must be removed).
2. You may wish to design your fence in a manner that trash will not accumulate.

Lot Grading

Lots may not be graded without an approved hydrology study and grading permit. The homeowner may wish to cover the property with gravel to prevent fugitive dust and may do so if the natural terrain is not disturbed. Washes and low flow areas may not be filled in.



7724 3897 6322

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	FIRETRUCKS UNLIMITED 1181 CENTERPOINT L L C	Date: Feb 6, 2025
Mailing Address:	15410 US HWY 231, UNION GROVE, AL 35175	
Assessor's Parcels:	178-15-511-055	
Property Location:	1179 CENTER POINT DR., HENDERSON - 89074	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.98		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel
Disturbance Factors:	Parking, Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Andrew Kirk

I conducted a routine inspection and observed an unpaved storage yard on APN 178-15-511-055. There were approximately two dozen fire trucks stored throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR 92.3.1. Please contact me to discuss your plan to bring your site into compliance with Air Quality Regulations.



City of Henderson
Department of Building and Fire Safety
240 Water Street, P.O. Box 95050
Henderson, NV 89009-5050
(702)267-3600 Fax (702)267-3601

Requirements to Obtain a Building Permit

Chain Link Fence

The following are required to obtain a Building Permit for a chain link fence:

1. A completed Building Permit Application must be submitted. The form may be obtained from the Building Department
2. A site drawing showing the subject property and location of the fence to be constructed. The plan should indicate the length and height of each section of fence. The chain link fence shall not exceed six feet in height.
3. The fence shall be designed in such a manner that existing drainage will not be altered in any fashion. As an alternate, Hydrology Studies and a Grading Plan may be submitted.
4. A structural detail of the construction of the fence is not required unless the fence is unusually tall.
5. Building Permit and review fees. The fees may be estimated by completing the permit fee calculation on the Building Permit Application.

Masonry (Concrete) Fence

The following are required to obtain a Building Permit for a masonry fence:

1. A completed Building Permit Application must be submitted. The form may be obtained from the Building Department
2. A site drawing showing the subject property and location of the fence to be constructed. The plan should indicate the length and height of each section of fence. The fence shall be a maximum of six feet except in the required front yard setback where the maximum is 32 inches.
3. The fence shall be designed in such a manner that existing drainage will not be altered in any fashion. As an alternate, Hydrology Studies and a Grading Plan may be submitted.
4. A structural detail of the construction of the fence including footings, reinforcement, dimensions, etc. As an alternate, the city will provide a standard fence wall detail that may be used.
5. Building Permit and review fees. The fees may be estimated by completing the permit fee calculation on the Building Permit Application.
6. If future development is impending, different wall options may be considered.
7. Masonry fences cannot be constructed on vacant property.



Signs

Signs or notices required for the purpose of preventing soil disturbance of unauthorized access that result in fugitive dust of nuisance conditions will not require a sign permit.

Lot Maintenance

1. Property owners are required to maintain their properties in compliance with the adopted ordinances (trash and rubbish are not allowed to accumulate and/or must be removed).
2. You may wish to design your fence in a manner that trash will not accumulate.

Lot Grading

Lots may not be graded without an approved hydrology study and grading permit. The homeowner may wish to cover the property with gravel to prevent fugitive dust and may do so if the natural terrain is not disturbed. Washes and low flow areas may not be filled in.



Air Quality Regulations: Section 92 CONTROL MEASURES

Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.3.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments, and Code Enforcement within Clark County, City of Las Vegas, City of Henderson, and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use, and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.
 - Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

❖ Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement, or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) Paving may not apply to rural public parking facilities such as trail heads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate, or similar bulk materials.
 - ◆ All access, parking, and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking, and loading areas used primarily by rubber tired vehicles shall be paved.
 - **Approval for exceptions 1 – 3 above requires review and sign-off by the local entity's development services or building department and DAQ.**
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

January 2025



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	DEMETER INVESTMENTS LLC	Date: Jan 24, 2024
Mailing Address:	5520 W Harold Gatty Dr., Salt Lake City, UT 84116	
Assessor's Parcels:	123-28-801-004	
Property Location:	NWC of Ann Rd & Sloan Ln	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Richard Wyse at 702-277-1187 or by email at richard.wyse@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	9.42		
Complaint Received:	Yes	Complaint No.:	75681, 75682
Soil Condition:	Unstable	Note:	Dry, loose, powdery
Disturbance Factors:	Vehicular Travel, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Andrew Kirk

I conducted a complaint investigation and observed over 5,000 square feet of unpaved parking/storage being used on parcel #123-28-801-004 located North West of Ann Road & Sloan Lane. There were over 50 semi-truck trailers parked on this parcel. This unpaved parking/storage lot was created after January 1, 2003, which is not in compliance with AQR 92.3.1. I took photos of the sites to document the current conditions. A Notice of Noncompliance (NON) will be issued to the Property Owner. The NON will instruct the property owner to pave the parcel or remove all equipment storage/materials and vehicles within 30 days from the receipt of NON and to stabilize all soils immediately.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

❖ Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



7749 3091 6403

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	Ziegler Michael G	Date: Jan 24, 2024
Mailing Address:	1960 Leonard Lane, Las Vegas, NV 89108	
Assessor's Parcels:	138-24-702-001	
Property Location:	5095 West Lake Mead Boulevard	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.46		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	dry, loose and powdery
Disturbance Factors:	Vehicular Travel, Material Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a Re-inspection and observed an unpaved storage yard on 138-24-702-001. The yard consisted of over 5,000 square feet of trucks, cars, and materials. As of January 10, 2024, all necessary control measures to meet AQRs have not been implemented since the original Notice of Non-Compliance (NON) was sent to the Property Owner on November 30, 2024.

Following the issuance of this NON, and a request for more time by the owner, an extension until April 5, 2024, to stabilize the soils and vacate the parcel (reduce the disturbed area to under 5,000 square feet) has been granted. Failure to implement all necessary control measures by April 5, 2024, may result in a Notice of Violation (NOV) with civil monetary penalties.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

❖ Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



7748 2697 6870

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	EWING INVESTMENTS	Date: Jan 16, 2024
Mailing Address:	1400 NORTH A STREET, LAS VEGAS, NV 89106-3220	
Assessor's Parcels:	139-02-802-016	
Property Location:	2102 E ALEXANDER ROAD, NORTH LAS VEGAS 89030	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	4.04		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	dry, loose, and powdery
Disturbance Factors:	Parking, Vehicular Travel, Storage	Other:	N/A
Fugitive Dust Observed:	No	Generated By:	N/A
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved landscaping storage yard greater than 5,000 square feet on APN 139-02-802-016. There were over one hundred truck/trailers, service trucks and boats throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

❖ Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



7749 3109 5862

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	2 MORCO L L P	Date: Jan 24, 2024
Mailing Address:	11710 West Tioga Street, Boise, ID 83709	
Assessor's Parcels:	139-17-301-003	
Property Location:	NW of Citizen Avenue & Simmons Street	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.64		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	dry, loose and powdery
Disturbance Factors:	Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a Re-inspection on APN 139-17-301-003 and observed an unpaved storage yard. I observed over two dozen rubber-tire service trucks, work vehicles, outhouses, nine-yard trash container and trailers stored on dirt. As of January 9, 2024, all necessary control measures to meet AQRs have not been implemented since the original Notice of Non-Compliance (NON) was sent to the Property Owner on December 6, 2023.

Following the issuance of this NON, failure to implement all necessary control measures by February 9, 2024, may result in a Notice of Violation (NOV) with civil monetary penalties.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave** – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	Mejia Hermes Etal and Mejia Miquirray Revocable Living Trust	Date: Jan 24, 2024
Mailing Address:	3260 W. Richmar Avenue, Las Vegas, NV, NV 89139	
Assessor's Parcels:	140-20-301-002	
Property Location:	4383 E. Lake Mead Blvd	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	1.13		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel
Disturbance Factors:	Parking, Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved landscaping storage yard greater than 5,000 square feet on APN 140-20-301-002. There were approximately one dozen truck/trailers, passenger vehicle and service trucks throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Pre) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	Tonopah & Tidewater Railroad Co	Date: Jan 16, 2024
Mailing Address:	4680 N Cimarron Rd, Las Vegas, NV 89129	
Assessor's Parcels:	161-07-103-014, 161-07-103-016	
Property Location:	SW of Stratford Avenue and Glen Avenue	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), property owners/operators shall implement and maintain control measures to prevent fugitive dust on any unpaved parking lot or storage yard established before January 1, 2003, that is equal to or greater than 5,000 square feet.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance. You may resolve this matter by implementing one or more of the control measures described in AQR 92.3.4 or by discontinuing use of this parcel as a parking lot/storage yard and returning all soils to a stable condition in accordance with AQR 92.4.

Within 30 days of receiving this notice, you must have implemented one or more of the control measures described in AQR 92.3.4. You may also discontinue the use of this parcel by removing all equipment and materials from the property and stabilizing the soil in accordance with AQR 92.4.

Failure to comply with the provisions of AQR Section 92 may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Upon receipt of this Noncompliance Notice, immediately contact Canduella Rowsell at 725-377-4270 or by email at canduella.rowsell@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action.

Section 92 (Pre) Inspection Form – Summary

Acreage:	0.92	
Complaint Received:	No	Complaint No.:
Soil Condition:	Unstable	Note: dry, loose, powdery
Disturbance Factors:	Parking, Vehicular Travel, Equipment Storage, Salvage Yard	Other:
Fugitive Dust Observed:	No	Generated By: Unknown
Photography:	Yes	
Silt Content Test:	N/A	Percent Silt Content:
Opacity Test:	N/A	Percent Opacity:
Inspector Notes:		Approved By: Andrew Kirk

I conducted a routine patrol inspection and observed over 5,000 square feet of unpaved parking/storage being used on parcel #16107103016 and 16107103014 located southwest of Stratford Ave and Glen Avenue. There were multiple semi-trucks and trailers parked on these parcels. These unpaved parking/storage lots were created after January 1, 2003, which is not in compliance with AQR 92.3.1. I took photos of the sites to document the current conditions. A Notice of Noncompliance (NON) will be issued to the Property Owner. The NON will instruct the property owner to pave both parcels or remove all equipment storage/materials and vehicles within 30 days from the receipt of NON and to stabilize all soils immediately.



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	USA and County of Clark (Pk & Rec) Lease	Date: Jan 16, 2024
Mailing Address:	500 S GRAND CENTRAL PKWY, LAS VEGAS, NV, NV 89155	
Assessor's Parcels:	176-29-601-025	
Property Location:	8800 Sparkling Chandon Dr., Las Vegas, NV 89178	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	20.00		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel, dirt
Disturbance Factors:	Vehicular Travel, Equipment Storage	Other:	N/A
Fugitive Dust Observed:	No	Generated By:	N/A
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a re-inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 176-29-601-025 that contained two conex boxes, two nine-yard storage containers, three trailers, three work trucks, multiple metal lamp posts and landscaping materials. As of January 9, 2024, all necessary control measures to meet Air Quality Regulations (AQRs) have not been implemented since the original Notice of Non-Compliance (NON) was sent to the property owner on November 2, 2023.

This storage yard was created after January 1, 2003, which is a violation of AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

❖ Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To: Lewis Thanh

Date: Jan 6, 2025

Mailing Address: 5066 Pearlite Ave., Las Vegas, NV 89120

Assessor's Parcels: 140-20-610-009

Property Location: 4925 Judson Ave - CC Sunrise Manor

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage: 0.89

Complaint Received: No

Complaint No.:

Soil Condition: Stable

Note: dirt, Type II

Disturbance Factors: Parking, Vehicular Travel, Storage

Other:

Fugitive Dust Observed: No

Generated By: Unknown

Photography: Yes

Silt Content Test: N/A

Percent Silt Content:

Opacity Test: N/A

Percent Opacity:

Inspector Notes:

Approved By: Satyra George

I conducted an inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 140-20-610-009. There were dozens of passenger vehicles, service trucks, flatbed tow trucks and truck trailers on-site. As of January 6, 2025, all necessary control measures to meet Air Quality Regulations (AQRs) have not been implemented since the original Notice of Non-Compliance (NON) was sent to the property owner on November 21, 2022. DCOP 56200, a Section 92 Conditional renewal, was issued on February 16, 2024, and expired December 27, 2024. I informed the Responsible Official, Mr. Gia Nguyen, I will send a Section 92 Notice of Non-compliance to the landowner, Ms. Than Lewis, to remove everything from the site or restrict on-site materials to an area no larger than 5,000 square feet on clean gravel, by February 6, 2025. Mr. Nguyen stated he understood and would comply.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave** – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	CITY OF HENDERSON	Date: Jan 15, 2025
Mailing Address:	240 WATER ST., HENDERSON, NV 89009-5050	
Assessor's Parcels:	178-01-102-008	
Property Location:	2101 MOSER DR., HENDERSON - 89011	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Satyra George at 702-455-1609 or by email at satyra.george@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	34.67		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	some of it is stabilized with gravel and RAP some of it is stabilized with gravel and RAP, while other areas have unstable soils created by frequent travel
Disturbance Factors:	Parking, Material Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 178-01-102-008. There were over three dozen rubber-tire vehicles, heavy construction equipment, service trucks, and various construction materials on-site. This storage yard was created after 1/1/03 and is subject to AQR 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.



Air Quality Regulations: Section 92 CONTROL MEASURES

Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.3.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments, and Code Enforcement within Clark County, City of Las Vegas, City of Henderson, and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use, and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.
 - Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

❖ Control Measures:

- ❖ **Pave** – Use asphaltic concrete (AC), concrete pavement, cement, or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trail heads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate, or similar bulk materials.
 - ◆ All access, parking, and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking, and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and sign-off by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

January 2025



City of Henderson
Department of Building and Fire Safety
240 Water Street, P.O. Box 95050
Henderson, NV 89009-5050
(702)267-3600 Fax (702)267-3601

Requirements to Obtain a Building Permit

Chain Link Fence

The following are required to obtain a Building Permit for a chain link fence:

1. A completed Building Permit Application must be submitted. The form may be obtained from the Building Department
2. A site drawing showing the subject property and location of the fence to be constructed. The plan should indicate the length and height of each section of fence. The chain link fence shall not exceed six feet in height.
3. The fence shall be designed in such a manner that existing drainage will not be altered in any fashion. As an alternate, Hydrology Studies and a Grading Plan may be submitted.
4. A structural detail of the construction of the fence is not required unless the fence is unusually tall.
5. Building Permit and review fees. The fees may be estimated by completing the permit fee calculation on the Building Permit Application.

Masonry (Concrete) Fence

The following are required to obtain a Building Permit for a masonry fence:

1. A completed Building Permit Application must be submitted. The form may be obtained from the Building Department
2. A site drawing showing the subject property and location of the fence to be constructed. The plan should indicate the length and height of each section of fence. The fence shall be a maximum of six feet except in the required front yard setback where the maximum is 32 inches.
3. The fence shall be designed in such a manner that existing drainage will not be altered in any fashion. As an alternate, Hydrology Studies and a Grading Plan may be submitted.
4. A structural detail of the construction of the fence including footings, reinforcement, dimensions, etc. As an alternate, the city will provide a standard fence wall detail that may be used.
5. Building Permit and review fees. The fees may be estimated by completing the permit fee calculation on the Building Permit Application.
6. If future development is impending, different wall options may be considered.
7. Masonry fences cannot be constructed on vacant property.



Signs

Signs or notices required for the purpose of preventing soil disturbance of unauthorized access that result in fugitive dust of nuisance conditions will not require a sign permit.

Lot Maintenance

1. Property owners are required to maintain their properties in compliance with the adopted ordinances (trash and rubbish are not allowed to accumulate and/or must be removed).
2. You may wish to design your fence in a manner that trash will not accumulate.

Lot Grading

Lots may not be graded without an approved hydrology study and grading permit. The homeowner may wish to cover the property with gravel to prevent fugitive dust and may do so if the natural terrain is not disturbed. Washes and low flow areas may not be filled in.



7720 6303 9507

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Pre) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	1800 MOJAVE PARTNERS L L C C/O ALTERRA PROPERTY GROUP	Date: Jan 23, 2025
Mailing Address:	414 S 16TH ST., STE. 100, PHILADELPHIA, PA 19146	
Assessor's Parcels:	162-01-703-024	
Property Location:	1800 S Mojave Rd, Las Vegas, NV 89104	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), property owners/operators shall implement and maintain control measures to prevent fugitive dust on any unpaved parking lot or storage yard established before January 1, 2003, that is equal to or greater than 5,000 square feet.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance. You may resolve this matter by implementing one or more of the control measures described in AQR 92.3.4 or by discontinuing use of this parcel as a parking lot/storage yard and returning all soils to a stable condition in accordance with AQR 92.4.

Within 30 days of receiving this notice, you must have implemented one or more of the control measures described in AQR 92.3.4. You may also discontinue the use of this parcel by removing all equipment and materials from the property and stabilizing the soil in accordance with AQR 92.4.

Failure to comply with the provisions of AQR Section 92 may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action.

Section 92 (Pre) Inspection Form – Summary

Acreage:	2.73		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	dry, powdery soil
Disturbance Factors:	Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard over 5,000 square feet on APN 162-01-703-024. This storage yard was created pre-January 1, 2003, and does not apply at least one control measures listed in Air Quality Regulations (AQRs) 92.3.4. There are half-a dozen trucks on-site, but this site is actively used for truck trailer storage with dozens of trailers on-site as various times of the year. Please contact me to discuss your plan to bring your sites into compliance with Air Quality Regulations.



Air Quality Regulations: Section 92 CONTROL MEASURES

Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.3.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments, and Code Enforcement within Clark County, City of Las Vegas, City of Henderson, and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use, and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.
 - Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

❖ Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement, or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trail heads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate, or similar bulk materials.
 - ◆ All access, parking, and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking, and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and sign-off by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

January 2025



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Pre) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	MIRANDA FAVIOLA and MARQUEZ HOMERO MERAZ	Date: Jul 2, 2024
Mailing Address:	7019 ALABASTER PEAK ST, Las Vegas, NV 89166	
Assessor's Parcels:	126-08-801-002	
Property Location:	Kyle Canyon Rd & Reymore St	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), property owners/operators shall implement and maintain control measures to prevent fugitive dust on any unpaved parking lot or storage yard established before January 1, 2003, that is equal to or greater than 5,000 square feet.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance. You may resolve this matter by implementing one or more of the control measures described in AQR 92.3.4 or by discontinuing use of this parcel as a parking lot/storage yard and returning all soils to a stable condition in accordance with AQR 92.4.

Within 30 days of receiving this notice, you must have implemented one or more of the control measures described in AQR 92.3.4. You may also discontinue the use of this parcel by removing all equipment and materials from the property and stabilizing the soil in accordance with AQR 92.4.

Failure to comply with the provisions of AQR Section 92 may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Upon receipt of this Noncompliance Notice, immediately contact Heath Richards at 702-249-4325 or by email at heath@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action.

Section 92 (Pre) Inspection Form – Summary

Acreage:	3.27		
Complaint Received:	Yes	Complaint No.:	76066
Soil Condition:	Stable	Note:	
Disturbance Factors:	Parking, Vehicular Travel, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Andrew Kirk

I conducted a Vacant Land Inspection on parcel 126-08-801-002, and observed an unpaved storage yard over 5,000 square feet that was created after January 1, 2003. There were approximately 8 construction vehicles, construction equipment and trailers parked throughout the parcel. A Post 2003 Section 92 Vacant Land Notice of Noncompliance is being issued to the property owner.



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	KELL LN TRUST	Date: Jul 10, 2024
Mailing Address:	5151 Kell Ln, Las Vegas, NV 89156	
Assessor's Parcels:	140-21-401-003	
Property Location:	5151 Kell Lane, CC Sunrise Manor - 89156	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Noel Crandall at 702-455-1658 or by email at crandall@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	1.01	Complaint No.:	
Complaint Received:	No	Note:	
Soil Condition:	Stable	Other:	Vehicles, tractor trailers, and Semi trucks.
Disturbance Factors:	Equipment Storage	Generated By:	Unknown
Fugitive Dust Observed:	No	Percent Silt Content:	
Photography:	Yes	Percent Opacity:	
Silt Content Test:	N/A	Approved By:	Satyra George
Opacity Test:	N/A		

Inspector Notes:
I conducted a routine inspection and observed an unpaved storage lot on parcel 140-21-401-003. There were approximately 10 tractors, 1 tractor trailer, one boat, and approximately 3 cars parked throughout the parcel. This parking lot was created after January 1, 2003, which is not in compliance with AQR 92.3.1.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	TUCKER MICHAEL L	Date: Jul 2, 2024
Mailing Address:	10232 GLEN ORA AVE, LAS VEGAS, NV 89134	
Assessor's Parcels:	191-19-601-002	
Property Location:	14055 Hinson St., Sloan, NV 89054	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	2.00	Complaint No.:	
Complaint Received:	No	Note:	gravel and dry, loose and powdery soils
Soil Condition:	Unstable	Other:	
Disturbance Factors:	Parking, Vehicular Travel, Storage, Material Storage, Equipment Storage	Generated By:	Unknown
Fugitive Dust Observed:	No	Percent Silt Content:	
Photography:	Yes	Percent Opacity:	
Silt Content Test:	N/A	Approved By:	Satyra George
Opacity Test:	N/A		
Inspector Notes:			

I conducted a routine inspection and observed an unpaved equipment/vehicle storage yard greater than 5,000 square feet on APN 191-19-601-002. There were approximately one dozen passenger vehicles, pieces of heavy construction equipment, service trucks, port-a potties, stacks of construction, equipment and motor homes on-site. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	F G INDEPENDENT HAULING INC	Date: Jun 25, 2024
Mailing Address:	6929 HORIZON GLEN CT, North Las Vegas, NV 89084	
Assessor's Parcels:	123-34-310-018, 123-34-310-015, 123-34-310-014, 123-34-310-029, 123-34-310-033	
Property Location:	SEC of N Las Vegas Blvd & Beesley Dr., NORTH LAS VEGAS 89115	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	1.00	Complaint No.:	
Complaint Received:	No	Note:	ashalt millings
Soil Condition:	Stable	Other:	
Disturbance Factors:	Parking, Vehicular Travel, Storage, Material Storage, Equipment Storage	Generated By:	Unknown
Fugitive Dust Observed:	No	Percent Silt Content:	
Photography:	Yes	Percent Opacity:	
Silt Content Test:	N/A	Approved By:	Satyra George
Opacity Test:	N/A		

Inspector Notes:
I conducted a routine inspection and observed five unpaved storage yards, each greater than 5,000 square feet on APNS 123-34-310-014, -015, -018, -029, & -033. There were over four dozen passenger vehicles, 52' foot trailers, utility service trucks, haul trucks, and forklifts throughout the parcels. APNS 123-34-310-014, -015, and -018 were inspected and photographed on 06/25/2024. APNs 123-34-310-029 & -033 were inspected and photographed after these two APNs were observed on 6/25/24. These storage yards were created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Mayor
John J. Lee

City Manager
Ryann Juden

Council Members
Isaac E. Barron
Pamela A. Goynes-Brown
Scott Black
Richard J. Cherchio



Land Development & Community Services

Marc Jordan, Director

Building & Fire Safety Division

2250 Las Vegas Boulevard, North · Suite #125 · North Las Vegas, Nevada 89030

Telephone: (702) 633-1577 Fax: (702) 633-5278 · TDD: (800) 326-6868

www.cityofnorthlasvegas.com

January 30, 2019

Temporary fence used to enclose vacant land to prevent trespassing for the purpose of dust control is permitted with the following conditions.

1. A fence is not temporary when a site is developed
2. No storage of any kind is allowed
3. Any fence taller than 6 feet in height will require a building permit
4. The temporary fencing shall be chain-link only.
5. Barbed wire, razor wire, or electric fencing is not permitted
6. A grading permit from Public Works is required for any berms constructed on the site

Marc Jordan, Director
Land Development and Community Services

Dale Daffern, Director
Public Works



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Pre) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	NELSON LIVING TRUST and NELSON RICHARD A & NANCY O TRS	Date: Jun 12, 2024
Mailing Address:	18532 AQUINO WAY, SARATOGA, CA 95070	
Assessor's Parcels:	139-10-603-005	
Property Location:	412 EAST GOWAN ROAD	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), property owners/operators shall implement and maintain control measures to prevent fugitive dust on any unpaved parking lot or storage yard established before January 1, 2003, that is equal to or greater than 5,000 square feet.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance. You may resolve this matter by implementing one or more of the control measures described in AQR 92.3.4 or by discontinuing use of this parcel as a parking lot/storage yard and returning all soils to a stable condition in accordance with AQR 92.4.

Within 30 days of receiving this notice, you must have implemented one or more of the control measures described in AQR 92.3.4. You may also discontinue the use of this parcel by removing all equipment and materials from the property and stabilizing the soil in accordance with AQR 92.4.

Failure to comply with the provisions of AQR Section 92 may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action.

Section 92 (Pre) Inspection Form – Summary

Acreage:	4.45	Complaint No.:	
Complaint Received:	No	Note:	dry, loose and powdery soils
Soil Condition:	Unstable	Other:	
Disturbance Factors:	Parking, Vehicular Travel, Equipment Storage	Generated By:	Unknown
Fugitive Dust Observed:	No	Percent Silt Content:	
Photography:	Yes	Percent Opacity:	
Silt Content Test:	N/A	Approved By:	Katrinka Byers
Opacity Test:	N/A		

Inspector Notes: I conducted a Complaint (#76013) investigation of fugitive dust emissions from APN 139-10-603-005 and observed the site to be in non-compliance. I met and spoke on-site with Assistant Site Supervisor James Donnelly and discussed the Anonymous Complaint. The site is covered with layers of loose, dry and powdery dirt. I directed Mr. Donnelly to immediately stabilize all site soils. I will issue the property owner a AQR Section 92 Notice of Non-compliance to remove all dry, loose and powdery soils so compliance with Section 92 can be verified: Mr. Donnelly indicated the site was paved underneath the soils. They will need to meet AQR Section 92, Unpaved Parking/Storage Requirements, Pre-1/1/03.



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	CECO ENTERPRISES L L C	Date: Jun 6, 2024
Mailing Address:	3300 ST ROSE PKWY, HENDERSON, NV 89052	
Assessor's Parcels:	177-35-110-002	
Property Location:	1385 E CACTUS AVE, HENDERSON, NV 89183	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	44.74	Complaint No.:	
Complaint Received:	No	Note:	dry, loose and powdery
Soil Condition:	Unstable	Other:	
Disturbance Factors:	Parking, Vehicular Travel, Storage, Equipment Storage	Generated By:	vehicular transit
Fugitive Dust Observed:	Yes	Percent Silt Content:	
Photography:	Yes	Percent Opacity:	
Silt Content Test:	N/A	Approved By:	Satyra George
Opacity Test:	N/A		

Inspector Notes:
I conducted a routine inspection and observed an unpaved storage yard lot over 5,000 sq. ft. on APN 177-35-110-002 created after 1/1/03. There were dozens of rubber-tired construction vehicles and equipment stored on-site on unpaved dry, loose and powdery soils, which is a violation of AQR Section 92.3.1 Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



Signs

Signs or notices required for the purpose of preventing soil disturbance of unauthorized access that result in fugitive dust or nuisance conditions will not require a sign permit.

Lot Maintenance

1. Property owners are required to maintain their properties in compliance with the adopted ordinances (trash and rubbish are not allowed to accumulate and/or must be removed).
2. You may wish to design your fence in a manner that trash will not accumulate.

Lot Grading

Lots may not be graded without an approved hydrology study and grading permit. The homeowner may wish to cover the property with gravel to prevent fugitive dust and may do so if the natural terrain is not disturbed. Washes and low flow areas may not be filled in.



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	FRAME NANCY L FAMILY TRUST and FRAME NANCY L TRS	Date: May 16, 2024
Mailing Address:	220 S MAGIC WAY, HENDERSON, NV 89015-4857	
Assessor's Parcels:	179-16-603-001	
Property Location:	220 S MAGIC WAY	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	3.44	Complaint No.:	
Complaint Received:	No	Note:	gravel
Soil Condition:	Stable	Other:	
Disturbance Factors:	Parking, Vehicular Travel, Storage, Material Storage, Equipment Storage	Generated By:	Unknown
Fugitive Dust Observed:	No	Percent Silt Content:	
Photography:	Yes	Percent Opacity:	
Silt Content Test:	N/A	Approved By:	Satyra George
Opacity Test:	N/A		

Inspector Notes:

I conducted a routine inspection and observed an unpaved equipment/vehicle storage yard greater than 5,000 square feet on APN 179-16-603-001. There were two water trucks, various stockpiles of construction materials, skid steer, two diesel generators, cougar/screen, a pickup truck, multiple haul trucks and one storage garage throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	NEVADA POWER COMPANY	Date: Mar 21, 2024
Mailing Address:	PO Box 98910, Las Vegas, NV 89193-8910	
Assessor's Parcels:	123-22-801-022	
Property Location:	6580 E CENTENNIAL PKWY	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Noel Crandall at 702-455-1658 or by email at crandall@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	3.99	Complaint No.:	
Complaint Received:	No	Note:	Dry and powdery
Soil Condition:	Unstable	Other:	
Disturbance Factors:	Vehicular Travel	Generated By:	Unknown
Fugitive Dust Observed:	No	Percent Silt Content:	
Photography:	Yes	Percent Opacity:	
Silt Content Test:		Approved By:	Satyra George
Opacity Test:			
Inspector Notes:			

I conducted a routine inspection and observed an unpaved parking lot on parcel 123-22-801-022. There were approximately 4 RVs parked throughout the parcel. This parking lot was created after January 1, 2003, which is not in compliance with AQR 92.3.1. I conducted a Soil Stabilization Test in accordance with AQR Section 90.4.1.1., which failed.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	GEAR NORTHGATE 4 L L C	Date: Mar 4, 2024
Mailing Address:	5251 DTC PKWY STE 1000, GREENWOOD VILLAGE, CO 80111	
Assessor's Parcels:	123-29-310-008	
Property Location:	SWC of TROPICAL PARKWAY/PUEBLA STREET, LAS VEGAS 89115	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	13.25		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel
Disturbance Factors:	Parking, Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 123-29-310-008. There were approximately two dozen RVs stored throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave** – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	Gonzalez-Garden Carlos and Gonzalez Maria G	Date: Mar 6, 2024
Mailing Address:	5420 N 5th Street, North Las Vegas, NV, NV 89081	
Assessor's Parcels:	124-35-103-003	
Property Location:	5420 North 5th Street, North Las Vegas, NV 89031	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	1.90	Complaint No.:	
Complaint Received:	No	Note:	asphalt millings and dry, loose & powdery
Soil Condition:	Unstable	Other:	
Disturbance Factors:	Parking, Vehicular Travel, Storage	Generated By:	Unknown
Fugitive Dust Observed:	No	Percent Silt Content:	
Photography:	Yes	Percent Opacity:	
Silt Content Test:	N/A	Approved By:	Satyra George
Opacity Test:	N/A		

Inspector Notes:
I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 124-35-103-003. There were approximately 16 semi-trucks, semi-truck trailers, motor homes and passenger vehicles throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave** – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	BISMI SERIES HOLDINGS	Date: Mar 4, 2024
Mailing Address:	13861 ADARE MANOR, FRISCO, TX 75035	
Assessor's Parcels:	125-27-410-008	
Property Location:	SW of Tenaya Way and Skypoint Drive, Las Vegas 89130	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	1.03	Complaint No.:	
Complaint Received:	No	Note:	gravel, dirt
Soil Condition:	Stable	Other:	
Disturbance Factors:	Parking, Vehicular Travel, Storage, Equipment Storage	Generated By:	Unknown
Fugitive Dust Observed:	No	Percent Silt Content:	
Photography:	Yes	Percent Opacity:	
Silt Content Test:	N/A	Approved By:	Satyra George
Opacity Test:	N/A		

Inspector Notes: I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 125-27-410-008. There were approximately six nine-yard trash trailers, three RV's, one service truck and six passenger vehicles throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
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 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

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 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
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 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



7755 1937 8987

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	MAGGARD WESLEY & CAMILLE	Date: Mar 12, 2024
Mailing Address:	7714 WEST LONE MOUNTAIN ROAD, LAS VEGAS, NV 89129	
Assessor's Parcels:	125-33-803-020	
Property Location:	7714 WEST LONE MOUNTAIN ROAD	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	1.06	Complaint No.:	
Complaint Received:	No	Note:	dry, loose and powdery
Soil Condition:	Unstable	Other:	
Disturbance Factors:	Parking, Vehicular Travel, Storage, Material Storage, Equipment Storage	Generated By:	Unknown
Fugitive Dust Observed:	No	Percent Silt Content:	
Photography:	Yes	Percent Opacity:	
Silt Content Test:	N/A	Approved By:	Satyra George
Opacity Test:	N/A		

Inspector Notes:

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 125-33-803-020. There were approximately two skit steers, four passenger vehicles, three work service vehicles, one nine-yard trash container, two tool sheds and over one dozen stacks of pallets and construction materials throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
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*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave** – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
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 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
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 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
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 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	ADVANCED TRUCK & TRAILER L L C	Date: Mar 12, 2024
Mailing Address:	1114 GEORGE AVE, NORTH LAS VEGAS, NV 89030	
Assessor's Parcels:	139-11-302-001	
Property Location:	SEC of GOWAN ROAD & DONNA STREET, NORTH LAS VEGAS	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.58	Complaint No.:	
Complaint Received:	No	Note:	asphalt millings, gravel
Soil Condition:	Stable	Other:	
Disturbance Factors:	Parking, Vehicular Travel, Storage, Equipment Storage	Generated By:	Unknown
Fugitive Dust Observed:	No	Percent Silt Content:	
Photography:	Yes	Percent Opacity:	
Silt Content Test:	N/A	Approved By:	Satyra George
Opacity Test:	N/A		

Inspector Notes:
I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 139-11-302-001. There were approximately two dozen water trucks, a water tank, front end loaders, shovels, accordion lifts, a work-site office trailer and other pieces construction related material throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ **Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.**
 - **Including the cities of Las Vegas, North Las Vegas and Henderson.**
- ❖ **Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.**
 - **Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.**
- ❖ **An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:**
 - **New use or change of existing use.**
 - **Improvements or expansion of existing lot/yard.**
 - **Paving exemptions or delays have expired their time limit and paving is now required.**

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) **Paving may not apply to rural public parking facilities such as trailheads and campgrounds.**
 - ◆ **Must be located outside the Las Vegas Valley BLM Disposal Boundary**
 - 2) **Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.**
 - ◆ **All access, parking and loading areas used by on-road vehicles shall be paved.**
 - 3) **Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.**
 - ◆ **All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.**
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - **Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.**

April 2016



Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	Herrera Ramon Loya & Teresa Jean Reifer	Date: Mar 12, 2024
Mailing Address:	1835 Mt. Hood Street, LAS VEGAS NV, NV 89156	
Assessor's Parcels:	140-20-101-001	
Property Location:	4625 E. Carey Avenue, North Las Vegas, NV	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	2.33	Complaint No.:	
Complaint Received:	No	Note:	gravel
Soil Condition:	Stable	Other:	
Disturbance Factors:	Parking, Vehicular Travel, Storage, Equipment Storage	Generated By:	Unknown
Fugitive Dust Observed:	No	Percent Silt Content:	
Photography:	Yes	Percent Opacity:	
Silt Content Test:	N/A	Approved By:	Satyra George
Opacity Test:	N/A		
Inspector Notes:			

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 140-20-101-001. There were over a dozen semi-trucks, semi-truck trailers, belly dumps, tilt dumps, passenger vehicles and construction equipment throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	PENA VICTOR & MARIA	Date: Mar 12, 2024
Mailing Address:	3825 JUDSON AVE, LAS VEGAS, NV 89115	
Assessor's Parcels:	140-20-610-002	
Property Location:	4735 JUDSON AVE	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.90	Complaint No.:	
Complaint Received:	No	Note:	gravel
Soil Condition:	Stable	Other:	
Disturbance Factors:	Parking, Vehicular Travel, Storage, Equipment Storage	Generated By:	Unknown
Fugitive Dust Observed:	No	Percent Silt Content:	
Photography:	Yes	Percent Opacity:	
Silt Content Test:	N/A	Approved By:	Satyra George
Opacity Test:	N/A		

Inspector Notes:
I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 140-20-610-002. There were over one dozen semi-trucks, semi-truck trailers, conex boxes, equipment and passenger vehicles throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave** – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	DUTTS REAL ESTATE HOLDING L L C	Date: Mar 12, 2024
Mailing Address:	1160 SAX FIFTH AVE, HENDERSON, NV 89052	
Assessor's Parcels:	140-20-610-017	
Property Location:	5083 JUDSON AVE	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.89	Complaint No.:	
Complaint Received:	No	Note:	asphalt millings and dry, loose & powdery soils
Soil Condition:	Unstable	Other:	
Disturbance Factors:	Parking, Vehicular Travel, Storage, Equipment Storage	Generated By:	Unknown
Fugitive Dust Observed:	No	Percent Silt Content:	
Photography:	Yes	Percent Opacity:	
Silt Content Test:	N/A	Approved By:	Satyra George
Opacity Test:	N/A		

Inspector Notes:
I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 140-20-610-017. There were approximately five trucks, two flat-bed trailers, pallets of material and other construction material strewn across the storage area. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ **Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.**
 - **Including the cities of Las Vegas, North Las Vegas and Henderson.**
- ❖ **Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.**
 - **Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.**
- ❖ **An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:**
 - **New use or change of existing use.**
 - **Improvements or expansion of existing lot/yard.**
 - **Paving exemptions or delays have expired their time limit and paving is now required.**

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) **Paving may not apply to rural public parking facilities such as trailheads and campgrounds.**
 - ◆ **Must be located outside the Las Vegas Valley BLM Disposal Boundary**
 - 2) **Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.**
 - ◆ **All access, parking and loading areas used by on-road vehicles shall be paved.**
 - 3) **Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.**
 - ◆ **All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.**
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - **Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.**

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	STIMPSON KENNETH O	Date: Mar 12, 2024
Mailing Address:	7723 VILLA ANDRADE AVE, LAS VEGAS, NV 89131	
Assessor's Parcels:	140-20-610-040	
Property Location:	2140 MARION DR	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.86	Complaint No.:	
Complaint Received:	No	Note:	dry, loose and powdery soils; gravel
Soil Condition:	Unstable	Other:	
Disturbance Factors:	Parking, Vehicular Travel, Material Storage, Equipment Storage	Generated By:	Unknown
Fugitive Dust Observed:	No	Percent Silt Content:	
Photography:	Yes	Percent Opacity:	
Silt Content Test:	N/A	Approved By:	Satyra George
Opacity Test:	N/A		

Inspector Notes: I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 140-20-610-040. There were approximately 16 semi-trucks, semi-truck trailers, motor homes and passenger vehicles throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave** – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	ZUFFA RE LLC	Date: Mar 12, 2024
Mailing Address:	6650 S TORREY PINES DR, LAS VEGAS, NV 89118	
Assessor's Parcels:	176-02-101-020, 176-02-101-022	
Property Location:	SWC of SUNSET ROAD/TORREY PINES, LAS VEGAS 89118	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	9.34	Complaint No.:	
Complaint Received:	No	Note:	dry, loose and powdery
Soil Condition:	Unstable	Other:	
Disturbance Factors:	Vehicular Travel, Storage	Generated By:	Unknown
Fugitive Dust Observed:	No	Percent Silt Content:	
Photography:	Yes	Percent Opacity:	
Silt Content Test:	N/A	Approved By:	Satyra George
Opacity Test:	N/A		

Inspector Notes: I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APNs 176-02-101-020 & 022. There were approximately two dozen trucks and truck trailers throughout the parcels. This unpaved storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave** – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	Provident Realty & Development Corp	Date: Mar 12, 2024
Mailing Address:	4007 Toulon Court, Merced, CA 95348	
Assessor's Parcels:	177-28-301-007	
Property Location:	10160 S LAS VEGAS BLVD, Las Vegas, NV 89183	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Canduella Rowsell at 725-377-4270 or by email at canduella.rowsell@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	2.53	Complaint No.:	
Complaint Received:	No	Note:	Dry, Loose, Powdery
Soil Condition:	Unstable	Other:	
Disturbance Factors:	Parking, Vehicular Travel	Generated By:	Unknown
Fugitive Dust Observed:	No	Percent Silt Content:	
Photography:	Yes	Percent Opacity:	
Silt Content Test:	N/A	Approved By:	Satyra George
Opacity Test:	N/A		

Inspector Notes:
I conducted a routine inspection and observed an unpaved parking lot on parcel #177-28-301-007 located at 10160 S. Las Vegas Blvd, Las Vegas, NV 89183. There were 5 semis and trailers parked on-site on unpaved areas over 5,000 square feet and approximately 0.37 acres of dry, loose, and powdery site soils. This parking lot was created after January 1, 2003, which is not in compliance with AQR 92.3.1. There were no workers present onsite. I also took photos of the site. I will be issuing a Notice of Noncompliance to the parcel owner to immediately stabilize all site soils and to remove the semis or meet Section 92 Control Measures for the parking lot.



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	Series C and D of EMA HOLDINGS, LLC	Date: Mar 25, 2025
Mailing Address:	74 HUNT VALLEY TRL., Henderson, NV 89052	
Assessor's Parcels:	140-08-501-002, 140-08-501-001	
Property Location:	4229 N LAS VEGAS BLVD., CC Sunrise Manor - 89115	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	5.71		
Complaint Received:	Yes	Complaint No.:	76831
Soil Condition:	Stable	Note:	asphalt millings
Disturbance Factors:	Parking, Vehicular Travel, Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a Complaint investigation, Complaint #76831, and observed an unpaved storage yard over 5,000 square feet on APNs 140-08-501-001 & -002. There was approximately three dozen passenger vehicles and haul trucks/trailers on-site. This storage yard was created after January 1, 2003, which is not in compliance with AQR 92.3.1. Please contact me to discuss your plan to bring your site into compliance with Air Quality Regulations.



Air Quality Regulations: Section 92 CONTROL MEASURES

Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.3.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments, and Code Enforcement within Clark County, City of Las Vegas, City of Henderson, and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use, and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.
 - Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

❖ Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement, or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) Paving may not apply to rural public parking facilities such as trail heads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate, or similar bulk materials.
 - ◆ All access, parking, and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking, and loading areas used primarily by rubber tired vehicles shall be paved.
 - **Approval for exceptions 1 – 3 above requires review and sign-off by the local entity's development services or building department and DAQ.**
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

January 2025



7728 3639 7594

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	S A M I M I L L C	Date: Mar 12, 2025
Mailing Address:	2479 FIELD ROSE DR., SALT LAKE CITY, UT 84121-1571	
Assessor's Parcels:	177-28-101-023	
Property Location:	NEC of Las Vegas Blvd./Le Baron Ave., CC - Enterprise - 89183	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	1.09		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel
Disturbance Factors:	Parking	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved parking lot over 5,000 square feet on APN 177-28-101-023. There are over half-a dozen cars and trucks & trailers parked throughout the parcel. This parking lot was created after January 1, 2003, which is not in compliance with AQR 92.3.1. Please contact me to discuss your plan to bring your site into compliance with Air Quality Regulations.



Air Quality Regulations: Section 92 CONTROL MEASURES

Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.3.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments, and Code Enforcement within Clark County, City of Las Vegas, City of Henderson, and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use, and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.
 - Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

❖ Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement, or brick pavers.**

- **Paving is the only option available with the possible exception of:**

- 1) Paving may not apply to rural public parking facilities such as trail heads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
- 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate, or similar bulk materials.
 - ◆ All access, parking, and loading areas used by on-road vehicles shall be paved.
- 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking, and loading areas used primarily by rubber tired vehicles shall be paved.

- **Approval for exceptions 1 – 3 above requires review and sign-off by the local entity's development services or building department and DAQ.**

- Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

January 2025



7728 4197 9400

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	SALOMONSON FAMILY TRUST	Date: Mar 12, 2025
Mailing Address:	10780 GILES ST., LAS VEGAS, NV 89183	
Assessor's Parcels:	177-33-201-011	
Property Location:	10780 GILES ST., CC Enterprise - 89183	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	1.12		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel
Disturbance Factors:	Parking, Vehicular Travel, Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard over 5,000 square feet on APN 177-33-201-011. There were dozens of stacks of various pieces of construction material and about one dozen vehicles throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR 92.3.1. Please contact me to discuss your plan to bring your site into compliance with Air Quality Regulations.



Air Quality Regulations: Section 92 CONTROL MEASURES

Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.3.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments, and Code Enforcement within Clark County, City of Las Vegas, City of Henderson, and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use, and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.
 - Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

❖ Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement, or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trail heads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate, or similar bulk materials.
 - ◆ All access, parking, and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking, and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and sign-off by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

January 2025



7767 9101 8904

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	FRAME NANCY L FAMILY TRUST and FRAME NANCY L TRS	Date: May 16, 2024
Mailing Address:	220 S MAGIC WAY, HENDERSON, NV 89015-4857	
Assessor's Parcels:	179-16-603-001	
Property Location:	220 S MAGIC WAY	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	3.44		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel
Disturbance Factors:	Parking, Vehicular Travel, Storage, Material Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved equipment/vehicle storage yard greater than 5,000 square feet on APN 179-16-603-001. There were two water trucks, various stockpiles of construction materials, skid steer, two diesel generators, cougar/screen, a pickup truck, multiple haul trucks and one storage garage throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	R & V PROPERTIES L L C	Date: May 20, 2024
Mailing Address:	3521 Perching Bird Ln, North Las Vegas, NV, NV 89084	
Assessor's Parcels:	125-24-601-006	
Property Location:	6900 Unicorn St., Las Vegas	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Nahulu Kahananui at 725-272-3550 or by email at nahulu.kahananui@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	1.16		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	Sporadic dry, loose, powdery site soil
Disturbance Factors:	Storage, Material Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Andrew Kirk

I conducted a routine inspection and observed multiple areas of dry loose, powdery site soils and an unpaved parking/storage lot, greater than 5,000 sq. ft. in size, being used on parcel #125-24-601-006 located at 6900 Unicorn St. There were multiple small Conex boxes, construction materials, a telehandler, and various parked vehicles and trailers on the parcel. This unpaved parking/storage lot was created after January 1, 2003, which is not in compliance with AQR 92.3.1. I took photos of the site to document the current conditions and spoke with Adalberto Rivera, Property Owner, and informed him of Air Quality's Section 92 Regulation. I directed Mr. Rivera to either remove all items from the parcel and block access, pave the areas that will be used for parking/storage, or to keep the unpaved storage under 5,000 sq. ft. in size. I advised Mr. Rivera that if he will be keeping the unpaved area under 5,000 sq. ft. in size, then the area must have clean gravel applied and all other areas must have access blocked. A Notice of Noncompliance is being issued to R & V Properties, LLC.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



7764 8887 6960

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	COLEMAN ST LLC	Date: May 9, 2024
Mailing Address:	3246 COLEMAN ST, NORTH LAS VEGAS, NV 89032	
Assessor's Parcels:	138-12-710-059, 138-12-810-011	
Property Location:	SWC of Ricky Road/Thom Blvd., Las Vegas	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	1.42		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel
Disturbance Factors:	Parking, Vehicular Travel, Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved equipment/vehicle storage yards greater than 5,000 square feet on APN 138-12-710-059 and 138-12-810-011. There were about a dozen vehicles, pieces of construction material and construction equipment throughout the parcel.

The storage yards are not in compliance with AQR Section 92. APN 138-12-710-059 was created after January 1, 2003, which is out of compliance with AQR Section 92.3.1. APN 138-12-810-011 is either out of compliance with AQR Section 92.3.1 if there is no land use allowing unpaved parking prior to January 1, 2003, or out of compliance with AQR 92.3.2 if no such land use exists.

Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave** – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



7764 8933 1897

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	CASAS BONITAS LV LLC	Date: May 14, 2024
Mailing Address:	1003 HOLLOWBLUFF AVE., NORTH LAS VEGAS, NV 89031	
Assessor's Parcels:	139-19-703-004	
Property Location:	1889 CYPRESS TRL	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.63		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	dry, loose and powdery soils
Disturbance Factors:	Parking, Vehicular Travel, Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 139-19-703-004. There were approximately two passenger vehicles, one utility service truck, four scrapers, one 10,000 gallon water truck, one flat-bed trailer hauling a water truck tank and one rubber-tired front-end loader throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	Ryan & Danielle Sprague Family Trust Ryan G & Danielle T TRS	Date: May 15, 2024
Mailing Address:	733 Mooney Drive, Monterey Park, CA 91755	
Assessor's Parcels:	139-19-812-019	
Property Location:	1775 North Rancho Drive, Las Vegas 89106	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	1.25	
Complaint Received:	No	Complaint No.:
Soil Condition:	Unstable	Note: dry, loose and powdery soils
Disturbance Factors:	Parking, Vehicular Travel, Storage, Material Storage	Other:
Fugitive Dust Observed:	No	Generated By: Unknown
Photography:	Yes	
Silt Content Test:	N/A	Percent Silt Content:
Opacity Test:	N/A	Percent Opacity:
Inspector Notes:		Approved By: Satyra George

I conducted a routine inspection and observed an unpaved storage yard over 5,000 square feet on parcel 139-19-812-019. There were approximately one dozen trailers, pallets with materials, over one dozen wooden crates of material and multiple storage containers throughout the parcel. This unpaved storage yard was created after January 1, 2003, which is not in compliance with AQR 92.3.1 Please contact me to discuss your Compliance Plan.

Previously, a Notice of Non-Compliance was issued to the landowner on June 6, 2023, for an unpaved storage yard greater than 5,000 sq. ft. The sight was brought into compliance on September 20, 2023, because the unpaved area used for parking/storage was under 5,000 sq. ft. at that time. However, the site has since once again exceeded the 5,000 sq. ft. limitation.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

❖ Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	N V D D HOLDING R P 7 L L C	Date: May 16, 2024
Mailing Address:	4830 E CARTIER AVE, LAS VEGAS, NV 89115	
Assessor's Parcels:	140-20-610-001	
Property Location:	2164 MARION DR	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.86		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel, secure fence
Disturbance Factors:	Parking, Vehicular Travel, Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 140-20-610-001. There were approximately two dozen passenger vehicles, 52" foot tractor trailers, utility service truck, haul truck and forklift throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	RODRIGUEZ FERNANDO GOMEZ	Date: Nov 6, 2024
Mailing Address:	6212 GLACIER AVE, Las Vegas, NV 89156	
Assessor's Parcels:	161-18-510-032	
Property Location:	West of Backstage Blvd. and Rymert Drive, CC Paradise - 89121	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.39		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	dry, loose and powdery
Disturbance Factors:	Parking, Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard on APN 161-18-510-032. There were over one dozen trucks, trailers, passenger vehicles and various other materials throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR 92.3.1. Please contact me to discuss you plan to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave** – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	MEXICAN GOLD & OIL TRUST and PARADISE HILLS TRUST	Date: Nov 6, 2024
Mailing Address:	5040 PARK GROVE CT, LAS VEGAS, NV 89120	
Assessor's Parcels:	161-18-510-034	
Property Location:	East of the intersection of Sandhill Road and Raymert Drive, CC Paradise - 89121	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.30		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	dry, loose and powdery
Disturbance Factors:	Parking, Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard on APN 161-18-510-034. There were approximately one dozen trucks, trailers, passenger vehicles, motor homes and various other materials throughout the parcel. This storage yard was created post January 1, 2003, which is not in compliance with AQR 92.3.1. Please contact me to discuss your plan to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave** – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	A K E MORONES L L C SERIES 5 and MACKENZIE SCOTT	Date: Nov 25, 2024
Mailing Address:	1962 LA VANTE AVE, LAS VEGAS, NV 89169	
Assessor's Parcels:	161-18-510-030	
Property Location:	SWC of Backstage Blvd. and Raymert Drive, CC Paradise - 89121	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.00		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	dry, loose and powdery
Disturbance Factors:	Parking, Vehicular Travel, Storage, Material Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard on APN 161-18-510-030. There were over one dozen trucks, trailers, passenger vehicles and various other materials throughout the parcel. Approximately 5,400 square feet, one-quarter of the lot, is stabilized with pavement/RAP, as measured on the September 2021 OpenDoor image of the site. This storage yard was created after January 1, 2003, which is not in compliance with AQR 92.3.1. Please contact me to discuss your plan to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
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 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
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 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	VEGAS COMMANDER LEASING CO	Date: Nov 6, 2024
Mailing Address:	1780 S MOJAVE RD, LAS VEGAS, NV 89104-4505	
Assessor's Parcels:	162-01-602-013	
Property Location:	1780 S MOJAVE RD	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	5.75		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	dry, loose and powdery
Disturbance Factors:	Parking, Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard on APN 161-07-102-007. There were dozens of pallets, over two dozen 52' trailers and trucks parked throughout the parcel. This storage yard was created after 1/1/03 which is not in compliance with AQR 92.3.1. Please contact me to discuss your plan to bring your site into compliance with Air Quality Regulations.



Air Quality Regulations: Section 92 CONTROL MEASURES

Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
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- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
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*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
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 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	STEVENS CLARENCE SCOTT and MITIKU-COTTON MESKEREM G	Date: Oct 10, 2024
Mailing Address:	6800 BRADLEY RD., LAS VEGAS, NV 89131-2836	
Assessor's Parcels:	125-24-203-018	
Property Location:	6800 BRADLEY RD., LAS VEGAS - 89131	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.57	Complaint No.:	
Complaint Received:	No	Note:	soil, chat, pea gravel
Soil Condition:	Stable	Other:	
Disturbance Factors:	Vehicular Travel, Material Storage	Generated By:	Unknown
Fugitive Dust Observed:	No	Percent Silt Content:	
Photography:	Yes	Percent Opacity:	
Silt Content Test:	N/A	Approved By:	Satyra George
Opacity Test:	N/A		

Inspector Notes:

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 125-24-203-018 containing dozens of pallets of materials, as well as material containers. This storage yard was created after 1/1/03 and is subject to AQR 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave** – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



Section 92 (Pre) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	ARIANA PROPERTIES L L C	Date: Oct 2, 2024
Mailing Address:	2776 CULLODEN AVE, HENDERSON, NV 89044	
Assessor's Parcels:	161-07-102-007	
Property Location:	3535 BOULDER HWY CC Sunrise Manor - 89121	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), property owners/operators shall implement and maintain control measures to prevent fugitive dust on any unpaved parking lot or storage yard established before January 1, 2003, that is equal to or greater than 5,000 square feet.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance. You may resolve this matter by implementing one or more of the control measures described in AQR 92.3.4 or by discontinuing use of this parcel as a parking lot/storage yard and returning all soils to a stable condition in accordance with AQR 92.4.

Within 30 days of receiving this notice, you must have implemented one or more of the control measures described in AQR 92.3.4. You may also discontinue the use of this parcel by removing all equipment and materials from the property and stabilizing the soil in accordance with AQR 92.4.

Failure to comply with the provisions of AQR Section 92 may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action.

Section 92 (Pre) Inspection Form – Summary

Acreage:	2.43		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	dry, loose and powdery
Disturbance Factors:	Parking, Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 161-07-102-007 containing over two dozen nine-yard trash containers, trucks, trailers, passenger vehicles and various construction materials. This storage yard was created before 1/1/03 and is subject to AQR 92.3.2. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.



7791 6009 9382

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	GONZALEZ MARCELINO	Date: Oct 2, 2024
Mailing Address:	2524 DALHART AVE, LAS VEGAS, NV 89121	
Assessor's Parcels:	161-07-110-008, 161-07-110-009, 161-07-110-010	
Property Location:	SOUTH and WEST OF THE INTERSECTION OF GLEN AVE. & McLAURINE AVE., CC Sunrise Manor - 89121	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.00		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	dry, loose and powdery
Disturbance Factors:	Parking, Vehicular Travel, Storage, Material Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APNs 161-07-110-008, -009 and -010 containing over two dozen nine-yard trash containers, trucks, trailers and passenger vehicles. This storage yard was created after 1/1/03, which is a violation of AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016

**DES****DEPARTMENT OF ENVIRONMENT
AND SUSTAINABILITY**

7794 6251 9633

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Pre) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	SILVER CITY M H C L L C	Date: Oct 17, 2024
Mailing Address:	9111 CROSS PARK DR # D200 # 103U, KNOXVILLE, TN 37923	
Assessor's Parcels:	162-01-703-007	
Property Location:	1615 S. MOJAVE ROAD - CC Sunrise Manor - 89104	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), property owners/operators shall implement and maintain control measures to prevent fugitive dust on any unpaved parking lot or storage yard established before January 1, 2003, that is equal to or greater than 5,000 square feet.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance. You may resolve this matter by implementing one or more of the control measures described in AQR 92.3.4 or by discontinuing use of this parcel as a parking lot/storage yard and returning all soils to a stable condition in accordance with AQR 92.4.

Within 30 days of receiving this notice, you must have implemented one or more of the control measures described in AQR 92.3.4. You may also discontinue the use of this parcel by removing all equipment and materials from the property and stabilizing the soil in accordance with AQR 92.4.

Failure to comply with the provisions of AQR Section 92 may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action.

Section 92 (Pre) Inspection Form – Summary

Acreage:	3.27		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	dry, loose and powdery
Disturbance Factors:	Parking, Vehicular Travel, Storage, Material Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 162-01-703-007. The site contains dozens of motor homes, multiple trailers, trucks, Conex boxes, passenger vehicles and other materials. This storage yard was created before January 1, 2003, and is not in compliance with AQR 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.



Section 92 (Pre) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	C D C LAND L L C SERIES D	Date: Oct 11, 2024
Mailing Address:	60 Corporate Park Drive, Henderson, NV 89074	
Assessor's Parcels:	176-23-401-015	
Property Location:	6665 W GARY AVE	Jurisdiction: CC

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), property owners/operators shall implement and maintain control measures to prevent fugitive dust on any unpaved parking lot or storage yard established before January 1, 2003, that is equal to or greater than 5,000 square feet.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance. You may resolve this matter by implementing one or more of the control measures described in AQR 92.3.4 or by discontinuing use of this parcel as a parking lot/storage yard and returning all soils to a stable condition in accordance with AQR 92.4.

Within 30 days of receiving this notice, you must have implemented one or more of the control measures described in AQR 92.3.4. You may also discontinue the use of this parcel by removing all equipment and materials from the property and stabilizing the soil in accordance with AQR 92.4.

Failure to comply with the provisions of AQR Section 92 may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Upon receipt of this Noncompliance Notice, immediately contact Katrinka Byers at 702-249-6093 or by email at katrinka.chapek@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action.

Section 92 (Pre) Inspection Form – Summary

Acreage:	2.06		
Complaint Received:	Yes	Complaint No.:	76370
Soil Condition:	Unstable	Note:	Dry, loose and powdery site soils
Disturbance Factors:	Vehicular Travel	Other:	Parking large haul vehicles on unpaved lot
Fugitive Dust Observed:	Yes	Generated By:	Haul Trucks driving and parking on lot
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a complaint investigation for an unpaved parking lot located on parcel#176-23-401-015 with haul trucks parking on the lot creating dust. I observed several haul trucks parked on the unpaved lot with winds approximately 5-10 mph creating fugitive dust blowing onto Gary Street. I observed no control measures applied to the unpaved parking lot at this time. A Notice of Non-Compliance with a possible NOV is being issued to the land owner to apply one of the following control measures per Section 92.3.4: a) Pave, b) Alternative Asphalt (must be approved by Air Quality Supervisor) c) Uniformly apply and maintain clean gravel to a depth of two inches, d) Apply and maintain an alternative control measure with prior written approval from the Control Officer.



Division of Air Quality
 4701 W. Russell Rd. Suite 200 2nd Floor
 Las Vegas, NV 89118
 Main Number: (702)455-5942
 Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	STEP UP INVESTMENTS L L C	Date: Oct 23, 2024
Mailing Address:	P.O. BOX 751496, LAS VEGAS, NV 89136	
Assessor's Parcels:	178-12-401-007	
Property Location:	SEC of Fourth Street/Avenue H, CC Unincorporated - 89015	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	3.76	
Complaint Received:	No	Complaint No.:
Soil Condition:	Stable	Note: recycled asphalt
Disturbance Factors:	Storage	Other:
Fugitive Dust Observed:	No	Generated By: Unknown
Photography:	Yes	
Silt Content Test:	N/A	Percent Silt Content:
Opacity Test:	N/A	Percent Opacity:
Inspector Notes:		Approved By: Satyra George

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 178-12-401-007 containing over a dozen truck trailers. This storage yard was created after 1/1/03 and is subject to AQR 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave** – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	TONOPAH & TIDEWATER RAILROAD CO/ TRUMAN	Date: Sep 5, 2024
Mailing Address:	4680 N. Cimarron Road, Las Vegas, NV 89129	
Assessor's Parcels:	161-07-103-015, 161-07-103-016, 161-07-103-014	
Property Location:	2596 STRATFORD AVE Jurisdiction: CC Sunrise Manor - 89121	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Andrew Kirk at 702-306-0257 or by email at andrew.kirk@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	4.11		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	RAP applied to unpaved parking areas and storage
Disturbance Factors:	Parking, Vehicular Travel, Storage, Material Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a Vacant Land Inspection on parcel #161-07-103-015 (3.19 acres) & 161-07-103-014 (.46 acres), 161-07-103-016 (.46 acres), due to the expiration of the DCOP 57148 that expired on August 29, 2024. During my inspection, I observed a new unpaved storage yard created with approximately two dozen semi-trucks, PVC pipes, stand tanks, construction vehicles, three mechanical maintenance bays, and multiple Connex boxes and material stored inside the 4.11 acres of the fenced parcels. I observed the soil was treated with Recycled Asphalt (RAP). I determined that parcel #161-07-103-015, 161-07-103-014, and 161-07-103-016 to be operating out of compliance with Clark County Air Quality Regulations (CCAQRs) Section 92. I am issuing a Notice of Noncompliance to the property owner to remove all equipment and materials stored onsite within 30 days of receipt of this notice. Failure to comply may result in the issuance of a Notice of Violation (NOV), which may include civil penalties.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

❖ Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	BARRIENTOS EMMANUEL and CAZARES BELEM	Date: Sep 18, 2024
Mailing Address:	4940 EL CAPITAN WAY, LAS VEGAS, NV 89149	
Assessor's Parcels:	161-08-810-069	
Property Location:	4877 LINDA AVE, CC Sunrise Manor - 89121	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.70		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel
Disturbance Factors:	Parking, Vehicular Travel, Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 161-08-810-069 containing over one dozen nine-yard trash containers, trucks and passenger vehicles. This storage yard was created after 1/1/03, which is a violation of AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave** – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	PALM PROPERTIES, LLC.	Date: Sep 18, 2024
Mailing Address:	6050 S FORT APACHE RD, # 100, LAS VEGAS, NV 89148	
Assessor's Parcels:	161-08-810-083, 161-08-810-082	
Property Location:	3125 SOUTH NELLIS BLVD. - CC SUNRISE MANOR - 89121	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	2.83		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel
Disturbance Factors:	Parking, Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APNs 161-08-810-082 and -083 containing over two dozen trucks, trailers, service trucks and passenger vehicles. This storage yard was created after 1/1/03, which is a violation of AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
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- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
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 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016

EXHIBIT “5”

EXHIBIT “5”

2014- 2023 EPA DUST STANDARDS

In 2014, the EPA's primary (health-based) standard for PM₁₀ (particulate matter with a diameter of 10 microns or less) remained at 150 µg/m³ for a 24-hour period, with an area meeting the standard if it doesn't exceed this level more than once per year on average over a three-year period.

Pm₁₀ maximum allowed levels on average is 150 µg/m³

Clark County Air Quality Walnut Recording Station average by month and year

	Jan	Feb	March	April	May	June	July	August	Sept	Oct	Nov	Dec
2021	42	42	45	39	46	46	34					
2022	41	50	38	54	58	42	33	36	58	45	29	38
2023	19	36	19	38	35	33	45	26	32	41	42	42
2024	30	18	23	24	30	38	37	34	46	47	27	43

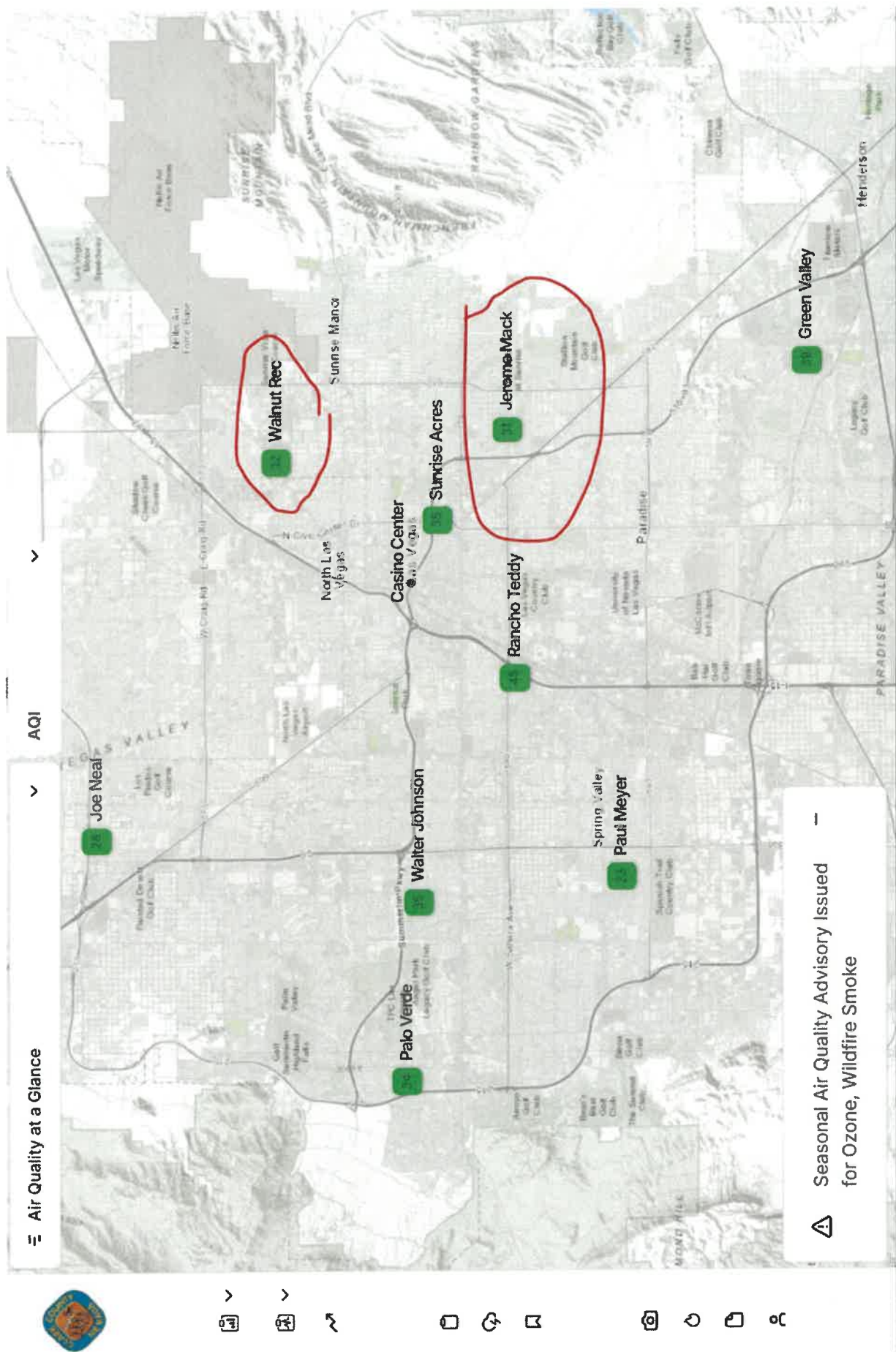
<https://desaqmonitoring.clarkcountynv.gov/>

Clark County Air Quality Jerome Mack Recording Station average by month and year

	Jan	Feb	March	April	May	June	July	August	Sept	Oct	Nov	Dec
2021	37	32	30	41	34	31	26	35	33	34	44	33
2022	40	48	35	48	57	37	26	30	53	44	32	42
2023	22	37	19	37	30	30	37	21	35	41	44	53
2024	39	22	23	25	32	39	38	31	44	50	35	57

EXHIBIT “6”

EXHIBIT “6”



1 BEFORE THE AIR POLLUTION CONTROL HEARING OFFICER
2 CLARK COUNTY, NEVADA

3
4 In the Matter of the Notice of Violation #10150) ORDER
5 Issued to)
6 PALM PROPERTIES, LLC and)
7 ROBERT LAUER, Respondents.)
8 _____)

9 The above-entitled matter was heard on July 17, 2025, before Hearing Officer Holly
10 Fic on the Contested Docket. Representatives of both the Clark County Department of
11 Environment and Sustainability, Division of Air Quality (**Air Quality**) and PALM
12 PROPERTIES, LLC (**PALM PROPERTIES**) and ROBERT LAUER (**LAUER**) appeared,
13 testified and submitted evidence for consideration by the Hearing Officer. Having considered
14 the evidence presented at the hearing, the Hearing Officer hereby finds and orders as follows:

15 1. Notice of Violation (**NOV**) #10150 was issued by Air Quality to Respondents
16 PALM PROPERTIES and LAUER on April 30, 2025, for alleged violation(s) of the Clark
17 County Air Quality Regulations (**AQRs**) on parcels 161-08-810-082 and 161-08-810-083
18 located at 3125 South Nellis Boulevard (**Property**), in Clark County, Nevada. The violation(s)
19 alleged in the NOV include:

20 (a) Violation of AQR Section 92.3.1 for operating an unpaved parking
21 lot/storage yard on the Property from January 9, 2025, through February 7, 2025.

22 2. The penalty recommended by Air Quality in NOV #10150 was \$15,000.00.

23 3. The Hearing Officer finds that the violation(s) alleged in NOV #10150 occurred
24 in that PALM PROPERTIES and LAUER violated AQR Section 92.3.1 from January 9, 2025,
25 through and including February 7, 2025.

26 4. **IT IS HEREBY ORDERED** that PALM PROPERTIES and LAUER pay a
27 penalty of Seven Thousand Five Hundred and no/100 Dollars (\$7,500.00) within 30 days of
28 the date of this ORDER.

5. PALM PROPERTIES and LAUER have the right to appeal this ORDER to the Clark County Air Pollution Control Hearing Board. Any appeal of this ORDER shall be: (1) on a form provided by Air Quality specifying the reason(s) for the appeal, (2) accompanied by a filing fee of One Hundred Forty and no/100 Dollars (\$140.00), and (3) received by Air Quality within ten (10) days of PALM PROPERTIES and LAUER's receipt of this ORDER.

DATED this 23rd day of July, 2025.

Holly Fic
Holly Fic (Jul 23, 2025 11:05:54 PDT)

Holly Fic
Hearing Officer

1 BEFORE THE AIR POLLUTION CONTROL HEARING OFFICER
2 CLARK COUNTY, NEVADA

3
4 In the Matter of the Notice of Violation #10163) ORDER
5 Issued to)
6 PALM PROPERTIES, LLC and)
7 ROBERT LAUER, Respondents.)
8 _____)

9 The above-entitled matter was heard on July 17, 2025, before Hearing Officer Holly
10 Fic on the Contested Docket. Representatives of both the Clark County Department of
11 Environment and Sustainability, Division of Air Quality (**Air Quality**) and PALM
12 PROPERTIES, LLC (**PALM PROPERTIES**) and ROBERT LAUER (**LAUER**) appeared,
13 testified and submitted evidence for consideration by the Hearing Officer. Having considered
14 the evidence presented at the hearing, the Hearing Officer hereby finds and orders as follows:

15 1. Notice of Violation (**NOV**) #10163 was issued by Air Quality to Respondents
16 PALM PROPERTIES and LAUER on June 25, 2025, for alleged violation(s) of the Clark
17 County Air Quality Regulations (**AQRs**) on parcels 161-08-810-082 and 161-08-810-083
18 located at 3125 South Nellis Boulevard (**Property**), in Clark County, Nevada. The violation(s)
19 alleged in the NOV include:

20 (a) Violation of AQR Section 92.3.1 for operating an unpaved parking
21 lot/storage yard on the Property from February 8, 2025, through March 9, 2025.

22 2. The penalty recommended by Air Quality in NOV #10163 was \$15,000.00.

23 3. The Hearing Officer finds that the violation(s) alleged in NOV #10163 occurred
24 in that PALM PROPERTIES and LAUER violated AQR Section 92.3.1 from February 8,
25 2025, through and including March 9, 2025.

26 4. **IT IS HEREBY ORDERED** that PALM PROPERTIES and LAUER pay a
27 penalty of Seven Thousand Five Hundred and no/100 Dollars (\$7,500.00) within 30 days of
28 the date of this ORDER.

5. PALM PROPERTIES and LAUER have the right to appeal this ORDER to the Clark County Air Pollution Control Hearing Board. Any appeal of this ORDER shall be: (1) on a form provided by Air Quality specifying the reason(s) for the appeal, (2) accompanied by a filing fee of One Hundred Forty and no/100 Dollars (\$140.00), and (3) received by Air Quality within ten (10) days of PALM PROPERTIES and LAUER's receipt of this ORDER.

DATED this 23rd day of July, 2025.

Holly Fic
Holly Fic (Jul 23, 2025 11:05:54 PDT)

Holly Fic
Hearing Officer



Notice of Violation Response Form

Issued to: Palm Properties, LLC and Robert Lauer

NOV #: 10150

Return form by: 5/8/2025

Items below are to be completed by the Respondent

Responsible

Official: Amy Sugden

Title: Attorney

Phone Number: 702.625.3605

Email Address: amy@sugdenlaw.com

Mailing Address: 375 E. Warm Springs, Ste. 104, LV, NV 89119

Please check applicable boxes below

☐

We do not contest the Notice of Violation (Attendance is not required)

We accept responsibility for this violation. Instructions for payment of the recommended penalty will be provided after the Hearing Officer meeting.

☒

We are contesting the Notice of Violation and request to appear before the Hearing Officer (Attendance by the Responsible Official or a representative of the company is strongly recommended to contest the violation)

Please attach a written explanation, including supporting documentation, of why you are contesting the NOV. This information will be provided to the Hearing Officer prior to the Hearing.

We will be contesting the:

☐

Facts

☐

Penalty

☒

Both

Amy L. Sugden

Signature of Authorized Person

Date: 5/8/25

Completed forms can be submitted to Pam Thompson via mail at Clark County Department of Environment and Sustainability, Division of Air Quality, 4701 West Russell Road, Suite 200, Las Vegas, NV 89118-2231, fax at (702) 383-9994, or via email at aqenforcement@clarkcountynv.gov.



May 8, 2025

Via Email: agenforcement@clarkcountynv.gov

Clark County Department of Environment & Sustainability
Division of Air Quality
4701 West Russell Road
Ste. 200
Las Vegas, NV 89118

RE: Response to NOTICE OF VIOLATION #10150

Please consider this correspondence a response contesting the Department of Environment and Sustainability (“DES”) Division of Air Quality’s April 30, 2025, Notice of Violation #10150 on behalf of my clients, Palm Properties, LLC (“Property Owner”) and Robert Lauer (“Mr. Lauer”)(collectively “Clients”).

As DES is aware, for well over a year, my Clients have been in the process of diligently attempting to secure the necessary land use approvals that would allow them to pave the Property.¹ My Clients spent over \$100,000.00 in pursuing these approvals which should have been secured in December 2024. Unfortunately, the approvals were not obtained, requiring my Clients to initiate a Petition for Judicial Review in the Eighth Judicial District. *See* Exhibit “T” to Notice of Violation #10150. As discussed herein, the purported rationale for withholding my Clients’ land use approvals was not only arbitrary and capricious, but the denials also constitute an inverse condemnation, and therefore, are in contravention of Nevada law.

Previously, the DES provided a 180-day extension to my Clients in order to seek these land use approvals and the corresponding permit to pave the Property; therefore, we submit that as we continue to actively seek these approvals, an additional extension should be provided.

¹ Capitalized terms shall have the same meaning as those defined in the Notice of Violation #10150.

Respectfully, my Clients have been working in good faith to make productive and beneficial use of the Property, which has been recently a homeless haven. *See* Opening Brief attached hereto as Exhibit “1” and Administrative Record attached hereto as Exhibit “2”. Moreover, this Property has been utilized as a commercial lot *with a parking lot* for well over 20 years and, thus, we also submit that the Property falls under the exclusion provided in AQR Section 92.3.1 as it is not a new parking lot constructed after January 1, 2003.² *See* Exhibit “2” at ROP000007-13.

The Property is zoned Commercial General (CG), which allows for use as a commercial parking lot. *See* Exhibit “2” at ROP000232. The underlying zoning for the Property is Commercial Mixed Use which also allows for the parking lot use. *Id.* Thus, the initial Design Review Application submitted by my Clients to the County should have been reviewed administratively. Title 30.16.130. However, this did not occur because the County then informed my Clients that a waiver was needed to allow commercial access to Happy Valley Avenue, a residential street (“Waiver”). Title 30.16.100. Notably, Happy Valley Avenue has been utilized for 25 years from the Property. *Id.* at ROP000013-14. Moreover, the only reason that the Property no longer has access to Nellis Boulevard, a commercial thoroughfare, is because the Nevada Department of Transportation (“NDOT”) closed its three (3) driveways in 2021. *Id.* Closing the three driveways to Nellis Boulevard left the Property with legal access to the site only off Happy Valley Avenue. *Id.* at ROP000014. **Thus, but for the NDOT closing the three prior commercial driveways, the Property would have access to Nellis Boulevard and not be required to seek the Waiver.** *Id.*

At the County hearing on the Design Review Application and Waiver, Commissioner Tick Segerblom clearly stated that he did not think the commercial parking lot use was “appropriate in his mind” but this statement lacks any evidentiary basis given the existing zoning allowing for the same and the historical use of the Property. *State ex rel. Johns v. Gragson*, 89 Nev. 478, 483, 515 P.2d 65, 68 (1973) (stating, “The only ‘evidence’ supporting revocation of the permit consisted of opinions voiced by the Commissioners. Even if such statements were construed as official positions of the Commission, they do not constitute valid grounds for denial under the ordinance, absent supporting proof.”).

² Previously, the Property had been approved by the Board of County Commissioners for the following uses: vehicle sales lot; shopping center; restaurant; communications facility; check cashing facility; watercraft/recreational vehicle sales; communication tower; and temporary construction storage for an off-site Las Vegas Valley Water District Project. *See* Exhibit “2” at ROP000007-000008. Prior to Leading Edge Ventures, LLC leasing the Property it was utilized as a shopping center with an in-line rectangular building adjacent to Nellis Boulevard. *Id.* at ROP000012. A vehicle sales lot was approved on the southern end of this parcel but expired after one year. *Id.*

Subsequently, the zoning reclassified the Property to C-2 zoning (now CG zoning) for a proposed 34,000 square foot shopping center (L-shaped building along the south and west property lines) with a portion of the existing shopping center building along Nellis Boulevard to the east to be expanded as a grocery store. *Id.* at ROP000013. The proposed 34,000 square foot shopping center under the zone change did not commence. *Id.* Additional land use applications were approved along with a waiver of conditions of a zone change (WC-0025-00) which re-applied conditions to landscaping, site circulation, parking access and screening. *Id.* Under DR-0727-99 (a design review for vehicle sales), the conditions of approval under WC-0025-99 were complied with. *Id.* The existing building and vehicle sales lot adjacent to Nellis Boulevard remained on site until 2012. *Id.*

Moreover, Commissioner Segerblom then stated on the record that “I think we need to work with staff to create some type of a new zone or some type of something where we can have these truck lots. But just to put them on a major street like Nellis in an area like this, I just personally don’t feel it’s appropriate.” See Exhibit “2” at ROP000003. While he does not personally feel a parking lot is an appropriate use, the Property’s applicable zoning provides for otherwise. Thus, the denial was not supported by substantial evidence. *Tighe v. Las Vegas Metro. Police Dep’t*, 110 Nev. 632, 634, 877 P.2d 1032, 1034 (1994). “A decision lacking support in the form of substantial evidence is arbitrary or capricious, and thus an abuse of discretion that warrants reversal.” *Id.* at 634.

As such, my Clients have a good faith basis to set aside the land use denials and obtain damages related to the same. Moreover, without the requisite land use approvals, my Clients cannot obtain the necessary permit to pave, which compounds the damages as a result of the improper denials. NRS 278.0233.

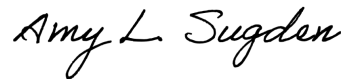
Respectfully, further research also indicates that my Clients are being unfairly treated and targeted. ***There has been not one other notice of violation issued from April 14, 2023 to March 31, 2025 to a property owner for violation of AQR Section 92.*** See April 24, 2025 Correspondence from John Hill, Operations Manager, DES, Division of Air Quality attached hereto as Exhibit “3”. This absence of notice of violations is remarkable considering that from January 1, 2024 to April 10, 2025, approximately ninety-six (96) notices of noncompliance were issued, once of which was to Palm Properties, LLC, and yet the other ninety-five somehow otherwise resolved. See April 16, 2025 Correspondence from John Hill, Operations Manager, DES, Division of Air Quality attached hereto as Exhibit “4”. My Clients are investigating these properties to assess further but from the offset it appears highly concerning that no other properties have been issued notice of violations from DES, Division of Air Quality, except to my Clients.

The Property is utilized as a truck parking lot for independent truckers who own their own commercial trucks. These trucks are not allowed to park on the street and/or their residences or else they get ticketed. Thus, they have nowhere to go if they cannot find commercial parking lots. According to the Nevada Truckers Association there are 22,000 registered trucks in Nevada, with 5,000 being independently owned, and approximately 1,000 available parking spots. There has been a 99.4% occupancy rate at the Property due to this high demand. My Clients are attempting to service this important sector of our community with a safe and controlled facility to park but the County’s concerted efforts have thwarted this opportunity.

My Clients appreciate and respect the purpose of the DES, therefore, took it upon themselves to investigate the air quality in the area of Property. The air quality numbers (reported by Clark County) at the stations near the Property do not report anywhere near the 50% of the EPA maximum PM10. See Recording Station Data attached hereto as Exhibit “5” and Monitoring Stations Map attached as Exhibit “6”. Thus, in terms of evaluating the strict application of AQR Section 92, we respectfully ask to consider that the air quality itself is not an issue of pressing health and safety concerns.

Given all the foregoing, my Clients contest the Notice of Violations #10150 and look forward to being able to further provide evidence with testimony and the exhibits referenced herein at the May 22, 2025 hearing.

Sincerely,

A handwritten signature in cursive script that reads "Amy L. Sugden".

Amy L. Sugden

Encls.



4701 W. Russell Road 2nd Floor
Las Vegas, NV 89118-2231
Phone: (702) 455-5942 • Fax: (702) 383-9994
Marci Henson, Director

Notice of Violation Response Form

Issued to: Palm Properties, LLC and Robert Lauer, Individually

NOV #: 10163

Return form by: 7/3/2025

Items below are to be completed by the Respondent

Responsible
Official: Amy L. Sugden

Title: Counsel for Palm Properties, LLC & Robert Lauer

Phone Number: 702.625.3605

Email Address:

Mailing Address:

Please check applicable boxes below

☐

We do not contest the Notice of Violation (Attendance is not required)

We accept responsibility for this violation. Instructions for payment of the recommended penalty will be provided after the Hearing Officer meeting.

☒

We are contesting the Notice of Violation and request to appear before the Hearing Officer (Attendance by the Responsible Official or a representative of the company is strongly recommended to contest the violation)

Please attach a written explanation, including supporting documentation, of why you are contesting the NOV. This information will be provided to the Hearing Officer prior to the Hearing.

We will be contesting the:

☐

Facts

☐

Penalty

☒

Both

Amy L. Sugden

Signature of Authorized Person

Date: 7.1.25

Completed forms can be submitted to Pam Thompson via mail at Clark County Department of Environment and Sustainability, Division of Air Quality, 4701 West Russell Road, Suite 200, Las Vegas, NV 89118-2231, fax at (702) 383-9994, or via email at aqenforcement@clarkcountynv.gov.



July 3, 2025

Via Email: agenforcement@clarkcountynv.gov

Clark County Department of Environment & Sustainability
Division of Air Quality
4701 West Russell Road
Ste. 200
Las Vegas, NV 89118

RE: Response to NOTICE OF VIOLATION #10163

Please consider this correspondence a response contesting the Department of Environment and Sustainability (“DES”) Division of Air Quality’s June 25, 2025, Notice of Violation #10163 on behalf of my clients, Palm Properties, LLC (“Property Owner”) and Robert Lauer (“Mr. Lauer”)(collectively “Clients”).

As DES is aware, for well over a year, my Clients have been in the process of diligently attempting to secure the necessary land use approvals that would allow them to pave the Property.¹ My Clients spent over \$100,000.00 in pursuing these approvals which should have been secured in December 2024. Unfortunately, the approvals were not obtained, requiring my Clients to initiate a Petition for Judicial Review in the Eighth Judicial District. As discussed herein, the purported rationale for withholding my Clients’ land use approvals was not only arbitrary and capricious, but the denials also constitute an inverse condemnation, and therefore, are in contravention of Nevada law.

Previously, the DES provided a 180-day extension to my Clients in order to seek these land use approvals and the corresponding permit to pave the Property; therefore, we submit that as we continue to actively seek these approvals, an additional extension should be provided.

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Respectfully, my Clients have been working in good faith to make productive and beneficial use of the Property, which has been recently a homeless haven. *See* Opening Brief attached hereto as Exhibit “1” and Administrative Record attached hereto as Exhibit “2”. Moreover, this Property has been utilized as a commercial lot *with a parking lot* for well over 20 years and, thus, we also submit that the Property falls under the exclusion provided in AQR Section 92.3.1 as it is not a new parking lot constructed after January 1, 2003.² *See* Exhibit “2” at ROP000007-13.

The Property is zoned Commercial General (CG), which allows for use as a commercial parking lot. *See* Exhibit “2” at ROP000232. The underlying zoning for the Property is Commercial Mixed Use which also allows for the parking lot use. *Id.* Thus, the initial Design Review Application submitted by my Clients to the County should have been reviewed administratively. Title 30.16.130. However, this did not occur because the County then informed my Clients that a waiver was needed to allow commercial access to Happy Valley Avenue, a residential street (“Waiver”). Title 30.16.100. Notably, Happy Valley Avenue has been utilized as an access point for 25 years from the Property. *Id.* at ROP000013-14. Moreover, the only reason that the Property no longer has access to Nellis Boulevard, a commercial thoroughfare, is because the Nevada Department of Transportation (“NDOT”) closed its three (3) driveways in 2021. *Id.* Closing the three driveways to Nellis Boulevard left the Property with legal access to the site only off Happy Valley Avenue. *Id.* at ROP000014. **Thus, but for the NDOT closing the three prior commercial driveways, the Property would have access to Nellis Boulevard and not be required to seek the Waiver.** *Id.*

At the County hearing on the Design Review Application and Waiver, Commissioner Tick Segerblom clearly stated that he did not think the commercial parking lot use was “appropriate in his mind” but this statement lacks any evidentiary basis given the existing zoning allowing for the same and the historical use of the Property. *State ex rel. Johns v. Gragson*, 89 Nev. 478, 483, 515 P.2d 65, 68 (1973) (stating, “The only ‘evidence’ supporting revocation of the permit consisted of opinions voiced by the Commissioners. Even if such statements were construed as official positions of the Commission, they do not constitute valid grounds for denial under the ordinance, absent supporting proof.”).

² Previously, the Property had been approved by the Board of County Commissioners for the following uses: vehicle sales lot; shopping center; restaurant; communications facility; check cashing facility; watercraft/recreational vehicle sales; communication tower; and temporary construction storage for an off-site Las Vegas Valley Water District Project. *See* Exhibit “2” at ROP000007-000008. Prior to Leading Edge Ventures, LLC leasing the Property it was utilized as a shopping center with an in-line rectangular building adjacent to Nellis Boulevard. *Id.* at ROP000012. A vehicle sales lot was approved on the southern end of this parcel but expired after one year. *Id.*

Subsequently, the zoning reclassified the Property to C-2 zoning (now CG zoning) for a proposed 34,000 square foot shopping center (L-shaped building along the south and west property lines) with a portion of the existing shopping center building along Nellis Boulevard to the east to be expanded as a grocery store. *Id.* at ROP000013. The proposed 34,000 square foot shopping center under the zone change did not commence. *Id.* Additional land use applications were approved along with a waiver of conditions of a zone change (WC-0025-00) which re-applied conditions to landscaping, site circulation, parking access and screening. *Id.* Under DR-0727-99 (a design review for vehicle sales), the conditions of approval under WC-0025-99 were complied with. *Id.* The existing building and vehicle sales lot adjacent to Nellis Boulevard remained on site until 2012. *Id.*

Moreover, Commissioner Segerblom then stated on the record that “I think we need to work with staff to create some type of a new zone or some type of something where we can have these truck lots. But just to put them on a major street like Nellis in an area like this, I just personally don’t feel it’s appropriate.” See Exhibit “2” at ROP000003. While he does not personally feel a parking lot is an appropriate use, the Property’s applicable zoning provides for otherwise. Thus, the denial was not supported by substantial evidence. *Tighe v. Las Vegas Metro. Police Dep’t*, 110 Nev. 632, 634, 877 P.2d 1032, 1034 (1994). “A decision lacking support in the form of substantial evidence is arbitrary or capricious, and thus an abuse of discretion that warrants reversal.” *Id.* at 634.

As such, my Clients have a good faith basis to set aside the land use denials and obtain damages related to the same. **Likewise, without the requisite land use approvals, my Clients cannot obtain the necessary permit to pave, which compounds the damages as a result of the improper denials. NRS 278.0233.**

Respectfully, further research also indicates that my Clients are being unfairly treated and targeted. *There has been not one other notice of violation issued from April 14, 2023 to March 31, 2025 to a property owner for violation of AQR Section 92.* See April 24, 2025 Correspondence from John Hill, Operations Manager, DES, Division of Air Quality attached hereto as Exhibit “3”. This absence of notice of violations is remarkable considering that from January 1, 2024 to April 10, 2025, approximately ninety-six (96) notices of noncompliance were issued, once of which was to Palm Properties, LLC, and yet the other ninety-five somehow otherwise resolved. See April 16, 2025 Correspondence from John Hill, Operations Manager, DES, Division of Air Quality attached hereto as Exhibit “4”. My Clients are investigating these properties to assess further but from the offset it appears highly concerning that no other properties have been issued notice of violations from DES, Division of Air Quality, except to my Clients.

Additionally, Division of Air Quality (“DAQ”) agent repeatedly frequented the Property without permission and/or consent to enter.³ Mr. Lauer requested that he escort any DAQ agents onto the Property. Given the (a) location of the Property and (b) business operations thereon, for the safety of the DAQ agent and to avoid any potential liability, advance notice and coordination efforts were requested by my Clients but not provided. This is not a problem that is unique to my Clients, as recently a class action lawsuit has been threatened against the County alleging systemic violations of the Fourth and Fourteenth Amendments of the U.S. Constitution and improper enforcement of the Federal Clean Air Act of 1975 and other State and Federal laws. class-action-lawsuit@clarkcounty.vegas. The class action alleges that this legal overreach has allegedly led to thousands of warrantless inspections, unlawful property access, failure to present appropriate credentials as required under County code, and penalties issued without proper legal process.

Moreover, the Property is utilized as a truck parking lot for independent truckers who own their own commercial trucks. These trucks are not allowed to park on the street and/or their residences or else they get ticketed. Thus, they have nowhere to go if they cannot find commercial parking lots. According to the Nevada Truckers Association there are 22,000 registered trucks in Nevada,

³ Even the police who recently responded to a call regarding gun shots (presenting an immediate health safety concern) called to obtain permission from Mr. Lauer prior to entry on the Property to investigate further.

with 5,000 being independently owned, and approximately 1,000 available parking spots. There has been a 99.4% occupancy rate at the Property due to this high demand. My Clients are attempting to service this important sector of our community with a safe and controlled facility to park but the County's concerted efforts have thwarted this opportunity.

My Clients appreciate and respect the purpose of the DES, therefore, took it upon themselves to investigate the air quality in the area of Property. The air quality numbers (reported by Clark County) at the stations near the Property do not report anywhere near the 50% of the EPA maximum PM10. *See* Recording Station Data attached hereto as Exhibit "5" and Monitoring Stations Map attached as Exhibit "6". Moreover, ALL the DAQ Inspection Reports provided in support of the NOV report the condition of the soil as "stable". *See* Exhibits "C", "E", "H", "I", "L", "M", "N" to NOV; Thus, in terms of evaluating the strict application of AQR Section 92, we respectfully ask to consider that the air quality itself is not an issue of pressing health and safety concerns.

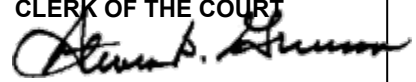
Given all the foregoing, my Clients contest the Notice of Violations #10163 and look forward to being able to further provide evidence with testimony and the exhibits referenced herein at the July 17, 2025 hearing. Furthermore, my Clients plan on recording the public hearing and are providing advance notice of the same to DES as well as lodging our written request for a transcript of the proceedings.

Sincerely,

A handwritten signature in cursive script that reads "Amy L. Sugden".

Amy L. Sugden

Encls.



PTOB

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**EIGHTH JUDICIAL DISTRICT COURT
CLARK COUNTY, NEVADA**

PALM PROPERTIES, LLC; a Nevada)
limited liability company; LEADING) Case No.: A-24-907944-J
EDGE VENTURES, LLC, a Nevada) Dept. No: 22
limited liability company; ROBERT)
LAUER, an individual,)
)
Petitioners,)
v.)
)
COUNTY OF CLARK, a political)
subdivision of the State of Nevada, et al.,)
)
Respondent.)

BRIEF IN SUPPORT OF PETITION FOR JUDICIAL REVIEW

Petitioners, PALM PROPERTIES, LLC, LEADING EDGE VENTURES, LLC,
and ROBERT LAUER (collectively “Petitioners”) by and through their undersigned
counsel of Sugden Law, hereby submits their Opening Brief In Support of Petition for
Judicial Review (“Brief”).

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PETITIONERS' NRAP 26.1 DISCLOSURE

The undersigned counsel of record certifies that the following are persons and entities as described in NRAP 26.1(a), and must be disclosed. These representations are made in order that the judges of this Court may evaluate possible disqualification or recusal.

1. Palm Properties, LLC and Leading Edge Ventures, LLC are Nevada limited liability companies that have no parent corporation and there is no publicly traded company that owns 10% or more of these company's shares.

2. Amy L. Sugden is the attorney who has appeared for Petitioners in the district court.

DATED this 6th day of May, 2025

SUGDEN LAW

By: /s/ Amy L. Sugden
AMY L. SUGDEN, ESQ.
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Attorney for Petitioners

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4 NRAP 32(a)(5) 20

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12 U.S. Const. amend 5 18

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**I.
JURISDICTIONAL STATEMENT**

Pursuant to NRS 278.3195(4) and NRS 278.0235, Petitioners hereby petition this Court for judicial review of the Notice of Final Action that denied their land use applications. ROP000150. The Notice of Final Action confirming the denials was issued on December 3, 2024. ROP00019-000044; ROP000150. Petitioners then timely filed their Petition for Judicial Review on December 12, 2024. NRS 278.0235(1).

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**II.
STATEMENT OF THE ISSUES**

Whether the decision by the County of Clark (“County”), by way of its Board of County Commissioners, to deny Petitioners’ land use applications, should be set aside because it is not supported by substantial evidence in the record. *Kay v. Nunez*, 122 Nev. 1100, 1105, 146 P.3d 801, 805 (2006).

**III.
STATEMENT OF THE CASE AND BRIEF STATEMENT OF
MATERIAL FACTS**

1. Petitioner Palm Properties, LLC (“Palm Properties”) is the owner of real property identified by Clark County Assessor Parcel Numbers 161-08-810-082 & 083 (the “Subject Property”). ROP000147.

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1 2. Petitioner Leading Edge Ventures, LLC (“Leading Edge”) leases the
2 Subject Property for purposes of operating a commercial truck parking lot. ROP000147;
3 ROP000158.
4

5 3. The Subject Property is currently zoned Commercial General (CG), which
6 allows for commercial use, including that of a commercial truck parking lot.
7 ROP000002.
8

9 4. In order to operate the Subject Property as a commercial truck parking lot,
10 a design review needed to be approved by the Clark County Board of Commissioners
11 (“BCC”). ROP000002; ROP000012-16; ROP000146.
12

13 5. Accordingly, Leading Edge retained G.C. Garica, Inc., to assist with
14 applying for a design review to the BCC (“Design Review Application”). ROP000171.
15

16 6. After initially submitting the Design Review Application, the staff of the
17 BCC, replied stating that Design Review Application needed to include a waiver request
18 for use of the existing driveway off Happy Valley Avenue. ROP000202. More
19 specifically, the staff informed Petitioners that it needed to vacate 5 feet of right-of-way
20 off Happy Valley Avenue in order to allow for the installation of detached sidewalks
018 and to allow nonresidential vehicular access to a residential local street (“Waiver”). *Id.*;
22 *see also* ROP000204.
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26 7. Staff had no objection to the vacation of right-of-way for detached
27 sidewalks. ROP000008.
28

1 8. Staff recommended approval of both the Design Review Application and
2 Waiver. ROP000008.

3 9. The only reason that Petitioners had to utilize Happy Valley Avenue as a
4 driveway is due to the Nevada Department of Transportation (“NDOT”) closing the
5 Subject Property’s three (3) driveways of S. Nellis Boulevard in 2021. ROP000002;
6 ROP000013.
7

8 10. Although Title 30 does not allow nonresidential vehicular access to a local
9 street, access to Happy Valley Avenue from the Subject Property has existed for more
10 than 25 years. ROP000013.
11

12 11. Previously, the Subject Property had been approved, per the BCC for the
13 following uses: vehicle sales lot; shopping center; restaurant; communications facility;
14 check cashing facility; watercraft/recreational vehicle sales; communication tower; and
15 temporary construction storage for an off-site Las Vegas Valley Water District Project.
16 ROP000007-000008.
17

18 12. Prior to Leading Edge leasing the Subject Property it was utilized as a
19 shopping center with an in-line rectangular building adjacent to Nellis Boulevard.
20 ROP000012. A vehicle sales lot was approved on the southern end of this parcel but
21 expired after one year. *Id.*
22

23 13. Subsequently, the zoning reclassified the Subject Property to C-2 zoning
24 (now CG zoning) for a proposed 34,000 square foot shopping center (L-shaped building
25

1 along the south and west property lines) with a portion of the existing shopping center
2 building along Nellis Boulevard to the east to be expanded as a grocery store.
3 ROP000013. The proposed 34,000 square foot shopping center under the zone change
4 did not commence. *Id.* Additional land use applications were approved along with a
5 waiver of conditions of a zone change (WC-0025-00) which re-applied conditions to
6 landscaping, site circulation, parking access and screening. *Id.* Under DR-0727-99 (a
7 design review for vehicle sales), the conditions of approval under WC-0025-99 were
8 complied with. *Id.* The existing building and vehicle sales lot adjacent to Nellis
9 Boulevard remained on site until 2012 and has since been demolished. *Id.*

13 14. Petitioners submitted that the proposed commercial truck parking lot will
14 enable truck drivers to have a place to legally park their local trucks (no long-haul
15 trucks). ROP000014. This will then help keep trucks from parking on public streets
16 creating enforcement and neighborhood issues. *Id.* It will also provide a safer, more
17 secure parking environment that will have solar powered cameras that the Las Vegas
18 Metropolitan Police Department can access. *Id.* Additionally, a security guard is
19 always present. *Id.* The site as proposed is compatible as a parking lot on an arterial
20 street (Nellis Boulevard) with completion of infrastructure, lighting, landscaping, and
018 fencing. *Id.*

26 15. On November 20, 2024, the Design Review Application and Waiver were
27 brought before the BCC for vote. Both were denied without prejudice after
28

1 Commissioner Segerblom, who is the Commissioner for District E in which the Subject
2 Property resides, stated he did not feel the commercial truck yard was appropriate at
3 that location (despite the current zoning allowing for that specific use). ROP000001-
4 00004.

6 16. A Notice of Final Action confirming the denials was filed on December 3,
7 2024. ROP00019-000044; ROP000150. Petitioners filed their Petition for Judicial
8 Review on December 12, 2024 initiating the present action. *See* Petition for Judicial
9 Review on file herein.
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12 IV. 13 SUMMARY OF THE ARGUMENT 14

15 Petitioners initially submitted a Design Review Application to utilize the Subject
16 Property as a commercial parking lot that should have been administratively reviewed
17 (*i.e.*, no public hearing needed). Because of the fact that NDOT closed three (3)
18 commercial driveways off the Subject Property in 2021, Petitioners were directed by
19 the County to amend their initial submittal to also include a waiver of development
20 standards that would allow them to continue to use the Happy Valley Avenue – the only
018 remaining point of access to the Subject Property. The submittal of this Waiver is what
22 triggered the need for public hearing in which the Chairman of the BCC, Tick
23 Segerblom, made it clear that he did not think the commercial parking lot use was
24 “appropriate in his mind” but this statement lacks any evidentiary basis given the
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1 existing zoning allowing for the same and the historical use of the Subject Property.
2 *State ex rel. Johns v. Gragson*, 89 Nev. 478, 483, 515 P.2d 65, 68 (1973) (stating, “The
3 only ‘evidence’ supporting revocation of the permit consisted of opinions voiced by the
4 Commissioners. Even if such statements were construed as official positions of the
5 Commission, they do not constitute valid grounds for denial under the ordinance, absent
6 supporting proof.”). As such, the decision to deny Petitioners’ Design Review
7 Application and Waiver is not supported by substantial evidence and should be set aside
8 by this Court. *Tighe v. Las Vegas Metro. Police Dep’t*, 110 Nev. 632, 634, 877 P .2d
9 1032, 1034 (1994).

13 V. 14 THE ARGUMENT

16 A. Standard of Review of An Administrative Agency Decision

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18 A district court’s review of an administrative agency’s decision is confined to the
19 record presented by the agency. *Kay v. Nunez*, 122 Nev. 1100, 1105, 146 P.3d 801, 805
20 (2006). The agency’s facts and decisions must be supported by substantial evidence.
018 *Tighe v. Las Vegas Metro. Police Dep’t*, 110 Nev. 632, 634, 877 P .2d 1032, 1034
22 (1994). “A decision lacking support in the form of substantial evidence is arbitrary or
23 capricious, and thus an abuse of discretion that warrants reversal.” *Id.* at 634.
24 Substantial evidence is evidence which “a reasonable mind might accept as adequate to
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1 support a conclusion.” *Construction Indus. v. Chalue*, 119 Nev. 328, 352, 74 P.3d 595
2 (2003); *see also Richardson v. Perales*, 402 U.S. 389, 401 (1971) (quoting *Edison Co.*
3 *v. Labor Board*, 305 U.S. 197, 22 (1938)).

4
5 An agency ruling that lacks substantial evidentiary support is arbitrary or
6 capricious and is therefore unsustainable. *State Indus. Ins. System v. Christensen*, 106
7 Nev. 85,88, 787 P.2d 408, 401 (1990) (citing *SIIS v. Swinney*, 103 Nev. 17, 20, 731 P.2d
8 359, 361 (1987)). Where the administrative decision has shown to be arbitrary,
9 oppressive or accompanied by manifest abuse, the Supreme Court “will not hesitate to
10 interfere.” *State ex rel. Johns v. Gragson*, 89 Nev. 478, 483, 515 P.2d 65, 68 (1973).
11 “An agency's interpretation of a statute that it is authorized to execute is entitled to
12 deference ‘unless it conflicts with the constitution or other statutes, exceeds the agency's
13 powers, or is otherwise arbitrary and capricious.’” *Cable v. State ex rel. ITS Ernp'rs Ins.*
14 *Co. of Nev.*, 12 Nev. 120, 126, 127 P.3d 528, 532 (2006). Nevada Courts do not “defer
15 to the agency’s interpretation if, for instance, a regulation conflicts with existing
16 statutory provisions or exceed the statutory authority of the agency.” *Public Agency*
17 *Comp. Trust v. Blake*, 127 Nev. 863, 868 869, 265 P.3d, 694, 697 (2011) (internal
18 citations and quotations omitted); *see also Manke True Lines v. Public Service Comm'n*,
19 109 Nev. 1034, 1036-37, 862 P.2d 1201, 1203 (1993) (holding that questions of
20 statutory construction are purely legal issues to be “reviewed without any deference
018 whatsoever to the conclusions of the agency”).

1 **B. The Denials Lack Support in the Form of Substantial Evidence And Thus,**
2 **Are Arbitrary and Capricious, Mandating Reversal**

3 The Subject Property is zoned Commercial General (CG), which allows for use
4 as a commercial parking lot. ROP000232. The underlying zoning for the Subject
5 Property is Commercial Mixed Use which also allows for the parking lot use. *Id.* Thus,
6 the Design Review Application should have been reviewed administratively. Title
7 30.16.130. However, this did not occur because the Waiver was needed to allow
8 commercial access to Happy Valley Avenue (a residential street). Title 30.16.100.
9 Notably, Happy Valley Avenue has been utilized for 25 years from the Subject Property.
10 ROP000013-14. Moreover, the only reason that the Subject Property no longer has
11 access to Nellis Boulevard, a commercial thoroughfare, is because NDOT closed its
12 three (3) driveways in 2021. *Id.* Closing the three driveways to Nellis Boulevard left
13 the Subject Property with legal access to the site only off Happy Valley Avenue.
14 ROP000014. Thus, ***but for*** the NDOT closing the three prior commercial driveways,
15 Petitioners would have access to Nellis Boulevard and not be required to seek the
16 Waiver. *Id.*

17 An applicant for a waiver of development standards has the burden of proof to
18 establish the proposed request is appropriate for its proposed location by showing the
19 following: (1) the use(s) of the area adjacent to the Subject Property will not be affected
20 in a substantially adverse manner; (2) the proposal will not materially affect the health
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1 and safety of persons residing in, working in, or visiting the immediate vicinity, and
2 will not be materially detrimental to the public welfare; and (3) the proposal will be
3 adequately served by, and will not create an undue burden on any public improvements,
4 facilities, or services. Table 30.16-7(j); *see also* ROP000016. After assessing these
5 factors, Staff for the County determined “that the aforementioned circumstances
6 warrant staff’s support for the waiver of development standards.” ROP000016.
7

9 The Design Review Application is reviewed to determine if (1) it is compatible
10 with adjacent developments and is harmonious and compatible with development in the
11 area; (2) the elevations, design characteristics and other architectural and aesthetic
12 features are not unsightly or undesirable in appearance; and (3) site access and
13 circulation do not negatively impact adjacent roadways or neighborhood traffic. Table
14 30.16-9(i); *see also* ROP000016. Again, Staff recommended approval after
15 determining the following:
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19 The proposed project complies with policy 5.5.3 under the
20 Master Plan which encourages the retention and revitalization of
018 established local business districts. The site has been vacant since
22 2012 and the proposed improvements complied with today’s
23 code. For example, the applicant is proposing detached
24 sidewalks along Happy Valley Avenue with streetscape
25 landscaping, and since there is an existing attached sidewalk
26 along Nellis Boulevard (NDOT right-of-way), the applicant will
27 install a 10-foot-wide landscape strip. The applicant is also
28 providing a decorative fence along the north and east property
lines to mitigate the view of any trucks parked on site. In
addition, this site will be monitored by on site security. The
applicant also provides 7.5 points worth of sustainability design

1 features where 7 is required per Title 30. For these reasons staff
2 recommends approval.

3 ROP000016.

4 Thus, despite the fact that this was initially a routine design review that should
5 have been conducted with a simple administrative review and despite the fact
6 Petitioners were forced to seek an accommodation due to the three (3) commercial
7 driveways that were taken away from the Subject Property and undergo a public
8 hearing, Staff, who analyzes the Title 30 standards in assessing such accommodations,
9 recommended approval of both the Design Review Application and corresponding
10 Waiver. When considering the applications at the November 20, 2024 BCC Meeting,
11 Commissioner Segerblom stated, however, that he did not think the use was
12 “appropriate in his mind” - but this statement lacks any evidentiary basis given the
13 existing zoning allowing for the same and the historical use of the Subject Property.
14 Moreover, he then went onto state that “**I think we need to work with staff to create**
15 **some type of a new zone or some type of something where we can have these truck**
16 **lots. But just to put them on a major street like Nellis in an area like this, I just**
17 **personally don’t feel it’s appropriate.**” This personal opinion does not constitute
18 valid grounds for the denials given the existing zoning. *State ex rel. Johns v. Gragson*,
19 89 Nev. 478, 483, 515 P.2d 65, 68 (1973)(stating, “The only ‘evidence’ supporting
20 revocation of the permit consisted of opinions voiced by the Commissioners. Even if
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1 such statements were construed as official positions of the Commission, they do not
2 constitute valid grounds for denial under the ordinance, absent supporting proof.”).
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4 Apparently Commissioner Segerblom does not like a commercial truck lot being
5 situated on a commercially zoned lot off a highly trafficked commercial road (Nellis
6 Boulevard), leaving one to wonder where he believes these truck parking lots are
7 appropriate. Regardless, Commissioner Segerblom’s personal opinion about the
8 inappropriateness of a commercial truck lot does not constitute valid grounds for denial
9 when the Subject Property’s zoning allows for such use. *Id.* Moreover, the historical
10 use of the Subject Property has been commercial, and commercial vehicles have been
11 accessing Happy Valley Avenue for decades.¹ ROP000012.

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15 The Subject Property is zoned for use as a parking lot – the fact that
16 Commissioner Segerblom does not “personally” feel it is an appropriate use is irrelevant
17 and is in direct contravention of the existing zoning. He made it clear on the record
18 that, “[i]t’s just not an appropriate area for these trucks. And I would like to work with
19 staff to find an area”. ROP000003. Thus, Commissioner Segerblom’s purported basis
20 for denial (that has no evidentiary support) is arbitrary and capricious and is also
018 erroneous in view of the whole record. *Tighe*, 110 Nev. at 634. While he may not
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26 ¹ After the shopping center was demolished, the Subject Property became occupied by a homeless
27 encampment. ROP000232. Thus, the Board of County would rather apparently have a homeless
28 encampment than a beneficial commercial use with solar powered cameras that Metro can access and
a security guard. *Id.*

1 personally like commercial truck parking lots, his personal preferences do not override
2 existing underlying zoning and mixed-use overlay. *State ex rel. Johns v. Gragson*, 89
3 Nev. 478, 483, 515 P.2d 65, 68 (1973). To insert such personal preferences above
4 approved zoning is an abuse of discretion and should be set aside. *Id.* See also *City of*
5 *Henderson v. Henderson Auto Wrecking, Inc.*, 77 Nev. 118, 122, 359 P.2d 743, 745
6 (1961) (“The exercise of discretion by the city council as an administrative board, could
7 not be sustained in court on the basis of conclusions reached by the city council in the
8 absence of circumstances which reasonably justified such conclusions”)(internal
9 citations omitted).

13
14 **C. The Denials Were Affected by Other Error of Law and in Violation of**
15 **Constitution or Statutory Provisions**

16 The County determined that the Petitioners needed to seek a Waiver in addition
17 to the Design Review Application, based on NDOT closing three existing driveways
18 off Nellis Boulevard to the Subject Property, leaving it with only one residential access
19 point. And with the County’s subsequent denial of the Waiver, the Subject Property is
20 effectively relegated to a non-commercial use (despite it being zoned for CG).
018

22 The doctrine of “substantial impairment” acknowledges that “an abutting owner
23 of a public highway has a special right of easement in a public road for access purposes”.
24 *State ex rel. Dept’ of Highways v. Linnecke*, 85 Nev. 257, 260, 468, P.2d 8, 9 (1970).
25 This special right of easement is a particular property right which cannot be damaged
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1 or taken from the owner without just compensation. *Id.* This results in an inverse
2 condemnation that is violative of our Nevada and United States' Constitutions and also
3 results an unlawful procedure. U.S. Const. amend 5; Nev. Const. Art. 1, § 22.
4 Accordingly, the County's decision to deny Petitioners' land use applications were
5 affected by other error of law, including that of a substantial impairment of access
6 resulting in an inverse condemnation. As such, the denials should also be overturned as
7 they are clearly affected by other error of law. NRS 278.0233(1)(a)(2).
8
9

10 11 VI. 12 CONCLUSION

13 Wherefore, based on the above, the County's decision in denying Petitioners'
14 land use applications should be set aside and damages awarded pursuant to NRS
15 278.0233 – NRS 278.0235. The BCC's action reflects a disregard for the applicable
16 legal standards, an inconsistent application of its own regulations, and a failure to
17 provide rational basis for its denial. Accordingly, judicial intervention is necessary to
18 correct this clear abuse of discretion and to uphold the principles of fairness,
19 consistency, and due process in land use determinations.
20
018

22 Without the approved Design Review and Waiver, the value of the Subject
23 Property is severely impacted as its now relegated to residential use. NRS 278.0233²
24
25

26 ² Title 30 also requires a permit to pave and/or otherwise construction improvement on
27 the lot. In order to obtain the permits however, the necessary approvals for the land use
28 applications must be obtained.

1 provides for actual damages herein due to the County's Notice of Final Action which is
2 arbitrary and capricious as well as unlawful and/or exceeds lawful authority. As such,
3 Petitioners seek return of their actual damages and the return of attorney fees and costs
4 under NRS 278.0237 pursuant to additional briefing and/or any hearing or trial as this
5 Court so determines is necessary to establish such an award of such damages and costs.
6
7

8 DATED this 6TH day of May, 2025

9
10 SUGDEN LAW

11 By: /s/ Amy L. Sugden
12 AMY L. SUGDEN, ESQ.
13 Nevada Bar No. 9983
14 375 E. Warm Springs, Ste. 104
15 Las Vegas, Nevada 89119
16 Telephone: (702) 625-3605

17 *Attorney for Petitioners*
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CERTIFICATE OF COMPLIANCE

a. I hereby certify that this brief complies with the formatting requirements of NRAP 32(a)(4), the typeface requirements of NRAP 32(a)(5) and the type-style requirements of NRAP 32(a)(6) because this brief has been prepared in a proportionally spaced typeface using Microsoft Word for Mac Version 16.80 in 14-point Times New Roman font.

b. I further certify that this brief complies with the page or type-volume limitations of NRAP 32(a)(7) because, excluding the parts of the brief exempted by NRAP 32(a)(7)(C), it does not exceed 30 pages.

c. Finally, I hereby certify that I have read this brief, and to the best of my knowledge, information, and belief, it is not frivolous or interposed for any improper purpose. This brief complies with all applicable Nevada Rules of Appellate Procedure, in particular NRAP 28(e)(1), which requires every assertion in the brief regarding matters in the record to be supported by a reference to the page and volume number, if any, of the transcript or appendix where the matter relied on is to be found. I understand that I may be subject to sanctions in the event that the accompanying brief is not in conformity with the requirements of the Nevada Rules of Appellate Procedure.

//

//

1 DATED this 6TH day of May, 2025

2 SUGDEN LAW

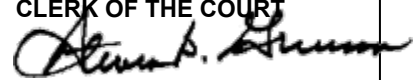
3
4 By: /s/ Amy L. Sugden
5 AMY L. SUGDEN, ESQ.
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10 *Attorney for Petitioner*

11 **CERTIFICATE OF SERVICE**

12 I hereby certify that on this day, I caused a true and correct copy of the foregoing
13 **BRIEF IN SUPPORT OF PETITION FOR JUDICIAL REVIEW** to be served to
14 all registered parties, via the Court's Electronic Filing System.

15
16 Dated: May 6, 2025

17
18
19 /s/ Amy L. Sugden
20 Attorney



ROP

STEVEN B. WOLFSON

District Attorney

CIVIL DIVISION

State Bar No. 001565

By: ROBERT T. WARHOLA

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Attorneys for Respondent

Clark County

DISTRICT COURT

CLARK COUNTY, NEVADA

PALM PROPERTIES, LLC, a Nevada limited
liability company; LEADING EDGE
VENTURES, LLC, a Nevada limited liability
company; ROBERT LAUER, an individually.)

Case No: A-24-907944-J
Dept No: 18

Petitioners,

vs.

COUNTY OF CLARK, a political
subdivision of the State of Nevada, et al.,

Respondent.

RECORD OF THE PROCEEDINGS, VOLUME I

Respondent hereby files with the Court the Record of the Proceedings pursuant to Eighth Judicial District Court Rule 2.15 consisting of documents from the Clark County Clerk, Commission Division, and the Clark County Current Planning Division numbered ROP 000001 through ROP 000145.

DATED this 24th day of March, 2025.

STEVEN B. WOLFSON
DISTRICT ATTORNEY

By: /s/ Robert T. Warhola

ROBERT T. WARHOLA

Chief Deputy District Attorney

State Bar No. 4410

500 South Grand Central Pkwy., Suite 5075

Las Vegas, Nevada 89155-2215

Attorney for Respondent

CERTIFICATE OF ELECTRONIC SERVICE

I hereby certify that I am an employee of the Office of the Clark County District Attorney and that on this this 24th day of March, 2025 I served a true and correct copy of the foregoing **RECORD OF THE PROCEEDINGS, VOLUME I** (United States District Court Pacer System or the Eighth Judicial District Court Wiznet), by e-mailing the same to the following recipients. Service of the foregoing document by e-mail is in place of service via the United States Postal Service.

Amy L. Sugden, Esq.
SUGDEN LAW
375 E. Warm Springs, Ste. 104
Las Vegas, Nevada 89119
Attorney for Petitioners
amy@sugdenlaw.com

/s/Patricia C. Villa
An Employee of the Clark County District
Attorney's Office – Civil Division

TICK SEGERBLOM

All right. So, there were four items you asked for and the first three were denied, but we'll work with you. And then the fourth one with respect of the dogs, that was granted but you have to deal with Animal Control, I think.

SCOTT REHM

Okay. What would be the next step as far as –

SAMI REAL

What I'll do is I'll have the planner who was working on this reach out to them and guide them on what they would need to do to bring their site into compliance. And then we will need to direct them to Animal Control to apply for the necessary permits to increase the number of household pets too.

TICK SEGERBLOM

All right. So, our staff will reach out to you and go through everything.

SCOTT REHM

Okay.

TICK SEGERBLOM

All right. Thank you so much.

JEANALIN REHM

Thank you.

SCOTT REHM

Thank you.

(Companion Items 24 and 25)

24. VS-24-0277-PALM PROPERTIES, LLC:

HOLDOVER VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file). TS/jor/syp (For possible action)

ACTION: DENIED WITHOUT PREJUDICE (COMPANION ITEM 25).

SAMI REAL

Next are Items 24 and 25.

- Item 24, VS-24-0277; holdover, vacate, and abandon a portion of right-of-way, being Happy Valley Avenue, located between Nellis Boulevard and Aloha Avenue within Sunrise Manor.
- And then Item 25, WS-24-0276; holdover waiver of development standards to modify residential adjacency standards. Design review for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone. Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor.

TICK SEGERBLOM

Good morning.

MELISSA EURE

Morning, Chairman, Commissioners. Melissa Eure, E-U-R-E, 1055 Whitney Ranch Drive, Suite 210, here on behalf of the applicant.

So, what we have in front of you is an aerial to show you where the site location is. It is on Nellis and Happy Valley. What it used to be is a commercial shopping center at that site. The building came down several years ago, and what is there was a vacant lot for quite some time. Our client has developed the site to be for commercial truck parking. So, no actual structure beyond a guard shack would go there. And it's striped to allow trucks. So it is in the General Commercial Zone, which does allow a parking lot. And the underlying zoning is the Commercial Mixed Use.

This actually would be an administrative item, except for there is a waiver for the driveway on Happy Valley because this would be commercial traffic going onto a residential drive. Back around 2018 when it was still a commercial shopping center, there were three driveways accessing Nellis. NDOT (Nevada Department of Transportation), as part of their update to the Nellis Boulevard corridor, closed those driveways off, leaving the only legal access to the site off of Happy Valley.

The client here is proposing to put in landscaping to help buffer the site more fully. The guard shack would be located here. There isn't a gate, however, there is security cameras that could actually be accessed by Metro, along with LED solar lights placed throughout to improve the security and the visibility of this site.

So, as we know, given the increase of online ordering and e-commerce, there's become a need for a lot more to deliver those items that are being ordered. It used to be that there were fleets, and the companies would use their own trucks, their own drivers, and that's how deliveries would happen. Now, many of them are independent operators, and so they're purchasing their trucks and their vans. And many of them are branded. You can't tell them apart from the actual company's trucks that they do own. And they're using those to become entrepreneurs and have their own businesses. However, they aren't able to park those on the residential streets. So, I think we're well aware that there's quite a bit of issue with trucks being parked on roadways, making it difficult to see around and having other impacts on traffic circulation. So, this would help to pull those trucks off of the streets, give them a place that they could legally park their trucks. And many of the owner/operators are within the vicinity here, so this is close to home. If they drive, they're able to drive, park their vehicle where their truck is, then take their truck out while they're doing deliveries. Others could be dropped off to then use their truck during the day.

As mentioned, there is a guard shack there. There's a local veteran who works as the security guard on the site.

There would be a new trash enclosure added as well. So that way if they did have any trash that accumulated in their trucks, they'd have a place to take care of that.

We have received letters of support from the Nevada Trucking Association, also from the abutting residential neighbors here to the west and from the tavern across the street on Happy Valley, as well as from several of the truck drivers who are currently parking their trucks on the site. So, with that, would be happy to answer any questions that you have.

MOTION

TICK SEGERBLOM

This is a public hearing. Anyone here wishing to speak on this item? Seeing no one, we'll close the public hearing.

I appreciate the goal here, as far as having a place for truckers to park their trucks while they go home and get off the road. But truthfully, this is just not appropriate area in my mind. By having that many trucks enter on Happy Valley, which is a residential street, is not going to be good for the children that play there and everyone else.

And honestly, I think that we need to work with staff to create some type of a new zone or some type of something where we can have these truck lots. But just to put them on a major street like Nellis in an area like this, I just personally don't feel it's appropriate.

So, with that, I'm going to make a motion to deny the request. And they also wanted to request to change the sidewalk, I think we should deny that also. So, the future developers would have to come in for some type of waiver. But right now, I'd like to have the separated sidewalk. So, with that, I'd make a motion to deny.

JIM GIBSON

If you're denying the thing, you're requiring them to move the sidewalk not even on the property.

TICK SEGERBLOM

No, there's no sidewalk.

JIM GIBSON

Okay.

TICK SEGERBLOM

So, we're denying 24 and 25 without prejudice, so you can come back with something else. But the truth is, it's just not an appropriate area for these trucks. And I would like to work with staff to find an area. I know Marilyn, you have the same issue. But we need to figure out a way that we can accommodate the truckers who do have a need, but also work with neighborhoods and make sure.

MARILYN K. KIRKPATRICK

Mr. Chair, may I ask for a clarification? So currently it's an existing building, and their only issue with coming into code is that NDOT no longer allows as many drive wells on Nellis, which I've had to deal with that one myself. Because NDOT came through, and what they found out is back in the early 2000s, every 200 feet there was a driveway. So, we've closed a lot of them on our side. But if they close it, then you're denying them access that way. So, they'd have to just shut down the business? I'm asking, because –

TICK SEGERBLOM

Well truthfully, the business has been operating illegally for several years. And so, there's a lot of code violations involved in this too. That's what we're trying to –

MARILYN K. KIRKPATRICK

– no, I just wanted to be clear what we were doing, because I didn't want it to be just because of the NDOT stuff. But if you're saying they've got other issues and have had other issues – you're denying the vacation, I'm assuming, as well as the zoning, right? Because it's zone something?

TICK SEGERBLOM

– right, the vacation was just for the get rid of the requirement to have a detached sidewalk.

MARILYN K. KIRKPATRICK

Okay.

TICK SEGERBLOM

All right, that's my motion. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft

VOTING NAY: None

ABSENT: Ross Miller

ABSTAIN: None

TICK SEGERBLOM

That motion passes. I want to point out it is without prejudice, and so I'd be happy to work with you on that side.

JIM GIBSON

Mr. Chair, might I just – Melissa and I spoke on the telephone a couple of weeks ago. And I wanted to echo the comments that Commissioner Naft made about your father. I knew him really well and worked with him a lot. And he left a legacy you can be very proud of. And you do honor to him every time we hear you and see you, so thank you very much for your good work. And I didn't mean to make you cry, but I felt like it because I knew him so well. Anyway, I just wanted to make that comment.

MELISSA EURE

Thank you. At least I have a little bit of time to recover before the next item.

TICK SEGERBLOM

Thank you.

SAMI REAL

Sorry, with that, I lost track. So, the votes were registered, correct?

TICK SEGERBLOM

Correct.

25. WS-24-0276-PALM PROPERTIES, LLC:

HOLDOVER WAIVER OF DEVELOPMENT STANDARDS to modify residential adjacency standards.

DESIGN REVIEW for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone. Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor. TS/jor/syp (For possible action)

ACTION: DENIED WITHOUT PREJUDICE (COMPANION ITEM 24).

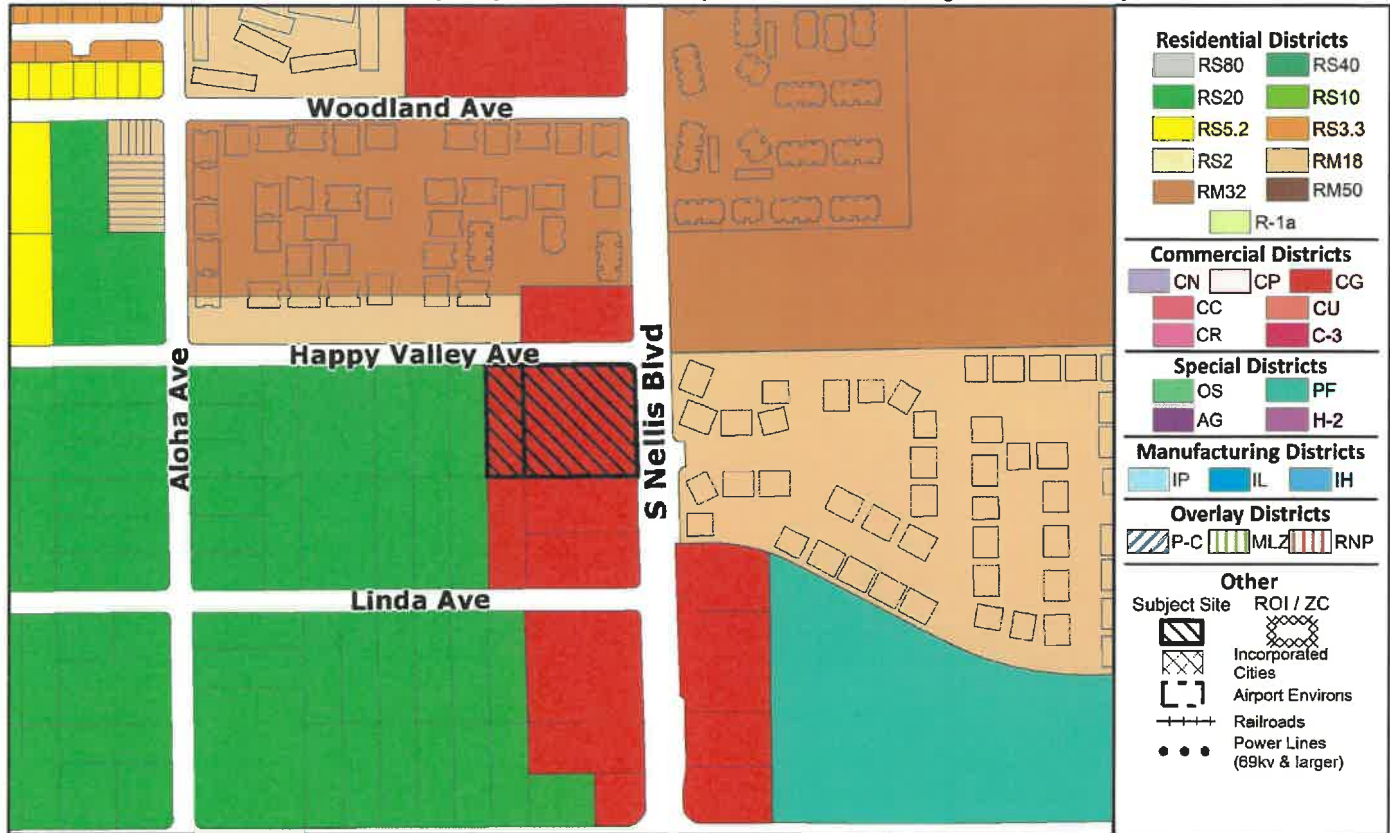
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Commission Agenda Map

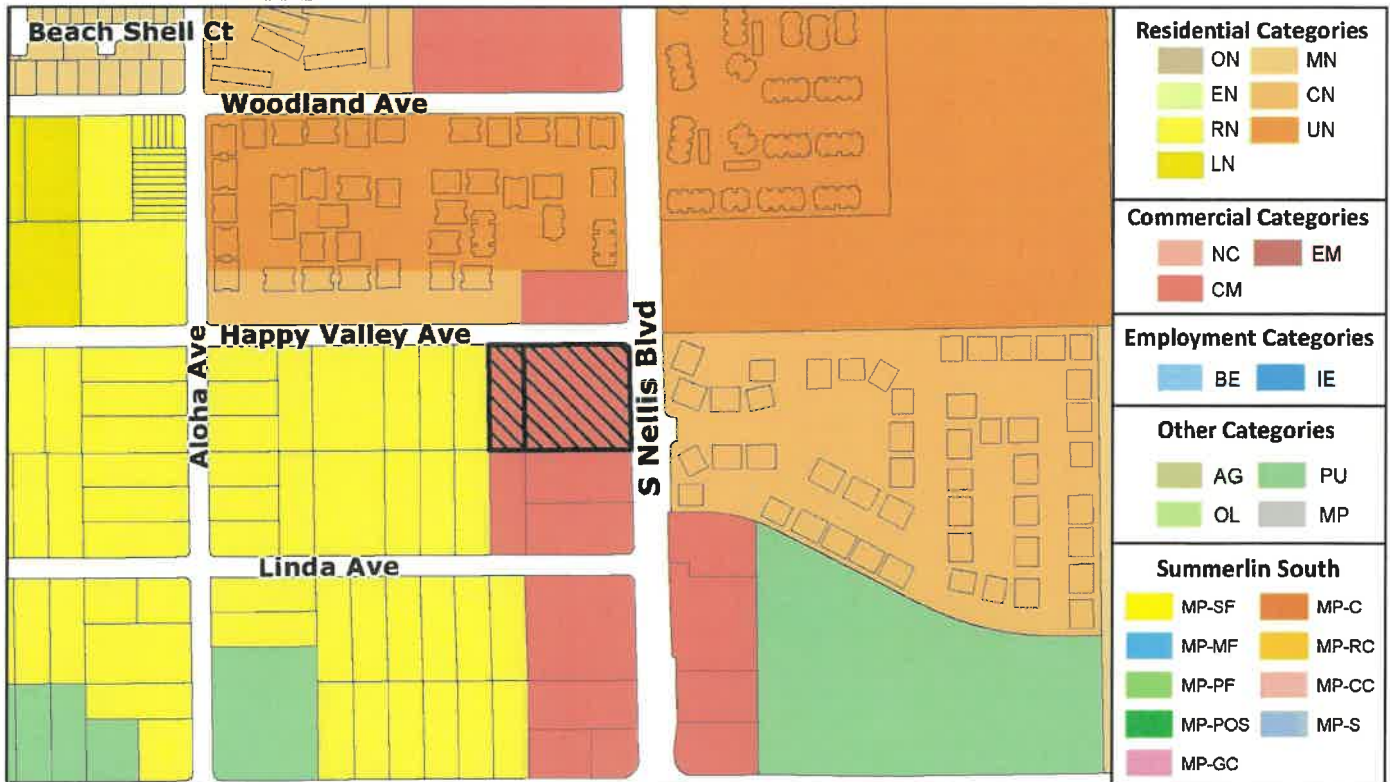
VS-24-0277

ZONING

Clark County Department of Comprehensive Planning, Clark County, Nevada



PLANNED LAND USE



This information is for display purposes only. No liability is assumed as to the accuracy of the data delineated hereon.

Subject Parcel(s)
16108810082
16108810083



0 125 250 500 Feet
Map Created on 7/30/2024



PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-24-0277-PALM PROPERTIES, LLC:

HOLDOVER VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file). TS/jor/syp (For possible action)

RELATED INFORMATION:

APN:

161-08-810-082; 161-08-810-083

LAND USE PLAN:

SUNRISE MANOR - CORRIDOR MIXED-USE

BACKGROUND:**Project Description**

The applicant is requesting to vacate 5 feet of right-of-way being Happy Valley Avenue. The purpose of this request is to allow for the installation of detached sidewalks.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-19-0630	Temporary construction storage for an off-site Las Vegas Valley Water District project (main replacement and The Dales subdivision)	Approved by PC	October 2019
UC-18-0578	Increased height of existing communication tower, with a design review for additional antenna	Approved by PC	October 2018
ADR-0333-05	73 foot high monopole communication tower with an antenna array	Approved by ZA	April 2005
UC-0040-04	Vehicle, watercraft, and recreational vehicle sales	Approved by PC	February 2005
UC-0431-02	Check cashing facility	Approved By BCC	June 2002
ADR-1086-01	Communications facility	Approved by ZA	November 2001
DR-0727-99	Revised plans for a previously approved shopping center and to continue the use of a vehicle sales lot	Approved by BCC	June 1999
WC-0025-99 (ZC-0480-98)	Waived conditions of a zone change for the proposed shopping center with an existing restaurant building on site	Approved by BCC	March 1999

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0480-98	Reclassified the site (both subject parcels- 161-08-810-082 and 161-08-810-083) to C-2 zoning (now CG) for a proposed 34,000 square foot shopping center	Approved by BCC	May 1998
DR-1464-97	Vehicle sales lot within an existing shopping center - expired	Approved by PC	September 1997

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Corridor Mixed-Use & Compact Neighborhood (up to 18 du/ac)	CG & RM18	Multi-family residential & tavern
South	Corridor Mixed-Use	CG	Commercial center
East	Compact Neighborhood (up to 18 du/ac)	RM18	Multi-family residential
West	Ranch Estate Neighborhood (up to 2 du/ac)	RS20	Single-family residential

Related Applications

Application Number	Request
WS-24-0276	A waiver of development standards with a design review for a proposed commercial truck parking lot is a companion item on this agenda.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis**Public Works - Development Review**

Staff has no objection to the vacation of right-of-way for detached sidewalks.

Staff Recommendation

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that Nevada Department of Transportation (NDOT) permits may be required.

Building Department - Addressing

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC: Sunrise Manor - denial.

APPROVALS:

PROTESTS: 6 cards, 2 letters

COUNTY COMMISSION ACTION: September 4, 2024 – HELD – To 10/02/24 – per the applicant.

COUNTY COMMISSION ACTION: October 2, 2024 – HELD – To 11/06/24 – per the applicant.

COUNTY COMMISSION ACTION: November 6, 2024 – HELD – To 11/20/24 – per Commissioner Segerblom.

APPLICANT: LEADING EDGE VENTURES, LLC

CONTACT: G.C. GARCIA, INC, 1055 WHITNEY RANCH DRIVE, SUITE 210, HENDERSON, NV 89014

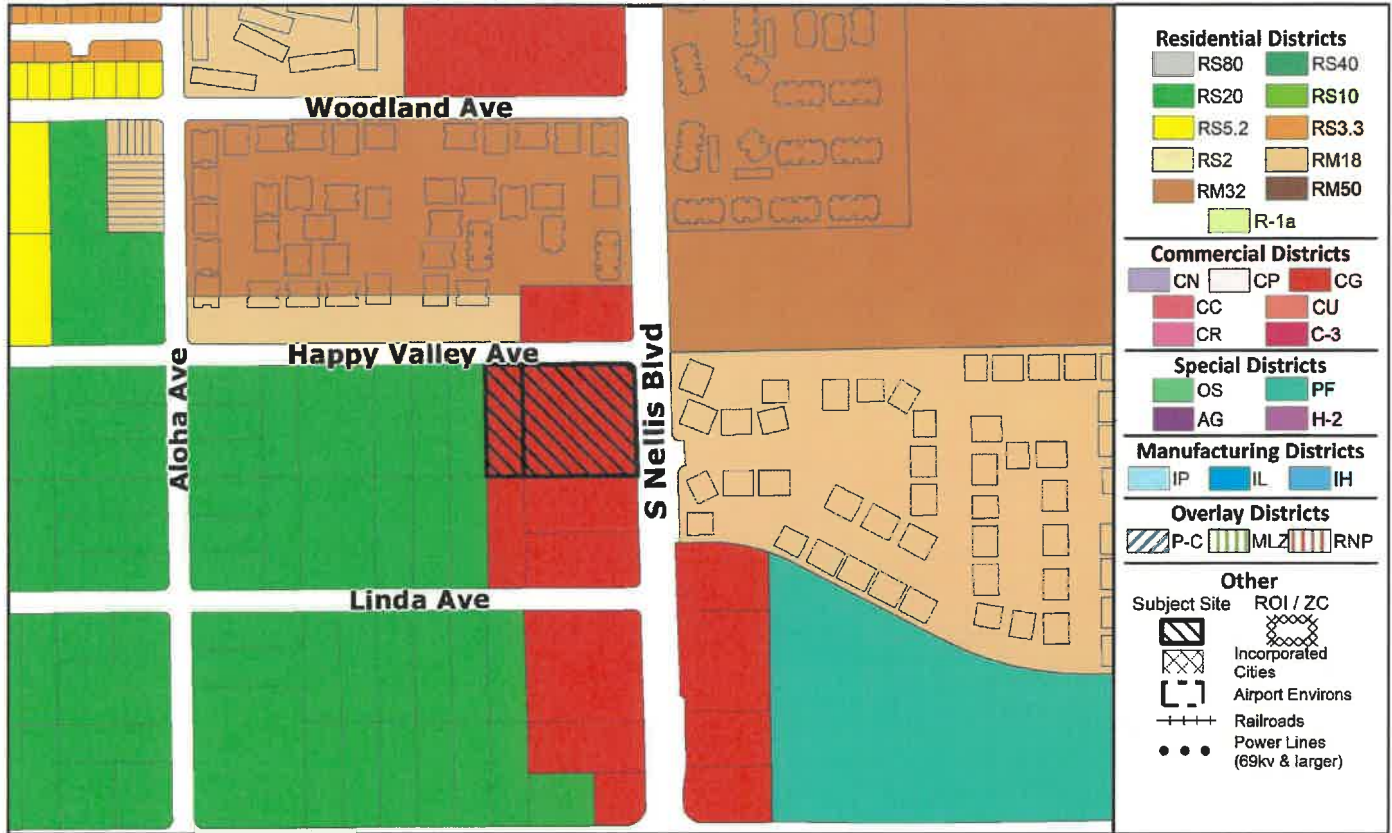
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Commission Agenda Map

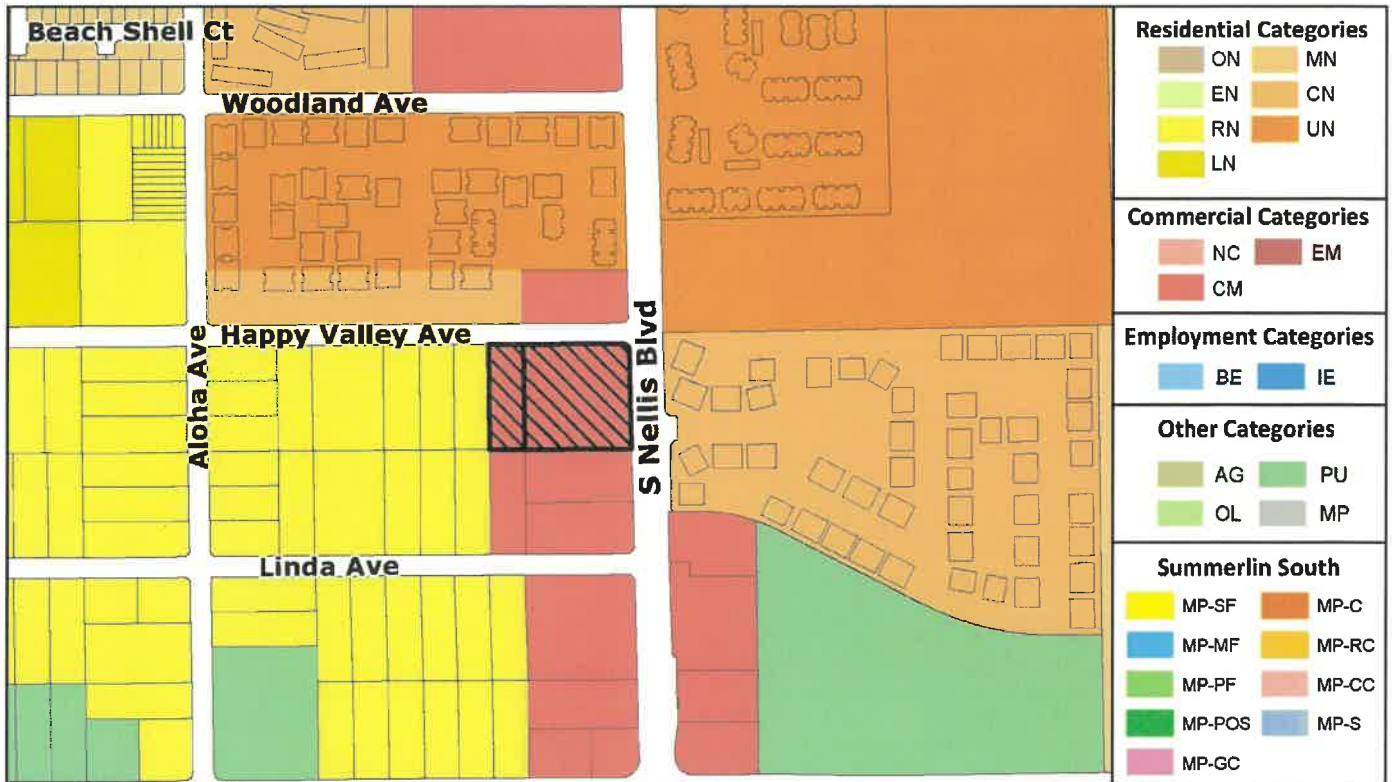
WS-24-0276

ZONING

Clark County Department of Comprehensive Planning, Clark County, Nevada



PLANNED LAND USE



This information is for display purposes only. No liability is assumed as to the accuracy of the data delineated hereon.

Subject Parcel(s)
16108810082
16108810083



0 125 250 500 Feet
Map Created on 7/30/2024



PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-24-0276-PALM PROPERTIES, LLC:

HOLDOVER WAIVER OF DEVELOPMENT STANDARDS to modify residential adjacency standards.

DESIGN REVIEW for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone.

Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor. TS/jor/syp (For possible action)

RELATED INFORMATION:

APN:

161-08-810-082; 161-08-810-083

WAIVER OF DEVELOPMENT STANDARDS:

Allow nonresidential vehicular access to a residential local street (Happy Valley Avenue) where not permissible per Section 30.04.06.D.

LAND USE PLAN:

SUNRISE MANOR - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 3125 S. Nellis Boulevard
- Site Acreage: 2.83
- Project Type: Commercial truck parking lot
- Number of Stories: 1 (proposed guard building)
- Building Height (feet): 8 (proposed guard building)/8 feet, 4 inches (proposed carport north of guard building)
- Square Feet: 25 (proposed guard building)/720 (proposed carport north of guard building)
- Parking Provided: 99
- Sustainability Required/Provided: 7.5/7

History & Site Plan

Records show that as early as the 1980's, parcel 161-08-810-083 included an existing shopping center building (in-line rectangular building) adjacent to Nellis Boulevard. A vehicle sales lot was approved on the southern end of this parcel via DR-1464-97 but expired after 1 year.

ZC-0480-98 reclassified both subject parcels (161-08-810-082 and 161-08-810-083) to C-2 zoning (now CG zoning) for a proposed 34,000 square foot shopping center (L-shaped building along the south and west property lines) with a portion of the existing shopping center building along Nellis Boulevard to the east to be expanded as a grocery store. The proposed 34,000 square foot shopping center under the zone change did not commence. Additional land use applications were approved on-site for vehicle sales, check cashing, a communication tower, and a waiver of conditions of a zone change (WC-0025-99) which re-applied conditions related to landscaping, site circulation, parking, access, and screening. Under DR-0727-99 (a design review for vehicle sales), the conditions of approval under WC-0025-99 were complied with. The existing building and vehicle sales lot adjacent to Nellis Boulevard remained on-site until 2012 and has since been demolished.

Today, the applicant is requesting approval of a design review for a proposed commercial truck parking lot. A waiver of development standards related to modifying residential adjacency to allow access to a local street being Happy Valley Avenue is also part of this application. Access is provided via 1 driveway along the north property line adjacent to Happy Valley Avenue. Although Title 30 does not allow nonresidential vehicular access to a local street, access to Happy Valley Avenue has existed for more than 25 years. The Nevada Department of Transportation (NDOT) closed the existing driveways along the east property line adjacent to Nellis Boulevard, and NDOT reconstructed the attached sidewalk.

The site plan depicts a proposed parking lot with 99 commercial vehicle parking spaces, which are the following:

- 35 parking stalls (40 feet by 12 feet) are located along the north property line and on the southwest corner of the site.
- 17 parking stalls (35 feet by 12 feet) are located along the west property line.
- 42 tandem parking stalls (70 feet by 12 feet) are located along the east property line.
- 4 parking stalls (20 feet by 9 feet) are located east of the driveway along the north side of the site adjacent to Happy Valley Avenue.
- 1 accessible parking stall south of the 4 parking stalls, adjacent to the guard building.

The site plan also shows a proposed guard building adjacent to the driveway on the southeast corner of the driveway throat depth area. There is also a proposed carport north of the guard building to be constructed over 4 parking stalls. The existing communication tower along the south property line will remain, and the applicant will install a trash enclosure along the south property line. There is an existing 8 foot high CMU block wall which will remain on-site along the west property line adjacent to an existing residence. The existing 8 foot high CMU block wall along the south property line will also remain. Proposed light poles up to 18 feet high are located adjacent to the driveway along the north property line at the northeast corner, 2 at the southeast corner, and 2 additional light poles that are centrally located within the parking area. Lastly, proposed lighting meets residential adjacency standards per Title 30.

Landscaping

Detached sidewalks will be installed along the north property line along Happy Valley Avenue with an 8 foot high beige colored vinyl fence set back over 10 feet from the future property line (back of curb). The existing attached sidewalk will remain along the east property line along

Nellis Boulevard. The applicant will continue the 8 foot high beige colored vinyl fence behind the landscape area along Nellis Boulevard.

The applicant provided a landscape plan drafted by a licensed landscape architect. The proposed landscape plan shows that all existing palm trees will remain on-site. The street landscaping along the north property line includes detached sidewalks with 5 foot wide landscape strips on either side of the sidewalk which will feature large trees and shrubs. The west property line includes a 20 foot wide landscape buffer with a double row of large trees and shrubs. The east side of the site will include a 10 foot wide landscape area with large trees and shrubs adjacent to the existing attached sidewalk.

Elevations

The proposed guard building has an overall height of 8 feet and will be constructed of pre-manufactured steel. The exterior color of the guard building is blue and features 6 windows and 1 door. The proposed carport north of the guard building has an overall height of 8 feet, 4 inches. This carport is comprised of pre-treated cedarwood for outdoor durability.

Floor Plans

The proposed guard building has an overall area of 25 square feet. The proposed carport has an overall area of 720 square feet.

Applicant's Justification

The applicant is proposing a commercial truck parking lot which will enable truck drivers to have a place to legally park their local trucks (no long haul trucks). This will help keep trucks from parking on public streets creating enforcement and neighborhood issues. It will also provide a safer, more secure parking environment that will have solar powered cameras that the Las Vegas Metropolitan Police Department can access. Additionally, a security guard is always present. The site as proposed is compatible as a parking lot on an arterial street (Nellis Boulevard) with completion of infrastructure, lighting, landscaping, and fencing.

The site is zoned for commercial (CG), and the prior development had access from Happy Valley Avenue. The Nevada Department of Transportation (NDOT) closed previously existing driveways along Nellis Boulevard in 2021 during NDOT's improvements to Nellis Boulevard. Happy Valley is the sole means of access given this limitation. The proposed commercial truck parking lot use will provide a location for truck drivers to park their vehicles outside of residential subdivisions and not on public roadways. This will also help minimize safety hazards, trash dumping, graffiti control, homeless encampments, and Code citations. It will also add to the appearance with fencing and landscaping. The use is compatible with the surrounding commercial and residential development in the area as it is supported by the neighbors.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-19-0630	Temporary construction storage for an off-site Las Vegas Valley Water District project (main replacement and The Dales subdivision)	Approved by PC	October 2019

Prior Land Use Requests

Application Number	Request	Action	Date
UC-18-0578	Increased height of existing communication tower, and design review for additional antenna	Approved by PC	October 2018
ADR-0333-05	73 foot high monopole communication tower with an antenna array	Approved by ZA	April 2005
UC-0040-04	Vehicle, watercraft, and recreational vehicle sales	Approved by PC	February 2005
UC-0431-02	Check cashing facility	Approved By BCC	June 2002
ADR-1086-01	Communication facility	Approved by ZA	November 2001
DR-0727-99	Revised plans for a previously approved shopping center and to continue the use of a vehicle sales lot	Approved by BCC	June 1999
WC-0025-99 (ZC-0480-98)	Waiver of conditions of a zone change for the proposed shopping center with an existing restaurant building on site	Approved by BCC	March 1999
ZC-0480-98	Reclassified the site (both subject parcels- 161-08-810-082 and 161-08-810-083) to C-2 zoning (now CG) for a proposed 34,000 square foot shopping center	Approved by BCC	May 1998
DR-1464-97	Vehicle sales lot within an existing shopping center - expired	Approved by PC	September 1997

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Corridor Mixed-Use & Compact Neighborhood (up to 18 du/ac)	CG & RM18	Multi-family residential & tavern
South	Corridor Mixed-Use	CG	Commercial center
East	Compact Neighborhood (up to 18 du/ac)	RM18	Multi-family residential
West	Ranch Estate Neighborhood (up to 2 du/ac)	RS20	Single-family residential

Related Applications

Application Number	Request
VS-24-0277	A request to vacate and abandon a portion of a right-of-way is a companion item on this agenda.

CLARK COUNTY PUBLIC RESPONSE OFFICE:

There is an active case, CE23-05369, for vehicles parked on unpaved areas.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Waiver of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

The applicant provided correspondence from NDOT which states that access to Nellis Boulevard is not required, and if access is requested in the future, the applicant must comply with NDOT's 2017 Access Management System and Standards with sufficient engineering justification. Per the correspondence on file, the applicant's engineer determined that the site does not meet NDOT's access location and spacing standards. Per photos on file, NDOT closed 3 driveways along the east property line of the site adjacent to Nellis Boulevard and NDOT reconstructed the attached sidewalk sometime in 2021. Today, Title 30 does not allow nonresidential access on a local street; although records show that access to Happy Valley Avenue has been in place for over 25 years and the access has been used by commercial vehicles for over 3 years with no impact to the residences. Also, the average daily trips for this use are expected to be less trips than for other commercial uses. Staff determines that the aforementioned circumstances warrant staff's support for the waiver of development standards.

Design Review

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

The proposed project complies with Policy 5.5.3 under the Master Plan which encourages the retention and revitalization of established local business districts. The site has been vacant since 2012 and the proposed improvements comply with today's Code. For example, the applicant is proposing detached sidewalks along Happy Valley Avenue with street landscaping, and since there is an existing attached sidewalk along Nellis Boulevard (NDOT right-of-way), the applicant will install a 10 foot wide landscape strip. The applicant is also providing a decorative fence along the north and east property lines to mitigate the view of any trucks parked on site. In addition, the site will be monitored by on site security. The applicant also provided 7.5 points worth of sustainability design features where 7 is required per Title 30. For these reasons staff recommends approval.

Staff Recommendation
Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Work with the Las Vegas Metropolitan Police Department for the installation and use of security cameras and surveillance operation;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Full off-site improvements.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that Nevada Department of Transportation (NDOT) permits may be required.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Sunrise Manor - denial.

APPROVALS:

PROTESTS: 5 cards, 2 letters

COUNTY COMMISSION ACTION: September 4, 2024 – HELD – To 10/02/24 – per the applicant.

COUNTY COMMISSION ACTION: October 2, 2024 – HELD – To 11/06/24 – per the applicant.

COUNTY COMMISSION ACTION: October 2, 2024 – HELD – To 11/06/24 – per the applicant.

COUNTY COMMISSION ACTION: November 6, 2024 – HELD – To 11/20/24 – per Commissioner Segerblom.

APPLICANT: LEADING EDGE VENTURES, LLC

CONTACT: G.C. GARCIA, INC, 1055 WHITNEY RANCH DRIVE, SUITE 210, HENDERSON, NV 89014

FILED

DEC 03 2024

Lyn Marie Goggin
CLERK

NOTICE OF FINAL ACTION
CLARK COUNTY ZONING COMMISSION
9:00 A.M., WEDNESDAY, NOVEMBER 20, 2024

LEGAL NOTICE: Following the final approval or denial of every action before the Planning Commission and/or the Board of County Commissioners, a letter indicating the action taken and the conditions under which any approval is granted will be sent to the correspondent address on the application submitted. The information herein will be filed with the Clark County Clerk, Commission Division, and serve as notice of final action for the purposes of NRS 278.0235 which marks the commencement of the twenty-five (25) day limitation period specified.

1. Public Comments.
2. Approval of the Agenda After Considering Requests to Add, Hold, or Delete Items. (For possible action)
3. Approval of minutes. (For possible action)

Board of County Commissioners' Zoning Meeting minutes for 10/16/24.

ROUTINE ACTION ITEMS (4 – 17): These items may be considered in one hearing and in one motion. Any person who does not agree with the recommendations by staff should request that the item be removed from this portion of the agenda and be heard separately when directed by the Board of County Commissioners.

4. SDR-24-0334-MGM RESORTS LAND HOLDINGS II, LLC
HOLDOVER SIGN DESIGN REVIEW for modifications to an approved comprehensive sign plan for a resort hotel (Bellagio) on 76.63 acres in a CR (Commercial Resort) Zone. Generally located on the west side of Las Vegas Boulevard South and the south side of Flamingo Road within Paradise. JG/r/syp (For possible action)

HELD - 02/19/25 - per the applicant. Applicant is advised that re-notification fees are required prior to this item being placed on the agenda.

5. DR-24-0335-BCORE PARADISE, LLC:
HOLDOVER DESIGN REVIEW for an expansion and modification to an existing resort hotel (Bellagio) on 85.77 acres in a CR (Commercial Resort) Zone. Generally located on the west side of Las Vegas Boulevard South and the south side of Flamingo Road within Paradise. JG/r/syp (For possible action)

HELD - 02/19/25 - per the applicant. Applicant is advised that re-notification fees are required prior to this item being placed on the agenda.

6. ET-24-400107 (UC-20-0288)-WTML WARM SPRINGS, LLC:
USE PERMIT SECOND EXTENSION OF TIME for a cannabis establishment (retail cannabis store).
DESIGN REVIEW for a retail building for a cannabis establishment on 0.9 acres in a CG (Commercial General) Zone. Generally located on the south side of Warm Springs Road, 480 feet east of Haven Street within Enterprise. MN/mh/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Until August 19, 2026 to obtain valid business license for retail cannabis store or the application will expire unless extended with approval of an extension of time.

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- Applicant is advised a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

7. WC-24-400111 (ZC-1965-04)-WIGWAM-PARVIN LIMITED PARTNERSHIP:

WAIVERS OF CONDITIONS of a zone change requiring the following: 1) a 45 foot setback on Las Vegas Boulevard South; 2) 20 foot minimum setback along all other street frontages; and 3) 20 foot wide landscape buffer with medium trees, 24 inch box in size, with shrubs to cover 50% of the landscape area and a detached sidewalk along Las Vegas Boulevard South unless prohibited by NDOT in conjunction with a proposed multi-family residential development on 9.23 acres in a CR (Commercial Resort) Zone. Generally located on the east side of Las Vegas Boulevard South and the south side of Jo Rae Avenue within Enterprise. MN/hw/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0290-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

8. VS-24-0520-WIGWAM-PARVIN LIMITED PARTNERSHIP:

VACATE AND ABANDON easements of interest to Clark County located between Jo Rae Avenue and Pyle Avenue and between Las Vegas Boulevard South and Giles Street; a portion of right-of-way being Pyle Avenue located between Las Vegas Boulevard South and Giles Street; a portion of right-of-way being Jo Rae Avenue located between Las Vegas Boulevard South and Giles Street; and a portion of right-of-way being Giles Street located between Jo Rae Avenue and Pyle Avenue within Enterprise (description on file). MN/hw/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include, 100 feet for Las Vegas Boulevard South, 25 feet to the back-of-curb for Giles Street and associated spandrels;
- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements for the Pyle Avenue improvement project, 90 days to record said separate document for the Pyle Avenue improvement project;
- The installation of detached sidewalks will require the recordation of this vacation of excess right-of-way, dedication to back-of-curb, and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;

- **Revise legal description, if necessary, prior to recording.**

9. **UC-24-0521-WIGWAM-PARVIN LIMITED PARTNERSHIP:**

USE PERMIT to allow a multi-family residential development.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; and 2) alternative driveway geometrics.

DESIGN REVIEW for a proposed multi-family residential development on 9.23 acres in a CR (Commercial Resort) Zone. Generally located on the east side of Las Vegas Boulevard South and the south side of Jo Rae Avenue within Enterprise. MN/hw/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- **Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;**
- **Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.**
- **Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.**

Public Works - Development Review

- **A License and Maintenance Agreement for any non-standard improvements within the right-of-way along Las Vegas Boulevard South, if required by Public Works - Development Review;**
- **Drainage study and compliance;**
- **Traffic study and compliance;**
- **Full off-site improvements;**
- **Right-of-way dedication to include, 100 feet for Las Vegas Boulevard South, 25 feet to the back-of-curb for Giles Street and associated spandrels;**
- **30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements for the Pyle Avenue improvement project, 90 days to record said separate document for the Pyle Avenue improvement project;**
- **The installation of detached sidewalks will require the vacation of excess right-of-way, dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices.**

Clark County Water Reclamation District (CCWRD)

- **Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0290-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.**

10. ZC-24-0518-USA:
ZONE CHANGE to reclassify a 5.55 acre portion of 58.7 acres from an IH (Industrial Heavy) Zone to a PF (Public Facility) Zone within the Airport Environs (AE-70) Overlay. Generally located on the northwest side of Las Vegas Boulevard North and the north side of Nadine Petersen Boulevard within the Northeast County Planning Area (description on file). MK/rg (For possible action)

APPROVED.

11. ORD-24-900529: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with SCT Silverado Ranch & Arville LLC for a commercial development on 0.8 acres, generally located east of Arville Street and north of Silverado Ranch Boulevard within Enterprise. JJ/jm (For possible action)

ADOPTED.

12. ORD-24-900546: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with Fort Apache, LTD for a multi-family residential development on 9.1 acres, generally located west of Fort Apache Road and south of Pebble Road within Enterprise. JJ/dw (For possible action)

ADOPTED.

13. ORD-24-900599: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with G Y Properties LLC for an office/warehouse building on 2.1 acres, generally located west of Westwind Road and south of Sunset Road within Enterprise. MN/dw (For possible action)

ADOPTED.

14. ORD-24-900699: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on August 21, 2024. (For possible action)

ADOPTED.

15. ORD-24-900708: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on August 7, 2024. (For possible action)

ADOPTED.

16. ORD-24-900710: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on September 18, 2024. (For possible action)

ADOPTED.

17. ORD-24-900725: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on September 4, 2024 and in Assessor's Books 059, 104, 140, 161, 162, 163, 164, 175, 176, and 177 the attached zone changes were approved to reclassify certain properties and amend the zoning map. (For possible action)

ADOPTED.

NON-ROUTINE ACTION ITEMS (18 – 61): These items will be considered separately.

18. CP-24-900629: Conduct a public hearing, adopt the Flood Control Master Plan Update, and authorize the Chair to sign a Resolution amending the Plan. (For possible action)

ADOPTED.

19. ET-24-400110 (UC-20-0493)-5051 SLV, LLC:
USE PERMITS SECOND EXTENSION OF TIME for the following: 1) expand the Gaming Enterprise District; 2) a resort hotel; 3) public areas including the casino, showrooms, live entertainment, retail center, indoor and outdoor dining, entertainment, offices, conventions, back of house and parking structures; 4) associated accessory and incidental commercial uses, buildings, and structures; and 5) deviations from development standards.

DEVIATIONS for the following: 1) increase the height of high-rise towers; 2) encroachment into airspace; 3) reduce setbacks; 4) alternative landscaping; and 5) all other deviations as shown per plans on file.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) for non-standard improvements (landscaping) within the right-of-way; and 2) alternative driveway geometrics.

DESIGN REVIEWS for the following: 1) a resort hotel with all associated and accessory uses, structures and incidental buildings and structures; and 2) finished grade on 4.68 acres in a CR (Commercial Resort) Zone and within the Airport Environs (AE-65) Overlay. Generally located on the east side of Las Vegas Boulevard South, 500 feet south of Russell Road (alignment) within Paradise. JG/jm/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Until August 20, 2025 to commence or the application will expire unless extended with approval of an extension of time;
- As required by NRS 278.0205 and the Development Agreement Ordinance, applicant to submit their first report, due once every twenty-four (24) months, by November 30, 2024;
- Complete construction of perimeter wall on east side of the property within 90 days;
- Enclose the site with a solid 8 foot high wood construction fence made of dimensional lumber and faced with plywood, as required in Exhibit A of the Decommissioning Plan, within 90 days; only after contractor notifies the Clark County Building Department that the project has remobilized, and construction has restarted, can the wooden construction fence be removed;
- 24 hour on-site manned security must be provided immediately and throughout the duration of the construction project.
- Applicant is advised a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Compliance with previous conditions.

Department of Aviation

- The applicant shall be required to file a valid FAA Form 7460-1 "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the DOA;
- If the applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then it must also receive either a Permit from the Director of

Aviation or a Variance from the Airport Hazard Areas Board of Adjustment ("AHABA") prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; the applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc;

- No building permits will be issued until the applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA and is still valid, or a "Property Owner's Shielding Determination Statement" has been issued by the DOA;
- The applicant shall be advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that the FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

20. UC-24-0319-VAN DIEPEN, RICHARD & KATHRYN:

USE PERMIT for an accessory living quarters.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; and 2) reduce building separation.

DESIGN REVIEW for existing accessory structures in conjunction with an existing single-family residence on 0.23 acres in an RS5.2 (Residential Single-Family 5.2) Zone within the Historic Designation Overlay. Generally located on the east side of Cochise Lane, 110 feet north of Geronimo Way within Paradise. TS/jm/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- 1 year to complete the building permit and inspection process or the application will expire unless extended with approval of an extension of time;
- Paint roof of accessory living quarter to match the roof color of the residence.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

21. UC-24-0436-MANNA INVESTMENT GROUP, LLC:

HOLDOVER USE PERMIT for a vehicle wash.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) modify residential adjacency standards; 2) alternative buffering and screening; and 3) allow attached sidewalks.

DESIGN REVIEW for a vehicle wash in conjunction with an existing shopping center on a portion of 4.09 acres in a CG (Commercial General) Zone. Generally located on the west side of Sandhill Road and the south side of Desert Inn Road within Paradise. TS/sd/kh (For possible action)

HELD - 12/18/24 - per the applicant.

22. UC-24-0460-GONZALEZ, DIMAS:
HOLDOVER USE PERMITS for the following: 1) stable (residential); 2) livestock (small); 3) livestock (medium); and 4) livestock (large).
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow accessory structures prior to the principal structure; 2) reduce building separation; 3) allow a non-decorative fence in the front yard; 4) eliminate street landscaping; 5) full off-site improvements; and 6) allow 3 driveways in conjunction with proposed agricultural uses and future single-family residences on 1.47 acres in an RS20 (Residential Single-Family 20) Zone within the Airport Environs (AE-65) Overlay. Generally located on the south side of Cartier Avenue and the east side of Walnut Road within Sunrise Manor. WM/dd/syp (For possible action)

HELD - 12/18/24 - per Commissioner McCurdy.

23. UC-24-0536-REHM, SCOTT & JEANALIN, JULIA:
USE PERMITS for the following: 1) home occupation; 2) stable; 3) livestock (small and large); and 4) household pets.
WAIVER OF DEVELOPMENT STANDARDS for reduced setbacks on 0.48 acres in an RS20 (Residential Single-Family 20) Zone. Generally located on the east side of Westwind Road, 610 feet south of Charleston Boulevard within the Spring Valley Planning Area. RM/tpd/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- 60 days to bring the on-site activities into compliance with Title 30;
- Obtain any required permits for the increase in household pets from Clark County Animal Control.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Southern Nevada Health District (SNHD) - Engineering

- Applicant is advised to contact the SNHD Environmental Health Division at septics@snhd.org or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

USE PERMITS #1 THROUGH #3 AND WAIVER OF DEVELOPMENT STANDARDS WERE DENIED.

24. VS-24-0277-PALM PROPERTIES, LLC:
HOLDOVER VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file). TS/jor/syp (For possible action)

DENIED.

25. WS-24-0276-PALM PROPERTIES, LLC:
HOLDOVER WAIVER OF DEVELOPMENT STANDARDS to modify residential adjacency standards.
DESIGN REVIEW for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone. Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor. TS/jor/syp (For possible action)
DENIED.
26. VS-24-0457-DBAC, LLC:
HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Pamalyn Avenue and Maule Avenue, and between Arville Street and Cameron Street, a portion of right-of-way being Arville Street located between Pamalyn Avenue and Maule Avenue, and portion of right-of-way being Maule Avenue located between Arville Street and Cameron Street within Enterprise (description on file). MN/lm/syp (For possible action)
HELD - 12/18/24 - per the applicant.
27. WS-24-0456-DBAC, LLC:
HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase fill height; 2) increase retaining wall height; and 3) reduce driveway setback.
DESIGN REVIEW for a single-family residential subdivision on 3.11 acres in an RS20 (Residential Single-Family 20) Zone within the Airport Environs (AE-60) and Neighborhood Protection (RNP) Overlays. Generally located on the west side of Arville Street and the north side of Maule Avenue within Enterprise. MN/lm/syp (For possible action)
HELD - 12/18/24 - per the applicant.
28. TM-24-500096-DBAC, LLC:
HOLDOVER TENTATIVE MAP consisting of 6 single-family residential lots and 1 common lot on 3.11 acres in an RS20 (Residential Single-Family 20) Zone within the Airport Environs (AE-60) and Neighborhood Protection (RNP) Overlays. Generally located on the west side of Arville Street and the north side of Maule Avenue within Enterprise. MN/lm/syp (For possible action)
HELD - 12/18/24 - per the applicant.
29. VS-24-0462-OMNI FAMILY LIMITED PARTNERSHIP:
HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Arby Avenue and Capovilla Avenue and between Valley View Boulevard and Procyon Street within Enterprise (description on file). MN/hw/kh (For possible action)
APPROVED.
CONDITIONS OF APPROVAL -
Comprehensive Planning
 - Satisfy utility companies' requirements.
 - Applicant is advised within 4 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.**Public Works - Development Review**
 - Right-of-way dedication to include 45 feet to the back-of-curb for Valley View Boulevard, 25 feet to the back-of-curb for Arby Avenue, 25 feet to the back-of-curb for Procyon Street, 25 feet to the back-of-curb for Capovilla Avenue and associated spandrels;

- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements, 90 days to record said separate document for the Warm Springs storm drain improvement project;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

30. **WS-24-0461-OMNI FAMILY LIMITED PARTNERSHIP:**

HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce net lot area; 2) reduce street landscaping; 3) increase retaining wall height; 4) increase fill height; 5) alternative lot orientation; 6) off-site improvements (streetlights); and 7) reduce driveway setbacks.

DESIGN REVIEW for a single-family residential subdivision on 7.5 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the east side of Valley View Boulevard and the south side of Arby Avenue within Enterprise. MN/hw/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- At a minimum, 5 gallon shrubs shall be provided within the landscaping strip between the tiered retaining wall;
- Provide for and include in the CC&Rs that a minimum of 15, 24 inch box Bay Laurel trees be planted and maintained 30 feet on center within the landscape strip between the tiered wall with any changes in landscaping to be approved by the HOA and adjacent property owners;
- Provide and include in the CC&Rs a gate to the landscape easement on Arby Avenue to be accessed and maintained by an HOA;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Full off-site improvement on Valley View Boulevard;
- Full off-site improvements except streetlights on Arby Avenue, Capovilla Avenue, and Procyon Street with sidewalks consisting of asphalt instead of concrete;
- Install conduit and pull boxes for streetlights;
- Drainage study and compliance;
- Right-of-way dedication to include 45 feet to the back of curb for Valley View Boulevard, 25 feet to the back of curb for Arby Avenue, 25 feet to the back of curb for Procyon Street, 25 feet to the back of curb for Capovilla Avenue and associated spandrels;
- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements, 90 days to record said separate document for the Warm Springs storm drain improvement project.

- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed; that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Fire Prevention Bureau

- Applicant to show fire hydrant locations on-site and within 750 feet.
- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0135-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

31. **TM-24-500099-OMNI FAMILY LIMITED PARTNERSHIP:**
HOLDOVER TENTATIVE MAP consisting of 13 single-family residential lots on 7.5 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the east side of Valley View Boulevard and the south side of Arby Avenue within Enterprise. MN/lhw/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Full off-site improvement on Valley View Boulevard;
- Full off-site improvements except streetlights on Arby Avenue, Capovilla Avenue, and Procyon Street with sidewalks consisting of asphalt instead of concrete;
- Install conduit and pull boxes for streetlights;
- Drainage study and compliance;
- Right-of-way dedication to include 45 feet to the back of curb for Valley View Boulevard, 25 feet to the back of curb for Arby Avenue, 25 feet to the back of curb for Procyon Street, 25 feet to the back of curb for Capovilla Avenue and associated spandrels;
- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements, 90 days to record said separate document for the Warm Springs storm drain improvement project.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Building Department - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Fire Prevention Bureau

- Applicant to show fire hydrant locations on-site and within 750 feet.
- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0135-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

32. VS-24-0509-USA:

VACATE AND ABANDON easements of interest to Clark County located between Craig Road and Alexander Road and between Chieftain Street and Fort Apache Road; a portion of right-of-way being Helena Avenue located between Chieftain Street and Fort Apache Road; and a portion of right-of-way being Hickam Avenue located between Chieftain Street and Fort Apache Road within Lone Mountain (description on file). RM/hw/kh (For possible action)

HELD - 12/04/24 - per the applicant.

33. WS-24-0510-USA:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce gross lot area; 2) reduce net lot area; 3) reduce front setbacks; 4) allow a gated community within the NPO-RNP; 5) reduce street landscaping; 6) reduce call box setback; 7) eliminate off-site improvements (curb, gutter, sidewalks, and streetlights); 8) increase the length of a non-through street without a county approved turnaround; and 9) eliminate street knuckles.

DESIGN REVIEW for a single-family residential subdivision on a 22.14 acre portion of 32.12 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Craig Road, north of Florine Avenue (alignment), east of Chieftain Street, and west of Fort Apache Road within Lone Mountain. RM/hw/kh (For possible action)

HELD - 12/04/24 - per the applicant.

34. TM-24-500108-USA:

TENTATIVE MAP consisting of 39 single-family residential lots and 2 common lots on a 22.14 acre portion of 32.12 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Craig Road, north of Florine Avenue (alignment), east of Chieftain Street, and west of Fort Apache Road within Lone Mountain. RM/hw/kh (For possible action)

HELD - 12/04/24 - per the applicant.

35. VS-24-0539-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:

VACATE AND ABANDON easements of interest to Clark County located between Torino Avenue and Ford Avenue (alignment) and between Belcastro Street and Rosanna Street within Enterprise (description on file). JJ/jud/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include 25 feet to the back of curb for Torino Avenue, 25 feet to the back of curb for Belcastro Street, and associated spandrels;
- The installation of detached sidewalks will require dedication to back-of-curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

36. WS-24-0538-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce net lot size; 2) increase fill height; 3) increase retaining wall height; and 4) increase driveway width.
DESIGN REVIEW for a single-family residential subdivision on 2.34 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the northeast corner of Belcastro Street and Torino Avenue within Enterprise. JJ/jud/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Torino Avenue, 25 feet to the back of curb for Belcastro Street, and associated spandrel;
- The installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0214-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

37. VS-24-0542-GOLDENSITES, LLC:
VACATE AND ABANDON easements of interest to Clark County located between Camero Avenue and Mistral Avenue and between Cimarron Road and Durango Drive and portion of a right-of-way being Gagnier Boulevard located between Mistral Avenue and Camero Avenue within Enterprise (description on file). JJ/sd/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 4 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

38. WS-24-0543-GOLDENSSITES, LLC, THE PARSONS FAMILY REVOCABLE LIVING TRUST):
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; 2) increase retaining wall height; 3) increase fill height; 4) waive full off-site improvements; and 5) reduce street intersection off-set.

DESIGN REVIEW for a single-family residential subdivision on 10.63 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the north side of Camero Avenue and the east and west sides of Gagnier Boulevard (alignment) within Enterprise. JJ/sd/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Off-site improvements (curb, gutter, and paving) on Camero Avenue;
- Drainage study and compliance;
- Traffic study and compliance;
- Execute a Restrictive Covenant Agreement (deed restrictions).

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0075-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

WAIVER OF DEVELOPMENT STANDARDS #4A WAS DENIED FOR OFF-SITE IMPROVEMENTS (CURB, GUTTER, AND PARTIAL PAVING).

39. TM-24-500117-GOLDENSSITES, LLC, THE PARSONS FAMILY REVOCABLE LIVING TRUST): TENTATIVE MAP consisting of 20 single-family residential lots on 10.63 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the north side of Camero Avenue and the east and west sides of Gagnier Boulevard (alignment) within Enterprise. JJ/sd/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Off-site improvements (curb, gutter, and paving) on Camero Avenue;
- Drainage study and compliance;
- Traffic study and compliance;
- Execute a Restrictive Covenant Agreement (deed restrictions).

Building Department - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0075-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

40. WS-24-0522-CROCKER FAMILY REVOCABLE LIVING TRUST: WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; and 2) eliminate full off-site improvements in conjunction with a proposed single-family residence on 0.5 acres in a RS20 (Residential Single-Family 20) Zone within the Neighborhood Preservation (RNP) Overlay. Generally located on the west side of El Capitan Way, 170 feet south of Washburn Road within Lone Mountain. RM/jm/kh (For possible action)

HELD - 12/04/24 - per the Board of County Commissioners.

41. WS-24-0523-WARREN FAMILY REV LIV TR & WARREN, JOSEPH F. & CARRYN B. TRS: WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce separation; 2) reduce setbacks; and 3) modify driveway geometrics for accessory structures in conjunction with an existing single-family residence on 2.28 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the west side of Fairfield Avenue, 320 feet south of Wigwam Avenue within Enterprise. MN/tpd/kh (For possible action)

APPROVED.

**CONDITIONS OF APPROVAL -
Comprehensive Planning**

- 1 year to complete the building permit and inspection process for existing accessory structures or this portion of the application will expire unless extended with approval of an extension of time;
- 2 years to commence the proposed RV cover or this portion of the application will expire unless extended with approval of an extension of time;
- Paint the proposed RV cover to match the primary dwelling.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Southern Nevada Health District (SNHD) - Engineering

- Applicant is advised to contact the SNHD Environmental Health Division at septics@snhd.org or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

42. WS-24-0525-SEMMATERIALS ENERGY PTNRS, LLC:
AMENDED WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase fence height (no longer needed); 2) allow non-decorative fencing (no longer needed); 3) reduce access gate setbacks; 4) waive off-site improvements (streetlights); 5) allow attached sidewalks; 6) eliminate throat depth; and 7) eliminate driveway back-of-curb radius.
DESIGN REVIEW for site modifications for an existing asphalt batch plant on 6.76 acres in an IL (Industrial Light) Zone within the Airport Environs (AE-65) Overlay. Generally located on the southwest corner of Valley View Boulevard and Ponderosa Way within Paradise. MN/dd/kh (For possible action)

APPROVED.

**CONDITIONS OF APPROVAL -
Comprehensive Planning**

- Paint the shipping containers to match the buildings and infrastructure on-site;
- Street landscaping along Ponderosa Way to consist of recommended plants from the Regional Plant List, or an approved alternative.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Full off-site improvements except streetlights on Ponderosa Way;
- Install conduit and pull boxes on Ponderosa Way.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation;
- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998; and that funds will not be available in the future should the owners wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0185-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

43. WS-24-0526-GHANOLI HOLDINGS, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase fence height; and 2) allow a non-decorative fence.

DESIGN REVIEW for modifications to a previously approved truck staging area on 0.49 acres in an IL (Industrial Light) Zone within the Airport Environs (AE-60) Overlay. Generally located on the south side of Martin Avenue and the east side of Crystal Street within Enterprise. MN/dd/kh (For possible action)

HELD - 01/22/25 - per the applicant.

44. **WS-24-0527-COUNTY OF CLARK (AVIATION):**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; 2) increase wall height; 3) increase fill height; 4) eliminate off-site improvements (curb, gutter, sidewalks, and streetlights); and 5) reduce the street intersection off-set.
DESIGN REVIEW for single-family detached residences on 4.92 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the northwest corner of Valadez Street and Shelbourne Avenue within Enterprise. JJ/jud/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Comply with approved drainage study PW24-17122;
- Execute a Restrictive Covenant Agreement (deed restrictions).

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0113-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

45. **TM-24-500114-COUNTY OF CLARK (AVIATION):**
TENTATIVE MAP consisting of 10 single-family residential lots and common lots on 4.92 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the northwest corner of Valadez Street and Shelbourne Avenue within Enterprise. JJ/jud/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Comply with approved drainage study PW24-17122;
- Execute a Restrictive Covenant Agreement (deed restrictions).

Building Department - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0113-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

46. WS-24-0535-BLUE DIAMOND PB HOLDINGS, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce street landscape planter width; and 2) reduce driveway geometrics.

DESIGN REVIEW for commercial buildings on 0.89 acres in a CG (General Commercial) Zone within the Airport Environs (AE-60) Overlay. Generally located on the south side of Blue Diamond Road and the west side of Pinkbox Drive within Enterprise. JJ/sd/kh (For possible action)

APPROVED.**CONDITIONS OF APPROVAL -****Comprehensive Planning**

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- The installation of detached sidewalks will require vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way;
- Coordinate with Real Property Management and the Department of Aviation to dedicate Pinkbox Drive.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County

Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;

- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0437-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

WAIVERS OF DEVELOPMENT STANDARDS #1 AND #2B WERE WITHDRAWN.

47. PA-24-700015-NEVADA POWER COMPANY:
PLAN AMENDMENT to redesignate the existing land use category from Public Use (PU) to Neighborhood Commercial (NC) on 1.89 acres. Generally located on the north side of Russell Road, 550 feet east of Hualapai Way within Spring Valley. JJ/gc (For possible action)

ADOPTED.

48. ZC-24-0310-NEVADA POWER COMPANY:
ZONE CHANGE to reclassify 1.89 acres from an RS20 (Residential Single-Family 20) Zone to a CG (Commercial General) Zone. Generally located on the north side of Russell Road, 550 feet east of Hualapai Way within Spring Valley (description on file). JJ/hw (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0323-2024 to obtain your POC exhibit; and that flow contributions exceeding District estimates may require another POC analysis.

49. UC-24-0311-NEVADA POWER COMPANY:
USE PERMIT for a mini-warehouse facility.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce and eliminate landscape buffer and screening; and 2) residential adjacency standards.
DESIGN REVIEW for a mini-warehouse facility on 1.89 acres in a CG (Commercial General) Zone. Generally located on the north side of Russell Road, 550 feet east of Hualapai Way within Spring Valley. JJ/hw/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- The addition of balconies or other second story external additions are prohibited;

- Business licenses shall not be issued for businesses conducted within individual units;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0323-2024 to obtain your POC exhibit; and that flow contributions exceeding District estimates may require another POC analysis.

WAIVERS OF DEVELOPMENT STANDARDS #1A, #1B, AND #1E WERE WITHDRAWN.

50. PA-24-700020-ROOHANI KHUSROW FAMILY TRUST:
PLAN AMENDMENT to redesignate the existing land use category from Ranch Estate Neighborhood (RN) to Low-Intensity Suburban Neighborhood (LN) on 5.0 acres. Generally located between Wigwam Avenue and Cougar Avenue on the west side of Edmond Street within Enterprise. JJ/rk (For possible action)

ADOPTED.

51. ZC-24-0485-ROOHANI KHUSROW FAMILY TRUST:
ZONE CHANGE to reclassify the following: 1) 5.00 acres from an RS20 (Residential Single-Family 20) Zone to an RS5.2 (Residential Single-Family 5.2) Zone; 2) 4.77 acres from an RS20 (Residential Single-Family 20) Zone and an H-2 (General Highway Frontage) Zone to an RS3.3 (Residential Single-Family 3.3) Zone; and 3) eliminate the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Wigwam Avenue and on the east and west sides of Edmond Street within Enterprise (description on file). JJ/rg (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;

- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0181-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

52. VS-24-0486-ROOHANI KHUSROW FAMILY TRUST:

AMENDED VACATE AND ABANDON easements of interest to Clark County located between Wigwam Avenue and Ford Avenue, and between Mohawk Street and Decatur Boulevard; a portion of a right-of-way being Edmond Street located between Wigwam Avenue (previously notified as Mohawk Street) and Ford Avenue; and a portion of a right-of-way being Cougar Avenue located between Mohawk Street (previously notified as Decatur Boulevard) and Edmond Street within Enterprise (description on file). JJ/rg/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 4 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include 25 feet to the back of curb for Cougar Avenue, between 25 feet and 50 feet to the back of curb for Edmond Street, 35 feet to the back of curb for Wigwam Avenue and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;

- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

53. **WS-24-0487-ROOHANI KHUSROW FAMILY TRUST:**

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase fill height; and 2) increase retaining wall height.

DESIGN REVIEW for a single-family detached residential development on 9.77 acres in an RS5.2 (Residential Single-Family 5.2) Zone and an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the south side of Wigwam Avenue and on the east and west sides of Edmond Street within Enterprise. JJ/rg/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- 1 story homes on Lots 1 through 6;
- No more than 14 homes on the western half of the project consisting of no more than 6 homes on the western half and no more than 8 homes on the eastern half;
- No more than 38 homes on the eastern half of the project;
- Tiered retaining walls on any perimeter walls along a right-of-way that are above the allowed total of 9 feet (3 feet of retaining and 6 feet of screen);
- Wrought iron view fencing on top of any retaining walls on the eastern half of the project above the allowed total of 9 feet (3 feet of retaining and 6 feet of screen);
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Cougar Avenue, 25 feet to 50 feet to the back of curb for Edmond Street, 35 feet to the back of curb for Wigwam Avenue and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map.

- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb, the vacation of excess right-of-way, and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code. Applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; and to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0181-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

54. TM-24-500101-ROOHANI KHUSROW FAMILY TRUST:

TENTATIVE MAP consisting of 54 single-family residential lots and 5 common lots on 9.77 acres in an RS5.2 (Residential Single-Family 5.2) Zone and an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the south side of Wigwam Avenue and on the east and west sides of Edmond Street within Enterprise. JJ/rq/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- No more than 14 homes on the western half of the project consisting of no more than 6 homes on the western half and no more than 8 homes on the eastern half;

- No more than 38 homes on the eastern half of the project.
- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Cougar Avenue, 25 feet to 50 feet to the back of curb for Edmond Street, 35 feet to the back of curb for Wigwam Avenue and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb, the vacation of excess right-of-way, and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Building Department - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided;
- All streets shall have approved street names and suffixes.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0181-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

AGENDA ITEM

55. AG-24-900729 HOLDOVER: Discuss a potential amendment to Title 30 to address how setbacks are measured; and direct staff accordingly. (For possible action)

DISCUSSED.

ORDINANCES – INTRODUCTION

56. ORD-24-900565: Introduce an ordinance to consider adoption of a Development Agreement with Richmond American Homes of Nevada, Inc. for a single-family residential development on 7.11 acres, generally located north of Pebble Road and east of Durango Drive within Enterprise. JJ/dw (For possible action)

INTRODUCED - public hearing 12/04/24.

57. ORD-24-900572: Introduce an ordinance to consider adoption of a Development Agreement with SHLV LLC for a shopping center development on 4.0 acres, generally located south of Shelbourne Avenue and west of Rainbow Boulevard within Enterprise. JJ/dw (For possible action)

INTRODUCED - public hearing 12/04/24.

58. ORD-24-900582: Introduce an ordinance to consider adoption of a Development Agreement with BD Equities, LLC for an office/ warehouse complex on 6.7 acres, generally located west of Arville Street and north of Cougar Avenue within Enterprise. JJ/dw (For possible action)

INTRODUCED - public hearing 12/04/24.

59. ORD-24-900734: Introduce an ordinance to consider adoption of a Development Agreement with SD NORTH PARCELS LLC for an office/warehouse complex on 19.3 acres, generally located east of Tenaya Way and south of Patrick Lane within Spring Valley. MN/dd (For possible action)

INTRODUCED - public hearing 12/04/24.

60. ORD-24-900758: Introduce an ordinance to amend Title 30 to modify street landscaping requirements, regulations for manufactured homes, and providing for other matters properly related thereto; and set a public hearing. (For possible action)

INTRODUCED - public hearing 12/04/24.

61. ORD-24-900766: Introduce an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on October 2, 2024. (For possible action)

INTRODUCED - public hearing 12/04/24.

PUBLIC COMMENTS

Comments by the General Public regarding any items not listed on the agenda as posted. No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on a future agenda.



**ANNOTATED ZONING AND SUBDIVISION AGENDA
AND RELATED ITEMS
BOARD OF COUNTY COMMISSIONERS
COMMISSION CHAMBERS
CLARK COUNTY GOVERNMENT CENTER
500 S. GRAND CENTRAL PARKWAY
9:00 AM, WEDNESDAY, NOVEMBER 20, 2024**

This meeting has been properly noticed and posted online at <https://clarkcountynv.gov/agendas> and Nevada Public Notice at <https://notice.nv.gov/>, and at the following Principal Office:
Clark County Government Center, 500 S. Grand Central Parkway, Las Vegas, NV.

The Clark County Commission Chambers are accessible to individuals with disabilities. With twenty-four (24) hour advanced request, a sign language interpreter may be made available (telephone number TT/TDD: Nevada Relay toll-free (800) 326-6868) and assisted listening devices are available at the meeting upon request. A copy of the agenda sheets for this meeting can be found at <https://clarkcountynv.gov/agendas>. Versión en español se puede encontrar en <https://clarkcountynv.gov/agendas> haciendo clic en "Detalles de la reunión". Ang bersyon sa Tagalog ay matatagpuan sa <https://clarkcountynv.gov/agendas> sa pamamagitan ng pag-click sa "Mga Detalye ng Pagpupulong". Supporting material for each item, including information provided at the meeting, is available at <https://www.clarkcountynv.gov/comp-planning> for inspection by clicking "Services" and selecting "Land Use Documents", visiting the Department of Comprehensive Planning located at 500 S. Grand Central Parkway, Las Vegas, NV 89106, or by contacting Nicole Razo at (702) 455-4314 (option 2, option 1).

MEETING PROTOCOL:

ITEMS 4 – 17 are routine items for possible action.

These items may be considered in one hearing and in one motion. Any person who does not agree with the recommendations by staff should request that the item be removed from this portion of the agenda and be heard separately when directed by the Board of County Commissioners.

ITEMS 18 – 61 are non-routine public hearing items for possible action.

These items will be considered separately.

If you wish to speak to the Board of County Commissioners about items within its jurisdiction but not appearing on this agenda, you must wait until the "Comments by the General Public" period listed at the end of this agenda. Please clearly state your name and address and please spell your last name for the record. Please be advised that the Board of County Commissioners has the discretion to take items on the agenda out of order; combine two or more agenda items for consideration; remove an item from the agenda or delay discussion relating to an item on the agenda at any time; and they may impose up to a 3 minute time limit for speaking on an item.

If you wish to comment on an agenda item via email, you may send an email to zoningmeeting@clarkcountynv.gov. Please include the item and application number in the "subject" portion of the email. The entire comment will be included in the written record for the item.

OPENING CEREMONIES

CALL TO ORDER

1. Public Comments.
2. Approval of the Agenda After Considering Requests to Add, Hold, or Delete Items. (For possible action)
3. Approval of minutes. (For possible action)

ROUTINE ACTION ITEMS (4 – 17):

These items may be considered in one hearing and in one motion. Any person who does not agree with the recommendations by staff should request that the item be removed from this portion of the agenda and be heard separately when directed by the Board of County Commissioners.

4. SDR-24-0334-MGM RESORTS LAND HOLDINGS II, LLC
HOLDOVER SIGN DESIGN REVIEW for modifications to an approved comprehensive sign plan for a resort hotel (Bellagio) on 76.63 acres in a CR (Commercial Resort) Zone. Generally located on the west side of Las Vegas Boulevard South and the south side of Flamingo Road within Paradise. JG/r/syp (For possible action)
5. DR-24-0335-BCORE PARADISE, LLC:
HOLDOVER DESIGN REVIEW for an expansion and modification to an existing resort hotel (Bellagio) on 85.77 acres in a CR (Commercial Resort) Zone. Generally located on the west side of Las Vegas Boulevard South and the south side of Flamingo Road within Paradise. JG/r/syp (For possible action)
6. ET-24-400107 (UC-20-0288)-WTML WARM SPRINGS, LLC:
USE PERMIT SECOND EXTENSION OF TIME for a cannabis establishment (retail cannabis store).
DESIGN REVIEW for a retail building for a cannabis establishment on 0.9 acres in a CG (Commercial General) Zone. Generally located on the south side of Warm Springs Road, 480 feet east of Haven Street within Enterprise. MN/mh/kh (For possible action)
7. WC-24-400111 (ZC-1965-04)-WIGWAM-PARVIN LIMITED PARTNERSHIP:
WAIVERS OF CONDITIONS of a zone change requiring the following: 1) a 45 foot setback on Las Vegas Boulevard South; 2) 20 foot minimum setback along all other street frontages; and 3) 20 foot wide landscape buffer with medium trees, 24 inch box in size, with shrubs to cover 50% of the landscape area and a detached sidewalk along Las Vegas Boulevard South unless prohibited by NDOT in conjunction with a proposed multi-family residential development on 9.23 acres in a CR (Commercial Resort) Zone. Generally located on the east side of Las Vegas Boulevard South and the south side of Jo Rae Avenue within Enterprise. MM/hw/kh (For possible action)
8. VS-24-0520-WIGWAM-PARVIN LIMITED PARTNERSHIP:
VACATE AND ABANDON easements of interest to Clark County located between Jo Rae Avenue and Pyle Avenue and between Las Vegas Boulevard South and Giles Street; a portion of right-of-way being Pyle Avenue located between Las Vegas Boulevard South and Giles Street; a portion of right-of-way being Jo Rae Avenue located between Las Vegas Boulevard South and Giles Street; and a portion of right-of-way being Giles Street located between Jo Rae Avenue and Pyle Avenue within Enterprise (description on file). MN/hw/kh (For possible action)

9. UC-24-0521-WIGWAM-PARVIN LIMITED PARTNERSHIP:
USE PERMIT to allow a multi-family residential development.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; and 2) alternative driveway geometrics.
DESIGN REVIEW for a proposed multi-family residential development on 9.23 acres in a CR (Commercial Resort) Zone. Generally located on the east side of Las Vegas Boulevard South and the south side of Jo Rae Avenue within Enterprise. MN/hw/kh (For possible action)
10. ZC-24-0518-USA:
ZONE CHANGE to reclassify a 5.55 acre portion of 58.7 acres from an IH (Industrial Heavy) Zone to a PF (Public Facility) Zone within the Airport Environs (AE-70) Overlay. Generally located on the northwest side of Las Vegas Boulevard North and the north side of Nadine Petersen Boulevard within the Northeast County Planning Area (description on file). MK/rg (For possible action)
11. ORD-24-900529: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with SCT Silverado Ranch & Arville LLC for a commercial development on 0.8 acres, generally located east of Arville Street and north of Silverado Ranch Boulevard within Enterprise. JJ/jm (For possible action)
12. ORD-24-900546: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with Fort Apache, LTD for a multi-family residential development on 9.1 acres, generally located west of Fort Apache Road and south of Pebble Road within Enterprise. JJ/dw (For possible action)
13. ORD-24-900599: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with G Y Properties LLC for an office/warehouse building on 2.1 acres, generally located west of Westwind Road and south of Sunset Road within Enterprise. MN/dw (For possible action)
14. ORD-24-900699: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on August 21, 2024. (For possible action)
15. ORD-24-900708: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on August 7, 2024. (For possible action)
16. ORD-24-900710: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on September 18, 2024. (For possible action)
17. ORD-24-900725: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on September 4, 2024 and in Assessor's Books 059, 104, 140, 161, 162, 163, 164, 175, 176, and 177 the attached zone changes were approved to reclassify certain properties and amend the zoning map. (For possible action)

NON-ROUTINE ACTION ITEMS (18 – 61):

These items will be considered separately.

18. CP-24-900629: Conduct a public hearing, adopt the Flood Control Master Plan Update, and authorize the Chair to sign a Resolution amending the Plan. (For possible action)

19. ET-24-400110 (UC-20-0493)-5051 SLV, LLC:
USE PERMITS SECOND EXTENSION OF TIME for the following: 1) expand the Gaming Enterprise District; 2) a resort hotel; 3) public areas including the casino, showrooms, live entertainment, retail center, indoor and outdoor dining, entertainment, offices, conventions, back of house and parking structures; 4) associated accessory and incidental commercial uses, buildings, and structures; and 5) deviations from development standards.
DEVIATIONS for the following: 1) increase the height of high-rise towers; 2) encroachment into airspace; 3) reduce setbacks; 4) alternative landscaping; and 5) all other deviations as shown per plans on file.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) for non-standard improvements (landscaping) within the right-of-way; and 2) alternative driveway geometrics.
DESIGN REVIEWS for the following: 1) a resort hotel with all associated and accessory uses, structures and incidental buildings and structures; and 2) finished grade on 4.68 acres in a CR (Commercial Resort) Zone and within the Airport Environs (AE-65) Overlay. Generally located on the east side of Las Vegas Boulevard South, 500 feet south of Russell Road (alignment) within Paradise. JG/jm/kh (For possible action)
20. UC-24-0319-VAN DIEPEN, RICHARD & KATHRYN:
USE PERMIT for an accessory living quarters.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; and 2) reduce building separation.
DESIGN REVIEW for existing accessory structures in conjunction with an existing single-family residence on 0.23 acres in an RS5.2 (Residential Single-Family 5.2) Zone within the Historic Designation Overlay. Generally located on the east side of Cochise Lane, 110 feet north of Geronimo Way within Paradise. TS/jm/syp (For possible action)
21. UC-24-0436-MANNA INVESTMENT GROUP, LLC:
HOLDOVER USE PERMIT for a vehicle wash.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) modify residential adjacency standards; 2) alternative buffering and screening; and 3) allow attached sidewalks.
DESIGN REVIEW for a vehicle wash in conjunction with an existing shopping center on a portion of 4.09 acres in a CG (Commercial General) Zone. Generally located on the west side of Sandhill Road and the south side of Desert Inn Road within Paradise. TS/sd/kh (For possible action)
22. UC-24-0460-GONZALEZ, DIMAS:
HOLDOVER USE PERMITS for the following: 1) stable (residential); 2) livestock (small); 3) livestock (medium); and 4) livestock (large).
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow accessory structures prior to the principal structure; 2) reduce building separation; 3) allow a non-decorative fence in the front yard; 4) eliminate street landscaping; 5) full off-site improvements; and 6) allow 3 driveways in conjunction with proposed agricultural uses and future single-family residences on 1.47 acres in an RS20 (Residential Single-Family 20) Zone within the Airport Environs (AE-65) Overlay. Generally located on the south side of Cartier Avenue and the east side of Walnut Road within Sunrise Manor. WM/dd/syp (For possible action)
23. UC-24-0536-REHM, SCOTT & JEANALIN, JULIA:
USE PERMITS for the following: 1) home occupation; 2) stable; 3) livestock (small and large); and 4) household pets.
WAIVER OF DEVELOPMENT STANDARDS for reduced setbacks on 0.48 acres in an RS20 (Residential Single-Family 20) Zone. Generally located on the east side of Westwind Road, 610 feet south of Charleston Boulevard within the Spring Valley Planning Area. RM/tpd/kh (For possible action)

24. VS-24-0277-PALM PROPERTIES, LLC:
HOLDOVER VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file). TS/jor/syp (For possible action)
25. WS-24-0276-PALM PROPERTIES, LLC:
HOLDOVER WAIVER OF DEVELOPMENT STANDARDS to modify residential adjacency standards.
DESIGN REVIEW for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone. Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor. TS/jor/syp (For possible action)
26. VS-24-0457-DBAC, LLC:
HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Pamalyn Avenue and Maule Avenue, and between Arville Street and Cameron Street, a portion of right-of-way being Arville Street located between Pamalyn Avenue and Maule Avenue, and portion of right-of-way being Maule Avenue located between Arville Street and Cameron Street within Enterprise (description on file). MN/lm/syp (For possible action)
27. WS-24-0456-DBAC, LLC:
HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase fill height; 2) increase retaining wall height; and 3) reduce driveway setback.
DESIGN REVIEW for a single-family residential subdivision on 3.11 acres in an RS20 (Residential Single-Family 20) Zone within the Airport Environs (AE-60) and Neighborhood Protection (RNP) Overlays. Generally located on the west side of Arville Street and the north side of Maule Avenue within Enterprise. MN/lm/syp (For possible action)
28. TM-24-500096-DBAC, LLC:
HOLDOVER TENTATIVE MAP consisting of 6 single-family residential lots and 1 common lot on 3.11 acres in an RS20 (Residential Single-Family 20) Zone within the Airport Environs (AE-60) and Neighborhood Protection (RNP) Overlays. Generally located on the west side of Arville Street and the north side of Maule Avenue within Enterprise. MN/lm/syp (For possible action)
29. VS-24-0462-OMNI FAMILY LIMITED PARTNERSHIP:
HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Arby Avenue and Capovilla Avenue and between Valley View Boulevard and Procyon Street within Enterprise (description on file). MN/hw/kh (For possible action)
30. WS-24-0461-OMNI FAMILY LIMITED PARTNERSHIP:
HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce net lot area; 2) reduce street landscaping; 3) increase retaining wall height; 4) increase fill height; 5) alternative lot orientation; 6) off-site improvements (streetlights); and 7) reduce driveway setbacks.
DESIGN REVIEW for a single-family residential subdivision on 7.5 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the east side of Valley View Boulevard and the south side of Arby Avenue within Enterprise. MN/hw/kh (For possible action)
31. TM-24-500099-OMNI FAMILY LIMITED PARTNERSHIP:
HOLDOVER TENTATIVE MAP consisting of 13 single-family residential lots on 7.5 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the east side of Valley View Boulevard and the south side of Arby Avenue within Enterprise. MN/hw/kh (For possible action)

32. VS-24-0509-USA:
VACATE AND ABANDON easements of interest to Clark County located between Craig Road and Alexander Road and between Chieftain Street and Fort Apache Road; a portion of right-of-way being Helena Avenue located between Chieftain Street and Fort Apache Road; and a portion of right-of-way being Hickam Avenue located between Chieftain Street and Fort Apache Road within Lone Mountain (description on file). RM/hw/kh (For possible action)
33. WS-24-0510-USA:
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce gross lot area; 2) reduce net lot area; 3) reduce front setbacks; 4) allow a gated community within the NPO-RNP; 5) reduce street landscaping; 6) reduce call box setback; 7) eliminate off-site improvements (curb, gutter, sidewalks, and streetlights); 8) increase the length of a non-through street without a county approved turnaround; and 9) eliminate street knuckles.
DESIGN REVIEW for a single-family residential subdivision on a 22.14 acre portion of 32.12 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Craig Road, north of Florine Avenue (alignment), east of Chieftain Street, and west of Fort Apache Road within Lone Mountain. RM/hw/kh (For possible action)
34. TM-24-500108-USA:
TENTATIVE MAP consisting of 39 single-family residential lots and 2 common lots on a 22.14 acre portion of 32.12 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Craig Road, north of Florine Avenue (alignment), east of Chieftain Street, and west of Fort Apache Road within Lone Mountain. RM/hw/kh (For possible action)
35. VS-24-0539-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:
VACATE AND ABANDON easements of interest to Clark County located between Torino Avenue and Ford Avenue (alignment) and between Belcastro Street and Rosanna Street within Enterprise (description on file). JJ/jud/kh (For possible action)
36. WS-24-0538-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce net lot size; 2) increase fill height; 3) increase retaining wall height; and 4) increase driveway width.
DESIGN REVIEW for a single-family residential subdivision on 2.34 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the northeast corner of Belcastro Street and Torino Avenue within Enterprise. JJ/jud/kh (For possible action)
37. VS-24-0542-GOLDENSITES, LLC:
VACATE AND ABANDON easements of interest to Clark County located between Camero Avenue and Mistral Avenue and between Cimarron Road and Durango Drive and portion of a right-of-way being Gagnier Boulevard located between Mistral Avenue and Camero Avenue within Enterprise (description on file). JJ/sd/kh (For possible action)
38. WS-24-0543-GOLDENSSITES, LLC, THE PARSONS FAMILY REVOCABLE LIVING TRUST):
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; 2) increase retaining wall height; 3) increase fill height; 4) waive full off-site improvements; and 5) reduce street intersection off-set.
DESIGN REVIEW for a single-family residential subdivision on 10.63 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the north side of Camero Avenue and the east and west sides of Gagnier Boulevard (alignment) within Enterprise. JJ/sd/kh (For possible action)

39. TM-24-500117-GOLDENSSITES, LLC, THE PARSONS FAMILY REVOCABLE LIVING TRUST): TENTATIVE MAP consisting of 20 single-family residential lots on 10.63 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the north side of Camero Avenue and the east and west sides of Gagnier Boulevard (alignment) within Enterprise. JJ/sd/kh (For possible action)
40. WS-24-0522-CROCKER FAMILY REVOCABLE LIVING TRUST: WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; and 2) eliminate full off-site improvements in conjunction with a proposed single-family residence on 0.5 acres in a RS20 (Residential Single-Family 20) Zone within the Neighborhood Preservation (RNP) Overlay. Generally located on the west side of El Capitan Way, 170 feet south of Washburn Road within Lone Mountain. RM/jm/kh (For possible action)
41. WS-24-0523-WARREN FAMILY REV LIV TR & WARREN, JOSEPH F. & CARRYN B. TRS: WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce separation; 2) reduce setbacks; and 3) modify driveway geometrics for accessory structures in conjunction with an existing single-family residence on 2.28 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the west side of Fairfield Avenue, 320 feet south of Wigwam Avenue within Enterprise. MN/tpd/kh (For possible action)
42. WS-24-0525-SEMMATERIALS ENERGY PTNRS, LLC: AMENDED WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase fence height (no longer needed); 2) allow non-decorative fencing (no longer needed); 3) reduce access gate setbacks; 4) waive off-site improvements (streetlights); 5) allow attached sidewalks; 6) eliminate throat depth; and 7) eliminate driveway back-of-curb radius. DESIGN REVIEW for site modifications for an existing asphalt batch plant on 6.76 acres in an IL (Industrial Light) Zone within the Airport Environs (AE-65) Overlay. Generally located on the southwest corner of Valley View Boulevard and Ponderosa Way within Paradise. MN/dd/kh (For possible action)
43. WS-24-0526-GHANOLI HOLDINGS, LLC: WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase fence height; and 2) allow a non-decorative fence. DESIGN REVIEW for modifications to a previously approved truck staging area on 0.49 acres in an IL (Industrial Light) Zone within the Airport Environs (AE-60) Overlay. Generally located on the south side of Martin Avenue and the east side of Crystal Street within Enterprise. MN/dd/kh (For possible action)
44. WS-24-0527-COUNTY OF CLARK (AVIATION): WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; 2) increase wall height; 3) increase fill height; 4) eliminate off-site improvements (curb, gutter, sidewalks, and streetlights); and 5) reduce the street intersection off-set. DESIGN REVIEW for single-family detached residences on 4.92 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the northwest corner of Valadez Street and Shelbourne Avenue within Enterprise. JJ/jud/kh (For possible action)
45. TM-24-500114-COUNTY OF CLARK (AVIATION): TENTATIVE MAP consisting of 10 single-family residential lots and common lots on 4.92 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the northwest corner of Valadez Street and Shelbourne Avenue within Enterprise. JJ/jud/kh (For possible action)

46. WS-24-0535-BLUE DIAMOND PB HOLDINGS, LLC:
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce street landscape planter width; and 2) reduce driveway geometrics.
DESIGN REVIEW for commercial buildings on 0.89 acres in a CG (General Commercial) Zone within the Airport Environs (AE-60) Overlay. Generally located on the south side of Blue Diamond Road and the west side of Pinkbox Drive within Enterprise. JJ/sd/kh (For possible action)

47. PA-24-700015-NEVADA POWER COMPANY:
PLAN AMENDMENT to redesignate the existing land use category from Public Use (PU) to Neighborhood Commercial (NC) on 1.89 acres. Generally located on the north side of Russell Road, 550 feet east of Hualapai Way within Spring Valley. JJ/gc (For possible action)

PC Action - Adopted

48. ZC-24-0310-NEVADA POWER COMPANY:
ZONE CHANGE to reclassify 1.89 acres from an RS20 (Residential Single-Family 20) Zone to a CG (Commercial General) Zone. Generally located on the north side of Russell Road, 550 feet east of Hualapai Way within Spring Valley (description on file). JJ/hw (For possible action)

PC Action - Approved

49. UC-24-0311-NEVADA POWER COMPANY:
USE PERMIT for a mini-warehouse facility.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce and eliminate landscape buffer and screening; and 2) residential adjacency standards.
DESIGN REVIEW for a mini-warehouse facility on 1.89 acres in a CG (Commercial General) Zone. Generally located on the north side of Russell Road, 550 feet east of Hualapai Way within Spring Valley. JJ/hw/syp (For possible action)

PC Action - Approved

Waivers of Development Standards #1A, #1B, and #1E were Withdrawn without prejudice

50. PA-24-700020-ROOHANI KHUSROW FAMILY TRUST:
PLAN AMENDMENT to redesignate the existing land use category from Ranch Estate Neighborhood (RN) to Low-Intensity Suburban Neighborhood (LN) on 5.0 acres. Generally located between Wigwam Avenue and Cougar Avenue on the west side of Edmond Street within Enterprise. JJ/rk (For possible action)

PC Action - Adopted

51. ZC-24-0485-ROOHANI KHUSROW FAMILY TRUST:
ZONE CHANGE to reclassify the following: 1) 5.00 acres from an RS20 (Residential Single-Family 20) Zone to an RS5.2 (Residential Single-Family 5.2) Zone; 2) 4.77 acres from an RS20 (Residential Single-Family 20) Zone and an H-2 (General Highway Frontage) Zone to an RS3.3 (Residential Single-Family 3.3) Zone; and 3) eliminate within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Wigwam Avenue and on the east and west sides of Edmond Street within Enterprise (description on file). JJ/rg (For possible action)

PC Action - Approved

52. VS-24-0486-ROOHANI KHUSROW FAMILY TRUST:
AMENDED VACATE AND ABANDON easements of interest to Clark County located between Wigwam Avenue and Ford Avenue, and between Mohawk Street and Decatur Boulevard; a portion of a right-of-way being Edmond Street located between Wigwam Avenue (previously notified as Mohawk Street) and Ford Avenue; and a portion of a right-of-way being Cougar Avenue located between Mohawk Street (previously notified as Decatur Boulevard) and Edmond Street within Enterprise (description on file). JJ/rg/kh (For possible action)

PC Action - Approved

53. WS-24-0487-ROOHANI KHUSROW FAMILY TRUST:
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase fill height; and 2) increase retaining wall height.
DESIGN REVIEW for a single-family detached residential development on 9.77 acres in an RS5.2 (Residential Single-Family 5.2) Zone and an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the south side of Wigwam Avenue and on the east and west sides of Edmond Street within Enterprise. JJ/rg/kh (For possible action)

PC Action - Approved

54. TM-24-500101-ROOHANI KHUSROW FAMILY TRUST:
TENTATIVE MAP consisting of 54 single-family residential lots and 5 common lots on 9.77 acres in an RS5.2 (Residential Single-Family 5.2) Zone and an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the south side of Wigwam Avenue and on the east and west sides of Edmond Street within Enterprise. JJ/rg/kh (For possible action)

PC Action - Approved

AGENDA ITEM

55. AG-24-900729 HOLDOVER: Discuss a potential amendment to Title 30 to address how setbacks are measured; and direct staff accordingly. (For possible action)

ORDINANCES – INTRODUCTION

56. ORD-24-900565: Introduce an ordinance to consider adoption of a Development Agreement with Richmond American Homes of Nevada, Inc. for a single-family residential development on 7.11 acres, generally located north of Pebble Road and east of Durango Drive within Enterprise. JJ/dw (For possible action)
57. ORD-24-900572: Introduce an ordinance to consider adoption of a Development Agreement with SHLV LLC for a shopping center development on 4.0 acres, generally located south of Shelbourne Avenue and west of Rainbow Boulevard within Enterprise. JJ/dw (For possible action)
58. ORD-24-900582: Introduce an ordinance to consider adoption of a Development Agreement with BD Equities, LLC for an office/ warehouse complex on 6.7 acres, generally located west of Arville Street and north of Cougar Avenue within Enterprise. JJ/dw (For possible action)
59. ORD-24-900734: Introduce an ordinance to consider adoption of a Development Agreement with SD NORTH PARCELS LLC for an office/warehouse complex on 19.3 acres, generally located east of Tenaya Way and south of Patrick Lane within Spring Valley. MN/dd (For possible action)

60. ORD-24-900758: Introduce an ordinance to amend Title 30 to modify street landscaping requirements, regulations for manufactured homes, and providing for other matters properly related thereto; and set a public hearing. (For possible action)
61. ORD-24-900766: Introduce an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on October 2, 2024. (For possible action)

PUBLIC COMMENTS

Comments by the General Public regarding any items not listed on the agenda as posted. No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on a future agenda.



togetherforbetter

Board of County Commissioners
Clark County, Nevada

Tick Segerblom, Chair
William McCurdy II, Vice Chair
Jim Gibson
Justin Jones
Marilyn K. Kirkpatrick
Ross Miller
Michael Naft

The Board of County Commissioners of Clark County, Nevada met in recessed regular session in full conformity with law and bylaws of said Board at the regular place of meeting in Clark County, Nevada, on Wednesday, November 20, 2024:

CLARK COUNTY GOVERNMENT CENTER
COMMISSION CHAMBERS
500 S GRAND CENTRAL PKWY
LAS VEGAS, NEVADA 89106

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SEC. 1. OPENING CEREMONIES

CALL TO ORDER

The meeting was called to order at Click or tap here to enter text. a.m. by Chair Segerblom with the following members present:

Commissioners Present:

Tick Segerblom, Chair
William McCurdy II, Vice Chair
Jim Gibson
Justin Jones
Marilyn K. Kirkpatrick
Ross Miller
Michael Naft

Absent:

None

Commissioner Miller exited the meeting following Item 40 presentation.

Also Present:

Robert Warhola, Deputy District Attorney
Sami Real, Director, Comprehensive Planning
Antonio Papazian, Manager, Development Review
JaWaan Dodson, Assistant Manager, Development Review
Lynn Marie Goya, County Clerk
Jewel Gooden, Deputy Clerk
Robin Delaney, Deputy Clerk

SEC. 2. PUBLIC FORUM

1. Public Comment

ACTION: NO ACTION WAS TAKEN BY THE BOARD.

TICK SEGERBLOM

Good morning. This is the County Commission Zoning Meeting on Wednesday. Ms. Real.

SAMI REAL

So good morning, Commissioners. Before we start today's meeting, Commissioner Naft wishes to say a few words about George Garcia, longtime land use consultant, who sadly passed away on October 26 of this year. So, Commissioner Naft?

MICHAEL NAFT

Yeah. Thank you, Sami.

George had become a fixture of this Chamber: of J.C. Garcia, Inc. He passed away, as Sami said, on October 26 very suddenly after a short battle against an aggressive lymphoma.

George founded J.C. Garcia in 1995. The firm is an internationally recognized leader in commercial real estate in Southern Nevada. George had 26 years of local government planning experience, serving for five years as the Planning Director for the City of Henderson. In addition to his personal successes, George was an animal lover who actively supported local rescues and shelter groups.

In his honor, his family, including his children, Melissa, Jordan and Chris, and Melissa and Chris I believe are here with us today, they've created the George C. Garcia Lymphoma Foundation to provide diagnosed lymphoma patients in southern Nevada with access to care and education.

I know, like all of us here, worked closely with George, as did many in the audience today and we're thinking, Melissa, of you and your whole family at this hard time. But always look forward – we know how proud George was, Melissa, to work with you and of your brothers and we're glad that you're here to continue in his legacy in the work that he spent his career on, planning and preparing for the future growth of Southern Nevada. Thank you, Ms. Real.

SAMI REAL

So, with that, we will begin today's meeting. So, the first item on the agenda is public comment.

TICK SEGERBLOM

This is the first period for public comment and anyone wishing to speak on an item on the agenda, please come forward and you have up to three minutes. Identify the item you're speaking on.

MARGARET ANN COLEMAN

Yes, this is – my name is Margaret Ann Coleman, C-O-L-E-M-A-N. This is concerning the agenda approval and it held and did items deleted.

This is concerning the program for the housing over at – on Las Vegas across from the funeral department. This place here has \$3 million that is credited due for my living arrangements. It's needing a lot of repairs and fixtures of that nature that I have views because I've been over there. Now I asked to be moved out due to the fact I am credit to be indoors and not on the ground or sleeping in that facility. They put me on navigation. You give me no credibility to maintain my own living arrangements. You want to take medication when you go in. You want to wheel and deal over that navigation in order to get your assistance. That is another default.

You made a statement concerning the people at the shelter. If they don't do right, they be arrested and put in jail. People being homeless due to the fact you all locked us outside with the constables. The Lopez and the Delregados have placed me in a situation of being locked out at 1316 Wizard and putting in Filipinos to, as you know, you open up a town section for them to live. Black people don't have that. You haven't given us that. I had Mormon Manor. You put each one of them and they are in that shelter. And they're talking about me, scorning and desecrating me every day.

I had an attorney called Attorney Welch that went to Florida that was – he was eight-balled it just for representing me to get my money. And from then on, I had been getting scorned and desecrated and never been able to collect. I'm needing you to cut me a check. Let me go. I help you, now help me. I need a car. I need to handle my own affairs. I'm 73 and I'm an adult and I would like to act that way. Thank you.

TICK SEGERBLOM

Thank you. Anyone else here wishes to speak – you want to come up on 55?

CARLOS IBARRA

Good morning, Commissioners. My name is Juan Carlos Ibarra, I-B-A-R-R-A. Me and my brother, we are a small developer here in Las Vegas and we support Item 55 proposed by Mr. Tick Segerblom. And it currently impacts our business. And again, we support Item 55. Thank you very much.

TICK SEGERBLOM

Thank you. Anyone else here wishing to speak? Seeing no one, well oh wait, here we go.

LEE DUSBABEK

Are you going to have public input after each one of these?

TICK SEGERBLOM

Yes. But also, but – I'm sorry, Sami. What were the three? There's three that have been –

SAMI REAL

So, Commissioner, we received a request to speak on Items 32, 33 and 34. Those items have requested to be held until December 4, 2024. I'll read those in next. So, if there's somebody here who wants to speak on Items 32, 33, 34, they can do so now during the public comment period or they can come back on December 4.

TICK SEGERBLOM

Yeah. So, you're welcome to speak now since you came all the way down there. So, thank you.

ROSS MILLER

It's in my district. So, I just wanted to let you know that it's undergoing a design change. So, some of you make comments may be relevant, some may not. But if you want to contact my office after the meeting, we'd be happy to discuss it with you as well. But look forward to listening to your comments this morning.

TICK SEGERBLOM

Well, you have to state your name and spell your last name for the record.

LEE DUSBABEK

Lee Dusbabek, 9355 Helena Avenue.

TICK SEGERBLOM

Thank you.

LEE DUSBABEK

Twenty-five years ago, I happened to be a member of the Lone Mountain Citizens Advisory Council when at that time you, the County and the City, came together in the same room and agreed to and signed a contract for the Rural Preservation Zone. And you promised us, the residents and everybody on TV watching here that's in the County, that you would uphold this. As you can tell, those three items are asking for waivers of all the things that you promised us. I'd just like to input that so you can consider it when you do vote. And was it December 9?

SAMI REAL

December 4.

LEE DUSBABEK

December 4. All right.

TICK SEGERBLOM

But also do you want to speak to Mr. Miller's staff? Are they – okay.

LEE DUSBABEK

Okay. So, I'll just contact him directly?

TICK SEGERBLOM

Yes.

LEE DUSBABEK

All right, thank you.

TICK SEGERBLOM

Thank you. Anyone else here wishing to speak?

CALVIN KOEHLER

My name's Calvin Koehler. I live at 9375 West Craig Road, and I'd like to speak on 32, 33 and 34 also.

The agreement he's talking about was between the City and the County on December 21, 2016, where they agreed to this. And then again on the 2021, Title 30 was passed by this Committee, which made it a Rural Estates area.

I'm only going to present two quick things. These are pictures of the development by Mr. Templeton that's up above my house in the same area. I'm not quite sure how he got in so many houses in such a small area, but this is a picture of what they look like and what the development he plans on making is going to look like. And this is a picture of the homes that exist there now and what they look like.

My neighbors have chickens, gardens, horses. There's actually a park on Lone Mountain for horses. That's what this area was developed for. It's what this Committee approved that development for. They're slowly chipping away on this and trying to make it Las Vegas City. And that's fine. If I wanted to live in Las Vegas City, I can afford to live in Las Vegas City. But I chose to live in Clark County. Reason behind that was so that I could have chickens, horses, gardens. If we allow this to happen now, it'll continue, and we might as well not even have Title 30. I thank you for your time.

TICK SEGERBLOM

Thank you. And I'm sorry, could you spell your last name?

CALVIN KOEHLER

Koehler. Koehler. It's K-O-E-H-L-E-R.

TICK SEGERBLOM

Great. Thank you.

CALVIN KOEHLER

Would you like to look at these pictures?

TICK SEGERBLOM

You could hand them to – here, right here.

CALVIN KOEHLER

Okay. Picture Number 1 is the development that's in existing above my place in the same area. And Picture Number 2 is normal homes in that area. They're not even close. Thank you.

TICK SEGERBLOM

Thank you.

CALVIN KOEHLER

Thank you for your time.

LUIS GUTIERREZ

Hello. Luis Gutierrez, 7500 West Lake Mead Boulevard here in Las Vegas. I also live in that general area. Regarding 33 and 34, why were we not notified about the extension or change of plans? Are we not communicating or is this – I would like some answers.

TICK SEGERBLOM

I'm sorry we can't – during public comment, we don't respond. But if you want to stick around –

LUIS GUTIERREZ

Well, for the public that's sitting here, we should have been notified of the extension. And also, just for the record, I'm not happy with the development.

TICK SEGERBLOM

Anyway, if you'll leave your name and number, we'll have Commissioner Miller's Office reach out to you.

LUIS GUTIERREZ

Are we going to be notified by mail?

TICK SEGERBLOM

I'm not sure. Sami?

ROSS MILLER

We just moved it this morning so there was no opportunity to let you know because they just put in the new design plan. So, we're moving it to December 5 – December 4, so you can come at that time.

LUIS GUTIERREZ

So hopefully we're not going to start playing these games with extensions and so people get all confused here. Because it may trigger worse than better. That's all.

TICK SEGERBLOM

All right, thank you. Anyone else here?

RUTH RIOS

Good morning. My name is Ruth Rios and I'm here with Dimas Gonzalez. My name is R-U-T-H R-I-O-S. His name is Dimas, D-I-M-A-S Gonzalez, G-O-N-Z-A-L-E-Z, on Item Number 22 that is being held.

Because we took the opportunity to come, we would like to speak just a little bit about it. We understand that it's being held. However, we want to address it. For the most part, we have taken care of all these items.

The only one that is remaining is the shipping containers in which we're going to be using license to make the structure of the house. We just want to make sure that we let you guys know that we are willing to comply with everything, but we are asking that at least the shipping containers, you guys allow us to keep it there since we're going to be using them for the construction of the house.

We are at this point just waiting for the grading plan to hopefully be approved within this month. And that's pretty much what we're asking. We have no more animals there because we do understand that we need to be living there to keep our animals there. There's no more selling any hay. Even though we had the permit, we didn't have the permit for the property, so we removed everything. So completely right now the lot is practically empty with the exception of the shipping containers that we are asking that you guys help us out with that.

WILLIAM MCCURDY II

We thank you for coming out today. While we can't go back and forth, we ask that you hang tight, or you wait for my office to reach out to you, and we'll be following up on some of the items that were in violation of the Code prior to this meeting. After this meeting. Excuse me. Is that okay?

RUTH RIOS

Say that again? I'm sorry.

WILLIAM MCCURDY II

My office will reach out to you afterwards.

RUTH RIOS

Okay.

WILLIAM MCCURDY II

Thank you.

RUTH RIOS

Thank you.

TICK SEGERBLOM

Thank you both. Anyone else here wishing to speak? Seeing no one, we'll close the – oops, here we go.

JEANALIN REHM

My name's Jeanalin Rehm. Good morning, guys. And this is Scott Rehm, and we are for Item 23 and we are asking for a home occupation, stable, livestock and to up our house count for household pets. And we are offering cow cuddles, and we wanted to –

TICK SEGERBLOM

Is this one, excuse me –

SAMI REAL

So, Commissioners, this item is actually off of the routine. So, we will hear this one.

TICK SEGERBLOM

This one is going to be heard if you want to stick around and-

JEANALIN REHM

Oh, okay.

TICK SEGERBLOM

– hear when the item is coming in.

JEANALIN REHM

Okay. All right.

TICK SEGERBLOM

Great. Thank you.

JEANALIN REHM

Sorry.

TICK SEGERBLOM

Sorry, we get a little confused. All right. Seeing no one else, we'll close the public hearing and ask Ms. –

SEC. 3. AGENDA

2. Approval of the Agenda After Considering Requests to Add, Hold, or Delete Items. (For possible action)

SAMI REAL

The second item is the approval of the agenda. After considering any additions or deletions of items, staff has the following request, which may require re-notification fees in accordance with Title 30:

- Hold to the December 4, 2024, Zoning Meeting: Item 32, VS-24-0509; Item 33, WS-24-0510; and Item 34, TM-24-500108.
- Hold to the December 18, 2024, Zoning Meeting: Item 21, UC-24-0436; Item 22, UC-24-0460; Item 26, VS-24-0457; Item 27 WS-24-0456; and Item 28, TM-24-500096.
- Hold to the January 22, 2025, Zoning Meeting: Item 43, WS-24-0526.
- And hold till the February 19, 2025, Zoning Meeting: Item 4, which is SDR-24-0334: and Item 5, DR-24-0335.

The above public hearing items are going to be open as a public hearing and immediately recessed until the dates as previously stated. With these deletions, which are Items 4, 5, 21, 22, 26, 27, 28, 32, 33, 34, and 43, the agenda stands ready for your approval.

Additionally, just to put it on and request the Commissioners, Commissioner Miller needs to leave early today and requests that his items be taken out of order and those items are Item 23 and Item 40.

MOTION

WILLIAM MCCURDY II

All right, Mr. Chair. With those changes read into the record, I move approval of the agenda.

TICK SEGERBLOM

There's a motion to approve the agenda. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None

ABSENT: None

ABSTAIN: None

TICK SEGERBLOM

That motion passes.

3. Approval of minutes. (For possible action)

SAMI REAL

The third item on the agenda is the approval of minutes. The minutes of the October 16, 2024, Zoning Meeting are ready for approval.

MOTION

WILLIAM MCCURDY II

Move approval of the minutes.

TICK SEGERBLOM

There's a motion. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None

ABSENT: None

ABSTAIN: None

TICK SEGERBLOM

That motion passes.

SEC. 4. ROUTINE ACTION ITEMS 4 THROUGH 17

SAMI REAL

Next are the Routine Action Items which consist of Items 4 through 17, except items previously deleted. These items may be considered together in one motion and are subject to the conditions listed with each agenda item.

In addition, staff has the following request: Item 9 for UC-24-0521, add a Public Works condition to read: a license and maintenance agreement for any non-standard improvements within the right-of-way along Las Vegas Boulevard South if required by Public Works Development Review.

If there are no objections, the public hearing is now open, and the Routine Action portion of the agenda stands ready for your approval.

MOTION

WILLIAM MCCURDY II

Chair, I move to approve the Routine Action Items with the recommended changes read into the record.

TICK SEGERBLOM

There's a motion. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None

ABSENT: None

ABSTAIN: None

TICK SEGERBLOM

That motion passes.

4. SDR-24-0334-MGM RESORTS LAND HOLDINGS II, LLC

HOLDOVER SIGN DESIGN REVIEW for modifications to an approved comprehensive sign plan for a resort hotel (Bellagio) on 76.63 acres in a CR (Commercial Resort) Zone. Generally located on the west side of Las Vegas Boulevard South and the south side of Flamingo Road within Paradise. JG/rr/syp (For possible action)

ACTION: DELETED FROM THE AGENDA (HELD TO FEBRUARY 19, 2025, PER THE APPLICANT. APPLICANT IS ADVISED THAT RE-NOTIFICATION FEES ARE REQUIRED PRIOR TO THIS ITEM BEING PLACED ON THE AGENDA).

5. DR-24-0335-BCORE PARADISE, LLC:

HOLDOVER DESIGN REVIEW for an expansion and modification to an existing resort hotel (Bellagio) on 85.77 acres in a CR (Commercial Resort) Zone. Generally located on the west side of Las Vegas Boulevard South and the south side of Flamingo Road within Paradise. JG/rr/syp (For possible action)

ACTION: DELETED FROM THE AGENDA (HELD TO FEBRUARY 19, 2025, PER THE APPLICANT. APPLICANT IS ADVISED THAT RE-NOTIFICATION FEES ARE REQUIRED PRIOR TO THIS ITEM BEING PLACED ON THE AGENDA).

6. ET-24-400107 (UC-20-0288)-WTML WARM SPRINGS, LLC:

USE PERMIT SECOND EXTENSION OF TIME for a cannabis establishment (retail cannabis store).

DESIGN REVIEW for a retail building for a cannabis establishment on 0.9 acres in a CG (Commercial General) Zone. Generally located on the south side of Warm Springs Road, 480 feet east of Haven Street within Enterprise. MN/mh/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Until August 19, 2026 to obtain valid business license for retail cannabis store or the application will expire unless extended with approval of an extension of time.
- Applicant is advised a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

7. WC-24-400111 (ZC-1965-04)-WIGWAM-PARVIN LIMITED PARTNERSHIP:

WAIVERS OF CONDITIONS of a zone change requiring the following: 1) a 45 foot setback on Las Vegas Boulevard South; 2) 20 foot minimum setback along all other street frontages; and 3) 20 foot wide landscape buffer with medium trees, 24 inch box in size, with shrubs to cover 50% of the landscape area and a detached sidewalk along Las Vegas Boulevard South unless prohibited by NDOT in conjunction with a proposed multi-family residential development on 9.23 acres in a CR (Commercial Resort) Zone. Generally located on the east side of Las Vegas Boulevard South and the south side of Jo Rae Avenue within Enterprise. MN/hw/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0290-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

8. VS-24-0520-WIGWAM-PARVIN LIMITED PARTNERSHIP:

VACATE AND ABANDON easements of interest to Clark County located between Jo Rae Avenue and Pyle Avenue and between Las Vegas Boulevard South and Giles Street; a portion of right-of-way being Pyle Avenue located between Las Vegas Boulevard South and Giles Street; a portion of right-of-way being Jo Rae Avenue located between Las Vegas Boulevard South and Giles Street; and a portion of right-of-way being Giles Street located between Jo Rae Avenue and Pyle Avenue within Enterprise (description on file). MN/hw/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include, 100 feet for Las Vegas Boulevard South, 25 feet to the back-of-curb for Giles Street and associated spandrels;
- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements for the Pyle Avenue improvement project, 90 days to record said separate document for the Pyle Avenue improvement project;
- The installation of detached sidewalks will require the recordation of this vacation of excess right-of-way, dedication to back-of-curb, and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

9. UC-24-0521-WIGWAM-PARVIN LIMITED PARTNERSHIP:

USE PERMIT to allow a multi-family residential development.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; and 2) alternative driveway geometrics.

DESIGN REVIEW for a proposed multi-family residential development on 9.23 acres in a CR (Commercial Resort) Zone. Generally located on the east side of Las Vegas Boulevard South and the south side of Jo Rae Avenue within Enterprise. MN/hw/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- A License and Maintenance Agreement for any non-standard improvements within the right-of-way along Las Vegas Boulevard South, if required by Public Works -Development Review;
- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include, 100 feet for Las Vegas Boulevard South, 25 feet to the back-of-curb for Giles Street and associated spandrels;
- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements for the Pyle Avenue

improvement project, 90 days to record said separate document for the Pyle Avenue improvement project;

- The installation of detached sidewalks will require the vacation of excess right-of-way, dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0290-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

10. ZC-24-0518-USA:

ZONE CHANGE to reclassify a 5.55 acre portion of 58.7 acres from an IH (Industrial Heavy) Zone to a PF (Public Facility) Zone within the Airport Environs (AE-70) Overlay. Generally located on the northwest side of Las Vegas Boulevard North and the north side of Nadine Petersen Boulevard within the Northeast County Planning Area (description on file). MK/rg (For possible action)

ACTION: APPROVED.

11. ORD-24-900529: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with SCT Silverado Ranch & Arville LLC for a commercial development on 0.8 acres, generally located east of Arville Street and north of Silverado Ranch Boulevard within Enterprise. JJ/jm (For possible action)

ACTION: ADOPTED (ORDINANCE 5189).

12. ORD-24-900546: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with Fort Apache, LTD for a multi-family residential development on 9.1 acres, generally located west of Fort Apache Road and south of Pebble Road within Enterprise. JJ/dw (For possible action)

ACTION: ADOPTED (ORDINANCE 5190).

13. ORD-24-900599: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with G Y Properties LLC for an office/warehouse building on 2.1 acres, generally located west of Westwind Road and south of Sunset Road within Enterprise. MN/dw (For possible action)

ACTION: ADOPTED (ORDINANCE 5191).

14. ORD-24-900699: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on August 21, 2024. (For possible action)

ACTION: ADOPTED (ORDINANCE 5192).

15. ORD-24-900708: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on August 7, 2024. (For possible action)

ACTION: ADOPTED (ORDINANCE 5193).

16. ORD-24-900710: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on September 18, 2024. (For possible action)

ACTION: ADOPTED (ORDINANCE 5194).

17. ORD-24-900725: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on September 4, 2024 and in Assessor's Books 059, 104, 140, 161, 162, 163, 164, 175, 176, and 177 the attached zone changes were approved to reclassify certain properties and amend the zoning map. (For possible action)

ACTION: ADOPTED (ORDINANCE 5195).

SEC. 5. NON-ROUTINE ACTION ITEMS 18 THROUGH 61

18. CP-24-900629: Conduct a public hearing, adopt the Flood Control Master Plan Update, and authorize the Chair to sign a Resolution amending the Plan. (For possible action)

ACTION: ADOPTED (RESOLUTION NO. 11-20-24-1).

SAMI REAL

All right. So, returning back to Item 18.

Item 18 is CP-24-900629. Conduct a public hearing, adopt the Flood Control Master Plan Update and authorize the Chair to sign a Resolution amending the plan. Commissioners, this is an update to the Flood Control Master Plan. Steve Parrish is here to give a brief presentation.

TICK SEGERBLOM

Good morning, Mr. Parrish. Two times in one week.

STEVEN PARRISH

I know, this is a record for me. Good morning, Mr. Chair, members of the Board. For the record, Steven Parrish, General Manager and Chief Engineer of the Clark County Regional Flood Control District.

I'm here today to present a master plan update for the Clark County outlying areas. We do five different master plans throughout Clark County. This master plan is dealing with those areas outside of the Las Vegas Valley and the outlying areas. The outlying areas are shown here. There are nine different areas. These are unincorporated areas. Just townships that are listed on the left-hand side of the slide there. So, we do one master plan update for all nine of these different areas.

We are required by NRS (Nevada Revised Statutes) to update our master plans every five years. So that prompted this update. And the purpose of these updates is to add any new information that we may

develop throughout the five-year period, identify areas perhaps that maybe need additional facilities shown on the master plan. We assess progress so if facilities have been completed, they're now shown as existing and then we identify any obstacles and recommend changes. The original master plan for Clark County included this area in 1986. The last update for the outlying areas was done in 2019.

This is the steps that we follow when we update a master plan. It starts with data collection. We check with Clark County, identify any different land uses that may be present or that have changed over the last five years. We normally will look at soils data to see if any changes occurred there. With that additional information, we'll update our facility planning and we'll update our hydrology model, so we'll determine how much water is draining out of here and then we'll identify facilities to deal with that water.

We will use a cost estimating tool that we developed in 2023 and during the Las Vegas Valley Master Plan update to develop cost estimates for those facilities. Once that work's all done, we'll go to the Town Advisory Boards or the Citizens Advisory Councils to talk about their areas. We did visit all six of those Advisory Boards and Councils and all recommended approval of their areas.

We develop a report at that point in time and then we submit for adoption. So, our Board adopted this plan in September and we're now here in front of the Board of County Commissioners to get adoption from Clark County.

I'm going to quickly go through each of the nine different areas. I'm going to go through this pretty fast, but if you have any questions or concerns, please stop me and we'll talk a little bit more in depth.

- The first area is the Blue Diamond area. There is no recommended changes on the plan for this area. Right now, we're showing a levee between the wash you see there on the north side of the town and the town itself to protect it. And then an all-weather crossing for Castelia Street is also proposed.
- In Coyote Springs there's no changes recommended for the plan here as well. All of these facilities were put on the plan per the developer's request that is doing the work out here. The developer is responsible for building these facilities and so there's no anticipated funds coming from the Regional Flood Control District for this work. As it's needed, the developer will build these facilities. There's no recommended changes to the plan here.
- In Good Springs there are two changes to the plan. The first is to the Pacific Avenue Channel. This is a channel proposed along Pacific Avenue. When we went to the Town Advisory Board, they expressed some concern about this channel was actually under design at the time. They were worried about aesthetics and other things and so the County has backed off on that design a little bit to address the Town Advisory Board's concerns. They may come back at a later time and continue the design after working with the Town Advisory Board.

Also, there was a change to the alignment for the outfall of a proposed detention basins along the south side of the Town to better match existing conditions.

- In Indian Springs, no changes proposed to the plan here. There's an existing detention basin and levee on the west side of Indian Springs. It's already built. There's a proposed facility that takes flows from the south around the west side of Indian Springs and up to US-95. No changes to the plan proposed with this update.

- Similarly in Gene, no changes proposed. It's kind of small to see, but there is one proposed crossing under Las Vegas Boulevard there. No changes to the plan proposed in this area.
- In Laughlin, there were a couple of changes proposed. The first is the addition of a sediment basin. This basin was needed to capture material that was washing into the storm drain that goes under Casino Drive right near State Route 163. It was difficult to keep that pipe maintained, so we're adding a sediment basin to capture that material before it enters the pipe. We adjusted the outfall for the Bridge Canyon Detention Basin to better match existing topography through there, through that area.

And then the last change was we moved the Bridge Canyon Detention Basin to the east. You can see in the yellow hatched area there is the Avi Kwa Ame National Monument was dedicated. This detention basin was originally proposed within that area and it's very difficult to get that permitted with the new monument dedication. So, we moved it downstream, made it a little longer and added some levees to act as a catcher's mitt for that water coming out of the canyon to the west.

And then in the south area, the southland area of Laughlin, this is down where the new bridge has been built over the Colorado River for Laughlin Boulevard. We're showing some facilities here, but no changes recommended to the plan in this location.

- In the Mount Charleston area, we are proposing some changes and some of you may recall last summer we had some pretty significant flooding on Mount Charleston as a result of Tropical Storm Hillary. Some additional facilities have been added including a channel that's upstream of Rainbow Canyon Boulevard. There's an all-weather crossing that will be built up there for that road. That's their sole access into the Rainbow Canyon area so we'll have a bridge there, but we added a channel to collect the flow and get it underneath that bridge.

And then along Echo Road, there was an existing berm that was along Echo Road that washed out during that storm event last summer. It wasn't built to 100-year standard, so we're proposing to rebuild that structure to a 100-year standard and protect the houses along Echo Road.

- In Nelson, we do have a channel proposed in Nelson. There were no changes recommended with the update to the master plan.
- And then the last area is Searchlight area and no recommended changes to the plan here. We do have a facility under design that will – this is the facility to the west that drains down to the southwest there. We're working on acquiring right away to build that facility, so be coming out to construction here shortly.

So, this is a table of the existing values of the existing facilities on the plan. In 2019, the value was \$77 million. In 2024, that value went up to \$133.8 million, which is an increase of about \$57 million. Most of that is due to inflation as a result of the five-year period. We've seen our cost go up significantly over the last five years. And then, if there are any facilities that were built in the last five-year period, those get added to the existing facility table.

And then in terms of proposed facilities, in 2019, the proposed facility's estimated cost was \$164 million. In 2024, that went up to \$294 million, which is \$130 million increase. Again, mainly due to inflation over the last five years and the addition of some new proposed facilities on the master plan.

So, we're asking today that the Board recommend or find that this MPU (Master Plan Update) is the most effective structural and regulatory means for correcting existing problems of flooding within the area and dealing with the probable effects of future development and adopt a master plan for Clark County outlying areas as amendment to the Master Plan.

I'd like to thank County staff as well and Public Works for all their hard work on this update as well as my own staff, Abby, Marina, and Lily Collins for all the hard work on this update. With that, happy to answer any questions.

TICK SEGERBLOM

Commissioner Naft.

MICHAEL NAFT

Thank you, Chairman. I just wanted to thank the District, and you personally for the work you put into Laughlin. Meeting both with me and without me, meeting with residents there and businesses there and allocating such significant resources to the area, which as we learned even recently, badly needs it, is greatly appreciated. Thank you for that. Chairman, if there – there is question to my left.

MARILYN K. KIRKPATRICK

Yeah, I just have one question and only because I know everybody in Moapa, Logandale and Overton are listening. They don't fall under this, they fall under the bigger Clark County budget, correct?

STEVEN PARRISH

We actually have a separate master plan just for the Moapa Valley. I think it's due to be updated next year, so it'll be the next one we do.

MARILYN K. KIRKPATRICK

Okay, perfect. Thank you.

TICK SEGERBLOM

All right, Commissioner Naft

MOTION

MICHAEL NAFT

I move for adoption of the Flood Control Master Plan Update.

TICK SEGERBLOM

Motion by Commissioner Naft. Cast your vote.

VOTE

VOTING AYE:	Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft
VOTING NAY:	None
ABSENT:	Ross Miller
ABSTAIN:	None

TICK SEGERBLOM

That motion passes. Thank you so much.

STEVEN PARRISH

Thank you.

19. ET-24-400110 (UC-20-0493)-5051 SLV, LLC:

USE PERMITS SECOND EXTENSION OF TIME for the following: 1) expand the Gaming Enterprise District; 2) a resort hotel; 3) public areas including the casino, showrooms, live entertainment, retail center, indoor and outdoor dining, entertainment, offices, conventions, back of house and parking structures; 4) associated accessory and incidental commercial uses, buildings, and structures; and 5) deviations from development standards.

DEVIATIONS for the following: 1) increase the height of high-rise towers; 2) encroachment into airspace; 3) reduce setbacks; 4) alternative landscaping; and 5) all other deviations as shown per plans on file.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) for non-standard improvements (landscaping) within the right-of-way; and 2) alternative driveway geometrics.

DESIGN REVIEWS for the following: 1) a resort hotel with all associated and accessory uses, structures and incidental buildings and structures; and 2) finished grade on 4.68 acres in a CR (Commercial Resort) Zone and within the Airport Environs (AE-65) Overlay. Generally located on the east side of Las Vegas Boulevard South, 500 feet south of Russell Road (alignment) within Paradise. JG/jm/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Until August 20, 2025 to commence or the application will expire unless extended with approval of an extension of time;
- As required by NRS 278.0205 and the Development Agreement Ordinance, applicant to submit their first report, due once every twenty-four (24) months, by November 30, 2024;
- Complete construction of perimeter wall on east side of the property within 90 days;
- Enclose the site with a solid 8 foot high wood construction fence made of dimensional lumber and faced with plywood, as required in Exhibit A of the Decommissioning Plan, within 90 days; only after contractor notifies the Clark County Building Department that the project has remobilized, and construction has restarted, can the wooden construction fence be removed;
- 24 hour on-site manned security must be provided immediately and throughout the duration of the construction project.
- Applicant is advised a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Compliance with previous conditions.

Department of Aviation

- The applicant shall be required to file a valid FAA Form 7460-1 "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the DOA;

- If the applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then it must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment ("AHABA") prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; the applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits will be issued until the applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA and is still valid, or a "Property Owner's Shielding Determination Statement" has been issued by the DOA;
- The applicant shall be advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that the FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

SAMI REAL

Next is Item 19, ET-24-400110 for (UC-20-0493); use permits second extension of time for the following: expand the Gaming Enterprise District, a resort hotel, public areas including the casino showrooms, live entertainment, retail center, indoor and outdoor dining, entertaining offices, conventions, back of house and parking structures. Associated accessory and incidental commercial uses, buildings and structures and deviations from development standards; deviations for the following: increase the height of the high-rise towers, encroachment into airspace, reduce setbacks, alternative landscaping and all other deviations as shown per plans on file. Waivers of development standards for the following: for non-standard improvements, landscaping within the right-of-way and alternative driveway geometrics. And then design reviews for the following, a resort hotel with all associated and accessory uses, structures and incidental buildings and structures and finished grade on 4.68 acres in a CR (Commercial Resort) Zone and within the Airport Environs (AE-65) Overlay, generally located on the east side of Las Vegas Boulevard South, 500 feet south of Russell Road alignment within Paradise.

Commissioners, I just want to add a couple things. So based on observations of site construction activities, construction has not been underway in over a year. Pursuant to the performance agreement for this project, project is deemed to be abandoned if construction is stopped for 180 days or longer and if abandoned, the applicant is to immediately commence decommissioning activities.

To address safety and security issues with an existing crane that remains on-site and a gap in a block wall on the eastern property boundary, the Department of Aviation is requesting an added condition to read: Owner is to complete construction of the security wall on the airport side of the project site, eastern property boundary, within 60 days in accordance with the previously approved design and specifications. And then additionally, they're requesting to replace their fifth condition to read that "On-site crane shall be dismantled and removed and the crane pads decommissioned within 90 days in compliance with the decommissioning plan per the performance agreement since the project has now been abandoned for more than 180 days."

Furthermore, staff recommends a review the decommissioning activities for the second meeting in February. That would be February 19, 2025, and then the required wooden fences outlined in the performance agreement also be constructed.

TICK SEGERBLOM

Good morning.

TONY CELESTE

Good morning, Mr. Chair, Town Board Members. My name is Tony Celeste, address 1980 Festival Plaza Drive here on behalf of the applicant. In the audience with me are Bill Shopoff and David Danasharouf who are the principals of the project, as well as Bill Smith who is the head of design and construction.

As you can see from the aerial, the site is about five acres located on the east side of Las Vegas Boulevard directly across the street from Bali Hai. To the northwest is the Mandalay Bay and we do share an eastern property line with the Airport.

I was here about three years ago where this Board graciously granted us entitlements to construct a brand new resort hotel. Part of those entitlements also expanded the Gaming Enterprise to this site. I'm here asking for an extension of time on this site so that we can resume construction. When you look at the extension of times, generally kinda two factors you take into consideration. One, is it still compatible with the area? And number two, what has gone on in the last few years with respect to the site or the development?

With respect to compatibility, we believe the site is more compatible than ever, especially in the last three years of what is coming in or planned to come in.

I'm blowing this out a little bit. Our site is here to the south. You can see you have the A's Ballpark and Integrated Resort hotel that is working its way through the system that is planned along Tropicana and Las Vegas Boulevard. As you go south, you do have the three tribes that have been accumulating property. While to my knowledge, nothing has been submitted with respect to any type of resort hotel, there have been publications in the news media outlets about some type of potential large-scale project.

You can see all of this is taking place not only south of Tropicana Boulevard, but importantly on the east side of Las Vegas Boulevard here. This is really the new corridor for potential development in this area. So, we think that not only have we always been compatible, but what you see, activities and developments over the recent years and moving forward that this is compatible more than ever. So, with that respect, we think we believe we still satisfy those requirements.

On the second part, as I mentioned, we've done actually substantial amount of work on the site. We have invested about \$125 million into the site. There has been substantial work on the site. The work includes site grading, basement excavation, concrete pile and foundation, underground plumbing and electrical, foundational walls to grade and perimeter walls. All this activity shows that we have about 19% of the project complete and that investment dollars, as I said, is about \$125 million into it.

We have a series of permits, active building permits. I outlined them all in our justification letter here, but I'll just show you the list of them here. They're ranging from foundational permits to garage structures, to the foundation to the walls, to concrete piles, everything that I just mentioned, EV chargers, grease interceptors, podium. So, all those are building permits we have and have remained active on the site.

So, as you can see, we've demonstrated that we have not just sat there and done nothing over the last several years. We have done a lot of construction, a lot of improvements to the site. Unfortunately, we did run into some financing issues. We are working to resolve that and that's why we are seeking the extension of time so that we can get back out there as soon as possible and recommence construction.

Speaking of some of the permits we have, over the last 24 hours to 48 hours, there's been a lot of different information I think that has been shared with you and that information I do think needs to provide some clarification, some context or additional background information. It had seemed to suggest that information that my client, the developer, has not been keeping the site clean, has not been keeping it orderly, has been derelict and we believe that is the furthest thing from the case here. So, by way of example, one of the things that was brought to our attention was the allegation that there was no dust control permit or that it had expired. We have provided Commissioner Gibson's office with our current dust control. As you can see right here, it does not expire until March of 2025. So, these are just some of the things I want to put on the record to make sure you understand that we are out there, we are taking care of the site and we're doing things that are necessary to advance this project.

Another thing is with respect to on-site security, this is our security agreement that we have with a third party to provide on-site security. That security is there 24/7. Right here is the contract. You can see it was executed a few years ago, but we did provide backup of the latest invoice November of this year showing the ongoing activities and on-site security that we have out there and that is part of our commitment that we made when we first came through with this entitlement process.

One of the other things that was mentioned and actually just read into the record, was about the back property line here and our security wall. As you may remember from three years ago, we had a lot of discussions and work with the Airport on how do we secure that back property line. And we came – there were conditions of approval, and we offered a very intricate design of a security wall back there that was crashproof and provided intense security along that wall. Now, there is a 35-foot wide opening as you can see there but let me give you some context on that. This was negotiated with the Airport to leave that area open for a period of time.

As you know, about a year ago, Clark County was doing public works improvement along Las Vegas Boulevard there, in front of our site and in order to limit additional truck traffic on the site, we came to an agreement with the Airport to utilize the private access road back there in order to help us not only alleviate construction traffic away from what the County was doing along Las Vegas Boulevard, but also it did help us with the backfill excavation there. That agreement, it was a written agreement right here, a temporary access permit. As you can see that was executed by our contractor, McCarthy, as well as the Airport. See right here at the end of the document is the execution of it by all the parties. Granted, this has now since expired and we have no problem with placing or filling in the rest of the wall and building it, but I think it's very important to give you context as to why that hole is on-site today. It was negotiated so that we could alleviate construction traffic on Las Vegas Boulevard as well as help us on the back portion of the site for the excavation. I understand now that that access road is closed off for most of the properties that share that property line, and we understand that, and we would ask for 90 days to be able to infill that piece of the wall.

What's interesting about that as well, this back portion of the wall, about – earlier this summer in May, June of this year, the Airport approached us because they were doing some fencing improvements on their side of the property, approached us in May or June of this year that they needed to tie into our wall with their fencing project as demonstrated by this exhibit here. We authorized them or granted them the ability to tie into our wall. The reason I bring that up is because at no point during this time period did the Airport reach out to us, or at least my understanding, reach out to us about wanting us to enclose that wall. So, we're happy to do so, but they've been out there, they've been monitoring, and we haven't had any of those course communication until just recently about the issue of that back wall. But like I said, we're going to fill that in hopefully, with this Board, if we could have it 90 days to do so. But I just again, some context on what has happened out there.

Other thing, when reading the staff report on the aviation section, you get into the FAA (Federal Aviation Administration) analysis. We have a, and the crane in particular, our crane tower is out there. It is permitted by the FAA until July 22, 2025. We have gone through those processes with the FAA and secured those approvals. There have been times where the flags, the red flags on there have deteriorated. The Airport has asked us to replace those, and we have, we have done it immediately. In fact, you can see right here correspondence again with the Airport and our general contractor on May 28, response May 28 saying the flags will be replaced the following day. So less than a 24-hour turnaround on replacing these flags so that everything is secure.

There's another reference in there about the light. The lighting on the boom seems to be dim. That is the first we have been made aware of it. We're working with our crane operator and the contractor right now and doing that analysis and that light will be changed as soon as possible, if in fact, it is dim. We are out there; we're monitoring the site, and we're working with the Airport on all these issues.

Another final point is that there was questioning whether we did have FAA approvals on the building height and the pylon. We have that until December 31, 2026. As you may recall, we initially came in with our FAA approval. We kinda had a – I'll just describe as a box that was approved and that was deemed to not be sufficient by the Airport. So, we held this item for several months so that our FAA consultant can go back and get 11 precise points on the building on the varying heights. We have gone back and renewed all 11 of those points on the building for our FAA determination of height. Those are still valid and valid until December 31, 2026. We have provided a copy of those.

So, with all that, we believe we have done a lot of work out there. It is still compatible. One of the things we are asking for obviously is an extension of time. When we submitted our first extension of time last year in October of 2023, it was our first extension and at that time you have a decision to make. You can either ask for a one-year administrative extension of time or you can ask for a two-year extension of time, which would then go through the public hearing process. We elected to do the administrative one. Had we come in with the public hearing, hopefully we would've been granted two years.

I guess where I'm going with this is we are asking technically for our second extension of time, but if we could get close to another year on the second extension of time, that'll really feel more like the first extension of time, which are generally given for two years. Gone back, looked at a lot of extension of times on the first one. The percentage of those approvals is extremely high, probably in the 99% range. So, while this is technically a second extension of time with an additional approximate one year, it really puts us still within the timeframe of that first extension of time, which is roughly two years. Like I said, we can agree with the Conditions of Approval with respect to the wall. Finishing the security wall, we'd ask for 90 days. We can also agree to the wood fencing around the property within 90 days if construction does not commence.

We agree with all of the conditions from the Airport with the exception of the last one that was read in. We would like to have the ability to have the crane remain up there. Obviously, there's going to be some reviews required of us prior to hopefully some type of extension of time that may be granted. So, at that time we'd like to provide an update as well. But considering we do have FAA approval for that crane until this summer, we would like to leave that crane up. With that, I appreciate your consideration and more than happy to answer any questions.

TICK SEGERBLOM

All right, this is a public hearing. Anyone here wishing to speak on this item? Seeing no one, I'll turn it over to Commissioner Gibson.

MOTION

JIM GIBSON

Thank you. There's been a lot of work over the past months. We've met you on behalf of your client, including phone calls and written submissions to us to keep us current on a regular basis as to the pursuit of the financing. Many of the things that you have approval for are, you've correctly stated what you have. The reality is when you abandon a project of course, and you know this, all of that goes away and that the determination today is really to establish whether or not it's abandoned in a technical way.

My concern has been that all of the questions that you've addressed have been brought to our attention and I wanted to make sure that the record was clear about them. I ask you to make sure that the dust control permit that has the year of expiration on it be repaired. Maybe you can go in and get a new one issued to you so there isn't a question about that.

I think it's important that your 24-hour manned security, you've provided our office with the evidence of security and the contract and the invoice, but it ought to be not on the Airport to notify the developer that the flag is gone. It ought to be on your client to ensure that the flag is always there. And so instead of responding immediately when you get a call about the light or the flag, please instruct your client that it's their responsibility to ensure that the light is burning brightly and that the flag is in repair.

The construction of the wooden fence is detailed in Item D of the Decommissioning Plan. I want to bring that forward so that just as it reads there, will be the current responsibility.

And so, what I'm inclined to do at this point, given that we are where we are and that we can't go on forever here. One of the things that cuts back the other way, yes, the area is ripe for development and that development has to be appropriate and has to fit within the Airport Environs and the other compatibility issues that are important to us along Las Vegas Boulevard.

But we're going to have projects that we believe are really happening. Where it appears as though the financing is all either in place or forthcoming reliably. And when you start taking a look at all of that, that puts a lot of pressure on us to not have a project that is started but can't complete itself. So, it's essential that the financing be found, in place, and that the work commence within the time I'm going to offer up as a suggestion to my colleagues. And if it's approved by a vote of the Commission, in all likelihood it is the very last extension that we'll be able to give, simply because we're trying to do everything we can do to accommodate a dressing up of the Boulevard on the east side, south of Tropicana. And I say that because it's important for you and your client to understand how tough this is, how serious this is for us as a County.

We know there are outstanding balances to be paid to contractors and subcontractors and potentially suppliers. That matters to us. We care that all of those dollars be paid in a timely way. They haven't been paid for a long time. So, it's essential that the financing efforts, we know that your folks have been working a lot, but we've got to find real success here.

And so, what I'm prepared to do is extend the special use permit, and this is my motion, for an additional nine months from today. So that will be August 20, 2025. That extension is to commence the work – recommence the work, I suppose is what I ought to say. And the application will expire unless it were extended and the likelihood of getting additional extension is remote.

The Development Agreement Ordinance requires a report that is due every 24 months. That report must be submitted by November 30, 2024, this year.

The construction of the perimeter wall on the east side needs to be completed within 90 days from today's date. The solid eight-foot wide fence that is described in more detail in the Decommissioning Plan under Item D needs to be in place within 90 days. So, it's not start building it in 90 days. It needs to be in place within 90 days.

Now there is an issue that is of concern in the area more because we don't want to have to deal with folks who don't have any business there, and it has to do with the height of the fence on the south side of the property. That problem is taken care of with an eight-foot fence. When construction recommences, you'll need to take a look at that, and our Building Department and you will have an opportunity to review how you deal with that when construction recommences. That wooden fence would need to remain in place until the construction is ready to recommence and then removed to the extent it is necessary in order to gain access to all of the property that is being developed.

Keep the security in place, and I think this is a part of what I read in your agreement, but ensure that they're every day, every shift, inspecting the whole property, not just in a trailer up on the Boulevard, but they need to be inspecting it all. For our interests, we care about anything that shouldn't be happening on the property, but we also care more than anything else about the integrity of the security on the east side of your property with the property line that is shared with the Airport. This would all be subject to the Comprehensive Planning and Public Works conditions that are in the staff report and the first four bullets enumerated in the DOA's recommended conditions. So, I'm not requiring that the crane come down.

TONY CELESTE

Thank you.

JIM GIBSON

The crane will have to come down if this doesn't work, and you'll have to have a plan to make sure that you can execute on that in the unfortunate circumstance that would require it. But for now, the crane can remain. But the maintenance of the crane, as I suggested earlier, is a must and we don't want to hear any different about that.

We have every reason to believe that there is a high level of commitment on the part of your clients, given the investment they've made up to this point, to get this refinanced and get the construction recommenced. For our part, we have all of the other pressures on us, including the integrity of the Boulevard, which is our most important street.

So that's my motion. And if it passes, I wish you the best. We remain open to conversation. We'll need regular reports to continue on the pursuit of the financing. And appreciate the good work that you've done on behalf of your clients, and the goodwill that has been exhibited by your clients as they've made decisions and agreed that this is not a two-year extension, this a nine-month extension. Do you understand what I've just indicated?

TONY CELESTE

We understand all of the conditions you've just read, and we agree with them. And I gratefully thank you for making that recommendation and working with us, not only today but previously and in the near future.

JIM GIBSON

Thank you. That's my motion, Mr. Chair.

TICK SEGERBLOM

I think that takes the record for the largest motion we've had, but very comprehensive and staff got all that. So, there's a motion, cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft
VOTING NAY: None
ABSENT: Ross Miller
ABSTAIN: None

TICK SEGERBLOM

That motion passes.

TONY CELESTE

Thank you, I appreciate it.

TICK SEGERBLOM

Good luck.

20. UC-24-0319-VAN DIEPEN, RICHARD & KATHRYN:

USE PERMIT for an accessory living quarters.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; and 2) reduce building separation.

DESIGN REVIEW for existing accessory structures in conjunction with an existing single-family residence on 0.23 acres in an RS5.2 (Residential Single-Family 5.2) Zone within the Historic Designation Overlay. Generally located on the east side of Cochise Lane, 110 feet north of Geronimo Way within Paradise. TS/jm/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- 1 year to complete the building permit and inspection process or the application will expire unless extended with approval of an extension of time;
- Paint roof of accessory living quarter to match the roof color of the residence.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

SAMI REAL

Next is Item 20, UC-24-0319, use permit for an accessory living quarters. Waivers of development standards for the following: reduce setback and reduce building separation. And then design review for existing accessory structures in conjunction with an existing single-family residence on .23 acres in an RS5.2 (Residential Single-Family 5.2) Zone within the Historic Designation Overlay. Generally located on the east side of Cochise Lane and 110 feet north of Geronimo Way within Paradise.

TICK SEGERBLOM

Good morning.

RICHARD VAN DIEPEN

Good morning. Good morning, Commissioners and staff. We appreciate your time today. I'm Rick Van Diepen. My last name is spelled V-A-N D-I-E-P-E-N. And I'm here with my wife, Kathryn Van Diepen. We're the homeowners at 3586 Cochise Lane.

I'm showing the site plan of our property here. During COVID, we built a casita for our mother-in-law who lives with us. And in 2021, we started designing a carport, a solar carport. We hired a design-build contractor, two different contractors to do both of those. And we designed everything to be code compliant.

We're here today because we're somewhat a victim of timing, I think. Our carport project was approved. And I have the permit here. Where'd it go? There's the approved permit for the solar carport in December 2022. So, the carport was approved, was built, and was inspected. And on final inspection at the end of September, the County told us that, "You have the wrong permit." Or told our contractor, "You have the wrong permit. You need a residential new construction permit, not just a solar structure permit." So, we resubmitted everything, paid the fees, and went through that whole process. And then during the review time in January, the Title 30 was updated, our property was rezoned, and our neighborhood was changed to a Historic Designation Overlay District. So, we're here today dealing with the planning comments, which are the final comments that we need to get resolved in order to actually get our permit after the fact, to get that approved and get the final inspection signed off.

So, the real issue here is that our existing casita, Contractor Number One, who we're still fighting with about getting a single anchor bolt special inspection approved. So that permit has expired and we're in the process of getting that done. However, the carport kicked in a problem there as well. So, the new Title 30 is evidently measured from – the problem is that the separations between the structures are less than what's approved. However, when it was designed under Title 30, the carport structure was 6 feet, 9 inches away from the house. And however, staff, and I know they're doing their job absolutely, their contention is that the setback should be measured from overhang to overhang. Which hasn't been my experience in the past. However, that's what the comment is related to.

So today we're asking for the use permit to get reissued for the casita. And also asking for waivers for the reduced setbacks between the structures, which are measured from the overhangs instead of from the buildings. So, if you see here, the existing casita is 6 feet, 10. In the previous Title 30, it was 6 feet. So, we literally went an extra foot to just play it safe. And then also in the back there is a Costco gazebo that we built ourselves, and that's 5 feet from the wall. However, from the overhangs, it's 3 feet away. So that's what we're requesting.

And also, I just wanted to say that our neighborhood, while we love it, it's a mid-century modern neighborhood, Paradise Palms. We've lived there for about 13 years now. We love it. It's very cool looking. And we know all our neighbors. There's 53 houses in our large cul-de-sac. We know almost everybody there. During construction of the carport and subsequently, we've heard nothing but rave reviews from everybody. They really like it and think it's a benefit. It makes our neighborhood look better. And they also like that it's solar and that it's going to make our whole property net-zero. And one of our neighbors even copied our paint color because they liked it so much.

So, we really did design it to be modern and simple to fit in with the neighborhood. And one of the staff recommendations for denial is that it doesn't fit in the neighborhood. So, I think that's debatable. But I do

want to just show you the carport. So, there it is. It's nice, heavy-duty steel. The gray is painted to match the gray on our trim and on the casita, so it all matches there. And you can see it's a bifacial solar. So, you can see the bottom of the panels, which collect solar from the top and the bottom. The eave at the top is eight inches, and it matches the eave and dimensions of our house.

I also wanted to point out that while our neighborhood is now considered, since January, a historic neighborhood and we're glad about that, it's definitely not uniform and it's definitely eclectic. And the other thing I wanted to point out is that of the 53 homes, there's exactly one in the middle there that I would argue did a pretty good job of integrating with the design of the house. All the rest have built in the original carports into some version of a garage, which are mostly ugly. Or they did some kind of janky aluminum wood or some other weird carport. Our next-door neighbor – where's that one? I don't have a picture of that one. Our next-door neighbor actually built theirs out of three-inch pipes. So, we're just asking for –

MOTION

TICK SEGERBLOM

Anyway, we're going to have to go out and inspect every house now. But anyway, thank you so much for your presentation. This is a public hearing. Anyone here wishing to speak on this item? Seeing no one, I'll close the public hearing. And let me say, I love the neighborhood. I don't want you to tear down a solar facility, which we all need.

But going forward, please try to match your things with the neighborhood. Your great blue that your neighbor is copying, I'm not sure how mid-century modern that is. But anyway, thank you so much for enhancing the neighborhood and continuing to make that neighborhood something we're proud of. So, with that motion, I would approve whatever it is we're trying to approve.

KATHRYN VAN DIEPEN

Carport. Setback.

TICK SEGERBLOM

Can I just move to approve the items?

SAMI REAL

Yes.

TICK SEGERBLOM

Okay, I move to approve the items. Thank you so much.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft

VOTING NAY: None

ABSENT: Ross Miller

ABSTAIN: None

TICK SEGERBLOM

That motion passed. Thank you for coming down.

21. UC-24-0436-MANNA INVESTMENT GROUP, LLC:

HOLDOVER USE PERMIT for a vehicle wash.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) modify residential adjacency standards; 2) alternative buffering and screening; and 3) allow attached sidewalks.

DESIGN REVIEW for a vehicle wash in conjunction with an existing shopping center on a portion of 4.09 acres in a CG (Commercial General) Zone. Generally located on the west side of Sandhill Road and the south side of Desert Inn Road within Paradise. TS/sd/kh (For possible action)

ACTION: DELETED FROM THE AGENDA (HELD TO DECEMBER 18, 2024, PER THE APPLICANT).

22. UC-24-0460-GONZALEZ, DIMAS:

HOLDOVER USE PERMITS for the following: 1) stable (residential); 2) livestock (small); 3) livestock (medium); and 4) livestock (large).

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow accessory structures prior to the principal structure; 2) reduce building separation; 3) allow a non-decorative fence in the front yard; 4) eliminate street landscaping; 5) full off-site improvements; and 6) allow 3 driveways in conjunction with proposed agricultural uses and future single-family residences on 1.47 acres in an RS20 (Residential Single-Family 20) Zone within the Airport Environs (AE-65) Overlay. Generally located on the south side of Cartier Avenue and the east side of Walnut Road within Sunrise Manor. WM/dd/syp (For possible action)

ACTION: DELETED FROM THE AGENDA (HELD TO DECEMBER 18, 2024, PER COMMISSIONER MCCURDY).

23. UC-24-0536-REHM, SCOTT & JEANALIN, JULIA:

USE PERMITS for the following: 1) home occupation; 2) stable; 3) livestock (small and large); and 4) household pets.

WAIVER OF DEVELOPMENT STANDARDS for reduced setbacks on 0.48 acres in an RS20 (Residential Single-Family 20) Zone. Generally located on the east side of Westwind Road, 610 feet south of Charleston Boulevard within the Spring Valley Planning Area. RM/tpd/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- 60 days to bring the on-site activities into compliance with Title 30;
- Obtain any required permits for the increase in household pets from Clark County Animal Control.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Southern Nevada Health District (SNHD) - Engineering

- Applicant is advised to contact the SNHD Environmental Health Division at septics@snhd.org or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

USE PERMITS # 1 THROUGH #3 AND WAIVER OF DEVELOPMENT STANDARDS WERE DENIED.

SAMI REAL

Next, if that's okay, we'll move to Item 23.

Item 23 is UC-24-0536. Use permits for the following: a home occupation, stable, livestock small and large, and household pets. Waiver of development standards for reduced setbacks on .48 acres in an RS20 (Residential Single-Family 20) Zone. Generally located on the east side of Westwind Road, 610 feet south of Charleston Boulevard within the Spring Valley Planning Area.

TICK SEGERBLOM

Good morning.

SCOTT REHM

Good morning.

JEANALIN REHM

Good morning. Yeah, I just want to say thank you for this opportunity.

TICK SEGERBLOM

I'm sorry, you need you to just state your name and spell your last name, please.

JEANALIN REHM

My name's Jeanalin Rehm and my last name is R-E-H-M.

SCOTT REHM

Scott Rehm, R-E-H-M.

JEANALIN REHM

And I blame him because he bought me four chickens. And so, it ended up – it's a gateway drug to more farm animals. And since I found out that our house was zoned to have 20 chickens and two large livestock, here I am. We bought a steer for cow cuddles to offer it to the Las Vegas community. And so, we found a lot of joy because we have four therapy-trained dogs and one service dog. He, Scott, is a USMC (United States Marine Corps.) veteran. And so, we have one of our dogs trained as a service dog. We do a lot of community work with our therapy dogs, and we've found a lot of joy in that. So, it's a trending thing where cuddling a cow is a thing. So here we are. We bought a steer, and we are approved. We have full liability insurance. We have our business license is Clark County and also with the City.

And I'm just asking for approval for a special use permit to legally sell eggs, which we have our producer certificate, everything. We're in compliance with everything. This is our eggs here that we sell. And I would love to be able to have an egg stand where people could pick up eggs legally. So, I'm asking for a waiver, a setback waiver, so people could pick up their eggs because the egg stand has to be 40 feet back. But I'm asking for it to be in the front of the house so customers could pick up easily.

And also, we're asking to up our dog count because I know, I believe you're only allowed to have three. But four of them are certified as therapy dogs. One is our –

SCOTT REHM

Guard dog.

JEANALIN REHM

– guard dog and one's a service dog for Scott. So, we are asking the special use permit to have customers on-site because we do travel off-site to offer cow cuddles to the community. Just this past weekend we're at a care home offering free cow cuddles to the residents. But we did have whoever came, they paid \$10 for a Johnny Cash experience and that's to hang out with our cow. And yeah. So, I don't know, do you guys have questions?

TICK SEGERBLOM

All right. If that completes your presentation, this is a public hearing. Anyone here wishing to deny these people making eggs? All right. Turn it over to Commissioner Miller.

MOTION

ROSS MILLER

All right. Thank you. Well, I'm frankly surprised there aren't a lot of people here to deny you making eggs. I can tell that you're well-intentioned here and obviously have, I think, maybe a noble purpose in trying to provide this service. Unfortunately, these are just not uses that are allowable in this area. We have an organization called Horses for Heroes that does similar things, and you wouldn't believe, there are hardly enough seats for the people that show up anytime that they come in and ask for approval. So, these restrictions are here for a reason on the prohibitions that cap the number of chickens. They make noise, operating a business from your home, and it's just not compatible with the area to be able to do it out of your home. So, I'd encourage you to look towards another location that's more suitable to try to run a business if you really intend on providing this service to the community.

That said, I'm going to follow staff's recommendation on these items and move for denial of the request for the permits for Number 1, 2, and 3. As to the permit for Number 4, the number of dogs, I'll make a motion to approve that, provided that you obtain the necessary permits from Animal Control, which would allow you to have up to eight dogs. That's my motion.

TICK SEGERBLOM

All right. There's a motion to deny 1, 2, and 3 and grant 4 with permission. All right, there's a motion. Cast your vote.

VOTE

VOTING AYE:	Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft
VOTING NAY:	None
ABSENT:	None
ABSTAIN:	None

TICK SEGERBLOM

That motion passes.

So, is there a time period in which they have to, I don't know if you already have the animals or how's that?

ROBERT WARHOLA

The Board can direct give them a grace period to remove the animals. Usually, it's 30 to 60 days.

TICK SEGERBLOM

Do you want to give them 60 days?

ROBERT WARHOLA

So, we have direction on that one.

TICK SEGERBLOM

Okay.

ROBERT WARHOLA

Notify.

TICK SEGERBLOM

All right. Thank you so much.

SCOTT REHM

Wait. What's –

TICK SEGERBLOM

So, we denied the – maybe the staff can go through with the –

SAMI REAL

So, the request was to allow for a home occupation to be able to sell those eggs. To have customers come to the site for the therapy piece of their request was to have a stable and then to have livestock small and large, so that includes the increased number of chickens and then it would include the cow. I believe that they are allowed to have a cow. It's the increase in the number of chickens that they're asking for.

And then they're requesting an increase in household pets, which was Waiver of Development Standards Number- sorry, Use Permit Number 4.

And then waiver of development standards was for reduced setbacks and that was to have their egg stand out on the edge of their property. And so, the motion was to approve the request for the increase in household pets and then deny the rest.

ROSS MILLER

Can't up (inaudible) a business, correct? And then you can't have more than 20 chickens. Is that accurate?

SAMI REAL

That is correct.

ROSS MILLER

Yeah.

SAMI REAL

And we'll work on them with bringing them into Code compliance.

TICK SEGERBLOM

All right. So, there were four items you asked for and the first three were denied, but we'll work with you. And then the fourth one with respect of the dogs, that was granted but you have to deal with Animal Control, I think.

SCOTT REHM

Okay. What would be the next step as far as –

SAMI REAL

What I'll do is I'll have the planner who was working on this reach out to them and guide them on what they would need to do to bring their site into compliance. And then we will need to direct them to Animal Control to apply for the necessary permits to increase the number of household pets too.

TICK SEGERBLOM

All right. So, our staff will reach out to you and go through everything.

SCOTT REHM

Okay.

TICK SEGERBLOM

All right. Thank you so much.

JEANALIN REHM

Thank you.

SCOTT REHM

Thank you.

(Companion Items 24 and 25)

24. VS-24-0277-PALM PROPERTIES, LLC:

HOLDOVER VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file). TS/jor/syp (For possible action)

ACTION: DENIED WITHOUT PREJUDICE (COMPANION ITEM 25).

SAMI REAL

Next are Items 24 and 25.

- Item 24, VS-24-0277; holdover, vacate, and abandon a portion of right-of-way, being Happy Valley Avenue, located between Nellis Boulevard and Aloha Avenue within Sunrise Manor.
- And then Item 25, WS-24-0276; holdover waiver of development standards to modify residential adjacency standards. Design review for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone. Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor.

TICK SEGERBLOM

Good morning.

MELISSA EURE

Morning, Chairman, Commissioners. Melissa Eure, E-U-R-E, 1055 Whitney Ranch Drive, Suite 210, here on behalf of the applicant.

So, what we have in front of you is an aerial to show you where the site location is. It is on Nellis and Happy Valley. What it used to be is a commercial shopping center at that site. The building came down several years ago, and what is there was a vacant lot for quite some time. Our client has developed the site to be for commercial truck parking. So, no actual structure beyond a guard shack would go there. And it's striped to allow trucks. So it is in the General Commercial Zone, which does allow a parking lot. And the underlying zoning is the Commercial Mixed Use.

This actually would be an administrative item, except for there is a waiver for the driveway on Happy Valley because this would be commercial traffic going onto a residential drive. Back around 2018 when it was still a commercial shopping center, there were three driveways accessing Nellis. NDOT (Nevada Department of Transportation), as part of their update to the Nellis Boulevard corridor, closed those driveways off, leaving the only legal access to the site off of Happy Valley.

The client here is proposing to put in landscaping to help buffer the site more fully. The guard shack would be located here. There isn't a gate, however, there is security cameras that could actually be accessed by Metro, along with LED solar lights placed throughout to improve the security and the visibility of this site.

So, as we know, given the increase of online ordering and e-commerce, there's become a need for a lot more to deliver those items that are being ordered. It used to be that there were fleets, and the companies would use their own trucks, their own drivers, and that's how deliveries would happen. Now, many of them are independent operators, and so they're purchasing their trucks and their vans. And many of them are branded. You can't tell them apart from the actual company's trucks that they do own. And they're using those to become entrepreneurs and have their own businesses. However, they aren't able to park those on the residential streets. So, I think we're well aware that there's quite a bit of issue with trucks being parked on roadways, making it difficult to see around and having other impacts on traffic circulation. So, this would help to pull those trucks off of the streets, give them a place that they could legally park their trucks. And many of the owner/operators are within the vicinity here, so this is close to home. If they drive, they're able to drive, park their vehicle where their truck is, then take their truck out while they're doing deliveries. Others could be dropped off to then use their truck during the day.

As mentioned, there is a guard shack there. There's a local veteran who works as the security guard on the site.

There would be a new trash enclosure added as well. So that way if they did have any trash that accumulated in their trucks, they'd have a place to take care of that.

We have received letters of support from the Nevada Trucking Association, also from the abutting residential neighbors here to the west and from the tavern across the street on Happy Valley, as well as from several of the truck drivers who are currently parking their trucks on the site. So, with that, would be happy to answer any questions that you have.

MOTION

TICK SEGERBLOM

This is a public hearing. Anyone here wishing to speak on this item? Seeing no one, we'll close the public hearing.

I appreciate the goal here, as far as having a place for truckers to park their trucks while they go home and get off the road. But truthfully, this is just not appropriate area in my mind. By having that many trucks enter on Happy Valley, which is a residential street, is not going to be good for the children that play there and everyone else.

And honestly, I think that we need to work with staff to create some type of a new zone or some type of something where we can have these truck lots. But just to put them on a major street like Nellis in an area like this, I just personally don't feel it's appropriate.

So, with that, I'm going to make a motion to deny the request. And they also wanted to request to change the sidewalk, I think we should deny that also. So, the future developers would have to come in for some type of waiver. But right now, I'd like to have the separated sidewalk. So, with that, I'd make a motion to deny.

JIM GIBSON

If you're denying the thing, you're requiring them to move the sidewalk not even on the property.

TICK SEGERBLOM

No, there's no sidewalk.

JIM GIBSON

Okay.

TICK SEGERBLOM

So, we're denying 24 and 25 without prejudice, so you can come back with something else. But the truth is, it's just not an appropriate area for these trucks. And I would like to work with staff to find an area. I know Marilyn, you have the same issue. But we need to figure out a way that we can accommodate the truckers who do have a need, but also work with neighborhoods and make sure.

MARILYN K. KIRKPATRICK

Mr. Chair, may I ask for a clarification? So currently it's an existing building, and their only issue with coming into code is that NDOT no longer allows as many drive wells on Nellis, which I've had to deal with that one myself. Because NDOT came through, and what they found out is back in the early 2000s, every 200 feet there was a driveway. So, we've closed a lot of them on our side. But if they close it, then you're denying them access that way. So, they'd have to just shut down the business? I'm asking, because –

TICK SEGERBLOM

Well truthfully, the business has been operating illegally for several years. And so, there's a lot of code violations involved in this too. That's what we're trying to –

MARILYN K. KIRKPATRICK

– no, I just wanted to be clear what we were doing, because I didn't want it to be just because of the NDOT stuff. But if you're saying they've got other issues and have had other issues – you're denying the vacation, I'm assuming, as well as the zoning, right? Because it's zone something?

TICK SEGERBLOM

– right, the vacation was just for the get rid of the requirement to have a detached sidewalk.

MARILYN K. KIRKPATRICK

Okay.

TICK SEGERBLOM

All right, that's my motion. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft

VOTING NAY: None

ABSENT: Ross Miller

ABSTAIN: None

TICK SEGERBLOM

That motion passes. I want to point out it is without prejudice, and so I'd be happy to work with you on that side.

JIM GIBSON

Mr. Chair, might I just – Melissa and I spoke on the telephone a couple of weeks ago. And I wanted to echo the comments that Commissioner Naft made about your father. I knew him really well and worked with him a lot. And he left a legacy you can be very proud of. And you do honor to him every time we hear you and see you, so thank you very much for your good work. And I didn't mean to make you cry, but I felt like it because I knew him so well. Anyway, I just wanted to make that comment.

MELISSA EURE

Thank you. At least I have a little bit of time to recover before the next item.

TICK SEGERBLOM

Thank you.

SAMI REAL

Sorry, with that, I lost track. So, the votes were registered, correct?

TICK SEGERBLOM

Correct.

25. WS-24-0276-PALM PROPERTIES, LLC:

HOLDOVER WAIVER OF DEVELOPMENT STANDARDS to modify residential adjacency standards.

DESIGN REVIEW for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone. Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor. TS/jor/syp (For possible action)

ACTION: DENIED WITHOUT PREJUDICE (COMPANION ITEM 24).

26. VS-24-0457-DBAC, LLC:

HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Pamalyn Avenue and Maule Avenue, and between Arville Street and Cameron Street, a portion of right-of-way being Arville Street located between Pamalyn Avenue and Maule Avenue, and portion of right-of-way being Maule Avenue located between Arville Street and Cameron Street within Enterprise (description on file). MN/lm/syp (For possible action)

ACTION: DELETED FROM THE AGENDA (HELD TO DECEMBER 18, 2024, PER THE APPLICANT).

27. WS-24-0456-DBAC, LLC:

HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase fill height; 2) increase retaining wall height; and 3) reduce driveway setback.

DESIGN REVIEW for a single-family residential subdivision on 3.11 acres in an RS20 (Residential Single-Family 20) Zone within the Airport Environs (AE-60) and Neighborhood Protection (RNP) Overlays. Generally located on the west side of Arville Street and the north side of Maule Avenue within Enterprise. MN/lm/syp (For possible action)

ACTION: DELETED FROM THE AGENDA (HELD TO DECEMBER 18, 2024, PER THE APPLICANT).

28. TM-24-500096-DBAC, LLC:

HOLDOVER TENTATIVE MAP consisting of 6 single-family residential lots and 1 common lot on 3.11 acres in an RS20 (Residential Single-Family 20) Zone within the Airport Environs (AE-60) and Neighborhood Protection (RNP) Overlays. Generally located on the west side of Arville Street and the north side of Maule Avenue within Enterprise. MN/lm/syp (For possible action)

ACTION: DELETED FROM THE AGENDA (HELD TO DECEMBER 18, 2024, PER THE APPLICANT).

(Companion Items 29, 30, and 31)

29. VS-24-0462-OMNI FAMILY LIMITED PARTNERSHIP:

HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Arby Avenue and Capovilla Avenue and between Valley View Boulevard and Procyon Street within Enterprise (description on file). MN/hw/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 30 AND 31).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 4 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include 45 feet to the back-of-curb for Valley View Boulevard, 25 feet to the back-of-curb for Arby Avenue, 25 feet to the back-of-curb for Procyon Street, 25 feet to the back-of-curb for Capovilla Avenue and associated spandrels;
- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements, 90 days to record said separate document for the Warm Springs storm drain improvement project;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

SAMI REAL

Okay. Next are Items 29, 30, and 31.

- Item 29, VS-24- 0462; holdover vacate, abandon easements of interest to Clark County, located between Arby Avenue and Capovilla Avenue and between Valley View Boulevard and Procyon Street within Enterprise.
- Item 30, WS-24-0461; holdover waivers of development standards for the following: reduce net lot area, reduce street landscaping, increase retaining wall height, increase fill height, alternative lot orientation, off-site improvement streetlights, and reduce driveway setbacks. Design review for a single-family residential subdivision on 7.5 acres in an RS20 (Residential Single-Family 20) Zone within the neighborhood protection RNP overlay. Generally located on the east side of Valley View Boulevard and the south side of Arby Avenue within Enterprise.
- And then Item 31, TM-24-500099; holdover tentative map consisting of 13 single-family residential lots on 7.5 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection RNP Overlay. Generally located on the east side of Valley View Boulevard and the south side of Arby Avenue within Enterprise.

TICK SEGERBLOM

Good morning.

STEPHANIE GRONAUER

Good morning, Mr. Chairman, Commissioners. Stephanie Gronauer, 1980 Festival Plaza Drive, here on behalf of the applicant, Richmond American Homes.

If I could direct your attention to the overhead. This property is located in the center at the southeast corner of Arby and Valley View. I have three properties on this aerial, because we did do a neighborhood meeting on August 7 with all three of these properties. Most importantly because Richmond American Homes is coming in on all three of those sites and they're honoring the RS20 zoning category. Which at that neighborhood meeting, there were about 40 people in attendance. They were very happy to hear that we were not asking for a zone change, and that Richmond American Homes would be coming in with RS20 products. Also, all single-story. So, this is all of Richmond's single-story, million dollar plus homes. So, generally speaking, the neighborhood was ecstatic about all three of these.

Arville and Maule will be on your December 18 agenda, and El Dorado Valley View is already approved. So, the one that's before you is Arby and Valley View. We are proposing a 13 lot, as I mentioned, RS20 development. The density is about 1.73 units to the acre. That's the net density for the 13 lots. Four of them will front onto the streets, which oftentimes rural preservation areas like that because you don't

have the walls. However, there will be a wall here on Arby, as well as Valley View and on Capovilla a little bit on that southern side, with accesses both on Arby and on Capovilla.

At the neighborhood meeting there were a couple of things that the residents asked. Most importantly, they did not want streetlights on the neighborhood streets. I believe they understood Valley View is a pretty major thoroughfare and streetlights are probably necessary on Valley View. But after the meeting, we did add a waiver to waive the off-site improvements specific to streetlights on Arby, on Procyon, and on Capovilla. And so, there is an if approved condition, and we submitted that at the neighbor's request. So, there will be lights on all of the homes. They have coach lighting so it won't be completely dark. But in line with their neighborhood, they very much wanted those streetlights to be eliminated on Arby, Procyon, and Capovilla.

Also, there was a mix of opinion on the sidewalks. We are showing detached sidewalks, which we know is very important for the safety of the community and the safety of the area. And the neighbors pretty much agreed with that. But a few of them did ask for asphalt paveways instead of concrete. Richmond's fine either way. So, whatever the Commission decides, we're fine with that.

Lastly, we do have – there's some fill and some retaining on this site. And there was a pretty significant retaining wall proposed on this corner here adjacent to an existing homeowner. Which we've worked with that homeowner on reducing the impact of that wall by providing a tiered wall. Mark Bangin provided a beautiful exhibit that I will submit into the record. But what we've worked out with them is doing a tiered wall on that eastern boundary. Actually, the eastern boundary as well as southern boundary of their property, so that you'll have their existing wall, some landscaping. And we were very specific with their request. They want laurel bays. So, we are going to provide 24-inch box bay laurel trees in that landscape easement area. And then we'll have a reduced retaining, still some retaining and this screened wall. So, it'll have a much nicer, softer feel and really provide them some privacy. This landscape easement would run along this property line and right here as well.

So, I did work with Sami, and she revised my conditions to be much better than they were. So, I would want to propose two conditions. One, that we provide for and include in the CC&Rs that a minimum of 15 24-inch box laurel trees be planted and maintained 30 feet on center within that landscape strip between the tiered wall. And with any changing in the landscaping to be approved by the HOA and the adjacent property owner. And the reason for that is this easement area will be maintained by the HOA. If for some reason at some point that tree selection changes, we want to make sure that the property owners know what's happening.

The second condition, that we provide and include in the CC&Rs is a gate to the landscape easement on Arby Avenue to be accessed and maintained by the HOA. Again, this property owner was very concerned with having a dead area between the home and the home to the west of them. So, we will provide a gate there, and that gate will be only accessed by the HOA.

So, with that said, I'm happy to answer any questions. I very much appreciate the neighborhood support. And I think we've tried to revise the application to reflect their requests. First of all, with the requested waiver for the streetlights on Arby, Procyon, and Capovilla, the offering of doing the asphalt pathways instead of the concrete if that's the Commission's desire, and then the two conditions I just read into the record to reduce that retaining impact on the neighbor that's immediately to the east of us. I'm happy to answer any questions.

TICK SEGERBLOM

This is a public hearing. Anyone here wishing to speak on this item? Seeing no one, we'll close the hearing and turn it over to Commissioner Naft.

MOTION

MICHAEL NAFT

Thank you, Chairman. Thank you, Ms. Allen, for the presentation, for your work on this.

My motion will include the two conditions that you read in and worked with Planning on.

Also, I just want to highlight it, it's already in the agenda item, but yes, full off-sites will be required on Valley View. On the other three streets we'll do the detached asphalt path, which has been my standard in these areas. Antonio, you're giving me a look.

ANTONIO PAPAZIAN

Thank you, Commissioner. Just concrete on Valley View? Are we doing concrete path on Valley View and just asphalt on the side streets?

MICHAEL NAFT

Correct.

ANTONIO PAPAZIAN

Thank you.

MICHAEL NAFT

Then if I've not missed anything else, I'll move for approval of Items 29, 30, and 31 with the conditions read into the record.

TICK SEGERBLOM

There's a motion, cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft

VOTING NAY: None

ABSENT: Ross Miller

ABSTAIN: None

TICK SEGERBLOM

And that motion passes. Thank you.

STEPHANIE GRONAUER

Thank you very much. And I'll provide your staff this exhibit as well for the record.

30. WS-24-0461-OMNI FAMILY LIMITED PARTNERSHIP:

HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce net lot area; 2) reduce street landscaping; 3) increase retaining wall height; 4) increase fill height; 5) alternative lot orientation; 6) off-site improvements (streetlights); and 7) reduce driveway setbacks.

DESIGN REVIEW for a single-family residential subdivision on 7.5 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the east side of Valley View Boulevard and the south side of Arby Avenue within Enterprise. MN/hw/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 29 AND 31).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- At a minimum, 5 gallon shrubs shall be provided within the landscaping strip between the tiered retaining wall;
- Provide for and include in the CC&Rs that a minimum of 15, 24 inch box Bay Laurel trees be planted and maintained 30 feet on center within the landscape strip between the tiered wall with any changes in landscaping to be approved by the HOA and adjacent property owners;
- Provide and include in the CC&Rs a gate to the landscape easement on Arby Avenue to be accessed and maintained by an HOA;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Full off-site improvement on Valley View Boulevard;
- Full off-site improvements except streetlights on Arby Avenue, Capovilla Avenue, and Procyon Street with sidewalks consisting of asphalt instead of concrete;
- Install conduit and pull boxes for streetlights;
- Drainage study and compliance;
- Right-of-way dedication to include 45 feet to the back of curb for Valley View Boulevard, 25 feet to the back of curb for Arby Avenue, 25 feet to the back of curb for Procyon Street, 25 feet to the back of curb for Capovilla Avenue and associated spandrels;
- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements, 90 days to record said separate document for the Warm Springs storm drain improvement project.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written

concurrence from the Department of Aviation;

- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed; that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Fire Prevention Bureau

- Applicant to show fire hydrant locations on-site and within 750 feet.
- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0135-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

31. TM-24-500099-OMNI FAMILY LIMITED PARTNERSHIP:

HOLDOVER TENTATIVE MAP consisting of 13 single-family residential lots on 7.5 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the east side of Valley View Boulevard and the south side of Arby Avenue within Enterprise. MN/hw/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 29 AND 30).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may

warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Full off-site improvement on Valley View Boulevard;
- Full off-site improvements except streetlights on Arby Avenue, Capovilla Avenue, and Procyon Street with sidewalks consisting of asphalt instead of concrete;
- Install conduit and pull boxes for streetlights;
- Drainage study and compliance;
- Right-of-way dedication to include 45 feet to the back of curb for Valley View Boulevard, 25 feet to the back of curb for Arby Avenue, 25 feet to the back of curb for Procyon Street, 25 feet to the back of curb for Capovilla Avenue and associated spandrels;
- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements, 90 days to record said separate document for the Warm Springs storm drain improvement project.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Building Department - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Fire Prevention Bureau

- Applicant to show fire hydrant locations on-site and within 750 feet.
- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0135-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

32. VS-24-0509-USA:

VACATE AND ABANDON easements of interest to Clark County located between Craig Road and Alexander Road and between Chieftain Street and Fort Apache Road; a portion of right-of-way being Helena Avenue located between Chieftain Street and Fort Apache Road; and a portion of right-of-way being Hickam Avenue located between Chieftain Street and Fort Apache Road within Lone Mountain (description on file). RM/hw/kh (For possible action)

ACTION: DELETED FROM THE AGENDA (HELD TO DECEMBER 4, 2024, PER THE APPLICANT).

33. WS-24-0510-USA:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce gross lot area; 2) reduce net lot area; 3) reduce front setbacks; 4) allow a gated community within the NPO-RNP; 5) reduce street landscaping; 6) reduce call box setback; 7) eliminate off-site improvements (curb, gutter, sidewalks, and streetlights); 8) increase the length of a non-through street without a county approved turnaround; and 9) eliminate street knuckles.

DESIGN REVIEW for a single-family residential subdivision on a 22.14 acre portion of 32.12 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Craig Road, north of Florine Avenue (alignment), east of Chieftain Street, and west of Fort Apache Road within Lone Mountain. RM/hw/kh (For possible action)

ACTION: DELETED FROM THE AGENDA (HELD TO DECEMBER 4, 2024, PER THE APPLICANT).

34. TM-24-500108-USA:

TENTATIVE MAP consisting of 39 single-family residential lots and 2 common lots on a 22.14 acre portion of 32.12 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Craig Road, north of Florine Avenue (alignment), east of Chieftain Street, and west of Fort Apache Road within Lone Mountain. RM/hw/kh (For possible action)

ACTION: DELETED FROM THE AGENDA (HELD TO DECEMBER 4, 2024, PER THE APPLICANT).

(Companion Items 35 and 36)

35. VS-24-0539-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:

VACATE AND ABANDON easements of interest to Clark County located between Torino Avenue and Ford Avenue (alignment) and between Belcastro Street and Rosanna Street within Enterprise (description on file). JJ/jud/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEM 36).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards

completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include 25 feet to the back of curb for Torino Avenue, 25 feet to the back of curb for Belcastro Street, and associated spandrels;
- The installation of detached sidewalks will require dedication to back-of-curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

SAMI REAL

Next are Items 35 and 36.

- Item 35, VS-24-0539, vacate and abandon easements of interest to Clark County located between Torino Avenue and Ford Avenue (alignment) between Belcastro Street and Rosanna Street within Enterprise.
- Item 36, WS-24-0538, waivers of development standards for the following: Reduce net lot size, increase fill height, increase retaining wall height, and increase driveway width. Design review for a single-family residential subdivision on 2.34 acres in an RS20 (Residential Single-Family) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the northeast corner of Belcastro Street and Torino Avenue within Enterprise.

TICK SEGERBLOM

Good morning again.

STEPHANIE GRONAUER

Good morning again, Mr. Chairman, Commissioners. Stephanie Gronauer, 1980 Festival Plaza Drive, here on behalf of the applicant, Richmond American Homes.

This is a little over a two-acre site located at Belcastro and Torino. Again, this is similar to the last item, where Richmond is proposing to stick with the RS20 zoning category. They are not seeking a zone change. And we are proposing a four-lot development with a density that's under the two units to the acre. We do have a couple of waivers that I just want to walk through briefly. These are the four lots. Three of them would face onto Torino. Which again, most RNP areas prefer that than having blocked in neighborhoods. So, we have three homes that are fronting onto Torino, and then the fourth home will front on to Belcastro. There is some fill and some retaining on this site. And it's a little small parcel, as you can see. Much of it is, you can see on this aerial, along the north. There's some pretty significant drainage and contours going on there. So that fourth lot requires some retaining along the northern property line. Along the eastern property line, the grading plan did just get approved. And my understanding is we will not need quite as much retaining. And there is a five-foot drainage easement along the side of this lot, so there will be a bit of a tiered appearance. There'll be their existing block wall, the five-foot drainage easement, and then our retaining and block wall on the other side of that easement area. But on this northern property line, that's where most of the retaining will exist. It's an undeveloped parcel to the north. And it is just necessary due to topography and the drainage in the overall area.

Again, these are Richmond's big one-story, over \$1 million homes that are very much in compliance and conformance with any RNP neighborhood fronting out onto the street. And I'm happy to answer any questions, but we'd very much appreciate your approval today.

TICK SEGERBLOM

This is a public hearing. Anyone here wishing to speak on this item? Seeing no one, I'll turn it over to Commissioner Jones.

MOTION

JUSTIN JONES

Thank you, Mr. Chair. Appreciate your efforts to keep this in line with the RNP, so I'll go ahead and move for approval of Agenda Items 35 and 36.

TICK SEGERBLOM

There's a motion, cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft

VOTING NAY: None

ABSENT: Ross Miller

ABSTAIN: None

TICK SEGERBLOM

And that motion passes. Thank you.

STEPHANIE GRONAUER

Thank you very much.

36. WS-24-0538-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce net lot size; 2) increase fill height; 3) increase retaining wall height; and 4) increase driveway width.

DESIGN REVIEW for a single-family residential subdivision on 2.34 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the northeast corner of Belcastro Street and Torino Avenue within Enterprise. JJ/jud/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEM 35).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Torino Avenue, 25 feet to the back of curb for Belcastro Street, and associated spandrel;
- The installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0214-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

(Companion Items 37, 38, and 39)

37. VS-24-0542-GOLDENSITES, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Camero Avenue and Mistral Avenue and between Cimarron Road and Durango Drive and portion of a right-of-way being Gagnier Boulevard located between Mistral Avenue and Camero Avenue within Enterprise (description on file). JJ/sd/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 38 AND 39).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 4 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording

SAMI REAL

Next are companion Items 37 through 39.

- Item 37, VS- 24-0542; vacate and abandon easements of interest to Clark County located between Camaro Avenue and Mistral Avenue and between Cimarron Road and Durango Drive and a portion of right-of-way being Gagnier Boulevard located between Mistral Avenue and Camaro Avenue within Enterprise.
- Item 38, WS-24-0543; waivers of development standards for the following: reduce setbacks, increase retaining wall height, increase fill height, waive full off-site improvements, and reduce street intersection offset. Design review for a single-family residential subdivision on 10.63 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay.

Generally located on the north side of Camaro Avenue and the east and west sides of Gagnier Boulevard (alignment) with an enterprise.

- And then Item 39, TM-24-500117; tentative map consisting of 20 single-family residential lots on 10.63 acres and an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the north side of Camaro Avenue and the east and west sides of Gagnier Boulevard (alignment) within Enterprise.

TICK SEGERBLOM

Good morning.

BOB GRONAUER

Good morning, Mr. Chairman and Commissioners. My name's Bob Gronauer. 1980 Festival Plaza Drive. I'm here representing Pinnacle Homes on these matters.

As you can take a look at the overhead here, highlighted in yellow, this is approximately 10.6 acres of property. It's located in the RNP area. We are proposing 20 homes. However, we do have some waiver development standards, and the reason is as I go through the story here, you'll appreciate this piece of property is fairly difficult to develop.

First of all, Pinnacle Homes purchased this property here and this property here in the auction not too long ago. And then this piece of property my client purchased from this property owner here. However, the reason why you don't see it, it is perfectly shaped in this area. You can see these are solar panels here. So, the family that sold the property here wanted this type of configuration.

So, which has made it a little bit tricky here for development purposes, but also on top of that, you can see here as you focus in here, this is a big drainage area on this property that's being impacted. And matter of fact, when I did the developments for William Lyon Homes many years ago, this was a big drainage concern for the neighbors in the area. So, the good news is with Frank White and Pinnacle Homes, by purchasing the airport properties, purchasing this additional property here, we're going to be able to help fix that drainage issue that still also lingers in this area. But because of that, we do have some fill and wall height waivers that we're asking for, and that's based because of the existing conditions on the property.

So, on the site plan that I have here, we have 20 homes. We have six homes that are located up here off Gagnier, which will have access coming in and out of the cul-de-sac located right here. The other 14 homes are going to have access on Camaro, as you can see here, will come out through in this area. We do have a waiver development standard of street separation between Gagnier and our private street here. Staff is recommending – well, they were recommending approval that the Public Works with the separation distance series because this is in an RNP area, these are rural standards out in this area, and so very little traffic would be coming out in this area.

One of the waivers that we're asking for is for a 20-foot front yard setback. That is typical what you see in all the developments. I believe you're looking at your current code now to put that back. These are not the Pinnacle Homes that you see, but these are homes in the area that have that 20-foot setback that was approved at the Town Board. We'd ask you to approve that waiver of development standard.

When you look at the wall height, our highest point of the wall height that we'll have is along our east property line. Because we're lower on the west property line here, we're about nine feet, six feet, about five feet and five feet lower than the west side here. But because of the drainage and the topography of the property here over along the east property line, we're going to have some wall heights. What we are

about higher, the wall height in this area would be about 8 feet, 7 inches. This would be about 7 feet and 1 inch. The highest point is about 11 feet, 1 inch in this area. This would be the highest point of the wall. The wall waiver that we're asking for, this is about 9 1/2 feet, and this is about 10 feet, 3 inches.

Also, adjacent in this area, we have a five-foot wide drainage easement, which also goes to a 10-foot wide drainage easement in this area. With respect to the fill, because of the hole that is in here because of topography, we do have a waiver for infill located on Lot 10 and on Lot 14 in this area. And again, it's because of the constraints on the property.

We did go to the Town Board. They did recommend the approval of some of our waivers that we're asking for. These are single-story homes that Pinnacle builds. The price points are going to be anywhere from about \$1.4 to \$1.5 million per house on an average. The floor plans are anywhere from 3,600 square feet to about approximately 4,700 square feet.

With that being said, we'd ask you to approve the application that is before you. And then on a side note, we are continuing to work with the neighbors in this area with respect to some of the drainage issues and designs.

And as we finalize our drainage study, we will continue to communicate with them. And matter of fact, we've been communicating our client with Robert Cunningham today with some of the neighbors in the area with respect to some of the design. And the last thing I'll point out is in working with the neighbors, this gray area here is a sewer easement area, about 30 feet in width. We already have that open for pedestrian activity. It's not for vehicular access, but for the neighbors who walk in north and south in this area. So, we wanted to keep that open for connectivity purposes and that was something that the neighbors did definitely like. That being said, I can answer any of the questions on these applications that are before you.

TICK SEGERBLOM

This is a public hearing. Anyone here wishing to speak on this item?

ROBERT GLAU

Good afternoon or still morning. My name is Robert Glau, G-L-A-U. I live at 8260 Gagnier right across the street from the little six-person cul-de-sac there. I have no problem with this development whatsoever except for I don't see any need for any streetlights, which Enterprise had mentioned. And I know that they're asking not to have the streetlights and I'm in favor of that. And secondly, the little walkway, we're not exactly sure where that comes out. We're just hoping it's not right in the guy's driveway that sits right next to that.

And then also the Town Board had requested on the west side of Gagnier to put a five-foot asphalt sidewalk, which makes no sense. It's a dead end cul-de-sac. No five-foot asphalt sidewalk from Windmill all the way to there. And to just have that little piece of black top across the front of their place doesn't seem to make any sense to me. So, I would ask you not to request that and not to have the streetlights. Otherwise, I'm totally in favor. Thank you.

TICK SEGERBLOM

Thank you. Anyone else? Seeing no one will close the public hearing and turn it over to Commissioner Jones.

JUSTIN JONES

Thank you, Mr. Chair. Mr. Gronauer, do you want to address those comments?

BOB GRONAUER

No, I am good unless you have any questions.

JUSTIN JONES

Okay. All right, then I'm go ahead and move for – well, I would say with regards to Waiver of Development Standards 4A, while I appreciate that there are other areas out there on Camaro who have had all of their off-sites waived that I think that it makes sense to have at least some of the off-sites put in there. So, agree on the streetlights that they aren't necessary at this time, but I'll require the developer to install curb and gutter out there. Do you want to comment on that JaWaan?

BOB GRONAUER

Yeah. Oh, okay. I'm sorry. I just wanted for clarification on Camaro?

JUSTIN JONES

Yes, on Camaro.

BOB GRONAUER

And that's curb and gutter and I'm sorry, I'm interrupting Antonio. Go ahead Antonio.

JUSTIN JONES

Go ahead Antonio.

ANTONIO PAPAZIAN

Thank you, Commissioner. With the addition of the curb and gutter, I just want to make sure because their plans don't reflect it, that they'll be required to do full width paving as well.

JUSTIN JONES

Okay. All right. Curb gutter, full width paving and pull conduit in the event that there's a need for future streetlights but won't require a sidewalk at this time.

ANTONIO PAPAZIAN

Thank you, Commissioner. If they're not required to do the sidewalk at this time, we do not need the conduit and the pool boxes. The reason we typically require the conduit and pool boxes when someone is doing the sidewalk is so we don't have to lift those panels to put the conduit underneath. And because there's not going to be any sidewalk, there's no panels to lift, so it won't be a problem in the future to install that should we have a project that installs streetlights.

JUSTIN JONES

Okay. All right, what he said. All right. I'll go ahead and move for approval of Agenda Items 37, 38, 39 – 38, 37 and 39 with the modification to Waiver Request 4A.

LYNN GOYA

Excuse me, Commissioner, could you repeat the motion as it's the final motion for clarification?

MOTION

JUSTIN JONES

Sure. So, I'm going to move for approval on Agenda Items 37, 38 and 39 with regards to Waiver request 4A. The requirement for streetlights and sidewalk will be granted, but the curb and gutter and partial paving will be denied. Is that accurate? Okay.

LYNN GOYA

Thank you.

JUSTIN JONES

That's a motion.

TICK SEGERBLOM

All right, there's a motion. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft

VOTING NAY: None

ABSENT: Ross Miller

ABSTAIN: None

TICK SEGERBLOM

That motion passes. Thank you.

BOB GRONAUER

Thank you.

38. WS-24-0543-GOLDENSSITES, LLC, THE PARSONS FAMILY REVOCABLE LIVING TRUST):

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; 2) increase retaining wall height; 3) increase fill height; 4) waive full off-site improvements; and 5) reduce street intersection off-set.

DESIGN REVIEW for a single-family residential subdivision on 10.63 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the north side of Camero Avenue and the east and west sides of Gagnier Boulevard (alignment) within Enterprise. JJ/sd/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 37 AND 39).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Off-site improvements (curb, gutter, and paving) on Camero Avenue;
- Drainage study and compliance;

- Traffic study and compliance;
- Execute a Restrictive Covenant Agreement (deed restrictions).

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0075-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

WAIVER OF DEVELOPMENT STANDARDS #4A WAS DENIED FOR OFF-SITE IMPROVEMENTS (CURB, GUTTER, AND PARTIAL PAVING).

39. TM-24-500117-GOLDENSSITES, LLC, THE PARSONS FAMILY REVOCABLE LIVING TRUST):

TENTATIVE MAP consisting of 20 single-family residential lots on 10.63 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the north side of Camero Avenue and the east and west sides of Gagnier Boulevard (alignment) within Enterprise. JJ/sd/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 38 AND 39).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Off-site improvements (curb, gutter, and paving) on Camero Avenue;
- Drainage study and compliance;
- Traffic study and compliance;
- Execute a Restrictive Covenant Agreement (deed restrictions).

Building Department - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0075-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

40. WS-24-0522-CROCKER FAMILY REVOCABLE LIVING TRUST:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; and 2) eliminate full off-site improvements in conjunction with a proposed single-family residence on 0.5 acres in a RS20 (Residential Single-Family 20) Zone within the Neighborhood Preservation (RNP) Overlay. Generally located on the west side of El Capitan Way, 170 feet south of Washburn Road within Lone Mountain.
RM/jm/kh (For possible action)

ACTION: DELETED FROM THE AGENDA (HELD TO DECEMBER 4, 2024, PER THE BOARD OF COUNTY COMMISSIONERS).

SAMI REAL

All right. Next is Item 40, WS-24-0522; waiver of development standards for the following: reduce setbacks and eliminate full off-site improvements in conjunction with a proposed single-family residence on 0.5 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Preservation (RNP) Overlay. Generally located on the west side of El Capitan Way, 170 feet south of Washburn Road within Lone Mountain.

TICK SEGERBLOM

Is anyone here on this application? Item 40?

MOTION

ROSS MILLER

I'm not sure where they are. Can we move to pass it to the December 4 meeting?

SAMI REAL

Hold to December 4?

ROSS MILLER

Hold. Yes.

SAMI REAL

So then there is a motion to hold till December 4.

TICK SEGERBLOM

There's a motion to hold it until December 4. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None

ABSENT: None

ABSTAIN: None

TICK SEGERBLOM

That motion passes.

41. WS-24-0523-WARREN FAMILY REV LIV TR & WARREN, JOSEPH F. & CARRYN B. TRS:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce separation; 2) reduce setbacks; and 3) modify driveway geometrics for accessory structures in conjunction with an existing single-family residence on 2.28 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the west side of Fairfield Avenue, 320 feet south of Wigwam Avenue within Enterprise. MN/tpd/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- 1 year to complete the building permit and inspection process for existing accessory structures or this portion of the application will expire unless extended with approval of an extension of time;
- 2 years to commence the proposed RV cover or this portion of the application will expire unless extended with approval of an extension of time;
- Paint the proposed RV cover to match the primary dwelling.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Southern Nevada Health District (SNHD) - Engineering

- Applicant is advised to contact the SNHD Environmental Health Division at septics@snhd.org or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

SAMI REAL

Next is Item 41, WS-24-0523; waivers of development standards for the following: reduced separation, reduce setbacks and modified driveway geometrics for accessory structures in conjunction with an existing single-family residence on 2.28 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the west side of Fairfield Avenue, 320 feet south of Wigwam Avenue within Enterprise.

KAREN WARREN

Hello, thank you for your time today. My name is Karen Warren, W-A-R-R-E-N. And I am the homeowner in this case.

I also wanted to thank the staff for walking me through this whole process.

Okay. So, you will notice a lot on this item, but I am going to keep it short as I was advised to do. Essentially, we are looking to erect an RV shade cover on this part of the lot. This is the north facing right? So right here on the lot in working with Land Use, they brought up a lot of issues in terms of waivers, so we're just hoping to bring everything else on the property in compliance. Since we purchased it in 2017, we've made significant improvements. So, I open that up to any questions?

TICK SEGERBLOM

All right. This is a public hearing. Anyone here wishing to speak on this item? I see no one. It sounds like you've resolved all things. Commissioner Naft.

MICHAEL NAFT

Yeah. Thank you, Mr. Chairman. Thank you, Ms. Warren, for your patience today. But through this whole process, you bought a property that was in pretty bad distress that your neighbors were pretty displeased with, and you have, one, cleaned it up, but two are bringing most of what you're here to waive today were pre-existing issues prior to your purchase of the property, with the exception of what you just laid out. Yeah.

KAREN WARREN

Those were before pictures.

MICHAEL NAFT

Yeah. Thank you.

KAREN WARREN

Of our property. So yes.

MOTION

MICHAEL NAFT

So, thank you and I'm prepared to move for approval of Item 41 and appreciate your patience through this process.

TICK SEGERBLOM

All right. There's a motion. Cast your vote.

VOTE

VOTING AYE:	Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft
VOTING NAY:	None
ABSENT:	Ross Miller
ABSTAIN:	None

TICK SEGERBLOM

That motion passes. Thank you so much.

KAREN WARREN

Short and sweet. Thank you for your time. I appreciate it.

42. WS-24-0525-SEMMATERIALS ENERGY PTNRS, LLC:

AMENDED WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase fence height (no longer needed); 2) allow non-decorative fencing (no longer needed); 3) reduce access gate setbacks; 4) waive off-site improvements (streetlights); 5) allow attached sidewalks; 6) eliminate throat depth; and 7) eliminate driveway back-of-curb radius.

DESIGN REVIEW for site modifications for an existing asphalt batch plant on 6.76 acres in an IL (Industrial Light) Zone within the Airport Environs (AE-65) Overlay. Generally located on the southwest corner of Valley View Boulevard and Ponderosa Way within Paradise. MN/dd/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Paint the shipping containers to match the buildings and infrastructure on-site;
- Street landscaping along Ponderosa Way to consist of recommended plants from the Regional Plant List, or an approved alternative.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Full off-site improvements except streetlights on Ponderosa Way;
- Install conduit and pull boxes on Ponderosa Way.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation;
- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or

other temporary equipment; the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998; and that funds will not be available in the future should the owners wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0185-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

SAMI REAL

Next is Item 42, WS-24-0525; amended waivers of development standards for the following: increased fence height, which is no longer needed, allow non-decorative fencing. Again, no longer needed. Reduce access gate setbacks, wave off-site improvements being streetlights, allow attached sidewalks, eliminate throat depth and eliminate driveway back of curb radius. Design review for site modifications for an existing asphalt batch plant on 6.76 acres in an IL (Industrial Light) Zone within the Airport Environs (AE-65) Overlay generally located on the southwest corner of Valley View Boulevard and Ponderosa Way within Paradise.

TICK SEGERBLOM

Good morning.

MELISSA EURE

Good morning, Melissa Eure, E-U-R-E. 1055 Whitney Ranch Drive, Suite 210. Here on behalf of the applicant.

So again, here you can see on the aerial exactly where this batch plant sits. It's been there since the 1960s. So, it has been there for quite some time, and everything has developed around it.

Just importantly to note on here, there is a stormwater detention basin that is on this site and then there's already some paved area here. So, what has happened is on here you can see everything in the pink color is existing and what they'll be doing is adding some new tanks in order to decommission other tanks that are on the site as well as adding a new shade structure. They use polymer pellets that unfortunately the UV tends to deteriorate and destroy. So, in order to lose less of their supplies, they're putting this new shade structure. With these new equipment, it did trigger the need for the site to come into greater conformance with the current Title 30. And so quite a bit of what we have here and the waivers which I will focus on are in regards to the off-sites here along Ponderosa. The sidewalk and full off sites are existing on Valley View Boulevard.

What there is currently there's a berm here. This is where the stormwater detention basin is. The way the site operates is that trucks come in off Ponderosa, they enter on the far west gate here. They go through the scales, they come around, they load on here, they come back around, they stay with on the property to loop back around to then get weighed with their full weight before exiting out of this gate. So, gates do remain open during business hours, and we are asking to go ahead and put in an attached sidewalk. Currently, there is no sidewalk for this part of the property as well. There is some curb and gutter, however this would be adding the sidewalk. And then there is the existing oleanders on this side and what they would do is replant any oleanders that need to be replanted as they pulled back.

Because of these existing conditions there is a security fence that's also there in the gates and unfortunately, they're within the setbacks that our Title 30 currently requires. So, one of those is to allow the gates to be 7 feet and 8 feet from the property line versus 18 feet. Again, as mentioned, they are open during business hours, and they are one way only and we try to keep the trucks circulating on site versus on the actual right-of-way. These fencing here it is security fencing for a portion of it. It is non-decorative. You can kind of see the oleanders do a great job of screening what is there.

One of the bigger waivers we have is asking for the zero radius and some reduced throat depths, particularly for the western drive. So, the eastern drive will meet the standards. It's only on the westernmost driveway and you can see from the photo here. As trucks swing in to go to the scales, unfortunately in order to meet the driveway standards, the driveway would have to be moved more to the east. And what that would do is actually put it back up against where you have parking right here on the other side. So, if they move the driveway to put in the standard, it would then have the trucks turning in right behind where there's parking here and there is no curb gutter or entryway. It's literally just parked there. So, it would potentially back items up.

Also, because of the location of the stormwater basin, if that was moved over, the trucks would be entering basically right into the stormwater basin and there's no way to push back the interior drive without again impacting that existing stormwater basin on the site. So, any changes to the gate or to those drives would then be impacting the existing equipment and the stormwater tension Basin. So that's why we're asking that this driveway remain as it is on this side. So that way we don't impact the site operations. If we had to get rid of that drive, it would then force circulation onto the existing public right-of-way instead of keeping it on the site.

Finally, we are proposing the attached sidewalk as well as putting in the curb and gutter. However, we've requested a waiver of the streetlights on Ponderosa, all of the existing streetlights that there are on the north side of the street, that is where the electrical wiring and conduit is. There are none on the south side of the street where the property is located. So, we've asked that those streetlights not be required. One, it would cut off the drive. This is Ponderosa does end in a cul-de-sac. So, it would create quite a bit of impact for the existing businesses but also just because it'd be a little more difficult to bring all that in. There isn't an electrical connection very close by for that. So, we've asked to waive that, but we are fine with accepting staff's conditions on this. And with that, happy to answer any questions.

TICK SEGERBLOM

All right. This is a public hearing. Anyone here wishing to speak on the item? Seeing no one, we'll turn it over to Commissioner Naft.

MOTION

MICHAEL NAFT

Thank you, Mr. Chairman. I'm sure your client probably regrets wanting to put up a shade structure, but we're glad they're doing it and making the investment in the property. As you laid out, nearly all of these waivers are necessitated by permanent infrastructure that's on the property. So that's convinced me to move for approval of Item 42.

TICK SEGERBLOM

There's a motion. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft
VOTING NAY: None
ABSENT: Ross Miller
ABSTAIN: None

TICK SEGERBLOM

That motion passes.

MELISSA EURE

Thank you.

43. WS-24-0526-GHANOLI HOLDINGS, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase fence height; and 2) allow a non-decorative fence.

DESIGN REVIEW for modifications to a previously approved truck staging area on 0.49 acres in an IL (Industrial Light) Zone within the Airport Environs (AE-60) Overlay. Generally located on the south side of Martin Avenue and the east side of Crystal Street within Enterprise. MN/dd/kh (For possible action)

ACTION: DELETED FROM THE AGENDA (HELD TO JANUARY 22, 2025, PER THE APPLICANT).

(Companion Items 44 and 45)

44. WS-24-0527-COUNTY OF CLARK (AVIATION):

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; 2) increase wall height; 3) increase fill height; 4) eliminate off-site improvements (curb, gutter, sidewalks, and streetlights); and 5) reduce the street intersection off-set.

DESIGN REVIEW for single-family detached residences on 4.92 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the northwest corner of Valadez Street and Shelbourne Avenue within Enterprise. JJ/jud/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEM 45).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Comply with approved drainage study PW24-17122;

- Execute a Restrictive Covenant Agreement (deed restrictions).

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0113-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

SAMI REAL

Next are Items 44 and 45.

- Item 44 WS-24-0527. Waivers of development standards for the following: reduced step backs, increase wall height, increase fill height, eliminate off-site improvements being curb gutter sidewalks and streetlights and reduce the street intersection offset. Design review for single-family detached residences on 4.92 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the northwest corner of Valdez Street and Shelbourne Avenue within Enterprise.
- Item 45 TM-24-500114. Tentative map consisting of 10 single-family residential lots and common lots on 4.92 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the northwest corner of Valdez Street and Shelbourne Avenue within Enterprise.

TICK SEGERBLOM

Good morning.

BOB GRONAUER

Good morning, Mr. Chairman and Commissioners. My name is Bob Gronauer, 1980 Festival Plaza Drive. I'm here representing Pinnacle Homes on these next few matters.

What I have before you is an aerial map of our site. It's approximately five acres. This is also another one of these purchases through the Airport auction that Pinnacle Homes has purchased. And matter of fact this is in a rural neighborhood area. These are actually homes that Pinnacle came in and has already built. As you can see, we are sandwiched in between existing rural neighborhood preservation homes. These are single-story homes that we're proposing on the five acres. These are the elevations that you would see here that are being proposed.

We do have a waiver. Our first waiver is a waiver of the front yard setback, which is typical that you see in all these rural neighborhoods that are built like this. And it has that 20 foot yard setback in there. It's just a matter of the reason way you actually measure the distance to the setback, but this is no different than other developments in the area.

With respect to the site plan, this is 10 homes that are located on approximately five acres. We have our access coming in here off of Shelbourne Avenue. And this is another piece of property here where we have some drainage issues that we're dealing with because to the north, to the east, west and south of us, the grades have all been set on the property here. So, it's very hard for us to do anything more or less than what's already been set in the area.

So, our wall heights, we're low on the west side here of our property. On the east side we're a little bit higher. Our wall heights are going to be anywhere from 2 or 3 feet higher than the existing walls. You do have a 5 foot – in this area, a 5 foot drainage easement that separates the property walls in this area. Just

for the record, this would be about a 9 foot high, 9 foot 7inch wall. This is about 10 foot and 4 inch wall. This is also 10 foot and 2 inch wall. And this would be about a 9 foot, 9 inch wall in this area here. And again, that's just dealing with the topography and the grade on the property that's been set.

We'd ask you to approve the applications that are before you. And again, these are single story homes, same price points as I mentioned earlier with Pinnacle's proposal.

TICK SEGERBLOM

That completes your presentation, we'll –

BOB GRONAUER

Yes, sir.

TICK SEGERBLOM

– open it up for a public hearing. Anyone here wishing to speak on this item? Or these items? See no one. We'll close the public hearing and Commissioner Jones.

MOTION

JUSTIN JONES

Move for approval of 44 and 45.

TICK SEGERBLOM

There's a motion. Cast your vote

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft

VOTING NAY: None

ABSENT: Ross Miller

ABSTAIN: None

TICK SEGERBLOM

That motion passes. Thank you.

BOB GRONAUER

Thank you very much and I want to wish all of you a happy Thanksgiving with your families. Have a good one, take care.

45. TM-24-500114-COUNTY OF CLARK (AVIATION):

TENTATIVE MAP consisting of 10 single-family residential lots and common lots on 4.92 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the northwest corner of Valadez Street and Shelbourne Avenue within Enterprise. JJ/jud/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEM 44).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Comply with approved drainage study PW24-17122;
- Execute a Restrictive Covenant Agreement (deed restrictions).

Building Department - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0113-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

46. WS-24-0535-BLUE DIAMOND PB HOLDINGS, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce street landscape planter width; and 2) reduce driveway geometrics.

DESIGN REVIEW for commercial buildings on 0.89 acres in a CG (General Commercial) Zone within the Airport Environs (AE-60) Overlay. Generally located on the south side of Blue Diamond Road and the west side of Pinkbox Drive within Enterprise. JJ/sd/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;

- Traffic study and compliance;
- Full off-site improvements;
- The installation of detached sidewalks will require vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way;
- Coordinate with Real Property Management and the Department of Aviation to dedicate Pinkbox Drive.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0437-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

WAIVERS OF DEVELOPMENT STANDARDS #1 AND #2B WERE WITHDRAWN.

SAMI REAL

Next is Item 46, WS-24-0535; waivers of development standards for the following. Reduced street landscape planner width and reduced driveway geometrics, design review for commercial buildings on 0.89 acres in a CG (Commercial General) Zone within the Airport Environs (AE-60) Overlay generally located on the south side of Blue Diamond Road and the west side of Pink Box Drive within Enterprise.

TICK SEGERBLOM

Good morning.

GREG BORGEL

Good morning, Mr. Chairman. I'm Greg Borgel, 3747 Heritage Avenue here for the Pink Box Project, which is the first phase of development proposed for this property. With me in the audience is if you have questions appropriate for his consideration, is the Vice President of Development for the Siegel Group. The Pink Box item before you now is of course an element of the Siegel Group. And so, if you have questions that are beyond my capability, he's available to help out.

Secondly, we were advised fairly late in the game that some of the waivers were problematic, and we have put ourselves in the position of what we think is resolving those questions.

So, to work through it casually – and by the way, this is the elevation of the Pink Box that is before you. There are three waivers called out in the agenda or were, if you will, since we have resolved two of the three with certainty. On the reduced width of street landscaping, which is Waiver Number One, that's been eliminated. It was a very small area that was basically overlooked in the first analysis. And so, we would ask in conjunction with what we hope is your approval of the balance of the item, that that could be allowed to be withdrawn here.

And secondly on Item 2B, which was the throat depth question on which Public Works was quite concerned. The engineer for our side has gone through the equations and restructured the throat depth and that has been provided to staff for analysis and we think that that one can now be withdrawn as well. So that takes care of the throat depth and the landscaping waiver.

The remaining item is a reduction of the departure distance for the driveway on Pink Box Drive to 161 feet where 190 is required. First of all, we would point out that the Pink Box Drive, which amounts to being our private drive, although it has of course to be dedicated to the public for the purpose of extending utilities. But it is a very minor street which although it is adjacent to Blue Diamond Road, they are in a position where it can never cross Blue Diamond. So, it's a very minor intersection in question.

And secondly, by virtue of the redesign of the – and hoped for withdrawal that you will allow for the other waiver, we are now in a position where the redesign to accommodate the full throat depth as required by staff, has enabled a tentative and what we would suggest resolution to that remaining waiver. And that is that by virtue of redesigning – I put the landscape plan up so you could see that it is abundantly landscaped, but I'm drawing on the black line because it's easier to explain what we've done. By moving the throat depth question and resolving it, we believe, to here, we create a situation where we now have a location for a sign, which would, we think, resolve the last remaining waiver question, which is the distance along Pinkbox Drive.

This we believe strongly is the correct location for signage in order to create specifically the situation. And there is no sign waiver in front of you because we'll have to submit a sign program in the future. But we would want to put a sign in this area where the expansion of the throat depth has taken place. So that since this driveway serves –

JUSTIN JONES

Mr. Borgel, can you just skip to what you still need?

GREG BORGEL

We think we only need the remaining waiver for the reducing the driveway distance on Pink Box. And I was leading up to saying and concluding, I realize I've been accused of talking too much sometimes.

TICK SEGERBLOM

All the time.

GREG BORGEL

Well only when I'm here.

JUSTIN JONES

Sometimes when you're not.

GREG BORGEL

Well, there, I try to be quieter.

The purpose is because the driveway is now at the correct location in our opinion. And that is because the two sides of the building need to be served. One side for the access to the drive-thru and one side for the access to parking for people who don't choose to use the drive-thru. And that is where we have the handicapped parking, which was the conclusion I was reaching to and hoping that you would therefore approve of the reduction in departure distance for the driveway in light of the fact that it serves those two purposes.

TICK SEGERBLOM

Does that complete your presentation?

GREG BORGEL

I was finished.

TICK SEGERBLOM

Okay. All right. This is a public hearing. Anyone here wishing to speak about doughnuts? Seeing no one will close the public hearing. Did you have a comment Sami?

SAMI REAL

I just wanted to clarify. So, I think what Mr. Borgel was trying to say is that he withdraws Waiver of Development Standards Number 1 and 2B and finds that the Waiver of Development Standards 2A is still needed and then that's when I would defer to Public Works whether or not the Waiver of Development Standards 1, sorry, 2B is still needed.

ANTONIO PAPAZIAN

Thanks Sami. It is not needed anymore. They meet the minimum requirement.

MOTION

JUSTIN JONES

Great. With that withdrawal of Waiver Requests Number 1 and 2B, I'll go ahead and move for approval of Agenda Item Number 46 with the request for Waiver 2A.

TICK SEGERBLOM

All right, there's a motion by Commissioner Jones, cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft

VOTING NAY: None

ABSENT: Ross Miller

ABSTAIN: None

TICK SEGERBLOM

Thank you. That motion passes Mr. Borgel.

GREG BORGEL

Thank you very much and we'll see you again another day and I'll try to be quieter or at least list –

TICK SEGERBLOM

It tough to have an old dog learn new tricks.

GREG BORGEL

We're trainable. Thank you.

(Companion Items 47 through 49)

47. PA-24-700015-NEVADA POWER COMPANY:

PLAN AMENDMENT to redesignate the existing land use category from Public Use (PU) to Neighborhood Commercial (NC) on 1.89 acres. Generally located on the north side of Russell Road, 550 feet east of Hualapai Way within Spring Valley. JJ/gc (For possible action)

ACTION: ADOPTED (RESOLUTION NO. R-11-20-24-2) (COMPANION ITEMS 48 AND 49).

SAMI REAL

Next are companion Items 47 through 49.

- Item 47, PA-24-700015; plan amendment to redesignate the existing land use category from Public Use to Neighborhood Commercial on 1.89 acres. Generally located on the north side of Russell Road 550 feet east of Hualapai Way within Spring Valley.
- Item 48, ZC-24-0310; zone change to reclassify 1.89 acres from an RS20 (Residential Single Family 20) Zone to a CG (Commercial General) Zone. Generally located on the north side of Russell Road 550 feet east of Hualapai Way within Spring Valley.
- Item 49, UC-24-0311; use permit for a mini warehouse facility. Waivers of development standards for the following: reduce and eliminate landscape buffer and screening and residential adjacency standards. Design review for a mini warehouse facility on 1.89 acres in a CG (Commercial General) Zone. Generally located on the north side of Russell Road 550 feet east of Hualapai Way within Spring Valley.

TICK SEGERBLOM

Good morning.

LEBENE OHENE

Good morning, Commissioners. Lebene Ohene, 520 South Fourth Street representing the applicant with three separate applications that have been read into the record by Ms. Real.

To orient you to the site, the parcel is located north of Russell Road and approximately 550 feet east of Hualapai Way. And to explain the PA application, which was the first application read into the record, which is the plan amendment. The parcel as it exists is a portion of a Nevada Energy site that was

subdivided Nevada Energy no longer needs the parcel. The parcel currently is zoned RS20 and master plan which is below master plan PU for Public Use.

Because they did not need the parcel anymore, the request is to change the master plan to NC and the zoning to CG. Now based on the master plan to our east is single-family residential, but that area is zone CM, which was the existing master plan before the residences were built and the residences in the area surrounding the Nevada Energy substation were all constructed after Nevada Energy constructed the location. On the zone change request, the zone change request is to go to CG to allow for the future mini storage warehouse.

The site is approximately 1.89 acres and the zoning surrounding it currently is RS3 and RS3.2 as well as some C2 to the west along Hualapai.

The development is a 29-unit mini storage warehouse for RVs and luxury vehicles. Based on the existing location and the site, we do have with the special use permit application some waivers and the design review to allow for the development. There is an existing driveway that serves both the existing and the energy station and will serve the site as well.

Because of the location of the site, there are some waivers. Some of those waivers primarily deal with some residential adjacency and some issues that are pre-existing. For instance, to the north because this is still residential even though it is more, it's a power station and more kind of an industrial use. There is landscaping that we've asked a waiver for to maintain.

In working through that development process through the neighborhood meeting, Town Board and Planning Commission, we worked with a Planning Commissioner, and we listened to the neighbors and also to the Town Board and have made some adjustments to the site.

For instance, three of the waivers, 1A, 1B and 1E, we withdrew those at Planning Commission without prejudice and that remains.

To the east, we proposed an eight-foot-high wall with a required fifteen-foot landscaping and even though to the northeast with a residential to the northeast NV Energy only provided 10 feet of landscaping. We're sticking to code and providing that.

On the west side we had to maintain the waiver because the roadway, existing roadway splits, there's an existing condition so therefore the landscaping, even though fifteen-foot is required, we had to request a waiver because there's only 7 feet and 14 feet. Because of that and for additional mitigation, we have proposed additional landscaping along the west side, which is split by the existing roadway.

Also, to mitigate some of the issues, sorry, I have this elevation which will properly depict our design. So, there's the two areas of landscaping. There's the required landscaping to the east and also the required landscaping buffer. And on the west, we included 11 additional trees to make sure that we mitigated the residential adjacency waivers, which are all the waivers, Number 2 in this area, the landscaping as well. Also taking into consideration of the residential on both sides, although the main building, Building A, which is to the west is 27 feet high, we made sure that the buildings were dropped in such a way that we didn't impact the residential to the west, although we are more than 120 feet from there with the two rows of landscaping.

The building to the east is 19.5 feet and this plan depicts how the main building, which is two-story sits as adjacent to the Western property line, which shows that even though we may be 28 feet, their residences are higher than us and we comply with all the grading requirements adjacent to the site.

With that said, we would appreciate your recommendation of approval with the waivers that were deleted and I'm here to answer any questions. Thank you.

TICK SEGERBLOM

All right, this is a public hearing. Anyone here wishing to speak on this item, please come forward.

HARSHA SARMA

Good morning.

TICK SEGERBLOM

Can you speak into the – yeah, hold the microphone.

HARSHA SARMA

Good morning. My name is Mr. Sarma, Harsha Sarma. I live at 5664 Teton Glacier Street, and this is my wife, Pilar. We are the neighbors to the west.

We live in the community called San Mateo, which is directly impacted by this site and this project, this is our community here and this is the proposed site underneath the two power lines. The –

WILLIAM MCCURDY II

Can we have you speak right into that mic? He's having a hard time –

HARSHA SARMA

We want to go on the record and state that my wife and I and our neighbors in the community are a hundred percent opposed to the zone change in this project. This lot falls within Commissioner Jones's jurisdiction and we're delighted with the work he's done with the park that he's built on Patrick that's coming up online here shortly. However, we think that the zone change is a mistake. We don't need additional mini storage.

Currently, there are six mini storage units within two miles of this property. I don't know if they should mention that at all. There's one here, that's My Self Storage, which is 0.8 miles away from the property. There's another one here on Cube Smart, which is 1.1 miles from the property. There's another one here, Extra Space, 1.3 miles from the property, another one Public Storage, 1.5 miles, another one that's 2.2 miles, Town Storage, another one that's 2.3 miles, another Extra Space.

So, she's pitching this as a luxury mini storage. I don't think a box with a bow matters, it's still storage and it's a 30,000 square foot structure that's going to be built directly behind our neighborhood with 15-foot trees I think is what she said. 10-foot trees. Am I incorrect on that? Was that the size of the building? She mentioned? I don't know if we're allowed to ask questions or not.

JUSTIN JONES

She can respond when she gets up again but –

HARSHA SARMA

Oh, and the primary reason we're opposed to this property, this project is the traffic impact. We have a new neighborhood development coming up across the street. I'll show you that. KB Homes is building right here on this lot. It's another 20 plus houses going in.

There are three schools close to this corner. There's Batterman, Fertitta, and Bishop Gorman right across the street. So, there's going to be more foot traffic for the students, more people walking around, and I don't think we need the traffic and the cars and that's why we respectfully asked the Commission to vote no on this project and see if there's any alternatives that could be used for this lot. I mean I don't know that NV Energy needs the money. I don't think they're desperate to sell it, so we want to see if the Commission would investigate another highest and best use for this parcel. I think that's it. I thank you for your time.

TICK SEGERBLOM

All right, thank you. Anyone else wishing to speak on this item? See no one will close the public hearing. Turn over to Commissioner Jones.

JUSTIN JONES

Thank you very much Mr. Chair and I appreciate the neighbors coming down and expressing their concerns with the site.

Initially I would say normally given the location I would not even consider a land use plan amendment change, or a zone change for this parcel because it is surrounded on three sides by residential. In this case because it is such an awkward parcel and a remnant from NV Energy's site, I think that there is a challenge for developing the residential for which it is currently zoned and if it were it would be a high-density residential project which would create in my mind far more traffic than what is proposed there. When Miss Ohene pitched this to me, I made it clear that the only commercial that would be permissible if this Board allows it would be mini storage because it is so low intensity. So just to clarify with regards to the waivers are 1, 1B and 1E?

LEBENE OHENE

Yes sir.

MOTION

JUSTIN JONES

Okay. So, I want to make sure it's very clear on the record that my motion will be to allow for the plan amendment and for the zone change to Neighborhood Commercial. However, that is not to say that if the applicant or some future developer decide that they want something else here that will be permissible. I will not recommend any other type of commercial on this parcel because I think it would be very inappropriate and would have detrimental effects to the neighborhood. I think that mini storage in this case is low-impact and has a benefit to the neighborhood in a way that other commercial ventures would not. So –

LEBENE OHENE

Yes sir, I understand.

JUSTIN JONES

I'll go ahead and move for approval of Agenda Items 47, 48 and 49 recognizing the withdrawal of Waivers 1A, 1B and 1E.

TICK SEGERBLOM

All right there's a motion. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft
VOTING NAY: None
ABSENT: Ross Miller
ABSTAIN: None

LEBENE OHENE

Thank you, Commissioner Jones. Thank you, Commissioners. Have a good day and happy Thanksgiving.

48. ZC-24-0310-NEVADA POWER COMPANY:

ZONE CHANGE to reclassify 1.89 acres from an RS20 (Residential Single-Family 20) Zone to a CG (Commercial General) Zone. Generally located on the north side of Russell Road, 550 feet east of Hualapai Way within Spring Valley (description on file). JJ/hw (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 47 AND 49).

CONDITIONS OF APPROVAL -

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0323-2024 to obtain your POC exhibit; and that flow contributions exceeding District estimates may require another POC analysis.

49. UC-24-0311-NEVADA POWER COMPANY:

USE PERMIT for a mini-warehouse facility.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce and eliminate landscape buffer and screening; and 2) residential adjacency standards.

DESIGN REVIEW for a mini-warehouse facility on 1.89 acres in a CG (Commercial General) Zone.

Generally located on the north side of Russell Road, 550 feet east of Hualapai Way within Spring Valley. JJ/hw/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 47 AND 48).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- The addition of balconies or other second story external additions are prohibited;
- Business licenses shall not be issued for businesses conducted within individual units;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has

not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0323-2024 to obtain your POC exhibit; and that flow contributions exceeding District estimates may require another POC analysis.

WAIVERS OF DEVELOPMENT STANDARDS #1A, #1B, AND #1E WERE WITHDRAWN.

(Companion Items 50 through 54)

50. PA-24-700020-ROOHANI KHUSROW FAMILY TRUST:

PLAN AMENDMENT to redesignate the existing land use category from Ranch Estate Neighborhood (RN) to Low-Intensity Suburban Neighborhood (LN) on 5.0 acres. Generally located between Wigwam Avenue and Cougar Avenue on the west side of Edmond Street within Enterprise. JJ/rk (For possible action)

ACTION: ADOPTED (RESOLUTION 11-20-24-3) (COMPANION ITEMS 51, 52, 53, AND 54).

SAMI REAL

Next are companion items 50 through 54.

- Item 50, PA-24-700020, plan amendment to redesignate the existing land use category from Ranch Estate Neighborhood to Low Intensity Suburban Neighborhood on five acres. Generally located between Wigwam Avenue and Cougar Avenue on the west side of Edmonds Street within Enterprise.
- Item 51, ZC-24-0485, zone change to reclassify the following five acres from an RS20 (Residential Single Family 20) Zone to an RS5.2 (Residential Single-Family 5.2) Zone, 4.77 acres from an RS20 (Residential Single-Family) Zone and an H-2 (General Highway Frontage) Zone to an RS3.3 (Residential Single-Family 3.3) Zone and eliminate the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Wigwam Avenue in the east side of Edmonds Street within Enterprise.
- Item 52, VS-24-0486 amended vacate and abandon easements of interest to Clark County located between Wigwam Avenue and Ford Avenue and between Mohawk Street, Decatur Boulevard; a portion of right-of-way being Edmonds Street located between Wigwam Avenue (previously notified as Mohawk Street) and Ford Avenue and a portion of right-of-way being Cougar Avenue located between Mohawk Street (previously notified as Decatur Boulevard) and Edmonds Street within Enterprise.
- Item 53, WS-24-0487, waivers of development standards for the following: increased fill height, increased retaining wall height. Design review for a single-family detached residential development on 9.77 acres in an RS5.2 (Residential Single-Family 5.2) Zone and an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the south side of Wigwam Avenue in the east and west sides of Edmonds Street within Enterprise.

- And then finally Item 54, TM-24-500101 map consisting of 54 single-family residential lots and five common lots on 9.77 acres and an RS5.2 (Residential Single-Family 5.2) Zone and an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the south side of Wigwam Avenue and on the east and west sides of Edmonds Street with an Enterprise.

TICK SEGERBLOM

Good morning.

STEPHANIE GRONAUER

Good morning. Mr. Chairman Commissioner. Stephanie Gronauer, 1980 Festival Plaza Drive here on behalf of the applicant, Richmond American Homes.

This property is a unique piece of property. It's in the southwest just to the north of Blue Diamond Road. Edmond bisects the property with about five acres on the east side and about five acres on the west side of Edmond. This area has a mix of master plan, a mix of zoning just to the north of Blue Diamond. And additionally, the parcel on the west side has some very significant constraints with respect to development because it has a 100 foot power pole easement running up and down Edmond in this area. So, it makes it a difficult parcel to lay out an actual developable project.

This is the master plan. So, you can see everything in yellow is Ranch Estates and within the RNP. The beige is Mid-Intensity Suburban so that allows up to eight units to the acre. And then you can see along Blue Diamond you've got a whole bunch of commercial and industrial, but there is a small RNP in this area. Edmond right now is somewhat the dividing line, but you can see on the zoning map it's a pretty interesting dividing line because you have RS2 immediately across the street, which means 2,000 square foot lots across the street from what is the RNP.

Also, there's an overlay on a portion of that western or eastern parcel, excuse me, for RNP even though it's master planned Mid-intensity allowing up to eight units to the acre. So, this is a mix and an interesting parcel with as I said, a mix of overlays, a mix of master plan and then also a mix of density. So, when Richmond decided to look at this, they thought the best thing to do would be to conform and comply on the east side with the master plan that allows up to eight units to the acre. And on the west side provides somewhat of a transition because there are 2,000 square foot lots immediately across the street.

So that's what we have before you today is a plan that we think does just that provides that transition. Also, you'll see on the site plan it takes into account the fact that there is a power line easement. This exhibit shows it better. Everything in yellow on this western portion is encumbered by a power line easement, which means it's undevelopable for structures. So, about a third of the width of this parcel you can't put homes in. So, it presents a different challenge when they were laying this out on how and what is best for this area.

This is what's before you today as I mentioned on the east side we conform with the master plan. We do not have a plan amendment. It's Mid-Intensity Suburban allows up to eight units to the acre. I believe there's 38 homes on this east side with a density just around up to eight to the acre. The small lot development is to the north of us and to the east of us with those small compact lots. And this is certainly compatible with what's in the area and what the master plan contemplates.

As you go across to Edmonds, we have laid out 10,000 square foot lots on this western boundary because it is clearly RNP to the west of us; also, one-story homes. So, Richmond's proposing their one-story homes to provide that additional buffer. However, as we flip across the street here, we have roughly 7,000 square foot homes or lots, excuse me, with two-story homes. And the reason they have to be two-story is

because we cannot develop within that easement area. And you all know I just had two projects on this agenda where Richmond's the first to do all two-story homes. They're also the first to develop in an RNP and do half acre lots. Unfortunately, because of this power line easement, this lot is not ideal for those large half acre lots and can't be developed on in this yellow area. So, the homes that are on this eastern edge are two-story homes so that they can simply be backyards in that area and not have a structure there.

At the Town Board and at our neighborhood meeting way back in June, we did not have any neighbors in attendance. Mr. Van is counsel for a couple neighbors in the area and he did come to Planning Commission. Since that time, we've met with him to discuss possible amendments to the plan. He represents homeowners that live immediately to the west of the site, and I know he's here to speak on their behalf. Since that meeting, we sat down and basically at the meeting the two things, their first preference would be that this whole area be one-story homes.

So, Richmond did look at possibly doing really small one-story homes on these lots right here. They could fit a small one-story, but it doesn't pencil from an economic standpoint because you'll have large two stories across the street and then trying to put small one-story's even with the premium for one stories, it just doesn't pencil out unfortunately. But they did come up with two other alternatives that I did email to Mr. Van, all of which we're okay with and could live with. This is what we think is the best option because it has all one-stories on this Western Edge Option II or I guess Option Alternative I. We laid it out such that we would have one-story homes, four of them located right here and then put a really large two-story Paxton home on these two lots on the corner. And then proposing still the two stories on the east side but losing a lot as well.

So, the density would go down slightly, but we'd have to have some flexibility to put the big 2 story, 4,300 square foot homes on a couple of the lots. I don't think personally this is the better option because I think when you have one stories buffering an RNP that's better. But this will work for Richmond, and they would still have the four one-story homes which are adjacent to their homes.

Option II was we lose 2 lots, and we put 3 two-story homes on this western edge. Again, they're more profitable because they're large two-story homes. So, this pencils as well, the density certainly goes down with the loss of two lots. We still have one-story homes in this corner adjacent to Mr. Van's clients, but there would be some two-story homes up here and then also across the street.

So, as I mentioned, I've shared these plans – I don't know the preference from Mr. Van. Again, I think his preference would be that it be all one story. Unfortunately, that just doesn't work with the power poles or – I should say first preference would probably be all half-acre lots.

This property is just a unique parcel in the sense that it's difficult to develop and it also is adjacent to 2,000 square foot homes. So, putting million-dollar, half-acre lots on Edmond across from 2,000 square foot lots, not homes, lots is not a great transition. We think this provides a really good transition between the RNP and the higher density across Edmond and it'll certainly set a precedent.

So, Mr. Van mentioned his clients being concerned with the parcel to the northwest. This would certainly set a precedent to make sure that one-story homes and quarter-acre lots would be the appropriate transition there. So, with that said, I'm happy to answer any questions.

We did have five conditions that we submitted at Planning Commission and that are in your staff report. I'll quickly just walk through them. It was that we would do one-story homes on Lots 1 through 6 that we would have no more than 16 homes on this Western portion, no more than 38 homes on the eastern

portion, that we would tier any wall that's on the perimeter along a right-of-way that is above the allowed 3 foot of retaining and 6 foot screen and then that we would do wrought iron fencing on top of any retaining wall on this eastern portion that's over the three feet of retaining. That's mostly in this corner. We have some tall walls and so at Planning Commission we offered on top of those screen walls doing some view fencing just to break that up a little bit. So those conditions are in your staff report.

We're happy to agree to all of those. One final condition that we did talk about with the neighbors, the neighbors immediately west of us have a drainage channel that is adjacent to us. They asked if we would be willing to gate that with their permission. We're happy to do that. Obviously, we have to have their permission to touch their land, but Richmond's happy to add a gate on that easement area. So, with that said, I'm happy to answer any questions and we'd ask that you follow Planning Commission's recommendation of approval.

TICK SEGERBLOM

This is a public hearing. Anyone wishing to speak on this item, please come forward.

MICHAEL VAN

Good morning. Good morning, Chair and members of the Commission. I've been doing this a long time and what I do know is the designation, RNP is a term that should be sacrosanct, and it should continue with it a long-term reverence associated with it. It's longstanding in the area and in the County that what you want it to is if you can get something that's RE with an RNP. Then you know that you've got a nicer home, you've got nicer quality areas and neighbors bought based upon that protection. They moved there for the lifestyle. And you'll hear from neighbors who said that they sold homes, that they have done everything they could to get to that area for that very purpose. And now they feel like they are being encroached upon essentially for just for money. When you get right down to it's going to get down to the dollars.

There are two competing groups. One group is the neighbors who are there to preserve their neighborhood RNP. We want to preserve our neighborhoods. The developer is there to preserve their bottom line and the discussions that we've talked about, what they have said are things like, it just doesn't pencil, we just can't make it to the bottom line. However, I've heard today three different instances where there were RNP properties and lo and behold we can get half acre locks on all of those with all the other issues.

And there's also been, and I heard that Richmond American actually does have a half-acre product that they can put in there. It just doesn't pencil. So, for the developer, it's simply that it's the profitability. For the neighbors, the citizens, the Clark County residents. It's all about their lifestyle, their homes, where they bought, where they want to raise their children.

And with regard to this property, this current project, it's kind of interesting to me that it's not a master planned community. You have on the right-hand side of this on the east side I believe, that is higher density. It absolutely is. And there's nothing my clients have said. I've told them, "You got to give up on that argument, you're not going to win that argument". But on the left-hand side, this is RNP. And Edmonds creates a natural barrier. It's a barrier there. That's where you can say, "Yep, this is where it's going to go over." Everything on the one hand, you don't need this transitional period because if you go down a little bit further, they're half acre lots.

And speaking with Stephanie, she's been very professional. I appreciate that. I asked this simple question even with this area down here when you got the easement. So, let's just say that you take that property and instead of 16 lots, you have eight lots. Now you're going to have four lots that can be, you can build

the two-story on the front of it and they're going to have really big backyards because they can't build on the back part under that easement. But you can still put eight lots in there as opposed to 16, without a problem. And you are going to honor the integrity of the RNP. Edmonds is that natural barrier. There's no connecting roadways. They act as a, sorry.

TICK SEGERBLOM

You can go ahead and finish up.

MICHAEL VAN

All right. They act as though this is some type of master plan. It's not, there's no roadways, there's nothing that connects the two. And the developer is not the end user, he is not the neighbor, he is not going to be a citizen of Clark County.

The RNP is very important. When we did talk, they did propose a couple of proposals, and I apologize. I told Commissioner Jones this, my wife had surgery, and I was driving back Sunday or Monday and Tuesday and didn't get a chance to get the email, didn't get a chance to get it to the neighbors. And I asked Sephanie, I says, is there any way you can push this out a month so we can sit down and talk about it? And they can't for other reasons, and I understand that. But the Rural Alliance Advisory Committee states that the purpose is to encourage infill developments within Ranch Estate neighborhoods in accordance with compatible considerations contained in the Neighborhood Land Use Category definitions. Again, this is not a master planned community. They're trying to plug 54 homes into a very small area. 38 I get, I understand that, but the 16, you could just as easily have that be eight and continue with the RNP. Again, Edmonds is that natural barrier.

Lastly, you'll hear from some of the neighbors, there's a lot of issues that have been raised that we just don't know yet. Of course, there's the construction, the parking, the traffic, the streetlights, the height of the walls, which they did raise. But again, Richmond American, you heard earlier that they do have products that they can put on half acre lots in a quarter acre – on a half-acre lot in that area. And I appreciate the fact – I appreciate your time. I've been around Greg Borgel, and I don't want to be tagged with that, so I'm going to wrap it up right now. Please understand that the neighbors do not want this at all. The number one choice is to keep it an RNP.

TICK SEGERBLOM

Thank you. Anyone else here wishing to speak?

JOE KRATHWOHL

Good afternoon, gentlemen. My name is Joe Krathwohl. I live at 8435 Lindell Road. I am right in the middle of this RNP. And I was smiling, I see these big banners on the front of the walls here, "Together for Better." Well, together doesn't include existing homeowners.

I've been in Las Vegas now for 36 years, and the first place that I bought was a big half acre lot. And I remember because I supply animals to shows, Renaissance fairs, Springs Preserve, shows up and down Las Vegas Strip, that's my main job. And I remember I rescued a young tiger cub, and I don't know how the County found out, but next thing I know, I had a letter on my front door that said, "You have 30 days to move." I came down and after a big meeting I said, "Where can I live where I can live in peace and still do what I do?" And they said, "Oh, you got to be RNP. Once you're an RNP, you'll be okay."

Found a place, an RNP, this RNP. And when I saw what kind of a lifestyle it is, here's a picture of those poles. This is what people in my neighborhood use the setback for, space for their animals. I said, "This is awesome. This is where I need to be." Got my zoning changed, my tigers, condors, eagles, everything that

lives with me. It's been pretty good until about the last eight or nine years. Now, two or three times a year, I'm at one of these hearings trying to figure out exactly how to stop us from being bulldozed over. Because every time one of these projects, even along the perimeter, gets approved, all those cars shoot through our neighborhood. We have Star Nursery sending their big semi-trucks full of rocks through our neighborhood, crunching up the pavement that was there. It was never meant to be a truck route.

And we still can't get a light at Decatur and Windmill to help break down the traffic. So, you can't even get across Decatur anymore. And now we have people just walking up and down the street. It used to be we knew all of our neighbors, and now people slow down and case the front yard, taking an inventory of things that you have out there.

We have a church that was approved, ridiculous decision, because when they have an event, there'll be 400 cars parked up and down these streets blocking everybody's home, parked all over the BLM lots. And it's like, wow, what is happening here? Not to mention the ones that want to use our neighborhood as a cut-through to get from Blue Diamond Road up to Decatur. I've been almost hit several times in front of my own home just getting the mail, and it makes you just wonder, what do we do? Do we have to have a full-time police officer in the neighborhood? So, every time one of these gets approved it just gets worse.

And I noticed all day long it's abandonments and waivers. Well, why have rules at all then? I haven't heard a single developer today get denied. But I feel like I'm going to walk out of here because these are the homes that are in our neighborhood, and this is one of the last projects you approved of right across the street from my house. And this type of approval is ridiculous to me. I'm sorry, I don't want to die in front of my house so some developer can make a few extra bucks.

TICK SEGERBLOM

All right. Thank you so much. Anyone else here wishing to speak on this item?

CHRISITIAN HAGENBEEK

Hello everybody. I'm Chrisitian Hagenbeek, 8580 Mohawk Street. I'll keep it short. But we purchased in the area because we wanted the benefits of the RNP. We worked with Stephanie, we're the lot that's right next to the build that they're building. We welcome growth in the area, but we would like to keep it at two homes per acre. That's why we purchased into that area. We talked to them, and we tried to compromise. We said that we would like single-story homes in that 16-home section instead of two-story homes. Unfortunately, we didn't get an option for that, so we opposed the build. They say they can't pencil in something because of the easement in that area. Well, I would like to use that easement for our benefit to keep our rules for the RNP. That's it. Thank you.

TICK SEGERBLOM

Thank you. Anyone else here wishing to speak?

GRANT PALM

Mr. Commissioner, Commission, thank you for your time here. My name's Grant Palm, P-A-L-M, and I'm a resident on that dividing line 8665 Edmond Street, and my concern is the density. I do have a young child. There really isn't any parks or anything like that for our children to go and play, ride bikes, anything like that in the area. So, with that extra density I've seen on the way taking my child to school, multiple accidents along Decatur just increase since all the building in that area. Again, my concern is just solely for the safety of the kids and just having a community to be able to enjoy and raise my son. So, thank you for your time.

TICK SEGERBLOM

Thank you. Anyone else? All right. Seeing no one else, we'll turn it over to Commissioner Jones.

JUSTIN JONES

Thank you, Mr. Chair. Is it okay if I ask Mr. Van to come back down?

So, I appreciate that you didn't have a chance to fully go through everything with the neighbors, but as you stand here today, you prefer more single stories or fewer lots?

MICHAEL VAN

Can I get both?

JUSTIN JONES

Nope.

MICHAEL VAN

The first option is probably better than the other two options. If there were a way to have – just because the one-stories are all on the one side. If they could cut down the number of lots on the opposite side from – I think it's eight, six or so, that would probably be better. But as it sits right now, these will all be one-stories. If they could cut this down to two or three lots instead of five or six and have one-stories, I think that would be better, or if they could just spread that out a little bit more. But literally you're doubling the number of homes in what everyone believed was what they were getting. Of course, the first option is keep it in the half acre lots. That's the first option.

JUSTIN JONES

Thank you. Ms. Gronauer, I've never said that before. Ms. Gronauer, or your client, I know there's constraints with regards to some of the other lots. With regards to Lot 16.

STEPHANIE GRONAUER

Yes.

JUSTIN JONES

Can that be single story because it is a larger lot?

STEPHANIE GRONAUER

I asked that question. I think it would be a pretty small single story. It wouldn't be the large, more expensive single story we have proposed because you can see it's oriented kind of funny with the driveway so it's not very deep. So that's why right now it has a two-story on it. The lot fit that I think Mr. Van just said if we lost – oops, sorry. If we lost two lots on that side, like he mentioned, these two-stories are called the Seth product. It would fit with their depth. We could put the bigger two-story here, which is a more expensive home. It's the most expensive home of all of them that we just would incorporate. But you can see it's still pretty constrained with the depth. The one-stories are the Powells, and one-stories take up a bigger footprint unfortunately.

But the Paxton, which we hadn't originally proposed is a 4,300 square foot two-story home. So, from a price point it would be the most expensive home probably in all of them. I know they don't want two-stories, but we could still keep the one-stories in this corner. I believe all of his clients live adjacent to these one-stories. The parcel in this corner is vacant. This is where his clients live is the southern half, and then this is vacant land. I know he's worried about precedent on this land next to us. And so again, back to – I think Richmond does a pretty good job of thinking through it. I think precedentially this is probably

the best because you have all one-stories on this, but if we need to lose lots, unfortunately the compromise was to try to add in some of the larger, nicer two-story products.

MOTION

JUSTIN JONES

All right. My motion will be to require that the developer reduce the number of homes on the home count on the southern side of the proposal. That south?

STEPHANIE GRONAUER

East.

JUSTIN JONES

Eastern side of the proposal by two, and to maintain single-story homes for the first – for lots – can we to go back to your lot thing?

STEPHANIE GRONAUER

One, two, and three, I believe.

JUSTIN JONES

For one, two, three and four.

MICHAEL VAN

Is there any way they can just keep all single-story on that left-hand side? That's one of the things that they were looking for. A fair compromise would be the single-story on the left-hand side, two less lots on the right-hand side, if they could go there.

JUSTIN JONES

All right. I'm going to require single-stories on all of those lots on the western side, and I understand that's the burden and I will talk to the seller about reducing the sales price if necessary.

STEPHANIE GRONAUER

Okay.

JUSTIN JONES

Okay. So, Sami?

SAMI REAL

Can I just ask for clarification? So, it's the western side of the western half –

JUSTIN JONES

Yes.

SAMI REAL

– is the single story? So going back to Lots one through six.

STEPHANIE GRONAUER

Yes.

JUSTIN JONES

So, Planning Commission and also an additional condition of reducing the lot count on the eastern side by two lots.

STEPHANIE GRONAUER

A maximum of 14 homes on the west side?

JUSTIN JONES

Yes. That's my motion.

TICK SEGERBLOM

All right. There's a motion. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft

VOTING NAY: None

ABSENT: Ross Miller

ABSTAIN: None

TICK SEGERBLOM

The motion passes.

STEPHANIE GRONAUER

Thank you very much.

TICK SEGERBLOM

Thank you.

51. ZC-24-0485-ROOHANI KHUSROW FAMILY TRUST:

ZONE CHANGE to reclassify the following: 1) 5.00 acres from an RS20 (Residential Single-Family 20) Zone to an RS5.2 (Residential Single-Family 5.2) Zone; 2) 4.77 acres from an RS20 (Residential Single-Family 20) Zone and an H-2 (General Highway Frontage) Zone to an RS3.3 (Residential Single-Family 3.3) Zone; and 3) eliminate within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Wigwam Avenue and on the east and west sides of Edmond Street within Enterprise (description on file). JJ/rg (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 50, 52, 53, AND 54).

CONDITIONS OF APPROVAL –

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code;

applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;

- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0181-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

52. VS-24-0486-ROOHANI KHUSROW FAMILY TRUST:

AMENDED VACATE AND ABANDON easements of interest to Clark County located between Wigwam Avenue and Ford Avenue, and between Mohawk Street and Decatur Boulevard; a portion of a right-of-way being Edmond Street located between Wigwam Avenue (previously notified as Mohawk Street) and Ford Avenue; and a portion of a right-of-way being Cougar Avenue located between Mohawk Street (previously notified as Decatur Boulevard) and Edmond Street within Enterprise (description on file). JJ/rg/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 50, 51, 53, AND 54).

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 4 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include 25 feet to the back of curb for Cougar Avenue, between 25 feet and 50 feet to the back of curb for Edmond Street, 35 feet to the back of curb for Wigwam Avenue and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

53. WS-24-0487-ROOHANI KHUSROW FAMILY TRUST:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase fill height; and 2) increase retaining wall height.

DESIGN REVIEW for a single-family detached residential development on 9.77 acres in an RS5.2 (Residential Single-Family 5.2) Zone and an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the south side of Wigwam Avenue and on the east and west sides of Edmond Street within Enterprise. JJ/rg/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 50, 51, 52, AND 54).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- 1 story homes on Lots 1 through 6;
- No more than 14 homes on the western half of the project consisting of no more than 6 homes on the western half and no more than 8 homes on the eastern half;
- No more than 38 homes on the eastern half of the project;
- Tiered retaining walls on any perimeter walls along a right-of-way that are above the allowed total of 9 feet (3 feet of retaining and 6 feet of screen);
- Wrought iron view fencing on top of any retaining walls on the eastern half of the project above the allowed total of 9 feet (3 feet of retaining and 6 feet of screen);
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Cougar Avenue, 25 feet to 50 feet to the back of curb for Edmond Street, 35 feet to the back of curb for Wigwam Avenue and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb, the vacation of excess right-of-way, and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code. Applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; and to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0181-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

54. TM-24-500101-ROOHANI KHUSROW FAMILY TRUST:

TENTATIVE MAP consisting of 54 single-family residential lots and 5 common lots on 9.77 acres in an RS5.2 (Residential Single-Family 5.2) Zone and an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the south side of Wigwam Avenue and on the east and west sides of Edmond Street within Enterprise. JJ/rg/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 50, 51, 52, AND 53).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- No more than 14 homes on the western half of the project consisting of no more than 6 homes on the western half and no more than 8 homes on the eastern half;
- No more than 38 homes on the eastern half of the project.
- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Cougar Avenue, 25 feet to 50 feet to the back of curb for Edmond Street, 35 feet to the back of curb for Wigwam Avenue and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb, the vacation of excess right-of-way, and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Building Department - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided;
- All streets shall have approved street names and suffixes.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0181-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

SEC. 6. AGENDA ITEM

55. AG-24-900729 HOLDOVER: Discuss a potential amendment to Title 30 to address how setbacks are measured; and direct staff accordingly. (For possible action)

ACTION: DISCUSSED.

SAMI REAL

Commissioners, next is Item 55, AG-24-900729. This is a holdover of a discussion to discuss a potential amendment to Title 30 to address how setbacks are measured and direct staff accordingly.

This item was requested to be put on the agenda by Commissioner Segerblom. Prior to the rewrite of Title 30, we allowed the setbacks for certain residential lots. Those would be the now RS20, 40 and 80 to be measured from the center line or from property line when there was a private road easement within the front portion of the property. And so, then that would then reduce the amount of setbacks. So, for instance, if the property line was in the center line of a private road easement and that private road easement was 40 feet, then the 40 foot required setback was then essentially reduced down to 20 feet. We removed that provision when we did the rewrite of Title 30 in an effort to standardize how we measured setbacks, and because those same lots when they were on public roads didn't get the benefit of that reduction. So again, this is a discussion item for the Board to possibly direct us to modify how we measure setbacks in those zoning districts.

TICK SEGERBLOM

Thank you. Well, just to start out, I would just like to just continue with the private but go back to the 20 foot as it was before Title 30 was amended. I think we heard a couple of things today about people talking about that, and the developers or the contractors that came in on my behalf also say that that's what they're used to and that makes it easier for them. But I'd open it up for discussion.

MARILYN K. KIRKPATRICK

Mr. Chair, I want to ask a couple questions. So, we worked pretty hard to try and save the rural component of it. So, the one acres, the three quarters acres, two acres, all of those. I wouldn't want that to apply because they can figure out how to make that work. And I struggle a little bit because as I said to you yesterday, I don't understand how – and we've been doing it I guess, how already the arterials, we let them take 10% off the net and all that other stuff so you don't actually end up with a half acre lot. So, the whole point is to have a half-acre lot and the whole reason for that is so that code, Animal Control has requirements on the horse turnouts, when horses can turn out and how much that you can have back there. And then people start asking for waivers on their garage setback because they want to open up the side of their home so they can go in and out.

So, I just hope that whatever we come up with, we protect those areas that we said we were going to protect for one, and two, we just have a streetscape that makes sense, because I don't know – we did detached sidewalks, we did all these things to try and keep it back and now we seem to undo most of our

work. So, I don't know, but I for sure don't want it on the larger lots because they can figure it out, whether private or public. And that's par for the course because I don't have a real direction today because it's just – I don't know why we couldn't just offer them a waiver to come in as opposed to change the Code.

TICK SEGERBLOM

Well, and that's the question. It just seemed like most people on those private cul-de-sacs would just like the 20-foot as an option, and having to go through the waiver process is obviously time-consuming. But is there something we could continue to work on this that you would support?

MARILYN K. KIRKPATRICK

Well, I'm going to be honest, and visually I'd have to see what it looks like visually on the street. But I do think whatever we do, it has to be consistent. But everybody's district is different for a variety of reasons. We're all trying to build something that looks good. Maybe it's the waiver. I don't know. I'm happy to be open-minded, but don't bother my one-acre, two-acre parcels, because they could figure it out regardless.

TICK SEGERBLOM

Well, and I don't think this was intended for the one-acres, obviously.

MARILYN K. KIRKPATRICK

But the way the Code reads it applies uniformly.

TICK SEGERBLOM

Well, but couldn't we limit that to half acres or less?

SAMI REAL

Correct. So, before the provision applied to the zoning districts that had the two-acre, one-acre and then we'll call it the half-acre, even though they're not true half-acres. So, if the direction is to not apply any reductions to the two-acre, one-acres, we can definitely do that.

Commissioner Segerblom, you had said for the cul-de-sac lots. So, if this is about the cul-de-sac lots, that's something else that we can narrow the exception down to if that's the direction of the Board. So those lots that front on a bulb of the cul-de-sac, because the cul-sac lots are a little bit larger in the sense that the private road easement for that cul-de-sac is a little larger. Then we could also just limit the exception to that, should the Board choose to proceed with that now and then continue to allow for the waiver process for all the other lots.

TICK SEGERBLOM

Commissioner Jones.

JUSTIN JONES

So, I'm just trying to think through stuff that we've just done recently. So how would that affect – there were proposals that we had at our last meeting, for example, that we had this discussion. So, if it were just the cul-de-sac – so I'll give you the example of the one that was today. It was a 10-lot development. Is that entire development considered a cul-de-sac?

SAMI REAL

I think that would be part of the direction. So, there's lots that front on cul-de-sac roads, and then there's lots that front on actual the bulb of the cul-de-sac. So, if the request is to have it apply to all the lots that

front on a private road, then we can do that. If the request is the concern with regards to those lots that are on the bulb of cul-de-sac, then we can narrow it down to that.

I'll also add that the City of Las Vegas, North Las Vegas and the City of Henderson don't allow their setbacks to be measured from property line when the property line is encumbered by a private road easement in the front. They instead require it to be measured from the edge of easement. The City of Las Vegas has a reduced width for those lots. So normally they require 50 feet when it's on a public road and then they reduced it down to 30 feet when it's on a private road.

And then City of North Las Vegas and City of Henderson have a 20-foot setback for, we'll just say those same lots, the 20,000 square foot lots. But again, they don't allow those to be measured from the center line or from the property line. For instance, there was a project earlier today where Commissioner Naft in his district, there was a private road easement, and the private road easement wasn't in the center line of the property line. So, on one side, the private road easement, I think probably was 30 feet, and on the other side it was only 10 feet into the property line. So, in that case, if it was measured from property line and there was 30 feet on one side, then the front yard setback theoretically would've been 10 feet. So there might be an argument to say if there is a proposal to do a reduce, that we do from the edge of easement instead of starting to allow people to measure from the front just to address the situation like that, where we do have an RNP lot that is now potentially, if the code was to reflect the regulations that were in effect prior to the rewrite, would then be 10 feet off of a road easement. And I don't think that that's the intent of the RNP or these half acre lots.

JUSTIN JONES

Yeah, I would say I'm definitely with Commissioner Kirkpatrick on not changing anything with regards to the one acre and above, and I feel like I'm a visual person and it would be really helpful to see photos to your point with regards to these cities. Maybe they're doing it better or something like that, but I don't know that I can visualize it unless we have some examples. So maybe if we can get that for the half acres?

TICK SEGERBLOM

That's why I said can we pull it and then I can try to work on it more, and we can get together and see what we're talking about.

SAMI REAL

And I can have staff work on that as well.

TICK SEGERBLOM

I honestly didn't realize this was so complicated, but we don't want to open a can of worms. So anyway, thank you so much and we'll continue to work on it.

SEC. 7. INTRODUCTION OF ORDINANCES

56. ORD-24-900565: Introduce an ordinance to consider adoption of a Development Agreement with Richmond American Homes of Nevada, Inc. for a single-family residential development on 7.11 acres, generally located north of Pebble Road and east of Durango Drive within Enterprise. JJ/dw (For possible action)

ACTION: INTRODUCED AND SET FOR PUBLIC HEARING ON WEDNESDAY, DECEMBER 4, 2024, AT 10 A.M. (BILL 11-20-24-1).

SAMI REAL

Thank you. All right, the next items are ordinances for introduction. Those are Items 56 through 61. These are, again, ordinances for introduction.

- Item 56 is ORD-24-900565, is an ordinance for our Development Agreement with Richmond American Homes of Nevada Inc for a single family-residential development on 7.11 acres.
- Item 57 is ORD-24-900572 for an ordinance for a Development Agreement with SHLV LLC for a shopping center on four acres.
- Item 58 ORD-24-90-0582 is an ordinance for a Development Agreement with BD Equities LLC for an office warehouse complex on 6.7 acres.
- Item 59 ORD-24-900734 is an ordinance for Development Agreement with SD North Parcels LLC for an office warehouse complex on 19.3 acres.
- Item 60 is ORD-24-900758. This is an ordinance to amend Title 30 to modify the street landscaping requirements and the regulations for manufactured homes.
- And then lastly is Item 61 ORD-24-900766, is an ordinance to amend the official zoning map to reclassify certain properties as approved by the Board of County Commissioners on October 2, 2024.

Commissioners, we request that you set the public hearing for December 4, 2024.

TICK SEGERBLOM

All right. What was the date?

SAMI REAL

December 4, 2024.

TICK SEGERBLOM

Okay, I'll introduce the ordinances and set up for a public hearing for December 4, 2024.

57. ORD-24-900572: Introduce an ordinance to consider adoption of a Development Agreement with SHLV LLC for a shopping center development on 4.0 acres, generally located south of Shelbourne Avenue and west of Rainbow Boulevard within Enterprise. JJ/dw (For possible action)

ACTION: INTRODUCED AND SET FOR PUBLIC HEARING ON WEDNESDAY, DECEMBER 4, 2024, AT 10 A.M. (BILL 11-20-24-2).

58. ORD-24-900582: Introduce an ordinance to consider adoption of a Development Agreement with BD Equities, LLC for an office/ warehouse complex on 6.7 acres, generally located west of Arville Street and north of Cougar Avenue within Enterprise. JJ/dw (For possible action)

ACTION: INTRODUCED AND SET FOR PUBLIC HEARING ON WEDNESDAY, DECEMBER 4, 2024, AT 10 A.M. (BILL 11-20-24-3).

59. ORD-24-900734: Introduce an ordinance to consider adoption of a Development Agreement with SD NORTH PARCELS LLC for an office/warehouse complex on 19.3 acres, generally located east of Tenaya Way and south of Patrick Lane within Spring Valley. MN/dd (For possible action)

ACTION: INTRODUCED AND SET FOR PUBLIC HEARING ON WEDNESDAY, DECEMBER 4, 2024, AT 10 A.M. (BILL 11-20-24-4).

60. ORD-24-900758: Introduce an ordinance to amend Title 30 to modify street landscaping requirements, regulations for manufactured homes, and providing for other matters properly related thereto; and set a public hearing. (For possible action)

ACTION: INTRODUCED AND SET FOR PUBLIC HEARING ON WEDNESDAY, DECEMBER 4, 2024, AT 10 A.M. (BILL 11-20-24-5).

61. ORD-24-900766: Introduce an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on October 2, 2024. (For possible action)

ACTION: INTRODUCED AND SET FOR PUBLIC HEARING ON WEDNESDAY, DECEMBER 4, 2024, AT 10 A.M. (BILL 11-20-24-6).

PUBLIC COMMENTS

SAMI REAL

All right. This is the last time set aside for public comment.

TICK SEGERBLOM

All right. Ms. Coleman.

MARGARET ANN COLEMAN

Yes.

TICK SEGERBLOM

Three minutes.

MARGARET ANN COLEMAN

Good afternoon. My name is Margaret Ann Coleman. I have been fighting for 43 years for my equal rights and for my life. Credit and due from a win on the job upon a writ of execution and garnishment upon collection. I have worked every day on A204984 on my collections. This is one reason why I say cut me a check. I ask you to let me go so I can grow with my money. I am trying to be a part of Nevadan society on growth of development and living arrangements. HUD was introduced to me by Deputy Shannon MulHughes that created the partnership and ownership under my name, placing it under the Mormon manner.

I have the right to take control and be a part of it and move in so I can be part of the society of helping the homeless people and placing them in the locations or getting a job where you have placed homeless people, and making calls to different of the Housing of Authority to see how many empty buildings do they have in order to position these people in the homeless shelter.

We're needing keys, we're needing places to move to. I know I had one and you took that from me, and I need to go back. If not back, pay me the \$642,000. That is \$300,507 that was from an insurance policy of my father placed in there for my public accommodation. You sold my house for \$301,500. All it adds up to \$642,000. Thank you.

TICK SEGERBLOM

Thank you. Anyone else wish to make a public comment?

MARGARET ANN COLEMAN

So, could you cut me a check and call me at (702) xxx-xxxx?

WILLIAM MCCURDY II

Don't put your number online.

TICK SEGERBLOM

All right. We'll close the public hearing and adjourn the meeting. Thank you so much.

SAMI REAL

And Happy Thanksgiving, everybody.

TICK SEGERBLOM

Happy Thanksgiving.

END PUBLIC COMMENTS

There being no further business to come before the Board at this time, at the hour of 12:03 p.m., the meeting was adjourned.

PLEASE NOTE: THE COUNTY CLERK KEEPS THE OFFICIAL RECORD OF ALL PROCEEDINGS OF THE COUNTY COMMISSION, THE CCWRD BOARD OF TRUSTEES, THE UMC HOSPITAL BOARD OF TRUSTEES, THE CLARK COUNTY LIQUOR AND GAMING LICENSING BOARD, AND THE CLARK COUNTY REDEVELOPMENT AGENCY. TO OBTAIN A COMPLETE AND ACCURATE RECORD OF ALL PROCEEDINGS, ANY PHOTOGRAPH, MAP, CHART, OR ANY OTHER DOCUMENT USED IN ANY PRESENTATION TO THE BOARD/TRUSTEES, REQUESTS SHOULD BE SUBMITTED TO THE COUNTY CLERK.

TO REFERENCE AGENDA ITEM ATTACHMENTS ONLINE: REFER TO THE MEETING LINK BELOW, SELECT THE ITEM (FILE # COLUMN), AND CLICK THE LINK FOR THE DESIRED ATTACHMENT.

[ONLINE MEETING LINK](#)

APPROVED:


Tick Segerblom (Dec 22, 2024 15:55 PST)

TICK SEGERBLOM, CHAIR

ATTEST:



LYNN MARIE GOYA, CLARK COUNTY CLERK











Zoning 11/20/2024 Minutes was Approved on 12/18/2024

Final Audit Report

2024-12-23

Created:	2024-12-18 (Pacific Standard Time)
By:	Ricky McColl (FYM@ClarkCountyNV.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAbdlzQpbHRZM-3PPAaqM0XCxLZCSh_jN

"Zoning 11/20/2024 Minutes was Approved on 12/18/2024" History

-  Document created by Ricky McColl (FYM@ClarkCountyNV.gov)
2024-12-18 - 2:13:51 PM PST- IP address: 198.200.132.41
-  Document emailed to tsegerblom@clarkcountynv.gov for signature
2024-12-19 - 7:17:28 AM PST
-  Email viewed by tsegerblom@clarkcountynv.gov
2024-12-19 - 7:17:41 AM PST- IP address: 20.159.64.138
-  Agreement viewed by tsegerblom@clarkcountynv.gov
2024-12-19 - 7:18:04 AM PST- IP address: 20.159.64.138
-  Signer tsegerblom@clarkcountynv.gov entered name at signing as Tick Segerblom
2024-12-22 - 3:55:07 PM PST- IP address: 198.200.132.69
-  Document e-signed by Tick Segerblom (tsegerblom@clarkcountynv.gov)
Signature Date: 2024-12-22 - 3:55:09 PM PST - Time Source: server- IP address: 198.200.132.69
-  Document emailed to Lynn Goya (Lynn.Goya@ClarkCountyNV.gov) for signature
2024-12-22 - 3:55:10 PM PST
-  Email viewed by Lynn Goya (Lynn.Goya@ClarkCountyNV.gov)
2024-12-22 - 3:55:22 PM PST- IP address: 20.159.64.152
-  Agreement viewed by Lynn Goya (Lynn.Goya@ClarkCountyNV.gov)
2024-12-23 - 2:09:20 PM PST- IP address: 198.200.132.69
-  Document e-signed by Lynn Goya (Lynn.Goya@ClarkCountyNV.gov)
Signature Date: 2024-12-23 - 2:09:25 PM PST - Time Source: server- IP address: 198.200.132.69



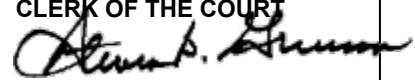
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2024-12-23 - 2:09:25 PM PST



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ROP

STEVEN B. WOLFSON

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CIVIL DIVISION

State Bar No. 001565

By: ROBERT T. WARHOLA

Chief Deputy District Attorney

State Bar No. 4410

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(702) 455-4761

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E-Mail: Robert.Warhola@ClarkCountyDANV.gov

Attorneys for Respondent

Clark County

DISTRICT COURT

CLARK COUNTY, NEVADA

PALM PROPERTIES, LLC, a Nevada limited
liability company; LEADING EDGE
VENTURES, LLC, a Nevada limited liability
company; ROBERT LAUER, an individually.)

Case No: A-24-907944-J
Dept No: 18

Petitioners,

vs.

COUNTY OF CLARK, a political
subdivision of the State of Nevada, et al.,

Respondent.

RECORD OF THE PROCEEDINGS, VOLUME II

Respondent hereby files with the Court the Record of the Proceedings pursuant to Eighth Judicial District Court Rule 2.15 consisting of documents from the Clark County Clerk, Commission Division, and the Clark County Current Planning Division numbered ROP 000146 through ROP 000377.

DATED this 24th day of March, 2025.

STEVEN B. WOLFSON
DISTRICT ATTORNEY

By: /s/ Robert T. Warhola

ROBERT T. WARHOLA

Chief Deputy District Attorney

State Bar No. 4410

500 South Grand Central Pkwy., Suite 5075

Las Vegas, Nevada 89155-2215

Attorney for Respondent

CERTIFICATE OF ELECTRONIC SERVICE

I hereby certify that I am an employee of the Office of the Clark County District Attorney and that on this this 24th day of March, 2025 I served a true and correct copy of the foregoing **RECORD OF THE PROCEEDINGS, VOLUME II** (United States District Court Pacer System or the Eighth Judicial District Court Wiznet), by e-mailing the same to the following recipients. Service of the foregoing document by e-mail is in place of service via the United States Postal Service.

Amy L. Sugden, Esq.
SUGDEN LAW
375 E. Warm Springs, Ste. 104
Las Vegas, Nevada 89119
Attorney for Petitioners
amy@sugdenlaw.com

/s/Patricia C. Villa
An Employee of the Clark County District
Attorney's Office – Civil Division



Department of Comprehensive Planning Application Form

ASSESSOR PARCEL #(s): 161-08-810-082 & -083

PROPERTY ADDRESS/ CROSS STREETS: Nellis & Happy Valley Ave (3125 S Nellis Blvd)

DETAILED SUMMARY PROJECT DESCRIPTION

Parking Lot for Commercial Vehicles *and a vacation of 5' on Happy Valley*

PROPERTY OWNER INFORMATION

NAME: Palm Properties LLC

ADDRESS: 6050 S FORT APACHE RD STE 100

CITY: Las Vegas

STATE: NV

ZIP CODE: 89148

TELEPHONE: _____ CELL 702-429-7354 EMAIL: raj@milestoneconst.us

APPLICANT INFORMATION

NAME: Leading Edge Ventures LLC

ADDRESS: 850 E Desert Inn #PH3

CITY: Las Vegas

STATE: NV

ZIP CODE: 89148

REF CONTACT ID # _____

TELEPHONE: _____ CELL _____ EMAIL: centurywest1@hotmail.com

CORRESPONDENT INFORMATION

NAME: G.C. Garcia, Inc c/o George Garcia

ADDRESS: 1055 Whitney Ranch Dr, Suite 210

CITY: Henderson

STATE: NV

ZIP CODE: 89014

REF CONTACT ID # _____

TELEPHONE: 7024359909 CELL 7023408042 EMAIL: acole@gcgarciainc.com

*Correspondent will receive all project communication

(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Clark County Comprehensive Planning Department, or its designee, to enter the premises and to install any required signs on said property for the purpose of advising the public of the proposed application.

Property Owner (Signature)*

Property Owner (Print)

Date

DEPARTMENT USE ONLY:

<input type="checkbox"/> AC	<input type="checkbox"/> AR	<input type="checkbox"/> ET	<input type="checkbox"/> PUDD	<input type="checkbox"/> SN	<input type="checkbox"/> UC	<input type="checkbox"/> WS
<input type="checkbox"/> ADR	<input type="checkbox"/> AV	<input type="checkbox"/> PA	<input type="checkbox"/> SC	<input type="checkbox"/> TC	<input type="checkbox"/> VS	<input type="checkbox"/> ZC
<input type="checkbox"/> AG	<input checked="" type="checkbox"/> DR	<input type="checkbox"/> PUD	<input type="checkbox"/> SDR	<input type="checkbox"/> TM	<input type="checkbox"/> WC	OTHER _____

APPLICATION # (s) WS-24-0276

ACCEPTED BY JUD

PC MEETING DATE _____

DATE

07/08/24

BCC MEETING DATE 09/04/24

TAB/CAC LOCATION Sunrise Manor DATE 08/15/24



Department of Comprehensive Planning Application Form

ASSESSOR PARCEL #(s): 161-08-810-082 & -083

PROPERTY ADDRESS/ CROSS STREETS: Nellis & Happy Valley Ave (3125 S Nellis Blvd)

DETAILED SUMMARY PROJECT DESCRIPTION

Parking Lot for Commercial Vehicles

PROPERTY OWNER INFORMATION

NAME: Palm Properties LLC
ADDRESS: 6050 S FORT APACHE RD STE 100
CITY: Las Vegas STATE: NV ZIP CODE: 89148
TELEPHONE: _____ CELL 702-429-7354 EMAIL: raj@milestoneconst.us

APPLICANT INFORMATION

NAME: Leading Edge Ventures LLC
ADDRESS: 850 E Desert Inn #PH3
CITY: Las Vegas STATE: NV ZIP CODE: 89148 REF CONTACT ID # _____
TELEPHONE: _____ CELL _____ EMAIL: centurywest1@hotmail.com

CORRESPONDENT INFORMATION

NAME: G.C. Garcia, Inc c/o George Garcia
ADDRESS: 1055 Whitney Ranch Dr, Suite 210
CITY: Henderson STATE: NV ZIP CODE: 89014 REF CONTACT ID # _____
TELEPHONE: 7024359909 CELL 7023408042 EMAIL: acole@gcgarciainc.com

*Correspondent will receive all project communication

(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned and understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Clark County Comprehensive Planning Department, or its designee, to enter the premises and to install any required signs on said property for the purpose of advising the public of the proposed application.

Property Owner (Signature)*

Property Owner (Print)

Date

DEPARTMENT USE ONLY:

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<input type="checkbox"/> ADR	<input type="checkbox"/> AV	<input type="checkbox"/> PA	<input type="checkbox"/> SC	<input type="checkbox"/> TC	<input type="checkbox"/> VS	<input type="checkbox"/> ZC
<input type="checkbox"/> AG	<input type="checkbox"/> DR	<input type="checkbox"/> PUD	<input type="checkbox"/> SDR	<input type="checkbox"/> TM	<input type="checkbox"/> WC	OTHER _____

APPLICATION # (s) _____

ACCEPTED BY _____

PC MEETING DATE _____

DATE _____

BCC MEETING DATE _____

TAB/CAC LOCATION _____

DATE _____



APPLICATION MEETING INFORMATION

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

IMPORTANT INFORMATION ON MANDATORY MEETINGS

APPLICATION NUMBER(s): WS-24-0276 & VS-24-0277

TOWN ADVISORY BOARD/CITIZENS ADVISORY COUNCIL (TAB/CAC)

TAB/CAC: Sunrise Manor TAB Time: 6:30 p.m.

Date: 8/15/2024

Location: Refer to listing on other side

Draft staff reports: Available 3 business days prior to the TAB/CAC meeting on the following website

<https://clarkcountynv.gov/TABCACInformation>

Once on page, select appropriate TAB/CAC to view posted agenda and supporting material

PLANNING COMMISSION (PC)

Date: Click or tap to enter a date. N/A Time: 7:00 PM

Location: 500 S. Grand Central Pkwy, Commission Chambers

Staff reports: Available 3 business days prior to the PC meeting on the following website

<https://clarkcountynv.gov/agendas>

BOARD OF COUNTY COMMISSIONERS (BCC)

Date: 9/4/2024 Time: 9:00 AM

Location: 500 S. Grand Central Pkwy, Commission Chambers

Staff reports: Available 3 business days prior to the BCC meeting on the following website

<https://clarkcountynv.gov/agendas>

Please Note:

- All meetings are mandatory for ALL applications.
- PC/BCC meeting information will be emailed to the correspondent on file.
- Project revisions and/or failure to appear at any meeting may result in delays and/or extra expense.
- You (or your representative) must be prepared to make a presentation and answer questions about your application at the Town Board, PC and/or BCC meetings.
- The Town Boards, PC and/or BCC are provided copies of the staff report for your item, but NOT copies of the plans or paperwork that you have submitted.
- You MUST bring copies of all necessary plans and documentation to make a complete presentation of your item to the Town Board, PC and/or BCC. This includes, but is not limited to:

Site plans - Landscape plans - Elevations - Floor plans - Photos - Renderings

- If you cannot adequately present and discuss your project, or if you do not bring copies of the necessary plans, this could result in a delay of action on your application.
- If, for any reason, you cannot attend any of your scheduled meetings, or if you have any questions about your application, please contact the Department of Comprehensive Planning as soon as possible at (702) 455-4314, option 2, option 1.

TOWN ADVISORY BOARDS & CITIZENS ADVISORY COUNCILS

At the request of the Planning Commission and the Board of County Commissioners, the opinions of the Town Advisory Boards and Citizens Advisory Councils are solicited with respect to all zoning actions within their areas. The TAB and CAC members are appointed by the County Commissioners and are subject to the Open Meeting Law requirements pursuant to NRS Chapter 241.

These groups hold public meetings at least once each month, and accomplish the following three functions:

- 1) To receive information pertaining to the neighborhood (long-term planning, zoning changes, public works projects, new ordinances, etc.) and to provide input regarding these matters to the Planning Commission and/or Board of County Commissioners.
- 2) To forward the concerns or problems of residents for resolution by County staff.
- 3) To disseminate information that it receives from the Board of County Commissioners and County staff to the residents of the area.

BUNKERVILLE

Judith Metz, Secretary
(702) 455-4572
Bunkerville TAB Room
190 W. Virgin Street, Bunkerville

ENTERPRISE

Carmen Hayes
(702) 371-7991
Silverado Ranch Community Center
9855 Gilespe Street, Las Vegas

GOODSPRINGS

Jeri Pinkerton, Secretary
(702) 806-8660
Goodsprings Community Center
375 W. San Pedro Avenue, Goodsprings

INDIAN SPRINGS

Jami Reid
(702) 378-8028
Indian Springs Civic Center
715 Gretta Lane, Indian Springs

LAUGHLIN

Tammy Harris, Secretary
(702) 298-0828
Regional Government Center
101 Civic Way, Laughlin

LONE MOUNTAIN

Dawn vonMendenhall, Secretary
(702) 289-0196
Mtn. Crest Neighborhood Services Center
4701 N. Durango Dr., Las Vegas

LOWER KYLE CANYON

Dawn vonMendenhall, Secretary
(702) 289-0196
Mtn. Crest Neighborhood Services Center
4701 N. Durango Dr., Las Vegas

MOAPA

Judith Metz, Secretary
(702) 455-4572
Marley P. Robinson Justice Court &
Community Center
1340 E. Highway 168, Moapa

MOAPA VALLEY

Judith Metz, Secretary
(702) 455-4572
Moapa Valley Community Center
320 N. Moapa Valley Blvd., Overton

MOUNTAIN SPRINGS

Electra Smith, Secretary
(702) 370-6297
Mountain Springs Fire Station
State Route 160, Mountain Springs

MT. CHARLESTON

Dawn VonMendenhall, Secretary
(702) 289-0196
Mt. Charleston Library
75 Ski Chalet Place, Mt. Charleston

PARADISE

Maureen Helm, Secretary
(702) 606-0747
Paradise Park Community Center
4775 McLeod Dr., Las Vegas

RED ROCK

Electra Smith, Secretary
(702) 370-6297
Blue Diamond Library
14 Cottonwood Dr., Blue Diamond

SANDY VALLEY

Electra Smith, Secretary
(702) 370-6297
Sandy Valley Community Center
650 W. Quartz Avenue, Sandy Valley

SEARCHLIGHT

Tammy Harris, Secretary
(702) 298-0828
Searchlight Community Center
200 Michael Wendell Way, Searchlight

SPRING VALLEY

Carmen Hayes
(702) 371-7991
Desert Breeze Community Center
8275 Spring Mtn. Road, Las Vegas

SUNRISE MANOR

Jill Nikovis-Leiva, Secretary
(702) 334-6892
Hollywood Recreation & Community Ctr.
1650 S. Hollywood, Las Vegas

WHITNEY

Samantha Crunkilton, Secretary
(702) 854-0878
Whitney Recreation Center
5712 E. Missouri Ave., Las Vegas

WINCHESTER

Valerie Leiva, Secretary
(702) 468-9839
Winchester Community Center
3130 S. McLeod, Las Vegas

PLANNING COMMISSIONERS & COUNTY COMMISSIONERS

Planning Commissioner	Phone	County Commissioner	District
Liane Lee	(702) 455-3113*	Michael Naft	A
Nelson Stone	(702) 455-3113*	Marilyn K. Kirkpatrick	B
Timothy Castello	(702) 455-3113*	Ross Miller	C
Edward Frasier III	(702) 455-3113*	William McCurdy II	D
Vivian Kilarski	(702) 455-3113*	Tick Segerblom	E
Leslie Mujica	(702) 455-3113*	Justin Jones	F
Steve Kirk	(702) 455-3113*	James Gibson	G

All mail for Clark County Planning Commissioners should be sent to 500 S. Grand Central Pkwy., Las Vegas, NV 89155-1741.

*Contact Cindy Horschmann at Clark County Comprehensive Planning

Revised 4/1/2024

Department of Comprehensive Planning

500 S. Grand Central Parkway, Box 551741, Las Vegas, NV 89155-1741 • (702) 455-4314.

<http://www.clarkcountynv.gov/comprehensive-planning>



Department of Comprehensive Planning

500 S Grand Central Pkwy • Box 551741 • Las Vegas NV 89155-1741
(702) 455-4314 • Fax (702) 455-3271

Sami Real, Director

NOTICE OF FINAL ACTION

December 03, 2024

G. C. GARCIA, INC.
1055 WHITNEY RANCH DRIVE, SUITE 210
HENDERSON, NV 89014

REFERENCE: WS-24-0276

On the date indicated above, a Notice of Final Action was filed with the Clark County Clerk, Commission Division, pursuant to NRS 278.0235 and NRS 278.3195, which starts the commencement of the twenty-five (25) day limitation period specified therein.

The above-referenced application was presented before the Clark County Board of County Commissioners at their regular meeting of November 20, 2024. Please be advised that the application was **DENIED**.

If you have any questions regarding your Notice of Final Action, please call the Department of Comprehensive Planning at (702) 455-4314 (option 2, option 1).

BOARD OF COUNTY COMMISSIONERS
TICK SEGERBLOM, Chair • WILLIAM MCCURDY II, Vice Chair
MICHAEL NAFT • MARILYN KIRKPATRICK • JUSTIN C. JONES • ROSS MILLER • JAMES B. GIBSON
KEVIN SCHILLER, County Manager

Page 1 of 1

PPLRL_1389

**BOARD OF COUNTY COMMISSIONERS
AGENDA LOG AMENDMENT
WEDNESDAY, September 4, 2024**

Hold to the September 18, 2024 Zoning meeting:

- Item 33 – UC-24-0268 per the applicant. Enterprise/lm
- Item 36 – WS-24-0312 per the Board. Moapa Valley/jud

Hold to the October 2, 2024 Zoning meeting:

- Item 9 – VS-24-0277 per the applicant. Sunrise Manor/jor
- Item 10 – WS-24-0276 per the applicant. Sunrise Manor/jor

Hold to the November 6, 2024 Zoning meeting:

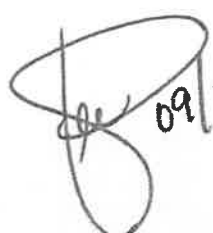
- Item 35 – WC-24-400060 (NVC-22-0028) per the applicant. Enterprise/rg

Hold no date:

- Item 46 – ZC-24-0357 per Commissioner Kirkpatrick. Sunrise Manor/rr
- Item 47 – WS-24-0358 per Commissioner Kirkpatrick. Sunrise Manor/rr


Sami Real, Director


September 4, 2024

 09/04/2024

**BOARD OF COUNTY COMMISSIONERS
AGENDA LOG AMENDMENT
WEDNESDAY, OCTOBER 2, 2024**

Hold to the November 6, 2024 Zoning meeting:

- Item 4 – AR-24-400090 (WC-0174-16 / UC-0849-14) per the applicant. Paradise/bb
- Item 8 – VS-24-0277 per the applicant. Sunrise Manor/jor
- Item 9 – WS-24-0276 per the applicant. Sunrise Manor/jor
- Item 16 – SC-24-0261 per the applicant to rewrite and renotify. Renotification fees are required. Spring Valley/sd
- Item 20 – WS-24-0419 per the applicant. Spring Valley/sd


Sami Real, Director

October 2, 2024


10/02/2024

**BOARD OF COUNTY COMMISSIONERS
AGENDA LOG AMENDMENT
WEDNESDAY, NOVEMBER 6, 2024**

Hold to the November 20, 2024 Zoning meeting:

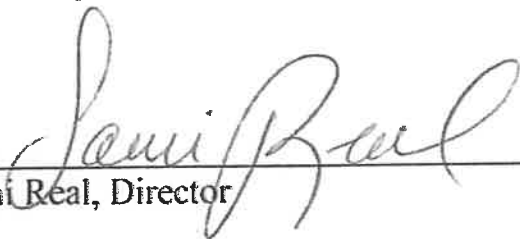
- Item 7 – VS-24-0277 per the Commissioner Segerblom. Sunrise Manor/jor
- Item 8 – WS-24-0276 per the Commissioner Segerblom. Sunrise Manor/jor
- Item 12 – UC-24-0436 per the Commissioner Segerblom. Paradise/sd
- Item 26 – AG-24-900729 per the Commissioner Segerblom.

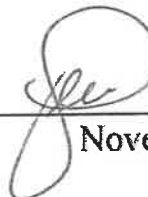
Hold to the December 4, 2024 Zoning meeting:

- Item 4 – AR-24-400090 (WC-0174-16 (UC-0849-14)) per the applicant. Paradise/bb
 - o NOTE: Application to return to the November 26, 2024 Paradise Town Board meeting per prior email due to data entry error in Accela. Town Board meeting date to be corrected in Accela to ensure application gets placed on the November 26, 2024 meeting agenda.

Hold to the February 5, 2025 Zoning meeting:

- Item 19 – WC-24-400060 (NZC-22-0028) per the applicant. Fees are required to place the item back on an agenda. Enterprise/rg


Sami Real, Director

 11/06/2024
November 6, 2024

cial records, including surveys and deeds,
on required for assessment. See the
detail legal information.

EN MAP REDUCED FROM 11X17 ORIGINAL

400600800

MAP LEGEND

ROAD EASEMENT

MATCH / LEADER LINE

HISTORIC LOT LINE

HISTORIC SUB BOUNDARY

HISTORIC PM/LD BOUNDARY

SECTION LINE

202 PARCEL SUB/SEQ NUMBER

PB 24-45 PLAT RECORDING NUMBER

5 BLOCK NUMBER

GL 5 GOV. LOT NUMBER

3162161160

6177178179

Scale: 1" = 200'

Rev: 1/8/2019

192021222324

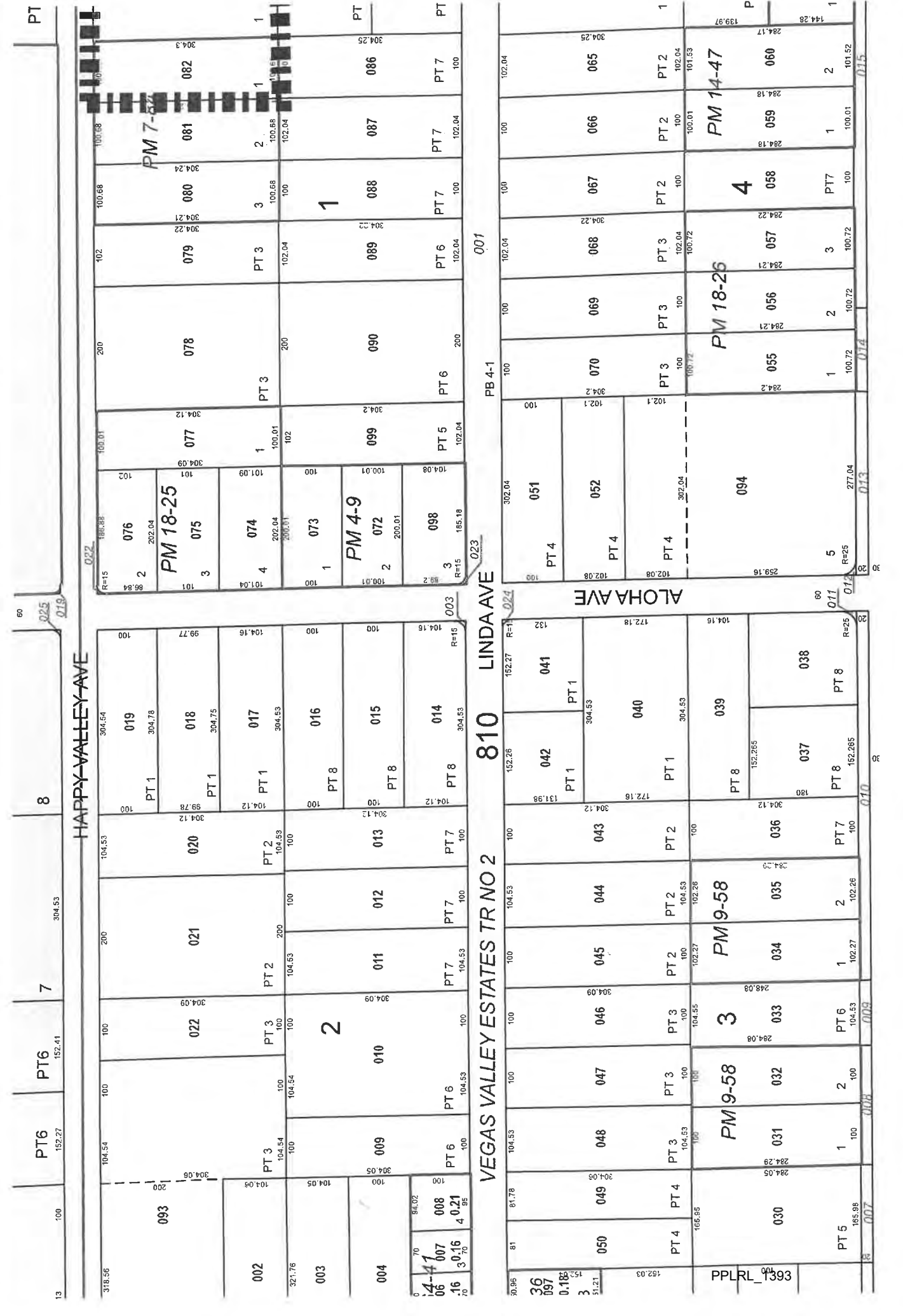
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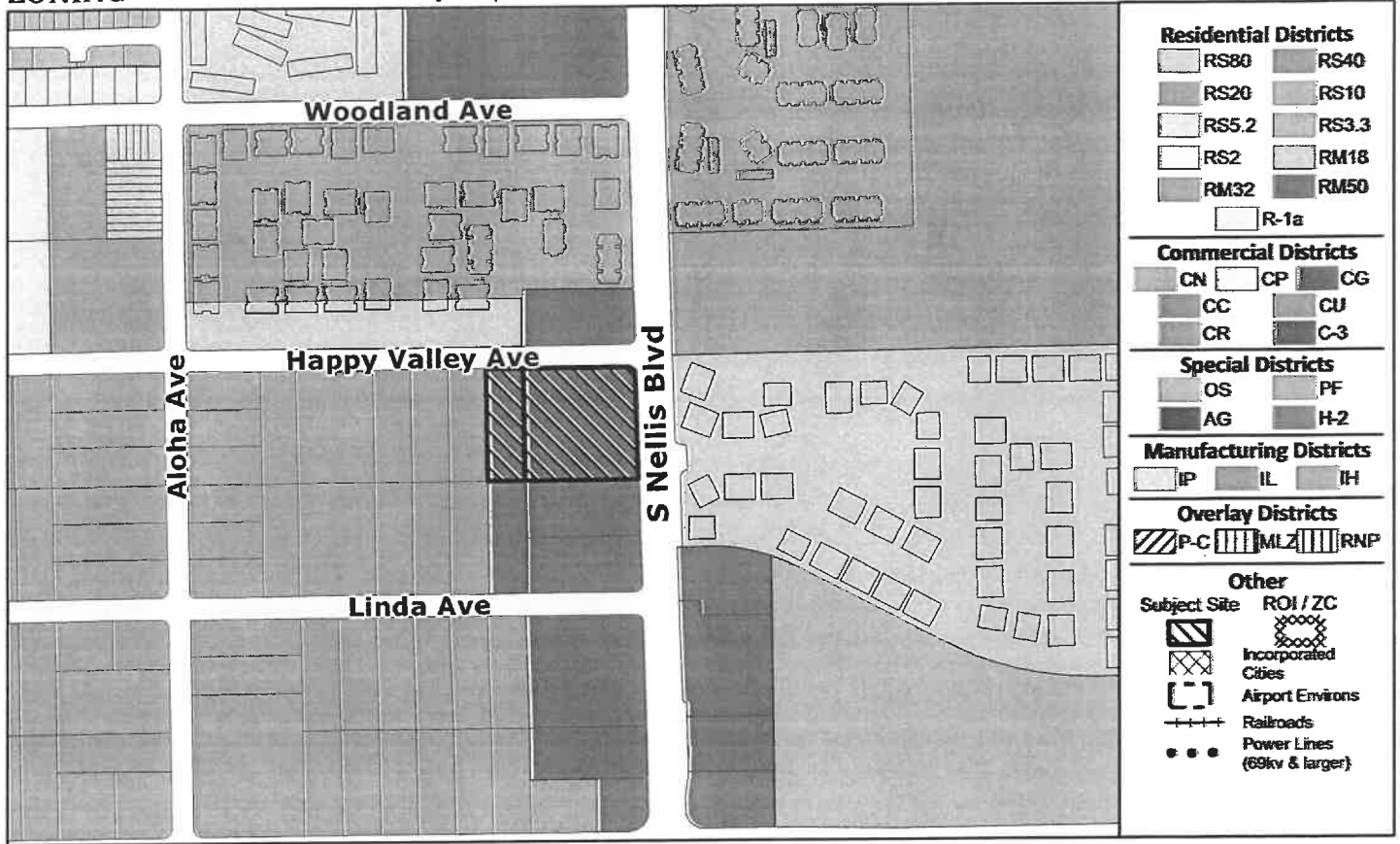
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Commission Agenda Map

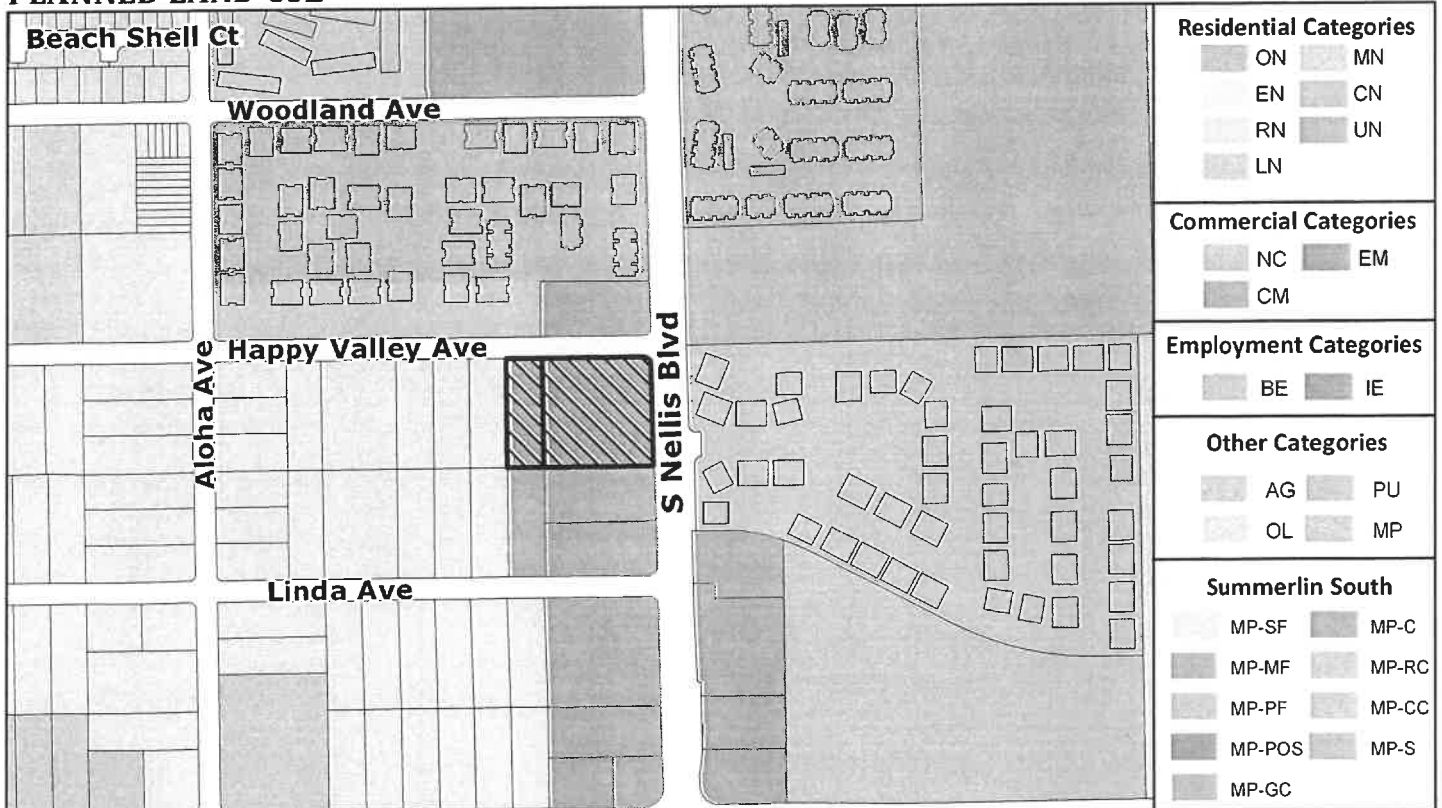
WS-24-0276

Clark County Department of Comprehensive Planning, Clark County, Nevada

ZONING

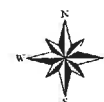


PLANNED LAND USE



This information is for display purposes only. No liability is assumed as to the accuracy of the data delineated herein.

Subject Parcel(s)
16108810082
16108810083



0 125 250 500 Feet
Map Created on 7/30/2024



PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-24-0276-PALM PROPERTIES, LLC:

WAIVER OF DEVELOPMENT STANDARDS to modify residential adjacency standards.

DESIGN REVIEW for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone.

Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor. TS/jor/syp (For possible action)

RELATED INFORMATION:

APN:

161-08-810-082; 161-08-810-083

WAIVER OF DEVELOPMENT STANDARDS:

Allow nonresidential vehicular access to a residential local street (Happy Valley Avenue) where not permissible per Section 30.04.06.D.

LAND USE PLAN:

SUNRISE MANOR - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 3125 S. Nellis Boulevard
- Site Acreage: 2.83
- Project Type: Commercial truck parking lot
- Number of Stories: 1 (Proposed guard building)
- Building Height (feet): 8 (Proposed guard building)/8 feet, 4 inches (Proposed carport north of guard building)
- Square Feet: 25 (Proposed guard building)/720 (Proposed carport north of guard building)
- Parking Provided: 99
- Sustainability Required/Provided: 7.5/7

History & Site Plan

Records show that as early as the 1980's, parcel 161-08-810-083 included an existing shopping center building (in-line rectangular building) adjacent to Nellis Boulevard. A vehicle sales lot was approved on the southern end of this parcel via DR-1464-97 but expired after 1 year.

ZC-0480-98 reclassified both subject parcels (161-08-810-082 and 161-08-810-083) to C-2 zoning (now CG zoning) for a proposed 34,000 square foot shopping center (L-shaped building along the south and west property lines) with a portion of the existing shopping center building along Nellis Boulevard to the east to be expanded as a grocery store. The proposed 34,000 square foot shopping center under the zone change did not commence. Additional land use applications were approved on-site for vehicle sales, check cashing, a communication tower, and a waiver of conditions of a zone change (WC-0025-99) which re-applied conditions related to landscaping, site circulation, parking, access, and screening. Under DR-0727-99 (a design review for vehicle sales), the conditions of approval under WC-0025-99 were complied with. The existing building and vehicle sales lot adjacent to Nellis Boulevard remained on-site until 2012 and has since been demolished.

Today, the applicant is requesting approval of a design review for a proposed commercial truck parking lot. A waiver of development standards related to modifying residential adjacency to allow access to a local street being Happy Valley Avenue is also part of this application. Access is provided via 1 driveway along the north property line adjacent to Happy Valley Avenue. Although Title 30 does not allow nonresidential vehicular access to a local street, access to Happy Valley Avenue has existed for more than 25 years. The Nevada Department of Transportation (NDOT) closed the existing driveways along the east property line adjacent to Nellis Boulevard, and NDOT reconstructed the attached sidewalk.

The site plan depicts a proposed parking lot with 99 commercial vehicle parking spaces, which are the following:

- 35 parking stalls (40 feet by 12 feet) are located along the north property line and on the southwest corner of the site.
- 17 parking stalls (35 feet by 12 feet) are located along the west property line.
- 42 tandem parking stalls (70 feet by 12 feet) are located along the east property line.
- 4 parking stalls (20 feet by 9 feet) are located east of the driveway along the north side of the site adjacent to Happy Valley Avenue.
- 1 accessible parking stall south of the 4 parking stalls, adjacent to the guard building.

The site plan also shows a proposed guard building adjacent to the driveway on the southeast corner of the driveway throat depth area. There is also a proposed carport north of the guard building to be constructed over 4 parking stalls. The existing communication tower along the south property line will remain, and the applicant will install a trash enclosure along the south property line. There is an existing 8 foot high CMU block wall which will remain on-site along the west property line adjacent to an existing residence. The existing 8 foot high CMU block wall along the south property line will also remain. Proposed light poles up to 18 feet high are located adjacent to the driveway along the north property line at the northeast corner, 2 at the southeast corner, and 2 additional light poles that are centrally located within the parking area. Lastly, proposed lighting meets residential adjacency standards per Title 30.

Landscaping

Detached sidewalks will be installed along the north property line along Happy Valley Avenue with an 8 foot high beige colored vinyl fence set back over 10 feet from the future property line (back of curb). The existing attached sidewalk will remain along the east property line along

Nellis Boulevard. The applicant will continue the 8 foot high beige colored vinyl fence behind the landscape area along Nellis Boulevard.

The applicant provided a landscape plan drafted by a licensed landscape architect. The proposed landscape plan shows that all existing palm trees will remain on-site. The street landscaping along the north property line includes detached sidewalks with 5 foot wide landscape strips on either side of the sidewalk which will feature large trees and shrubs. The west property line includes a 20 foot wide landscape buffer with a double row of large trees and shrubs. The east side of the site will include a 10 foot wide landscape area with large trees and shrubs adjacent to the existing attached sidewalk.

Elevations

The proposed guard building has an overall height of 8 feet and will be constructed of pre-manufactured steel. The exterior color of the guard building is blue and features 6 windows and 1 door. The proposed carport north of the guard building has an overall height of 8 feet, 4 inches. This carport is comprised of pre-treated cedarwood for outdoor durability.

Floor Plans

The proposed guard building has an overall area of 25 square feet. The proposed carport has an overall area of 720 square feet.

Applicant's Justification

The applicant is proposing a commercial truck parking lot which will enable truck drivers to have a place to legally park their local trucks (no long haul trucks). This will help keep trucks from parking on public streets creating enforcement and neighborhood issues. It will also provide a safer, more secure parking environment that will have solar powered cameras that the Las Vegas Metropolitan Police Department can access. Additionally, a security guard is always present. The site as proposed is compatible as a parking lot on an arterial street (Nellis Boulevard) with completion of infrastructure, lighting, landscaping, and fencing.

The site is zoned for commercial (CG), and the prior development had access from Happy Valley Avenue. The Nevada Department of Transportation (NDOT) closed previously existing driveways along Nellis Boulevard in 2021 during NDOT's improvements to Nellis Boulevard. Happy Valley is the sole means of access given this limitation. The proposed commercial truck parking lot use will provide a location for truck drivers to park their vehicles outside of residential subdivisions and not on public roadways. This will also help minimize safety hazards, trash dumping, graffiti control, homeless encampments, and Code citations. It will also add to the appearance with fencing and landscaping. The use is compatible with the surrounding commercial and residential development in the area as it is supported by the neighbors.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-19-0630	Temporary construction storage for an off-site Las Vegas Valley Water District project (main replacement and The Dales subdivision)	Approved by PC	October 2019

Prior Land Use Requests

Application Number	Request	Action	Date
UC-18-0578	Increased height of existing communication tower, and design review for additional antenna	Approved by PC	October 2018
ADR-0333-05	73 foot high monopole communication tower with an antenna array	Approved by ZA	April 2005
UC-0040-04	Vehicle, watercraft, and recreational vehicle sales	Approved by PC	February 2005
UC-0431-02	Check cashing facility	Approved By BCC	June 2002
ADR-1086-01	Communication facility	Approved by ZA	November 2001
DR-0727-99	Revised plans for a previously approved shopping center and to continue the use of a vehicle sales lot	Approved by BCC	June 1999
WC-0025-99 (ZC-0480-98)	Waiver of conditions of a zone change for the proposed shopping center with an existing restaurant building on site	Approved by BCC	March 1999
ZC-0480-98	Reclassified the site (both subject parcels- 161-08-810-082 and 161-08-810-083) to C-2 zoning (now CG) for a proposed 34,000 square foot shopping center	Approved by BCC	May 1998
DR-1464-97	Vehicle sales lot within an existing shopping center - expired	Approved by PC	September 1997

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Corridor Mixed-Use & Compact Neighborhood (up to 18 du/ac)	CG & RM18	Multi-family residential & a tavern
South	Corridor Mixed-Use	CG	Commercial center
East	Compact Neighborhood (up to 18 du/ac)	RM18	Multi-family residential
West	Ranch Estate Neighborhood (up to 2 du/ac)	RS20	Single-family residential

Related Applications

Application Number	Request
VS-24-0277	A request to vacate and abandon a portion of a right-of-way is a companion item on this agenda.

CLARK COUNTY PUBLIC RESPONSE OFFICE:

There is an active case, CE23-05369, for vehicles parked on unpaved areas.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Waiver of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

The applicant provided correspondence from NDOT which states that access to Nellis Boulevard is not required, and if access is requested in the future, the applicant must comply with NDOT's 2017 Access Management System and Standards with sufficient engineering justification. Per the correspondence on file, the applicant's engineer determined that the site does not meet NDOT's access location and spacing standards. Per photos on file, NDOT closed 3 driveways along the east property line of the site adjacent to Nellis Boulevard and NDOT reconstructed the attached sidewalk sometime in 2021. Today, Title 30 does not allow nonresidential access on a local street; although records show that access to Happy Valley Avenue has been in place for over 25 years and the access has been used by commercial vehicles for over 3 years with no impact to the residences. Also, the average daily trips for this use are expected to be less trips than for other commercial uses. Staff determines that the aforementioned circumstances warrant staff's support for the waiver of development standards.

Design Review

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

The proposed project complies with Policy 5.5.3 under the Master Plan which encourages the retention and revitalization of established local business districts. The site has been vacant since 2012 and the proposed improvements comply with today's Code. For example, the applicant is proposing detached sidewalks along Happy Valley Avenue with street landscaping, and since there is an existing attached sidewalk along Nellis Boulevard (NDOT right-of-way), the applicant will install a 10 foot wide landscape strip. The applicant is also providing a decorative fence along the north and east property lines to mitigate the view of any trucks parked on site. In addition, the site will be monitored by on site security. The applicant also provided 7.5 points worth of sustainability design features where 7 is required per Title 30. For these reasons staff recommends approval.

Staff Recommendation
Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Work with the Las Vegas Metropolitan Police Department for the installation and use of security cameras and surveillance operation;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Full off-site improvements.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that Nevada Department of Transportation (NDOT) permits may be required.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Sunrise Manor - denial.

APPROVALS:

PROTESTS:

APPLICANT: LEADING EDGE VENTURES, LLC

CONTACT: G.C. GARCIA, INC, 1055 WHITNEY RANCH DRIVE, SUITE 210,
HENDERSON, NV 89014

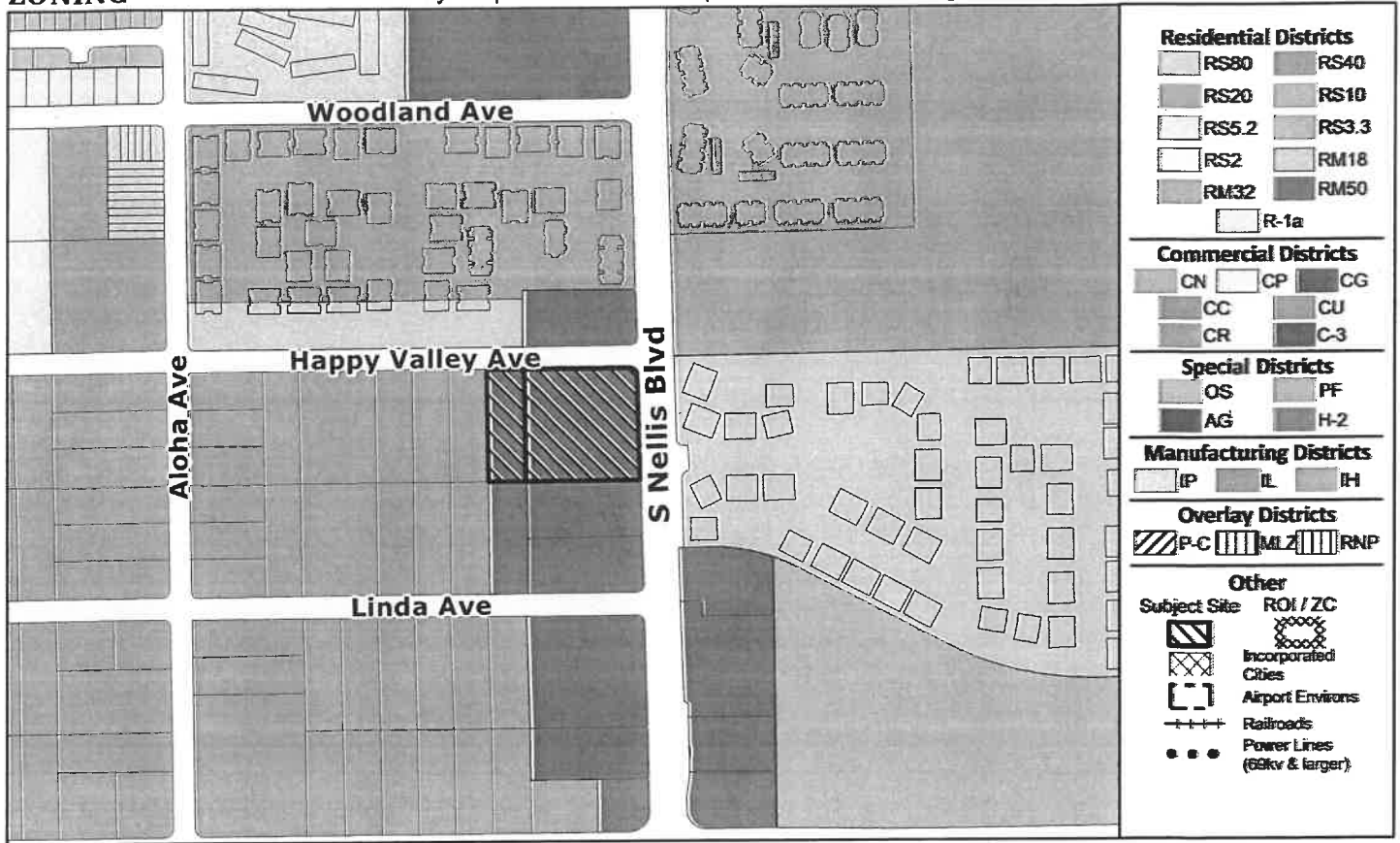
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Commission Agenda Map

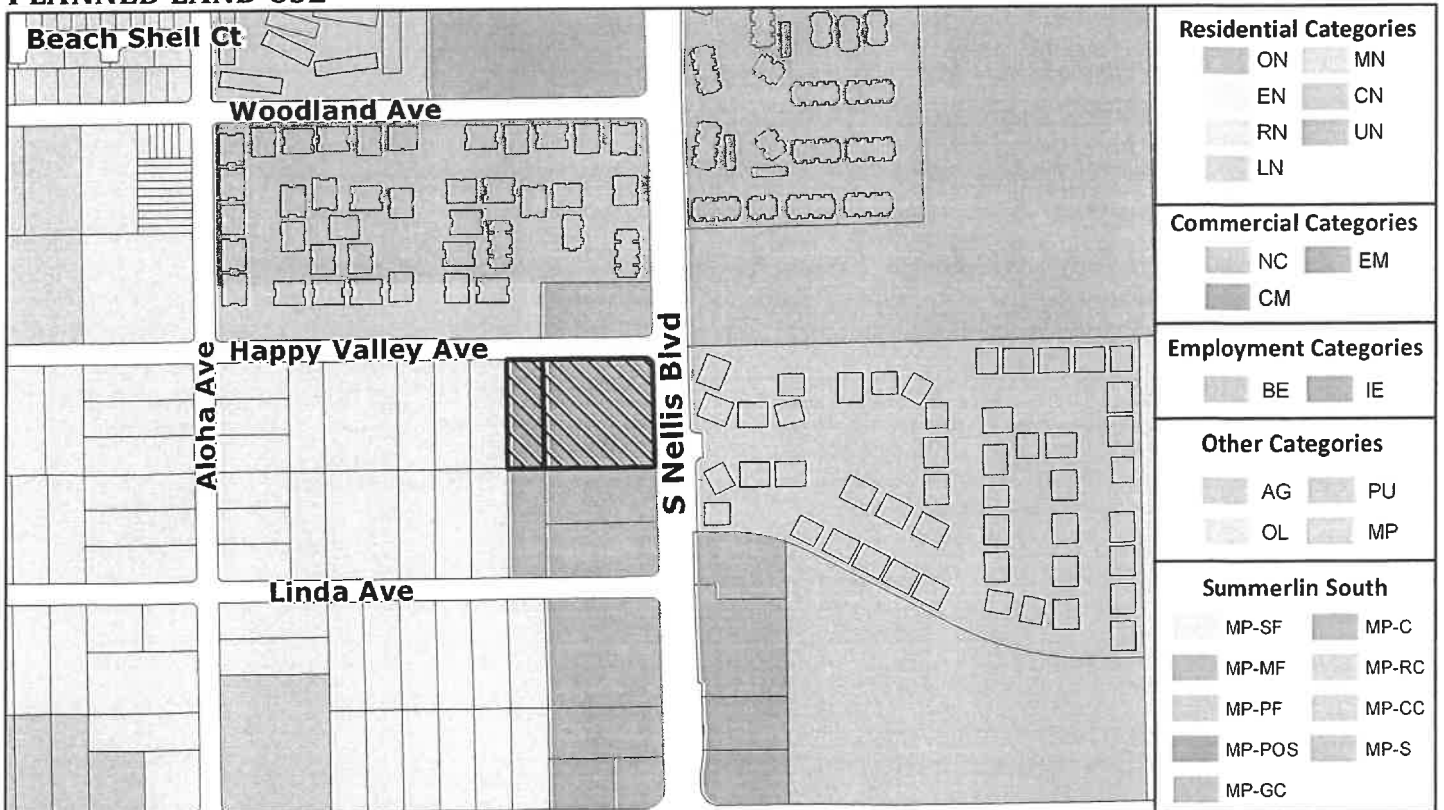
WS-24-0276

ZONING

Clark County Department of Comprehensive Planning, Clark County, Nevada

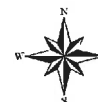


PLANNED LAND USE



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Subject Parcel(s)
16108810082
16108810083



0 125 250 500 Feet
Map Created on 7/30/2024



PPLRL_1403

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-24-0276-PALM PROPERTIES, LLC:

HOLDOVER WAIVER OF DEVELOPMENT STANDARDS to modify residential adjacency standards.

DESIGN REVIEW for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone.

Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor. TS/jor/syp (For possible action)

RELATED INFORMATION:

APN:

161-08-810-082; 161-08-810-083

WAIVER OF DEVELOPMENT STANDARDS:

Allow nonresidential vehicular access to a residential local street (Happy Valley Avenue) where not permissible per Section 30.04.06.D.

LAND USE PLAN:

SUNRISE MANOR - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 3125 S. Nellis Boulevard
- Site Acreage: 2.83
- Project Type: Commercial truck parking lot
- Number of Stories: 1 (proposed guard building)
- Building Height (feet): 8 (proposed guard building)/8 feet, 4 inches (proposed carport north of guard building)
- Square Feet: 25 (proposed guard building)/720 (proposed carport north of guard building)
- Parking Provided: 99
- Sustainability Required/Provided: 7.5/7

History & Site Plan

Records show that as early as the 1980's, parcel 161-08-810-083 included an existing shopping center building (in-line rectangular building) adjacent to Nellis Boulevard. A vehicle sales lot was approved on the southern end of this parcel via DR-1464-97 but expired after 1 year.

ZC-0480-98 reclassified both subject parcels (161-08-810-082 and 161-08-810-083) to C-2 zoning (now CG zoning) for a proposed 34,000 square foot shopping center (L-shaped building along the south and west property lines) with a portion of the existing shopping center building along Nellis Boulevard to the east to be expanded as a grocery store. The proposed 34,000 square foot shopping center under the zone change did not commence. Additional land use applications were approved on-site for vehicle sales, check cashing, a communication tower, and a waiver of conditions of a zone change (WC-0025-99) which re-applied conditions related to landscaping, site circulation, parking, access, and screening. Under DR-0727-99 (a design review for vehicle sales), the conditions of approval under WC-0025-99 were complied with. The existing building and vehicle sales lot adjacent to Nellis Boulevard remained on-site until 2012 and has since been demolished.

Today, the applicant is requesting approval of a design review for a proposed commercial truck parking lot. A waiver of development standards related to modifying residential adjacency to allow access to a local street being Happy Valley Avenue is also part of this application. Access is provided via 1 driveway along the north property line adjacent to Happy Valley Avenue. Although Title 30 does not allow nonresidential vehicular access to a local street, access to Happy Valley Avenue has existed for more than 25 years. The Nevada Department of Transportation (NDOT) closed the existing driveways along the east property line adjacent to Nellis Boulevard, and NDOT reconstructed the attached sidewalk.

The site plan depicts a proposed parking lot with 99 commercial vehicle parking spaces, which are the following:

- 35 parking stalls (40 feet by 12 feet) are located along the north property line and on the southwest corner of the site.
- 17 parking stalls (35 feet by 12 feet) are located along the west property line.
- 42 tandem parking stalls (70 feet by 12 feet) are located along the east property line.
- 4 parking stalls (20 feet by 9 feet) are located east of the driveway along the north side of the site adjacent to Happy Valley Avenue.
- 1 accessible parking stall south of the 4 parking stalls, adjacent to the guard building.

The site plan also shows a proposed guard building adjacent to the driveway on the southeast corner of the driveway throat depth area. There is also a proposed carport north of the guard building to be constructed over 4 parking stalls. The existing communication tower along the south property line will remain, and the applicant will install a trash enclosure along the south property line. There is an existing 8 foot high CMU block wall which will remain on-site along the west property line adjacent to an existing residence. The existing 8 foot high CMU block wall along the south property line will also remain. Proposed light poles up to 18 feet high are located adjacent to the driveway along the north property line at the northeast corner, 2 at the southeast corner, and 2 additional light poles that are centrally located within the parking area. Lastly, proposed lighting meets residential adjacency standards per Title 30.

Landscaping

Detached sidewalks will be installed along the north property line along Happy Valley Avenue with an 8 foot high beige colored vinyl fence set back over 10 feet from the future property line (back of curb). The existing attached sidewalk will remain along the east property line along

Nellis Boulevard. The applicant will continue the 8 foot high beige colored vinyl fence behind the landscape area along Nellis Boulevard.

The applicant provided a landscape plan drafted by a licensed landscape architect. The proposed landscape plan shows that all existing palm trees will remain on-site. The street landscaping along the north property line includes detached sidewalks with 5 foot wide landscape strips on either side of the sidewalk which will feature large trees and shrubs. The west property line includes a 20 foot wide landscape buffer with a double row of large trees and shrubs. The east side of the site will include a 10 foot wide landscape area with large trees and shrubs adjacent to the existing attached sidewalk.

Elevations

The proposed guard building has an overall height of 8 feet and will be constructed of pre-manufactured steel. The exterior color of the guard building is blue and features 6 windows and 1 door. The proposed carport north of the guard building has an overall height of 8 feet, 4 inches. This carport is comprised of pre-treated cedarwood for outdoor durability.

Floor Plans

The proposed guard building has an overall area of 25 square feet. The proposed carport has an overall area of 720 square feet.

Applicant's Justification

The applicant is proposing a commercial truck parking lot which will enable truck drivers to have a place to legally park their local trucks (no long haul trucks). This will help keep trucks from parking on public streets creating enforcement and neighborhood issues. It will also provide a safer, more secure parking environment that will have solar powered cameras that the Las Vegas Metropolitan Police Department can access. Additionally, a security guard is always present. The site as proposed is compatible as a parking lot on an arterial street (Nellis Boulevard) with completion of infrastructure, lighting, landscaping, and fencing.

The site is zoned for commercial (CG), and the prior development had access from Happy Valley Avenue. The Nevada Department of Transportation (NDOT) closed previously existing driveways along Nellis Boulevard in 2021 during NDOT's improvements to Nellis Boulevard. Happy Valley is the sole means of access given this limitation. The proposed commercial truck parking lot use will provide a location for truck drivers to park their vehicles outside of residential subdivisions and not on public roadways. This will also help minimize safety hazards, trash dumping, graffiti control, homeless encampments, and Code citations. It will also add to the appearance with fencing and landscaping. The use is compatible with the surrounding commercial and residential development in the area as it is supported by the neighbors.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-19-0630	Temporary construction storage for an off-site Las Vegas Valley Water District project (main replacement and The Dales subdivision)	Approved by PC	October 2019

Prior Land Use Requests

Application Number	Request	Action	Date
UC-18-0578	Increased height of existing communication tower, and design review for additional antenna	Approved by PC	October 2018
ADR-0333-05	73 foot high monopole communication tower with an antenna array	Approved by ZA	April 2005
UC-0040-04	Vehicle, watercraft, and recreational vehicle sales	Approved by PC	February 2005
UC-0431-02	Check cashing facility	Approved By BCC	June 2002
ADR-1086-01	Communication facility	Approved by ZA	November 2001
DR-0727-99	Revised plans for a previously approved shopping center and to continue the use of a vehicle sales lot	Approved by BCC	June 1999
WC-0025-99 (ZC-0480-98)	Waiver of conditions of a zone change for the proposed shopping center with an existing restaurant building on site	Approved by BCC	March 1999
ZC-0480-98	Reclassified the site (both subject parcels- 161-08-810-082 and 161-08-810-083) to C-2 zoning (now CG) for a proposed 34,000 square foot shopping center	Approved by BCC	May 1998
DR-1464-97	Vehicle sales lot within an existing shopping center - expired	Approved by PC	September 1997

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Corridor Mixed-Use & Compact Neighborhood (up to 18 du/ac)	CG & RM18	Multi-family residential & a tavern
South	Corridor Mixed-Use	CG	Commercial center
East	Compact Neighborhood (up to 18 du/ac)	RM18	Multi-family residential
West	Ranch Estate Neighborhood (up to 2 du/ac)	RS20	Single-family residential

Related Applications

Application Number	Request
VS-24-0277	A request to vacate and abandon a portion of a right-of-way is a companion item on this agenda.

CLARK COUNTY PUBLIC RESPONSE OFFICE:

There is an active case, CE23-05369, for vehicles parked on unpaved areas.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Waiver of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

The applicant provided correspondence from NDOT which states that access to Nellis Boulevard is not required, and if access is requested in the future, the applicant must comply with NDOT's 2017 Access Management System and Standards with sufficient engineering justification. Per the correspondence on file, the applicant's engineer determined that the site does not meet NDOT's access location and spacing standards. Per photos on file, NDOT closed 3 driveways along the east property line of the site adjacent to Nellis Boulevard and NDOT reconstructed the attached sidewalk sometime in 2021. Today, Title 30 does not allow nonresidential access on a local street; although records show that access to Happy Valley Avenue has been in place for over 25 years and the access has been used by commercial vehicles for over 3 years with no impact to the residences. Also, the average daily trips for this use are expected to be less trips than for other commercial uses. Staff determines that the aforementioned circumstances warrant staff's support for the waiver of development standards.

Design Review

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

The proposed project complies with Policy 5.5.3 under the Master Plan which encourages the retention and revitalization of established local business districts. The site has been vacant since 2012 and the proposed improvements comply with today's Code. For example, the applicant is proposing detached sidewalks along Happy Valley Avenue with street landscaping, and since there is an existing attached sidewalk along Nellis Boulevard (NDOT right-of-way), the applicant will install a 10 foot wide landscape strip. The applicant is also providing a decorative fence along the north and east property lines to mitigate the view of any trucks parked on site. In addition, the site will be monitored by on site security. The applicant also provided 7.5 points worth of sustainability design features where 7 is required per Title 30. For these reasons staff recommends approval.

Staff Recommendation
Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Work with the Las Vegas Metropolitan Police Department for the installation and use of security cameras and surveillance operation;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Full off-site improvements.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that Nevada Department of Transportation (NDOT) permits may be required.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Sunrise Manor - denial.

APPROVALS:

PROTESTS: 5 cards, 2 letters

COUNTY COMMISSION ACTION: September 4, 2024 – HELD – To 10/02/24 – per the applicant.

APPLICANT: LEADING EDGE VENTURES, LLC

CONTACT: G.C. GARCIA, INC, 1055 WHITNEY RANCH DRIVE, SUITE 210,
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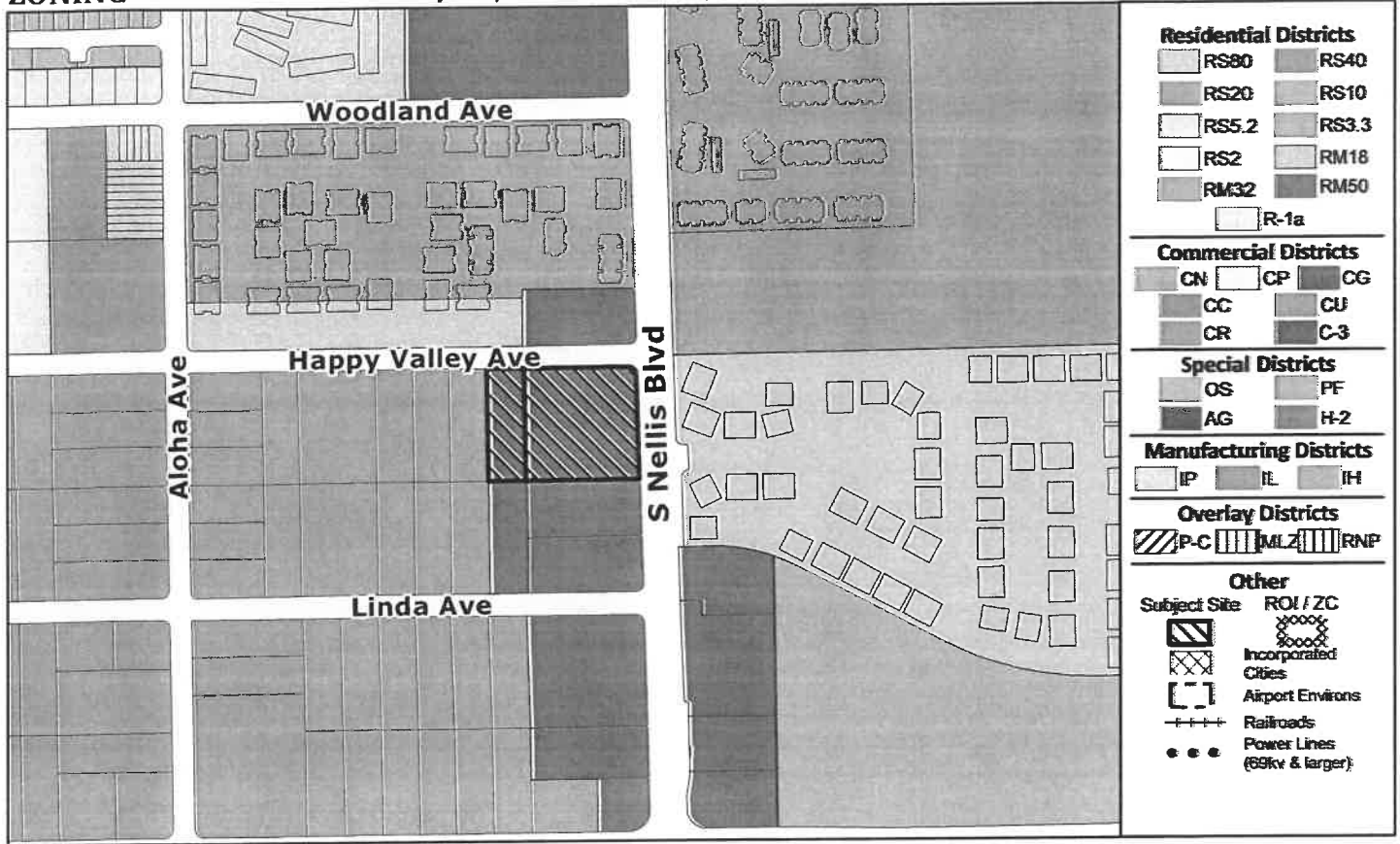
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Commission Agenda Map

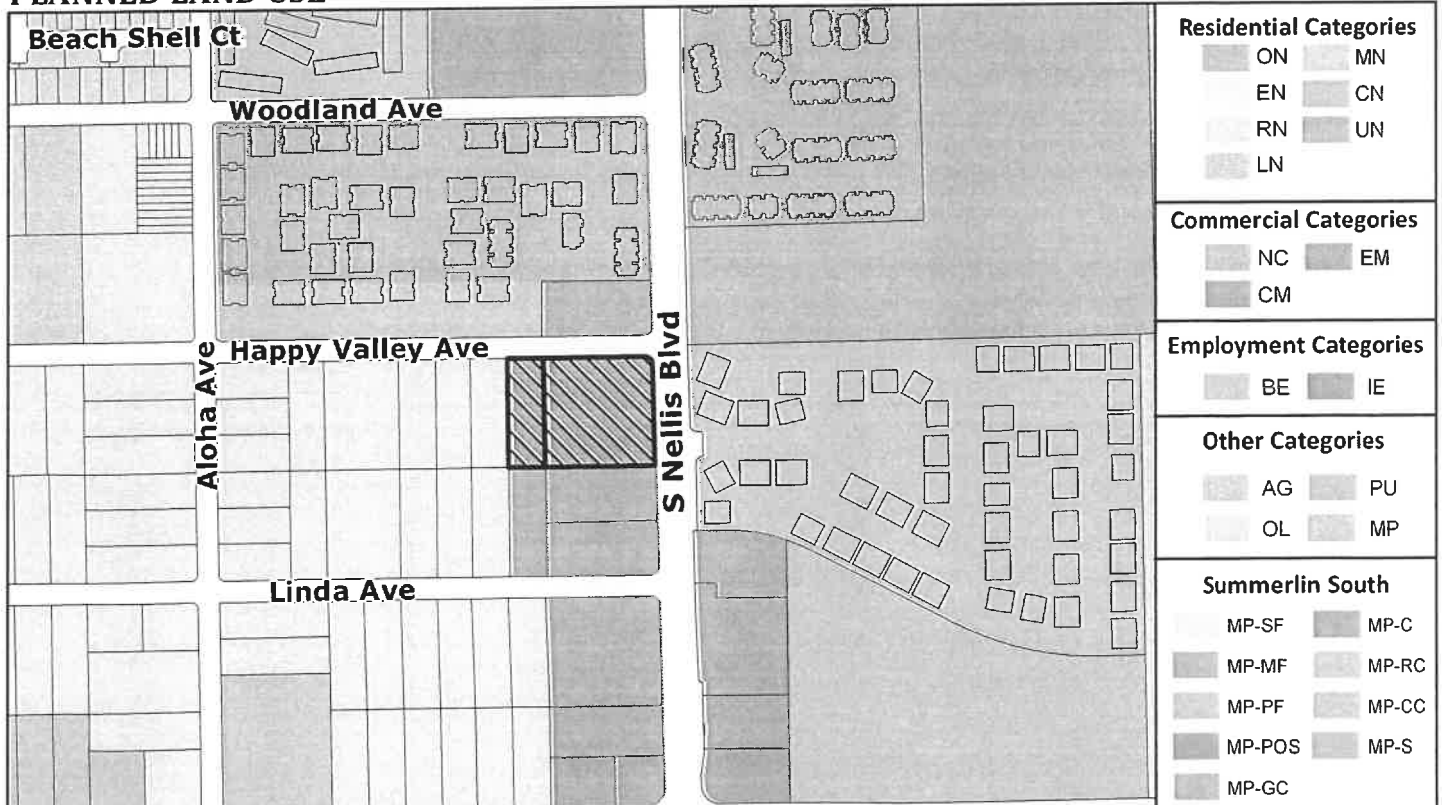
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Clark County Department of Comprehensive Planning, Clark County, Nevada

ZONING

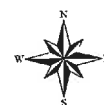


PLANNED LAND USE



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Subject Parcel(s)
16108810082
16108810083



0 125 250 500 Feet
Map Created on 7/30/2024



PPLRL_1412

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-24-0276-PALM PROPERTIES, LLC:

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Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor. TS/jor/syp (For possible action)

RELATED INFORMATION:

APN:

161-08-810-082; 161-08-810-083

WAIVER OF DEVELOPMENT STANDARDS:

Allow nonresidential vehicular access to a residential local street (Happy Valley Avenue) where not permissible per Section 30.04.06.D.

LAND USE PLAN:

SUNRISE MANOR - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 3125 S. Nellis Boulevard
- Site Acreage: 2.83
- Project Type: Commercial truck parking lot
- Number of Stories: 1 (proposed guard building)
- Building Height (feet): 8 (proposed guard building)/8 feet, 4 inches (proposed carport north of guard building)
- Square Feet: 25 (proposed guard building)/720 (proposed carport north of guard building)
- Parking Provided: 99
- Sustainability Required/Provided: 7.5/7

History & Site Plan

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Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
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Related Applications

Application Number	Request
VS-24-0277	A request to vacate and abandon a portion of a right-of-way is a companion item on this agenda.

CLARK COUNTY PUBLIC RESPONSE OFFICE:

There is an active case, CE23-05369, for vehicles parked on unpaved areas.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Waiver of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

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Design Review

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

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Staff Recommendation

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Work with the Las Vegas Metropolitan Police Department for the installation and use of security cameras and surveillance operation;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Full off-site improvements.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that Nevada Department of Transportation (NDOT) permits may be required.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Sunrise Manor - denial.

APPROVALS:

PROTESTS: 5 cards, 2 letters

COUNTY COMMISSION ACTION: September 4, 2024 – HELD – To 10/02/24 – per the applicant.

COUNTY COMMISSION ACTION: October 2, 2024 – HELD – To 11/06/24 – per the applicant.

APPLICANT: LEADING EDGE VENTURES, LLC

CONTACT: G.C. GARCIA, INC, 1055 WHITNEY RANCH DRIVE, SUITE 210,
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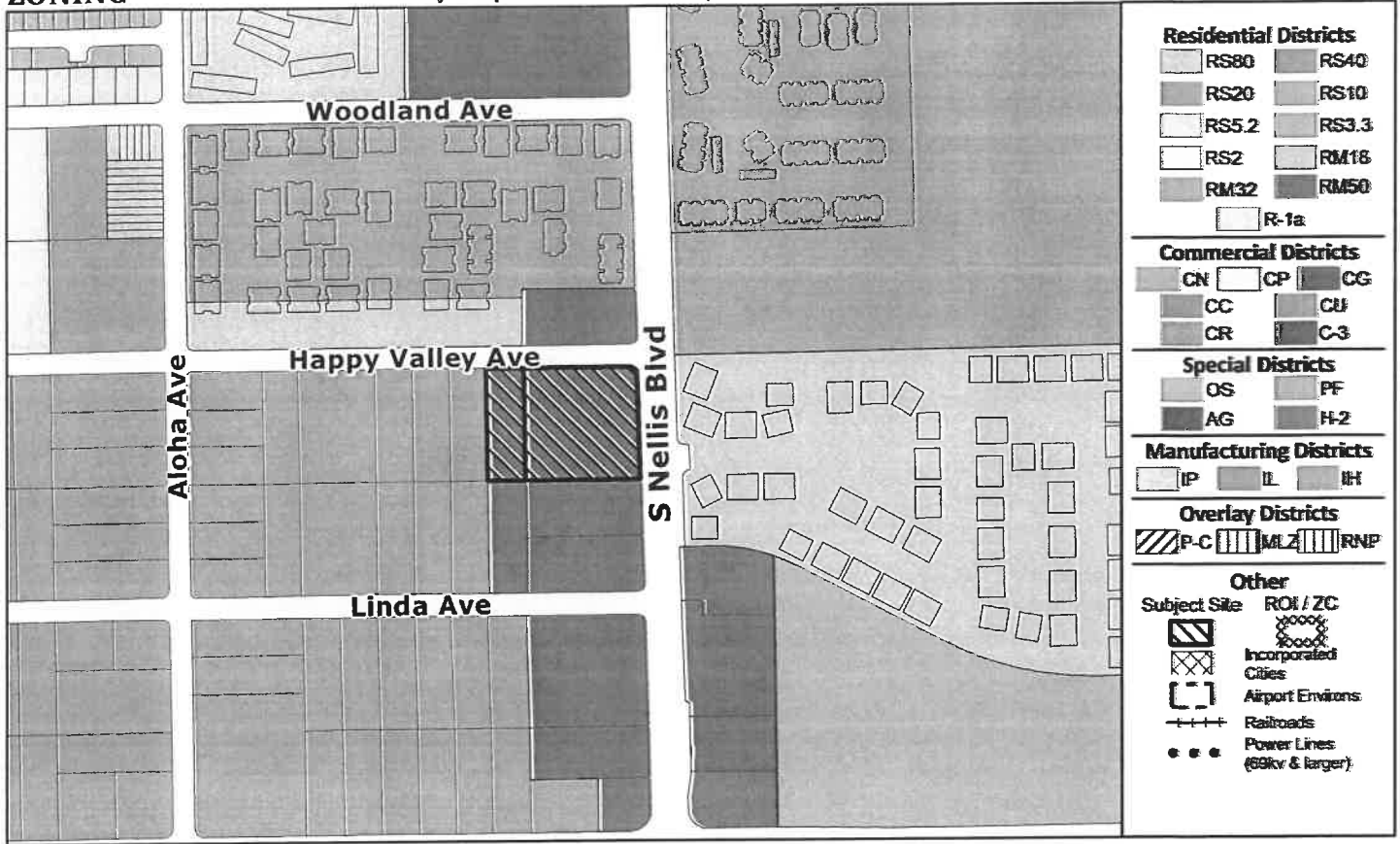
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Commission Agenda Map

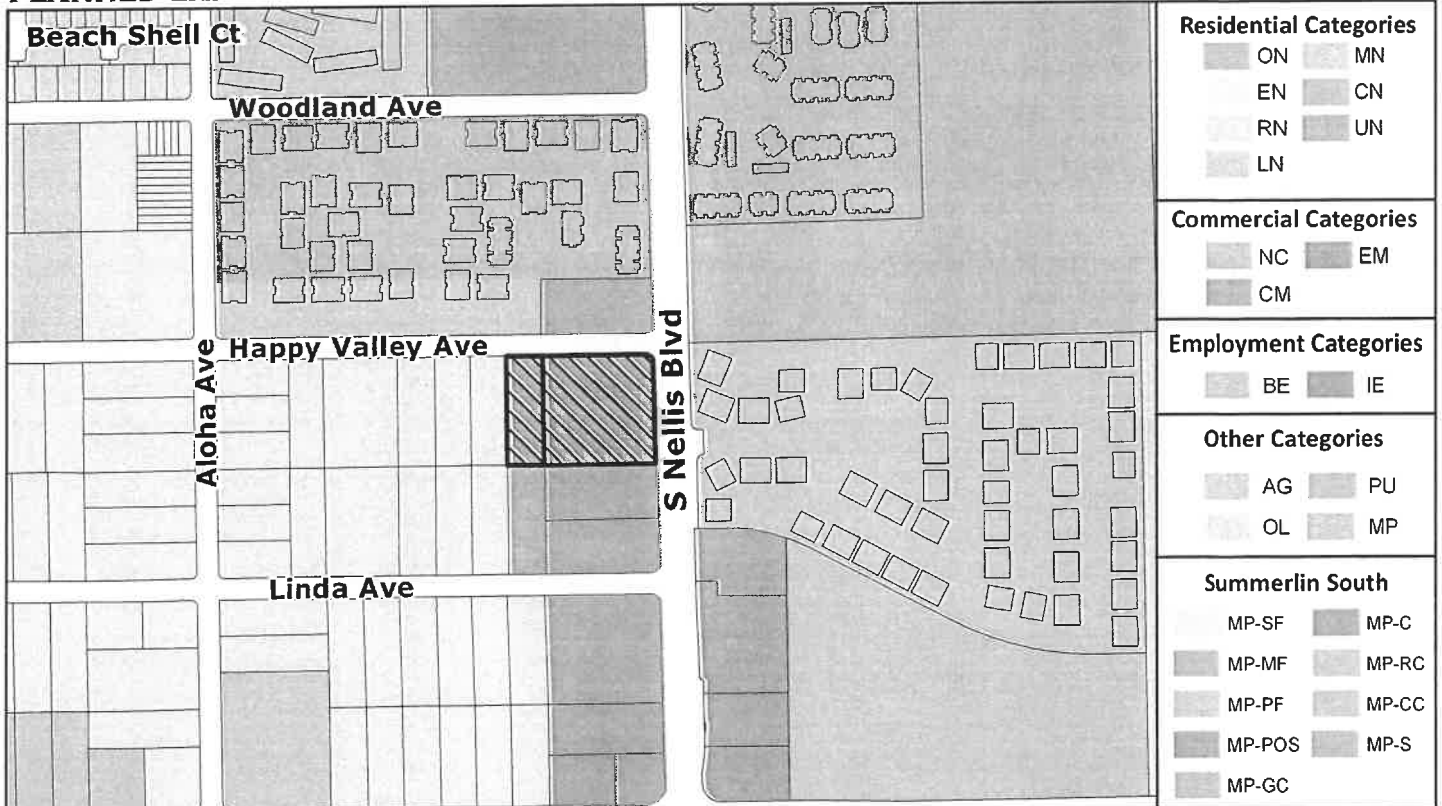
WS-24-0276

ZONING

Clark County Department of Comprehensive Planning, Clark County, Nevada



PLANNED LAND USE



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Subject Parcel(s)
16108810082
16108810083



0 125 250 500 Feet
Map Created on 7/30/2024



PPLRL_1421

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-24-0276-PALM PROPERTIES, LLC:

HOLDOVER WAIVER OF DEVELOPMENT STANDARDS to modify residential adjacency standards.

DESIGN REVIEW for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone.

Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor. TS/jor/syp (For possible action)

RELATED INFORMATION:

APN:

161-08-810-082; 161-08-810-083

WAIVER OF DEVELOPMENT STANDARDS:

Allow nonresidential vehicular access to a residential local street (Happy Valley Avenue) where not permissible per Section 30.04.06.D.

LAND USE PLAN:

SUNRISE MANOR - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 3125 S. Nellis Boulevard
- Site Acreage: 2.83
- Project Type: Commercial truck parking lot
- Number of Stories: 1 (proposed guard building)
- Building Height (feet): 8 (proposed guard building)/8 feet, 4 inches (proposed carport north of guard building)
- Square Feet: 25 (proposed guard building)/720 (proposed carport north of guard building)
- Parking Provided: 99
- Sustainability Required/Provided: 7.5/7

History & Site Plan

Records show that as early as the 1980's, parcel 161-08-810-083 included an existing shopping center building (in-line rectangular building) adjacent to Nellis Boulevard. A vehicle sales lot was approved on the southern end of this parcel via DR-1464-97 but expired after 1 year.

ZC-0480-98 reclassified both subject parcels (161-08-810-082 and 161-08-810-083) to C-2 zoning (now CG zoning) for a proposed 34,000 square foot shopping center (L-shaped building along the south and west property lines) with a portion of the existing shopping center building along Nellis Boulevard to the east to be expanded as a grocery store. The proposed 34,000 square foot shopping center under the zone change did not commence. Additional land use applications were approved on-site for vehicle sales, check cashing, a communication tower, and a waiver of conditions of a zone change (WC-0025-99) which re-applied conditions related to landscaping, site circulation, parking, access, and screening. Under DR-0727-99 (a design review for vehicle sales), the conditions of approval under WC-0025-99 were complied with. The existing building and vehicle sales lot adjacent to Nellis Boulevard remained on-site until 2012 and has since been demolished.

Today, the applicant is requesting approval of a design review for a proposed commercial truck parking lot. A waiver of development standards related to modifying residential adjacency to allow access to a local street being Happy Valley Avenue is also part of this application. Access is provided via 1 driveway along the north property line adjacent to Happy Valley Avenue. Although Title 30 does not allow nonresidential vehicular access to a local street, access to Happy Valley Avenue has existed for more than 25 years. The Nevada Department of Transportation (NDOT) closed the existing driveways along the east property line adjacent to Nellis Boulevard, and NDOT reconstructed the attached sidewalk.

The site plan depicts a proposed parking lot with 99 commercial vehicle parking spaces, which are the following:

- 35 parking stalls (40 feet by 12 feet) are located along the north property line and on the southwest corner of the site.
- 17 parking stalls (35 feet by 12 feet) are located along the west property line.
- 42 tandem parking stalls (70 feet by 12 feet) are located along the east property line.
- 4 parking stalls (20 feet by 9 feet) are located east of the driveway along the north side of the site adjacent to Happy Valley Avenue.
- 1 accessible parking stall south of the 4 parking stalls, adjacent to the guard building.

The site plan also shows a proposed guard building adjacent to the driveway on the southeast corner of the driveway throat depth area. There is also a proposed carport north of the guard building to be constructed over 4 parking stalls. The existing communication tower along the south property line will remain, and the applicant will install a trash enclosure along the south property line. There is an existing 8 foot high CMU block wall which will remain on-site along the west property line adjacent to an existing residence. The existing 8 foot high CMU block wall along the south property line will also remain. Proposed light poles up to 18 feet high are located adjacent to the driveway along the north property line at the northeast corner, 2 at the southeast corner, and 2 additional light poles that are centrally located within the parking area. Lastly, proposed lighting meets residential adjacency standards per Title 30.

Landscaping

Detached sidewalks will be installed along the north property line along Happy Valley Avenue with an 8 foot high beige colored vinyl fence set back over 10 feet from the future property line (back of curb). The existing attached sidewalk will remain along the east property line along

Nellis Boulevard. The applicant will continue the 8 foot high beige colored vinyl fence behind the landscape area along Nellis Boulevard.

The applicant provided a landscape plan drafted by a licensed landscape architect. The proposed landscape plan shows that all existing palm trees will remain on-site. The street landscaping along the north property line includes detached sidewalks with 5 foot wide landscape strips on either side of the sidewalk which will feature large trees and shrubs. The west property line includes a 20 foot wide landscape buffer with a double row of large trees and shrubs. The east side of the site will include a 10 foot wide landscape area with large trees and shrubs adjacent to the existing attached sidewalk.

Elevations

The proposed guard building has an overall height of 8 feet and will be constructed of pre-manufactured steel. The exterior color of the guard building is blue and features 6 windows and 1 door. The proposed carport north of the guard building has an overall height of 8 feet, 4 inches. This carport is comprised of pre-treated cedarwood for outdoor durability.

Floor Plans

The proposed guard building has an overall area of 25 square feet. The proposed carport has an overall area of 720 square feet.

Applicant's Justification

The applicant is proposing a commercial truck parking lot which will enable truck drivers to have a place to legally park their local trucks (no long haul trucks). This will help keep trucks from parking on public streets creating enforcement and neighborhood issues. It will also provide a safer, more secure parking environment that will have solar powered cameras that the Las Vegas Metropolitan Police Department can access. Additionally, a security guard is always present. The site as proposed is compatible as a parking lot on an arterial street (Nellis Boulevard) with completion of infrastructure, lighting, landscaping, and fencing.

The site is zoned for commercial (CG), and the prior development had access from Happy Valley Avenue. The Nevada Department of Transportation (NDOT) closed previously existing driveways along Nellis Boulevard in 2021 during NDOT's improvements to Nellis Boulevard. Happy Valley is the sole means of access given this limitation. The proposed commercial truck parking lot use will provide a location for truck drivers to park their vehicles outside of residential subdivisions and not on public roadways. This will also help minimize safety hazards, trash dumping, graffiti control, homeless encampments, and Code citations. It will also add to the appearance with fencing and landscaping. The use is compatible with the surrounding commercial and residential development in the area as it is supported by the neighbors.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-19-0630	Temporary construction storage for an off-site Las Vegas Valley Water District project (main replacement and The Dales subdivision)	Approved by PC	October 2019

Prior Land Use Requests

Application Number	Request	Action	Date
UC-18-0578	Increased height of existing communication tower, and design review for additional antenna	Approved by PC	October 2018
ADR-0333-05	73 foot high monopole communication tower with an antenna array	Approved by ZA	April 2005
UC-0040-04	Vehicle, watercraft, and recreational vehicle sales	Approved by PC	February 2005
UC-0431-02	Check cashing facility	Approved By BCC	June 2002
ADR-1086-01	Communication facility	Approved by ZA	November 2001
DR-0727-99	Revised plans for a previously approved shopping center and to continue the use of a vehicle sales lot	Approved by BCC	June 1999
WC-0025-99 (ZC-0480-98)	Waiver of conditions of a zone change for the proposed shopping center with an existing restaurant building on site	Approved by BCC	March 1999
ZC-0480-98	Reclassified the site (both subject parcels- 161-08-810-082 and 161-08-810-083) to C-2 zoning (now CG) for a proposed 34,000 square foot shopping center	Approved by BCC	May 1998
DR-1464-97	Vehicle sales lot within an existing shopping center - expired	Approved by PC	September 1997

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Corridor Mixed-Use & Compact Neighborhood (up to 18 du/ac)	CG & RM18	Multi-family residential & tavern
South	Corridor Mixed-Use	CG	Commercial center
East	Compact Neighborhood (up to 18 du/ac)	RM18	Multi-family residential
West	Ranch Estate Neighborhood (up to 2 du/ac)	RS20	Single-family residential

Related Applications

Application Number	Request
VS-24-0277	A request to vacate and abandon a portion of a right-of-way is a companion item on this agenda.

CLARK COUNTY PUBLIC RESPONSE OFFICE:

There is an active case, CE23-05369, for vehicles parked on unpaved areas.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Waiver of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

The applicant provided correspondence from NDOT which states that access to Nellis Boulevard is not required, and if access is requested in the future, the applicant must comply with NDOT's 2017 Access Management System and Standards with sufficient engineering justification. Per the correspondence on file, the applicant's engineer determined that the site does not meet NDOT's access location and spacing standards. Per photos on file, NDOT closed 3 driveways along the east property line of the site adjacent to Nellis Boulevard and NDOT reconstructed the attached sidewalk sometime in 2021. Today, Title 30 does not allow nonresidential access on a local street; although records show that access to Happy Valley Avenue has been in place for over 25 years and the access has been used by commercial vehicles for over 3 years with no impact to the residences. Also, the average daily trips for this use are expected to be less trips than for other commercial uses. Staff determines that the aforementioned circumstances warrant staff's support for the waiver of development standards.

Design Review

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

The proposed project complies with Policy 5.5.3 under the Master Plan which encourages the retention and revitalization of established local business districts. The site has been vacant since 2012 and the proposed improvements comply with today's Code. For example, the applicant is proposing detached sidewalks along Happy Valley Avenue with street landscaping, and since there is an existing attached sidewalk along Nellis Boulevard (NDOT right-of-way), the applicant will install a 10 foot wide landscape strip. The applicant is also providing a decorative fence along the north and east property lines to mitigate the view of any trucks parked on site. In addition, the site will be monitored by on site security. The applicant also provided 7.5 points worth of sustainability design features where 7 is required per Title 30. For these reasons staff recommends approval.

Staff Recommendation

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:**Comprehensive Planning**

- Work with the Las Vegas Metropolitan Police Department for the installation and use of security cameras and surveillance operation;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Full off-site improvements.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that Nevada Department of Transportation (NDOT) permits may be required.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Sunrise Manor - denial.

APPROVALS:

PROTESTS: 5 cards, 2 letters

COUNTY COMMISSION ACTION: September 4, 2024 – HELD – To 10/02/24 – per the applicant.

COUNTY COMMISSION ACTION: October 2, 2024 – HELD – To 11/06/24 – per the applicant.

COUNTY COMMISSION ACTION: October 2, 2024 – HELD – To 11/06/24 – per the applicant.

COUNTY COMMISSION ACTION: November 6, 2024 – HELD – To 11/20/24 – per Commissioner Segerblom.

APPLICANT: LEADING EDGE VENTURES, LLC

CONTACT: G.C. GARCIA, INC, 1055 WHITNEY RANCH DRIVE, SUITE 210,
HENDERSON, NV 89014



AUTHORIZATION TO SUBMIT APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

Application Pre-review (APR) record number: APR-23-101405

Application Materials have been deemed ready to submit ☐ without revisions ☒ with minor revisions.

Notes: L/S plan and JL revised

By: JUD Date: 06/08/2024

Advisory: Authorization to submit expires 2 weeks after determination is made. If all required documents are not provided to staff within this timeframe, an appointment to re-review the application materials is required.

Required Application(s):

- | | | |
|--|--|---|
| <input type="checkbox"/> Master Plan Amendment | <input type="checkbox"/> Land Use – Administrative Design Review (ADR) | <input type="checkbox"/> Tentative Map (TM) |
| <input type="checkbox"/> Land Use | <input type="checkbox"/> Land Use – Waiver of Conditions (WC) | <input checked="" type="checkbox"/> Vacation and Abandonment (VS) |
| <input type="checkbox"/> Zone Change (ZC) | <input type="checkbox"/> Land Use – Application for Review (AR) | <input type="checkbox"/> Other: |
| <input type="checkbox"/> Special Use Permit (UC) | <input type="checkbox"/> Land Use – Extension of Time (ET) | |
| <input checked="" type="checkbox"/> Waiver of Development Standards (WS) | | |
| <input checked="" type="checkbox"/> Design Review (DR) | | |

Required Fees:

- Refer to the attached Fee Sheet.

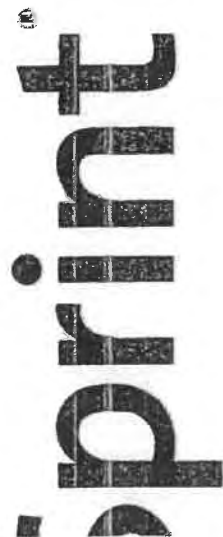
Next Steps:

- Review the attached submittal requirements for the applicable application type(s).
- Go to the Application Pre-review record in the County's Citizen Access Portal (ACA) and upload all required application documents in PDF format (regardless of the format specified in the submittal requirements).
- Once all the application documents are uploaded, coordinate the transmittal of the required hard copy documents with the planner who authorized the submittal (see name above); all transmittals shall include a cover letter and/or transmittal memo and a copy of this form. The Personnel Contact Information list on Department's Contact Us webpage includes the phone number and email address for all planners.
- When the application package is received, the documents will be re-reviewed to ensure no changes except those noted above have been made and, if in an acceptable form, the planner will accept the application documents. Staff will then create the application records. If payment for the application fees was not included in the application package, an email notice will be sent to the record(s) contact indicating the application fees are due. This step may take up to 2 business days to complete.
- Once fees are paid, the application(s) will be considered "Submitted".



Department of Comprehensive Planning

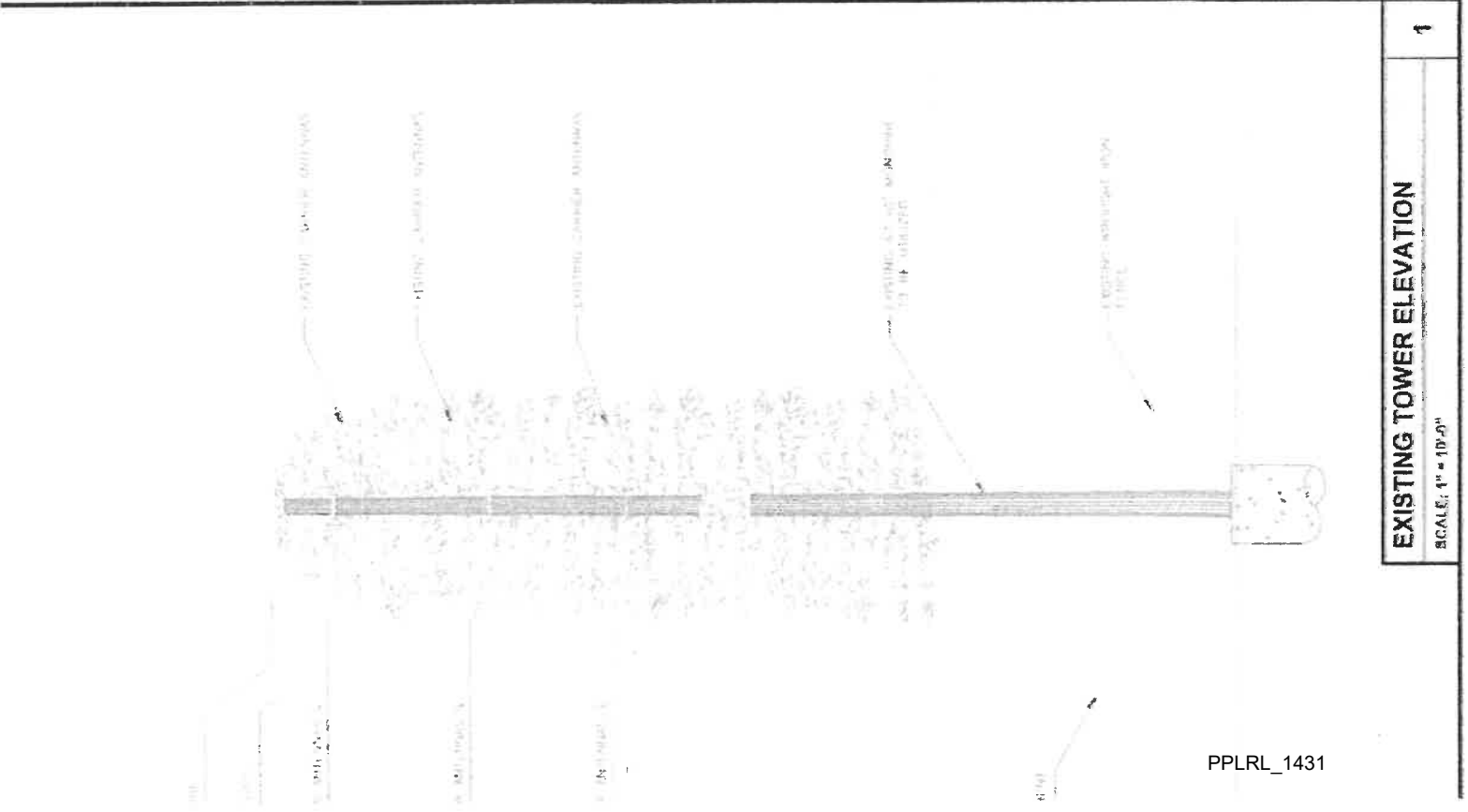
500 S. Grand Central Parkway, Box 551741, Las Vegas, NV 89155-1741 • (702) 455-4314

<http://www.clarkcountynv.gov/comprehensive-planning>



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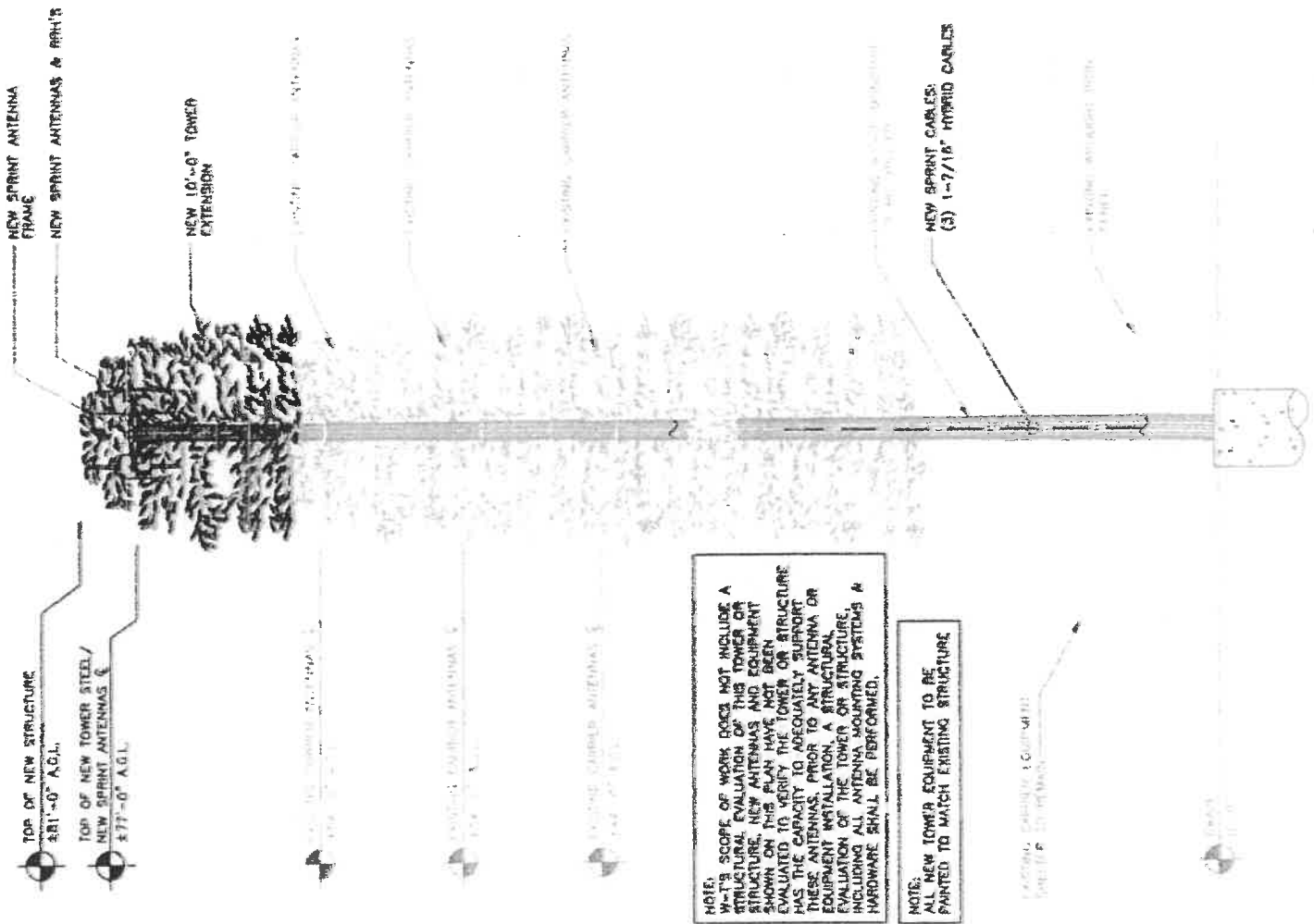
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		AERIAL MAP		* ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES. BUILDING CODE: 2012 INTERNATIONAL BUILDING CODE PLUMBING CODE: 2012 UNIFORM PLUMBING CODE MECHANICAL CODE: 2012 UNIFORM MECHANICAL CODE ELECTRICAL CODE: 2011 NATIONAL ELECTRICAL CODE		SHEET: GR-1 SHEET TITLE: GROUNDING PLAN	
		AERIAL MAP		* ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES. BUILDING CODE: 2012 INTERNATIONAL BUILDING CODE PLUMBING CODE: 2012 UNIFORM PLUMBING CODE MECHANICAL CODE: 2012 UNIFORM MECHANICAL CODE ELECTRICAL CODE: 2011 NATIONAL ELECTRICAL CODE		SHEET: GR-2 SHEET TITLE: GROUNDING DETAILS	
		AERIAL MAP		* ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES. BUILDING CODE: 2012 INTERNATIONAL BUILDING CODE PLUMBING CODE: 2012 UNIFORM PLUMBING CODE MECHANICAL CODE: 2012 UNIFORM MECHANICAL CODE ELECTRICAL CODE: 2011 NATIONAL ELECTRICAL CODE		SHEET: GR-3 SHEET TITLE: GROUNDING DETAILS	
CONTACT:		AERIAL MAP		* ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES. BUILDING CODE: 2012 INTERNATIONAL BUILDING CODE PLUMBING CODE: 2012 UNIFORM PLUMBING CODE MECHANICAL CODE: 2012 UNIFORM MECHANICAL CODE ELECTRICAL CODE: 2011 NATIONAL ELECTRICAL CODE		SHEET: GR-3 SHEET TITLE: GROUNDING DETAILS	
4C		AERIAL MAP		* ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES. BUILDING CODE: 2012 INTERNATIONAL BUILDING CODE PLUMBING CODE: 2012 UNIFORM PLUMBING CODE MECHANICAL CODE: 2012 UNIFORM MECHANICAL CODE ELECTRICAL CODE: 2011 NATIONAL ELECTRICAL CODE		SHEET: GR-3 SHEET TITLE: GROUNDING DETAILS	
1700		AERIAL MAP		* ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES. BUILDING CODE: 2012 INTERNATIONAL BUILDING CODE PLUMBING CODE: 2012 UNIFORM PLUMBING CODE MECHANICAL CODE: 2012 UNIFORM MECHANICAL CODE ELECTRICAL CODE: 2011 NATIONAL ELECTRICAL CODE		SHEET: GR-3 SHEET TITLE: GROUNDING DETAILS	
FISCHER		AERIAL MAP		* ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES. BUILDING CODE: 2012 INTERNATIONAL BUILDING CODE PLUMBING CODE: 2012 UNIFORM PLUMBING CODE MECHANICAL CODE: 2012 UNIFORM MECHANICAL CODE ELECTRICAL CODE: 2011 NATIONAL ELECTRICAL CODE		SHEET: GR-3 SHEET TITLE: GROUNDING DETAILS	
30		AERIAL MAP		* ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES. BUILDING CODE: 2012 INTERNATIONAL BUILDING CODE PLUMBING CODE: 2012 UNIFORM PLUMBING CODE MECHANICAL CODE: 2012 UNIFORM MECHANICAL CODE ELECTRICAL CODE: 2011 NATIONAL ELECTRICAL CODE		SHEET: GR-3 SHEET TITLE: GROUNDING DETAILS	
www.growncastle.com		AERIAL MAP		* ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES. BUILDING CODE: 2012 INTERNATIONAL BUILDING CODE PLUMBING CODE: 2012 UNIFORM PLUMBING CODE MECHANICAL CODE: 2012 UNIFORM MECHANICAL CODE ELECTRICAL CODE: 2011 NATIONAL ELECTRICAL CODE		SHEET: GR-3 SHEET TITLE: GROUNDING DETAILS	
DESIGN GROUP, LLC		AERIAL MAP		* ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES. BUILDING CODE: 2012 INTERNATIONAL BUILDING CODE PLUMBING CODE: 2012 UNIFORM PLUMBING CODE MECHANICAL CODE: 2012 UNIFORM MECHANICAL CODE ELECTRICAL CODE: 2011 NATIONAL ELECTRICAL CODE		SHEET: GR-3 SHEET TITLE: GROUNDING DETAILS	
E. SUITE 220		AERIAL MAP		* ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES. BUILDING CODE: 2012 INTERNATIONAL BUILDING CODE PLUMBING CODE: 2012 UNIFORM PLUMBING CODE MECHANICAL CODE: 2012 UNIFORM MECHANICAL CODE ELECTRICAL CODE: 2011 NATIONAL ELECTRICAL CODE		SHEET: GR-3 SHEET TITLE: GROUNDING DETAILS	
58120		AERIAL MAP		* ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES. BUILDING CODE: 2012 INTERNATIONAL BUILDING CODE PLUMBING CODE: 2012 UNIFORM PLUMBING CODE MECHANICAL CODE: 2012 UNIFORM MECHANICAL CODE ELECTRICAL CODE: 2011 NATIONAL ELECTRICAL CODE		SHEET: GR-3 SHEET TITLE: GROUNDING DETAILS	
D. ERO		AERIAL MAP		* ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES. BUILDING CODE: 2012 INTERNATIONAL BUILDING CODE PLUMBING CODE: 2012 UNIFORM PLUMBING CODE MECHANICAL CODE: 2012 UNIFORM MECHANICAL CODE ELECTRICAL CODE: 2011 NATIONAL ELECTRICAL CODE		SHEET: GR-3 SHEET TITLE: GROUNDING DETAILS	
N. N		AERIAL MAP		* ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES. BUILDING CODE: 2012 INTERNATIONAL BUILDING CODE PLUMBING CODE: 2012 UNIFORM PLUMBING CODE MECHANICAL CODE: 2012 UNIFORM MECHANICAL CODE ELECTRICAL CODE: 2011 NATIONAL ELECTRICAL CODE		SHEET: GR-3 SHEET TITLE: GROUNDING DETAILS	
PR: 1430		AERIAL MAP		* ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES. BUILDING CODE: 2012 INTERNATIONAL BUILDING CODE PLUMBING CODE: 2012 UNIFORM PLUMBING CODE MECHANICAL CODE: 2012 UNIFORM MECHANICAL CODE ELECTRICAL CODE: 2011 NATIONAL ELECTRICAL CODE		SHEET: GR-3 SHEET TITLE: GROUNDING DETAILS	
ST. 06211		AERIAL MAP		* ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES. BUILDING CODE: 2012 INTERNATIONAL BUILDING CODE PLUMBING CODE: 2012 UNIFORM PLUMBING CODE MECHANICAL CODE: 2012 UNIFORM MECHANICAL CODE ELECTRICAL CODE: 2011 NATIONAL ELECTRICAL CODE		SHEET: GR-3 SHEET TITLE: GROUNDING DETAILS	
A. 5		AERIAL MAP		* ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES. BUILDING CODE: 2012 INTERNATIONAL BUILDING CODE PLUMBING CODE: 2012 UNIFORM PLUMBING CODE MECHANICAL CODE: 2012 UNIFORM MECHANICAL CODE ELECTRICAL CODE: 2011 NATIONAL ELECTRICAL CODE		SHEET: GR-3 SHEET TITLE: GROUNDING DETAILS	



EXISTING TOWER ELEVATION

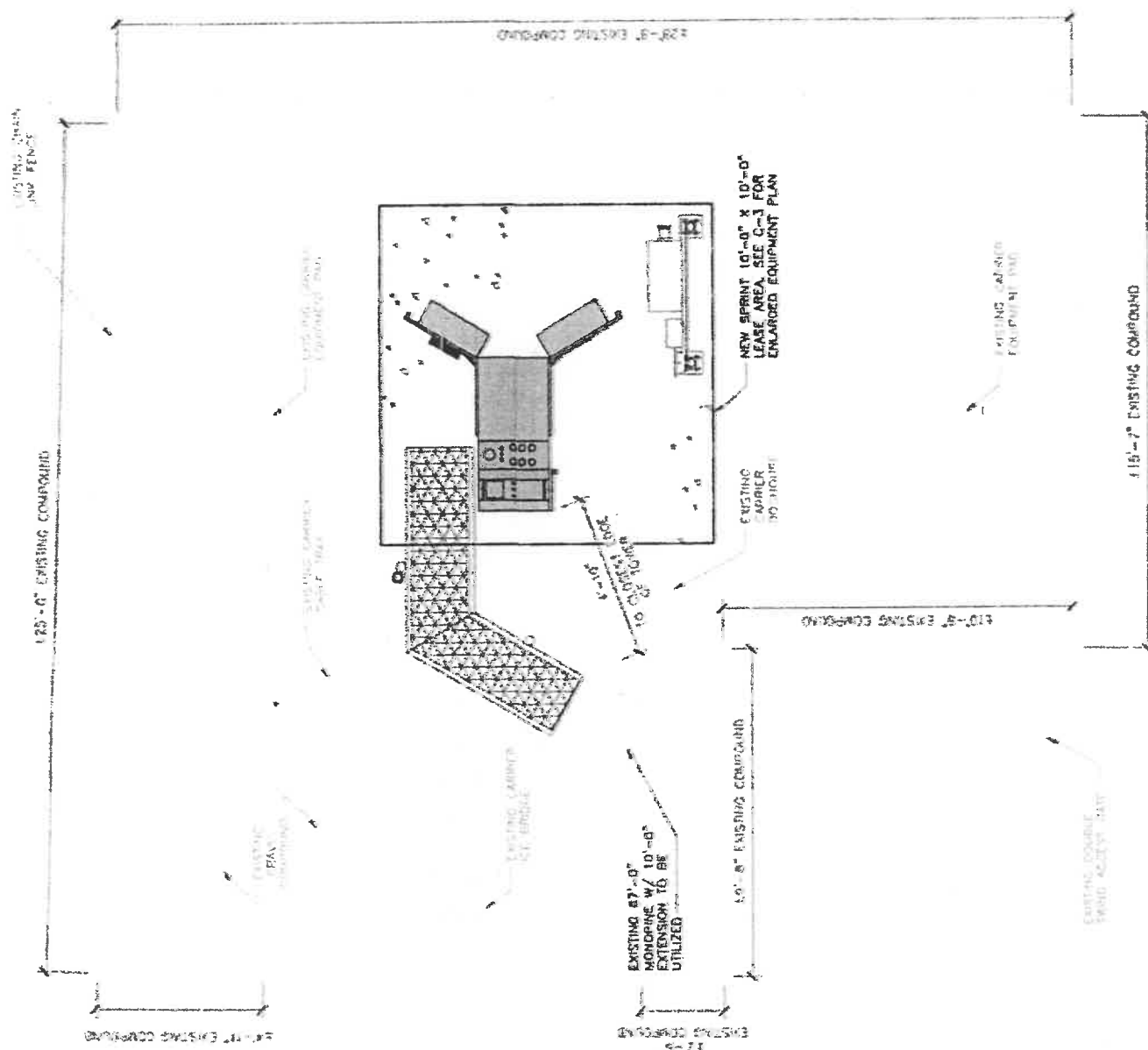
SCALE: 1" = 10' 0"

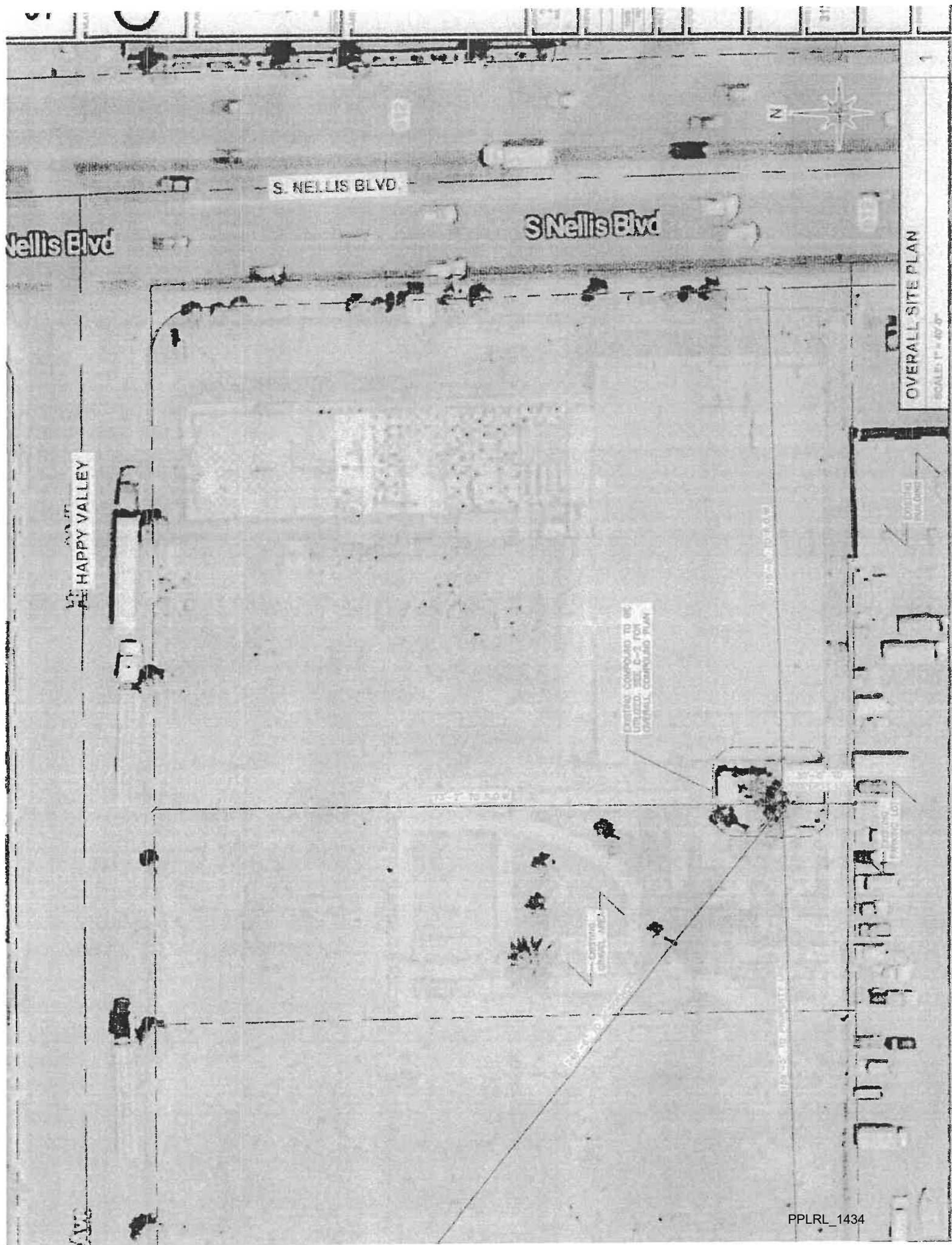
PPLRL 1431



NOTE: A W-1'S SCOPE OF WORK DOES NOT INCLUDE A STRUCTURAL EVALUATION OF THIS TOWER OR STRUCTURE. NEW ANTENNAS AND EQUIPMENT SHOWN ON THIS PLAN HAVE NOT BEEN EVALUATED TO VERIFY THE TOWER OR STRUCTURE HAS THE CAPACITY TO ADEQUATELY SUPPORT THESE ANTENNAS. PRIOR TO ANY ANTENNA OR EQUIPMENT INSTALLATION, A STRUCTURAL EVALUATION OF THE TOWER OR STRUCTURE, INCLUDING ALL ANTENNA MOUNTING SYSTEMS & HARDWARE SHALL BE PERFORMED.

NOTE:
ALL NEW TOWER EQUIPMENT TO BE
PAINTED TO MATCH EXISTING STRUCTURE





OVERALL SITE PLAN
SCALE: 1" = 40' 0"

EXISTING COMPOUND TO BE
UTILIZED. SEE C-3 FOR
OVERALL COMPOUND PLAN

EXISTING
BUILDING

EXISTING ROAD

PROJECT:
SITE CASCADE:
CROWN CASTLE

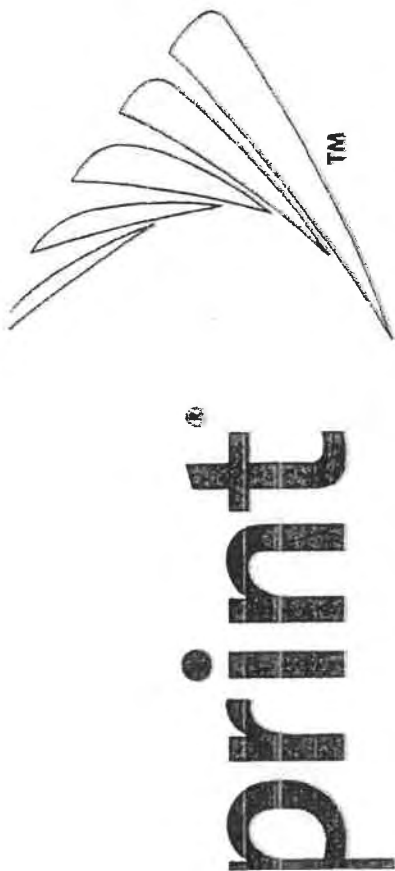
SITE NAME:
CROWN CASTLE
SITE NUMBER:
SITE ADDRESS:

SITE TYPE:

SPKIN INE PROJECT
VG90XC440

LV115 NELLIS & DI

825521
3125 S. NELLIS BOULEVARD
LAS VEGAS, NV 89121
67'-0" MONOPINE W/ 10'-0" EXTENSION



SHEET INDEX	
SHEET:	SHEET TITLE:
T-1	TIME SHEET
N-1	GENERAL NOTES
N-2	GENERAL NOTES
N-3	GENERAL NOTES
C-1	OVERALL SITE PLAN
C-2	OVERALL CONFOUND PLAN
C-3	ENLARGED EQUIPMENT PLAN
C-4	SITE DETAILS
C-5	CABINET DETAILS
C-6	CONCRETE PAD DETAILS
A-1	TOWER ELEVATIONS
A-2	TOWER ELEVATIONS
A-3	EQUIPMENT ELEVATION
A-4	ANTENNA PLAN
A-5	EQUIPMENT DETAILS
A-6	EQUIPMENT DETAILS
A-7	EQUIPMENT DETAILS
E-1	UTILITY PLAN
E-2	ELECTRICAL DETAILS
E-3	BATTERY SPECIFICATIONS
E-4	BATTERY SPECIFICATIONS
E-5	BATTERY SPECIFICATIONS
E-6	BATTERY SPECIFICATIONS
GR-1	GROUNDING PLAN
GR-2	GROUNDING DETAILS
GR-3	GROUNDING DETAILS

PROJECT DESCRIPTION	APPLICABLE CODES
<ul style="list-style-type: none">ALL NEW TOWER EQUIPMENT TO BE PAINTED TO MATCH EXISTING STRUCTUREINSTALL NEW 10'-0" x 10'-0" CONCRETE EQUIPMENT PADINSTALL (1) EQUIPMENT CABINET AT GRADEINSTALL (1) HOVEMAN JUNCTION BOX & (1) PWC CABINET MOUNTED ON NEW H-FRAME AT GRADEINSTALL 10'-0" TOWER EXTENSIONINSTALL (3) HYBRID CABLES ON EXISTING TOWERINSTALL (6) PANEL ANTENNAS ON EXISTING TOWERINSTALL (3) SECTOR FRAMES ON EXISTING TOWERINSTALL (8) 800MHZ RH'S AT ANTENNASINSTALL (3) 1800MHZ RH'S AT ANTENNASINSTALL (24) JUMPER'S	<p>ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITY. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES.</p> <p>BUILDING CODE: 2012 INTERNATIONAL BUILDING CODE PLUMBING CODE: 2012 UNIFORM PLUMBING CODE MECHANICAL CODE: 2012 UNIFORM MECHANICAL CODE ELECTRICAL CODE: 2011 NATIONAL ELECTRICAL CODE</p>

AREA MAP	AERIAL MAP

SITE CONTACTS	
<p>CROWN CASTLE USA, INC. CM: LUKE CHRISTIAN PHONE: (702) 408-5147 PM: TIMOTHY MILLER PHONE: (848) 938-0281</p>	<p>ZONING & PERMITTING SPECIALIST: CM: WILLIAM CAUL PHONE: (702) 518-4348 PM: BARBARA BROWN PHONE: (925) 484-5434</p>

811	
<p>NOTE: 48 HOURS PRIOR TO DIGGING, CONTRACTOR TO NOTIFY ALL UTILITY COMPANIES TO LOCATE ALL UNDERGROUND UTILITIES.</p>	<p>Know what's below. Call before you dig.</p>

SCALE: 1/4" = 1'-0"



Andrea Cole

From: Clark County <Clarkcounty-accela@clarkcountynv.gov>
Sent: Tuesday, February 27, 2024 4:47 PM
To: centurywest1@hotmail.com; Andrea Cole
Cc: PWLanduse@ClarkCountyNV.gov
Subject: New Submittal: APR-23-101485 - APN: 161-08-810-083 Public Works ok

Good afternoon,

Public Works has no further comments on this Application Pre-Review (APR). Please contact Comprehensive Planning at 702-455-4314 or zoning@ClarkCountyNV.gov for information on how to proceed.

Thank you
JaWaan Dodson

Important information:

Please note that although Public Works has no further comments on this APR, it does not mean that we will recommend approval.



June 4, 2024

Comprehensive Planning
Clark County
500 S. Grand Central Pkwy
Las Vegas, NV 89155

RE: Response to Planning Comments: Parking Lot for Commercial Vehicles
APN#s 161-08-810-082 & -083

Dear Judith:

On behalf of my client, Leading Edge Ventures LLC, we wish to address the 3rd round of comments received on February 20, 2024, for the application listed above.

02/20/24 Comments:

Please see the Current Planning comments below. Note, you must secure another appointment in order to address this APR.

- Vacation site plan
 1. Project information shall be updated to today's code zoning districts.
Response – Vacation Site plan has been revised with the current zoning districts
- Site Plan (did not review)
- Justification Letter
 1. Include language about the active CCPRO violation CE23-05369.
Response – Included In revised letter
 2. Include language regarding the proposed sustainability points and design review.
Response – Included in revised letter
 3. Address Sections 30.04.06 I (signs) & M (cut through traffic).
Response – Included in revised letter
 4. Include waiver of development standards request to allow access to a local street, see Section 30.04.06 D & 30.04.06 M.
Response – Included in revised letter
- Elevations
 1. Guard building does not provide the building height.
Response – Height added to exhibit
 2. The awning above the entry door must extend 3 feet in order to count towards sustainability.
Response – Awning added to exhibit



A Planning & Development Services Corporation

1055 Whitney Ranch Dr., Suite 210, Henderson, NV 89014
Telephone: (702) 435-0900 Fax: (702) 435-0457 Email: gcgarcia@cgarciainc.com

PPLRL_1439

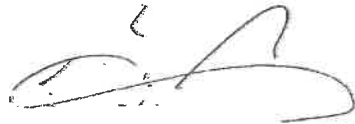
- Landscape Plan
 1. Buffering and screening shall to residential shall be 8-foot-high decorative wall.
Response – Landscape & Site plans revised to show the existing 8' high cmu wall
 2. A 15-foot landscaped buffer with a double row of evergreen trees planted offset from one another. In each row trees shall be planted 20 feet apart on center. (staff understands the applicant is providing 20 feet of LS; however, the proposed trees are not evergreen).
Response – Landscape plan revised to show the above.
 3. Mondel pines are not recommended per SNWA plant list.
Response – Mondel pines removed from plan
- Cross Sections (residential adjacency only)
 4. Site zoning district as well as surrounding zoning districts shall be labeled with the current zoning district names.
Response – Cross Sections exhibit has been revised to show current zoning districts.

Please e-mail PWLandUse@ClarkCountyNV.gov your application package as this application shall also be reviewed and concurrence shall be received from Public Works Development Review prior to its submittal. Make sure to include your APR number on the subject line when sending your APR to PW.

Response – PW's signed off on 02/28/24, see attached email

We respectfully request your consideration of the above responses and would appreciate any request for further clarification or expansion you may require.

Sincerely,



George Garcia
Founder

Andrea Cole

From: Andrea Cole
Sent: Tuesday, February 27, 2024 10:48 AM
To: PWLanduse@ClarkCountyNV.gov
Subject: New Submittal: APR-23-101485 - APN: 161-02-810-083 Public Works comments
Attachments: site-6-SP1.pdf; Map that dedicated the ROW for Happy Valley MapPL0040001.pdf

See below responses and the attached.

From: Clark County Clarkcounty-accela@clarkcountynv.gov
Sent: Tuesday, February 27, 2024 8:46 AM
To: centurywest1@hotmail.com; Andrea Cole acole@gcgarciainc.com
Cc: PWLanduse@ClarkCountyNV.gov
Subject: New Submittal: APR-23-101485 - APN: 161-02-810-083 Public Works comments

Good morning,

Please see the Public Works comments below:

The comments from 2/15/2024 are in black. My original responses are in blue. PW's comments from 2/27/2024 are in red. Additional responses in Green.

Be advised that Nellis Boulevard is a Nevada Department of Transportation (NDOT) right-of-way.

Detached sidewalks are required, this application will need to include a vacation of the right-of-way. Application revised to include the vacation.

Site Plan:

- The minimum required throat is 100 feet per Uniform Standard Drawing 222.1. Site Plan revised to show 100'. It looks like the parking was reduced with this revision and 75 feet is now the minimum. Resolved.
- Provide and show the back of curb radius on the east side of the Happy Valley Avenue commercial driveway and at the intersection. Shown on revised site plan. Not provided (2nd request). Previously provided, attached for reference.
- Correct the right-of-way width for Happy Valley Avenue. ROW corrected on revised site plan. Resolved.

Vacation:

- Provide a the record information for the right-of-way being vacated. See attached recorded map that dedicated the ROW on Happy Valley.

Thank you

JaWaan Dodson

-

Directions for when you make the necessary changes

- Email the following to Public Works – Development Review at PWLandUse@ClarkCountyNV.gov:
 - o A detailed written response to each of our comments.
 - o Copies of revised plans and documents.
 - o If you make changes other than those that are specified in our comments, provide a detailed list of the changes and an explanation for why the changes were made.

Contacts for the Public Works - Land Use Application Team

- Email:
 - o PWLandUse@ClarkCountyNV.gov
- Phone numbers:
 - o 702-455-4607 – Sarah Mabry-Padovese
 - o 702-455-6387 – JaWaan Dodson
 - o 702-455-6385 – Nick Goodman
 - o 702-455-4600 – Main number for Development Review



February 19, 2024

Comprehensive Planning
Clark County
500 S. Grand Central Pkwy
Las Vegas, NV 89155

RE: Response to Planning Comments: Parking Lot for Commercial Vehicles
APN#s 161-08-810-082 & -083

Dear Steve:

On behalf of my client, Leading Edge Ventures LLC, we wish to address the 2nd round of comments received on February 1, 2024, for the application listed above.

02/01/24 Comments:

Per our morning meeting for the parking lot for commercial trucks below is a summary of our discussion.

Comments:

- Parking lot for commercial trucks in CG zone and is permitted use. Design review required.
Response – A Design Review for Commercial Truck Parking is requested through a Design Review as well as a Vacation request.
- Possible waiver for ingress/egress onto residential street. Public Works will determine.
Response – Traffic believed retaining access on a low volume local street, Happy Valley, was acceptable but was Planning decision not Traffic. Putting an access drive onto a major arterial will cause more delays and potential for accidents on Nellis.
- Asked applicant to have their Engineer(s) to review the section in Title 30 30.04.07 on “Operational Standards” for requirements on lighting, including shielding, type of lighting, motion sensors etc.
Response – The requested code required section is referenced on the revised plans for this pre-submittal
- Provide elevations for the existing cell tower with setback dimensions and for the security building, including exterior materials and setbacks and height.
Response – Information from the County records is provided with the revised plans for this pre-submittal
- Will still need to provide vacation application for 5 feet of right-of-way being Happy Valley Lane. Will discuss with Public Works.
Response – A Vacation application for 5 feet of Happy Valley is included with this resubmittal.



A Planning & Development Services Corporation

1055 Whitney Ranch Dr., Suite 210, Henderson, NV 89014
Telephone: (702) 435-9909 Facsimile: (702) 435-0457 E-Mail: ggarcia@gcgarciainc.com

PPLRL_1443

- Sustainability information provided on landscape plan.
Response – The sustainability information was previously provided and is on the landscape plans with this resubmittal.
- Applicant provided revised letter based upon first review of plans.
Response – Applicant has made minor revisions to the justification letter as part of this resubmittal.
Public Works will need to review these plans. Their email is PWLanduse@ClarkCountyNV.gov Provide them electronically with APN number, APR number and your contact information.
Response – The plans were submitted to PW and comments received and address per the provided revised plans and response letter as part of this revised pre-submittal
- Please setup your next appointment after comments are provided by Public Works with a Planner to provide for review.
Response – The next pre-submittal is February 20, 2024 in compliance with the above comment.

We respectfully request your consideration of the above responses and would appreciate any request for further clarification or expansion you may require.

Sincerely,

A handwritten signature in black ink, appearing to read 'George Garcia', with a stylized flourish at the end.

George Garcia
Founder

WS-24-0276

BACK-UP (NDOT)

From: Andrea Cole <acole@gcgarciainc.com>
Sent: Tuesday, July 30, 2024 9:20 AM
To: Jillee Opiniano-Rowland
Cc: George Garcia; Melissa Eure
Subject: LEDGE - Nellis (WS-24-0276 & VS-24-0277): Engineer's assessment & Email from NDOT

J. Rowland

7/30/24

VTN as, our engineer, contacted NDOT and discussed the driveways. Below is the formal response from NDOT. The informal discussions and assessment by VTN, is that driveways will not get approved on Nellis per NDOT's 2017 Access Management System and Standards (see below).

If you have any questions please feel free to contact me at the number listed below.

Thanks and Best Regards.

Andrea Cole, Project Coordination Manager
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
(702) 435-9909 Phone
(702) 435-0457 Fax
acole@gcgarciainc.com E-mail
<https://gcgarciainc.com> Website

From: Robert Hosea <roberth@vtmnv.com>
Sent: Monday, July 29, 2024 5:05 PM
To: Andrea Cole <acole@gcgarciainc.com>
Cc: George Garcia <ggarcia@gcgarciainc.com>
Subject: RE: SWC of Nellis and Happy Valley NDOT

Nellis Boulevard has a functional classification of Other Principal Arterials.

An access on Nellis Boulevard would need to meet the following criteria:

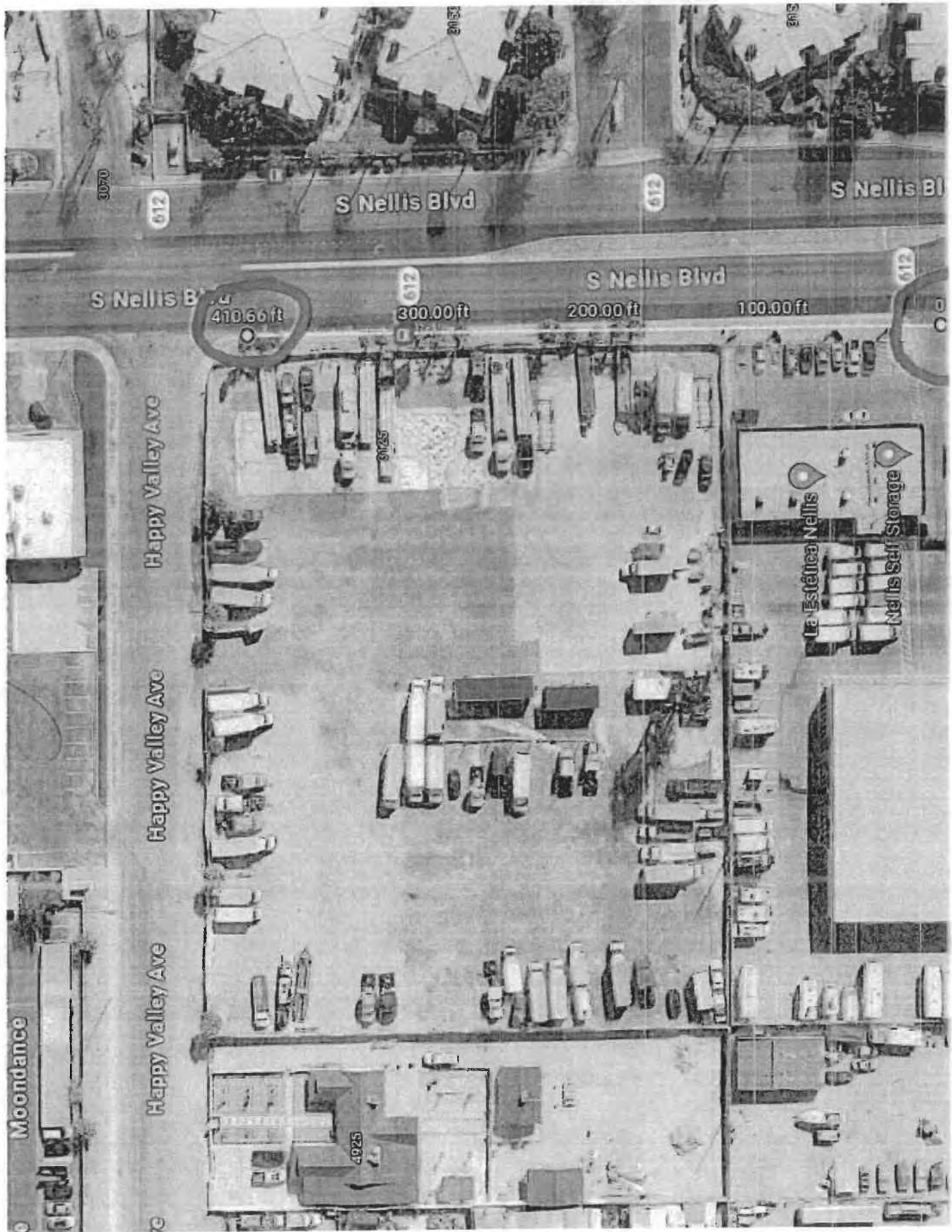
4.2. Access Location Standards

Table 4-1: Access Spacing Standards

3: Other Principal Arterials, 40-55 mph – Right-in/Right-out only Minimum Spacing is 660' (measured center to center).

There is only approximately 410' from Happy Valley to the existing access to the south.

Therefore any access to Nellis Blvd would not meet minimum access spacing.



4.2.3. Spacing Standards near Intersections

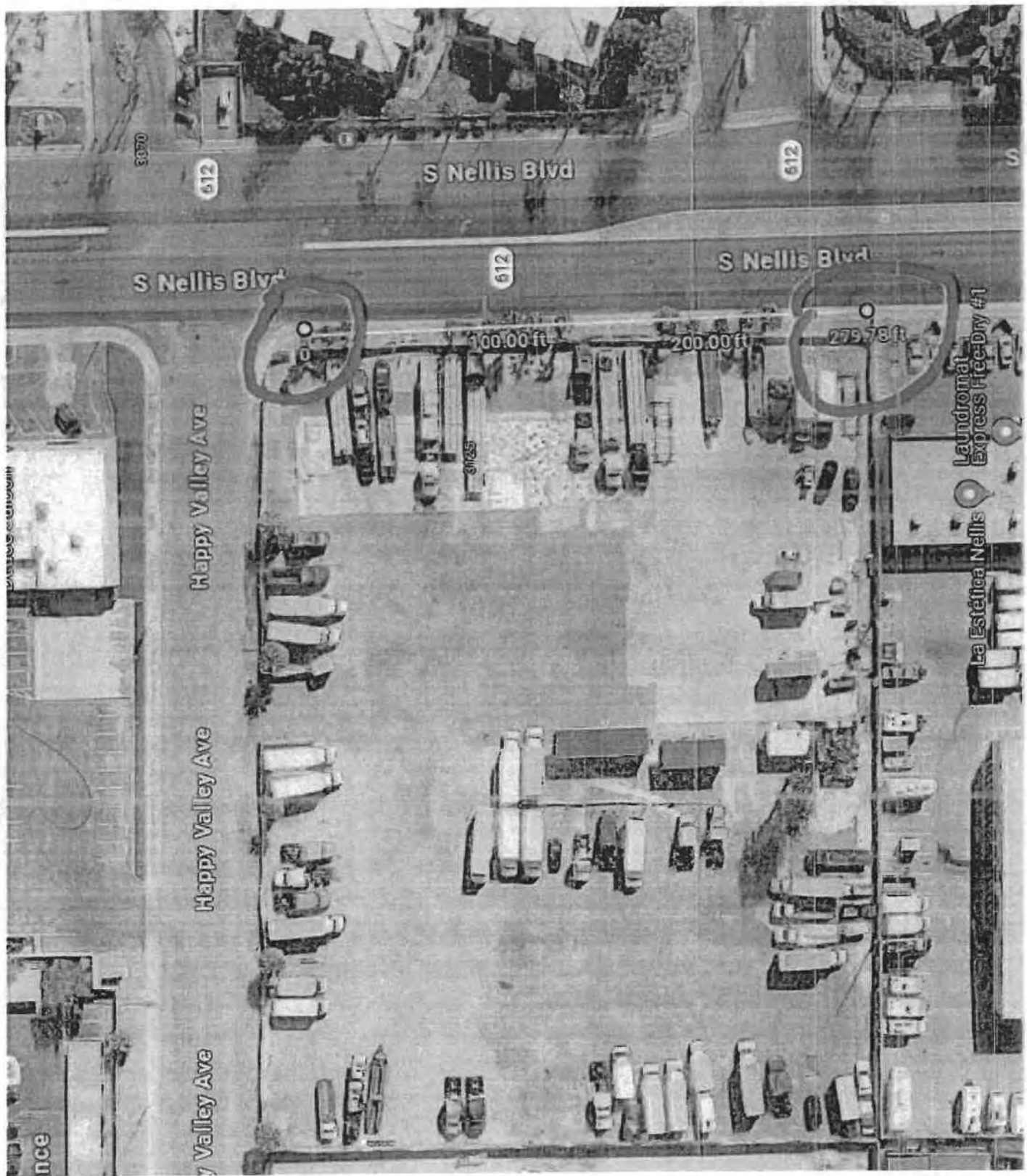
Figure 4-3: Intersection Corner Clearances

Downstream corner clearance along the major roadway Stopping sight distance (Section 4.3.1)

A 55 mph design speed level road, the Stopping Sight Distance is 495' (measured along the curb line from the point of curvature of the radius of the intersection to the point of curvature of the radius of the driveway).

There is only approximately 280' from the Happy Valley return to the southerly property line.

Therefore any access to Nellis Blvd would not meet intersection corner clearance spacing.





Robert C. Hosea, III, P.E., PTOE
Principal

Phone (702) 253-2477 Mobile (702) 497-7406
Web vtmny.com Email roberth@vtmny.com
2727 S Rainbow Blvd, Las Vegas, NV 89146
consulting engineers • planners • surveyors

From: Parsons, Angela <AParsons@dot.nv.gov>
Sent: Wednesday, February 28, 2024 5:22 PM
To: Robert Hosea <roberth@vtmny.com>
Cc: Ken Nicholson <kenn@vtmny.com>
Subject: RE: SWC of Nellis and Happy Valley

Hello Robert,

NDOT will not require that this parcel create access off of Nellis Blvd. However, if access is desired in the future, it will need to be requested through our 2017 AMSS process with sufficient engineering justification provided for all requests for major deviations to access spacing standards.

As to the sidewalk question, typically NDOT's involvement/review with respect to sidewalk requirements would be engaged upon submission of Encroachment Permit application(s) for work along Nellis Blvd, and if permits are being reviewed, there would likely be the requirement that ADA compliant sidewalk along the properties' Nellis Blvd frontage is provided. I did review with one of our Assistant District Engineers and he said that he does not anticipate that NDOT would condition any sidewalk alterations at this parcel.

Please feel free to contact me for additional clarification as needed.

Best regards,

Angela Parsons
Associate Engineer
District 1 Traffic Division
Nevada Department of Transportation
P 702.370.2219 | o 702.385.6508
eparsons@dot.nv.gov | w dot.nv.gov

From: Robert Hosea <roberth@vtinnv.com>
Sent: Friday, February 23, 2024 12:19 PM
To: Parsons, Angela <AParsons@dot.nv.gov>
Cc: Ken Nicholson <kenn@vtinnv.com>
Subject: SWC of Nellis and Happy Valley

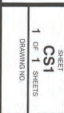
Hi Angela,

VTN is assisting a property owner with permitting for an existing outdoor storage yard on the SWC of Nellis Blvd and Happy Valley Ave. Access to the property is and will remain from Happy Valley Ave. Clark County Planning is requesting support and confirmation from NDOT that access for this property is not required and that keeping the existing sidewalk on Nellis Blvd attached to the curb is acceptable. Are you able to provide a statement indicating if NDOT supports these items?

Robert C. Hosea, III, P.E., PTOE
Principal

Phone (702) 253-2477 Mobile (702) 497-7406
Web vtinnv.com Email roberth@vtinnv.com
2727 S Rainbow Blvd, Las Vegas, NV 89146
consulting engineers • planners • surveyors





Inst #: 20150911-0001608
Fees: \$20.00 N/C Fee: \$0.00
RPTT: \$3570.00 Ex: #
09/11/2015 01:08:51 PM
Receipt #: 2550965
Requestor:
FIDELITY NATIONAL TITLE - L
Recorded By: CYV Pgs: 5
DEBBIE CONWAY
CLARK COUNTY RECORDER

GBS Deed

A.P.N. 161-08-810-082 and
161-08-810-083

**RECORDING REQUESTED AND
WHEN RECORDED RETURN TO:**

Palm Properties, LLC
6050 S. Fort Apache Rd #100
Las Vegas, NV 89148

SEND TAX STATEMENTS TO:

SAME AS ABOVE

GRANT, BARGAIN, SALE DEED

THIS INDENTURE (this "Deed"), made and entered into on this 9th day of September, 2015, by RG Properties, LLC, a Nevada limited liability company ("Grantor"), in favor of Palm Properties, LLC, a Nevada limited liability company ("Grantee").

WITNESSETH:

The Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00), lawful money of the United States, to it in hand paid by the said Grantee, and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby GRANT, BARGAIN, SELL and convey unto the said Grantee, its respective successors and assigns forever, all of Grantor's rights, title, interests, and estate in and the real property more particularly described as follows:

See the Exhibit A attached hereto and incorporated herein by this reference

Subject To:

1. Taxes for the current fiscal year, and any and all taxes (including supplemental taxes) and assessments levied or assessed after the recording date of this document.
2. Rights of way, reservations, restrictions, easements and conditions of record.

//

//

//

//

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, remainders, rents, issues or profits thereof.

IN WITNESS WHEREOF, the Grantor has caused this Deed to be executed on the day and year first above written.

RG Properties, LLC, a Nevada limited liability company

Roula Grillas by Janina Jones her attorney in fact
By: Roula Grillas, Manager (by Janina Jones, her duly appointed attorney-in-fact)

STATE OF CA
COUNTY OF Los Angeles ss.

This instrument was acknowledged before me on this 9th day of September, 2015, by Janina Jones as power of attorney for Roula Grillas, Manager of RG Properties, LLC, a Nevada limited liability company.

Please see

the attached
acknowledgment

Chap
Notary
(Seal)

NOTARY PUBLIC

December 4, 2016

Commission expires

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

State of California

County of

Los Angeles

On Sept 9

Date

before me,

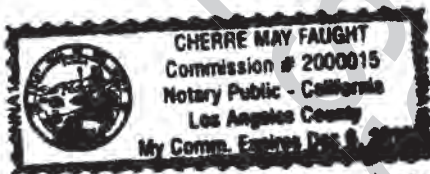
Cherre May Faught, Notary Public

Here Insert Name and Title of the Officer

personally appeared

Janina Maria Jones

Name(s) of Signer(s)



My Comm. Expires Dec 6, 2016

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature:

Cherre May Faught

Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document:

Document Date:

Number of Pages:

Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer(s)

Signer's Name:

☐ Corporate Officer — Title(s):

☐ Individual

☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other:

Signer Is Representing:

Signer's Name:

☐ Corporate Officer — Title(s):

☐ Individual

☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other:

Signer Is Representing:

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

EXHIBIT A

Parcel 1:

Lot One (1) in Block One (1) of Vegas Valley Estates Tract No. 2 as shown by map thereof on file in Book 4 of Plats, Page 1, in the Office of the County Recorder, Clark County, Nevada.

Excepting therefrom that portion as conveyed to the County of Clark by that certain deed recorded November 6, 1975 in Book 568 as Document No. 527120 of Official Records.

Parcel 2:

That portion of Lot Two (2) in Block One (1) of Vegas Valley Estates Tract No. 2, as shown by map thereof on file in Book 4 of Plats, Page 1, in the Office of the County Recorder of Clark County, Nevada described as follows:

Parcel One (1) as shown by map thereof on file in File 7 of Parcel Maps, Page 84, in the Office of the County Recorder of Clark County, Nevada.

Assessor's Parcel Number: 161-08-810-082, 161-08-810-083

**STATE OF NEVADA
DECLARATION OF VALUE FORM**

1. Assessor Parcel Number(s) ☐

- a) 161-08-810-083
b) _____
c) 161-08-810-082
d) _____

2. Type of Property:

- a) ☐ Vacant Land b) ☐ Single Fam. Res.
c) ☐ Condo/Twnhse d) ☐ 2-4 Plex
e) ☐ Apt. Bldg. f) ☒ Comm'l/Ind'l
g) ☐ Agricultural h) ☐ Mobile Home
i) ☐ Other _____

FOR RECORDER'S OPTIONAL USE ONLY

Document/Instrument # _____

Book: _____ Page: _____

Date of Recording: _____

Notes: _____

3. Total Value/Sales Price of Property: _____

\$700,000.00

Deed in Lieu of Foreclosure Only (value of property): _____

(0.00)

Transfer Tax Value: _____

\$700,000.00

Real Property Transfer Tax Due: _____

\$3,570.00

4. **If Exemption Claimed:**

a. Transfer Tax Exemption, per NRS 375.090, Section: _____

b. Explain Reason for Exemption: _____

5. Partial Interest: Percentage being transferred: _____%

The undersigned Seller/(Grantor)/Buyer (Grantee), declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the parties agree that disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month.

Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

Signature: _____

Capacity Grantor

Signature: [Signature]

Capacity Grantee

SELLER (GRANTOR) INFORMATION

BUYER (GRANTEE) INFORMATION

(REQUIRED)

(REQUIRED)

Print Name RG Properties, LLC, a Nevada
limited liability company

Print Name: Palm Properties, LLC, a Nevada
limited liability company

Address: c/o Singer Burke 6345 Balboa
Bldg 4

Address: 6050 S. Fort Apache Rd #100

City, St., Zip: Encino, CA 91316

City, St., Zip: Las Vegas, NV 89148

COMPANY REQUESTING RECORDING

Print Name: Fidelity National Title Agency of Nevada, Inc.

Escrow #: 00039824-118

Address: 2450 St. Rose Parkway, Suite 150

City/State/Zip: Henderson, NV 89074

AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED



ENTITY INFORMATION**ENTITY INFORMATION****Entity Name:** LEADING EDGE VENTURES LLC**Entity Number:** E23741252022-9**Entity Type:** Domestic Limited-Liability Company
(86)**Entity Status:** Active**Formation Date:** 06/07/2022**NV Business ID:** NV20222470546**Termination Date:** Perpetual**Annual Report Due Date:** 6/30/2023**Series LLC:** ☐**Restricted LLC:** ☐**REGISTERED AGENT INFORMATION****Name of Individual or
Legal Entity:** The Corporate Experts Limited**Status:** Active**CRA Agent Entity Type:** CRA - LIMITED-LIABILITY
CORPORATION**Registered Agent Type:** Commercial Registered Agent**NV Business ID:** NV20181139686**Office or Position:****Jurisdiction:** NEVADA**Street Address:** 9708 GILLESPIE STREET, SUITE 104,
Las Vegas, NV, 89183, USA**Mailing Address:****Individual with
Authority to Act:** Barry Michaels**Fictitious Website or
Domain Name:****OFFICER INFORMATION**☐ **VIEW HISTORICAL DATA**

Title	Name	Address	Last Updated	Status
Manager	Robert Lauer	5001 East Gowan Ave, Las Vegas, NV, 89115, USA	01/11/2023	Active

Page 1 of 1, records 1 to 1 of 1

[Filing History](#) [Name History](#) [Mergers/Conversions](#)[Return to Search](#) [Return to Results](#)



ENTITY INFORMATION**ENTITY INFORMATION**

Entity Name:
PALM PROPERTIES, LLC
Entity Number:
E0342702013-6
Entity Type:
Domestic Limited Liability Company (88)
Entity Status:
Active
Formation Date:
07/16/2013
NV Business ID:
NV20131420281
Termination Date:
Annual Report Due Date:
7/31/2024
Compliance Hold:
Status: LLC:
Restricted LLC:

REGISTERED AGENT INFORMATION

Name of Individual or Legal Entity:
DHANMINDER K DHALWAL
Status:
Active
CRS Agent Entity Type:
Registered Agent Type:
Non-Commercial Registered Agent
NV Business ID:
Office or Position:
Jurisdiction:
Street Address:
6050 S FORT APACHE RD STE 100, LAS VEGAS, NV, 89148, USA
Mailing Address:
Individual with Authority to Act:
Fictitious Website or Domain Name:

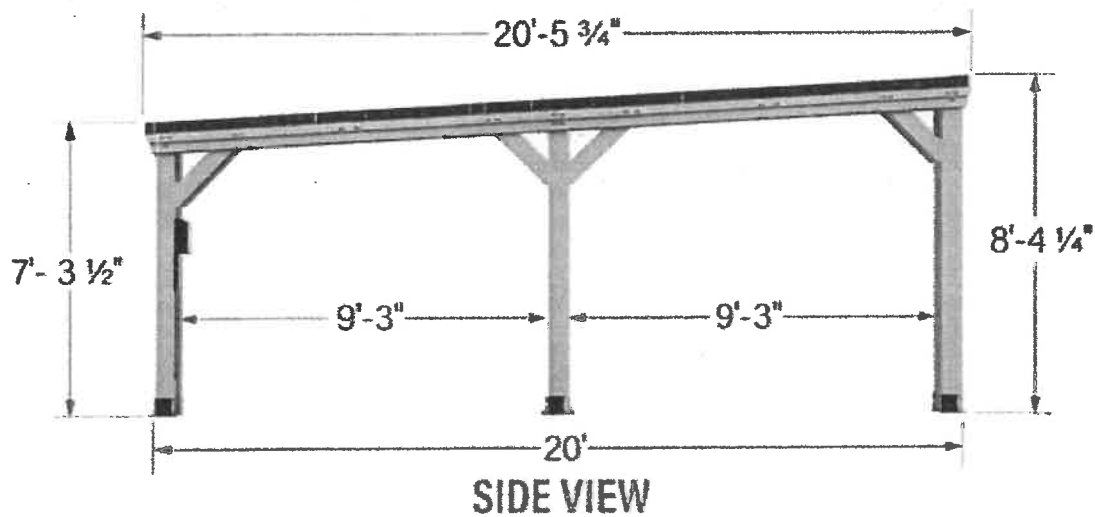
OFFICER INFORMATION☐ VIEW HISTORICAL DATA

Title	Name	Address	Last Updated	Status
Managing Member	RAJWINDER S DHALWAL	6050 S FORT APACHE RD, SUITE 100, LAS VEGAS, NV, 89148 - 5614, USA	05/04/2018	Active
Managing Member	DHANMINDER K DHALWAL	6050 S FORT APACHE RD, SUITE 100, LAS VEGAS, NV, 89148 - 5614, USA	06/04/2018	Active

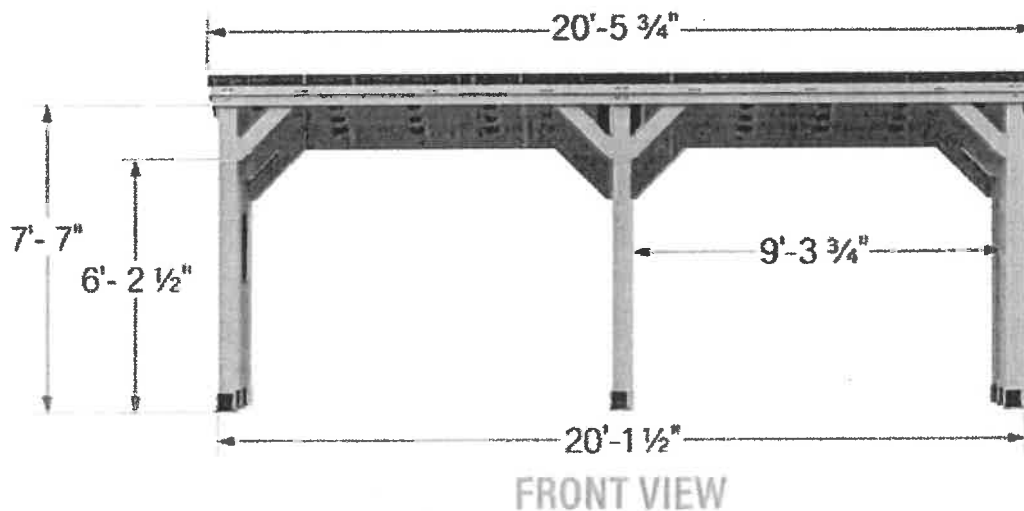
Page 1 of 1, records 1 to 2 of 2

[Filing History](#) [Name History](#) [Mergers/Conversions](#)[Return to Search](#) [Return to Results](#)

WS-24-0276



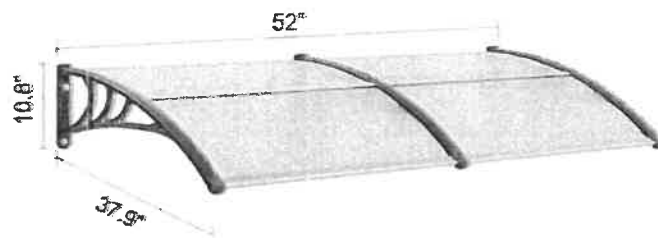
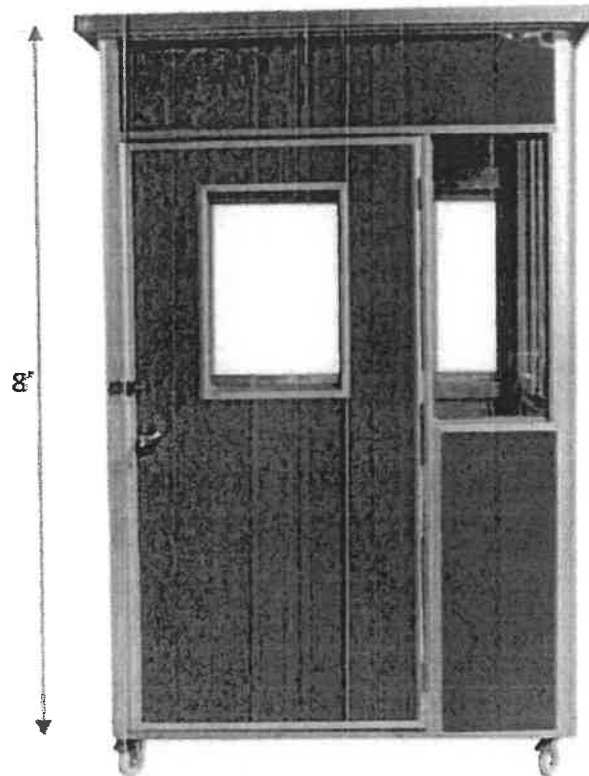
20X20 KINGSPORT CARPORT

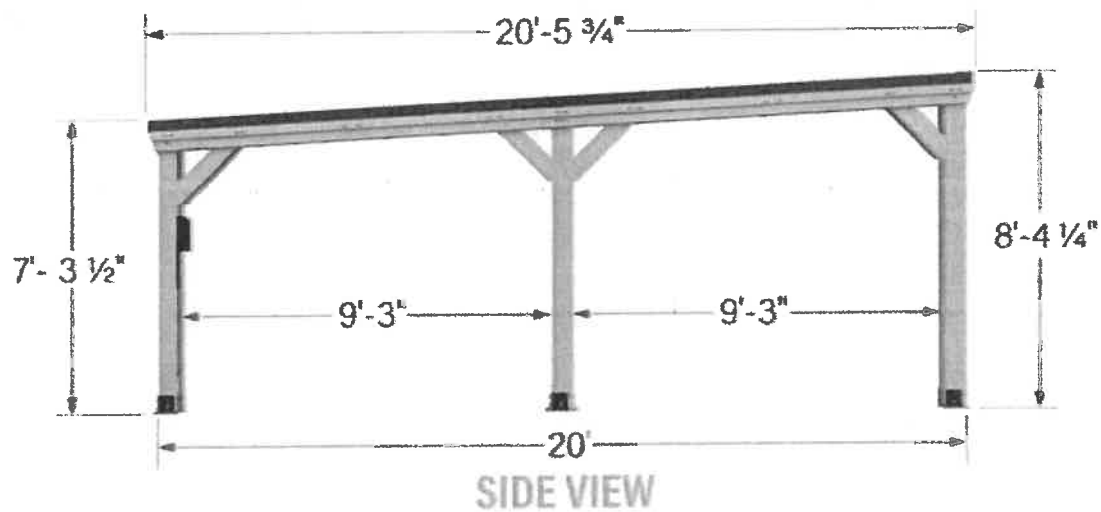


The 20x20 x 2 Kingsport Carport, fits all of your shade and element protection needs! This clean yet versatile slope roof design will minimize water from accumulating on the roof while complimenting any home's architectural style. The 20x20 Kingsport Carport is a reliable Pro-Tect® structure; certified to withstand a roof load of up to 20,000 pounds and up to 100 MPH winds. Naturally resistant to decay, the 100% Cedar Kingsport Carport includes our exclusive PowerPort with 3 electrical outlets and 3 USB ports to power up anything you might need while working outside. the 20x20 Kingsport

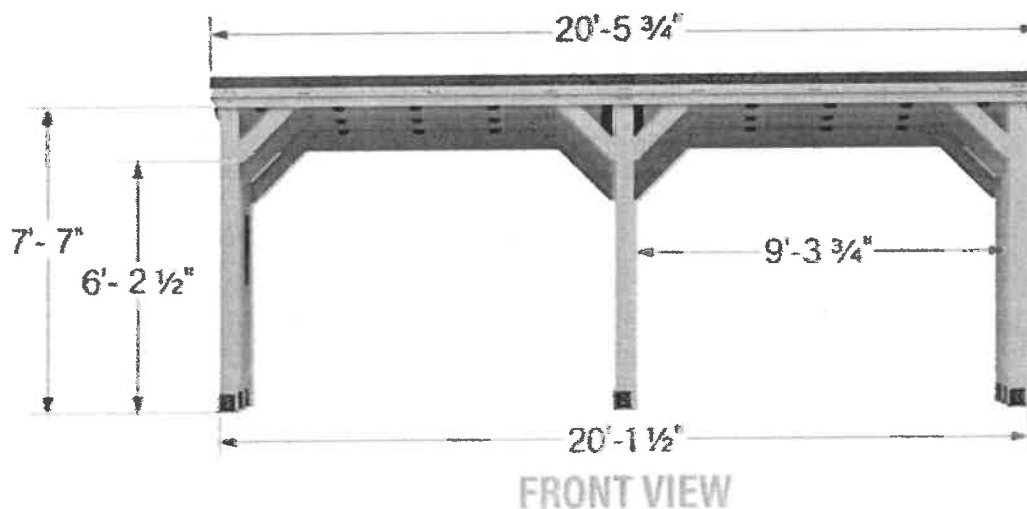
GUARD BUILDING

- **Color:** Blue
- **Size:** 5 ft. x 5 ft.
- **Material:** Steel
- **Door Size:** 80.75" x 36"
- **# of Windows:** 6
- **Lights:** LED
- **Electrical:** Solar & Battery Pack





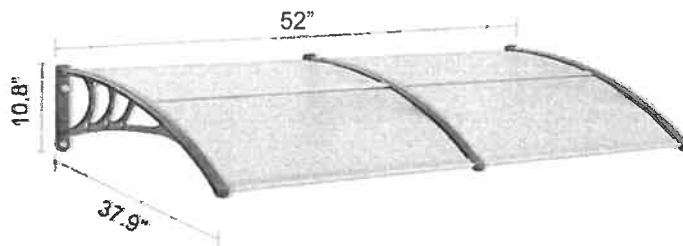
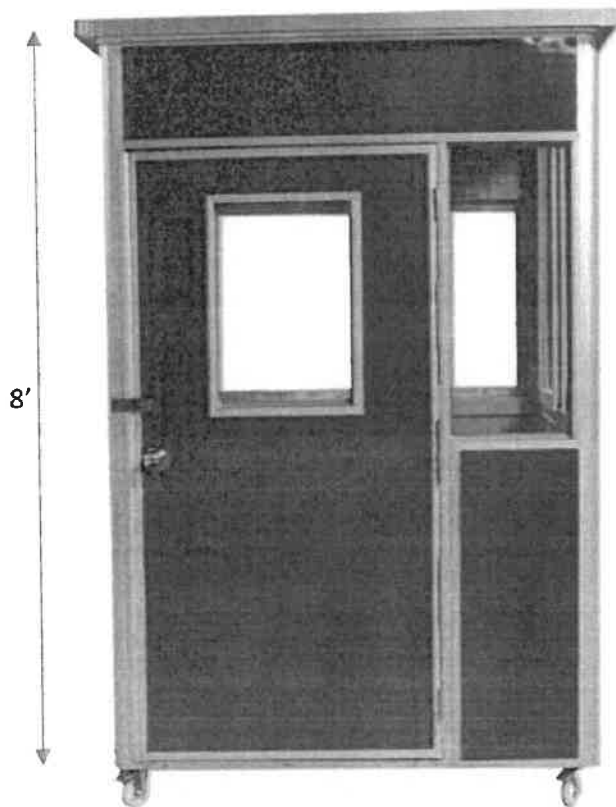
20X20 KINGSFORT CARPORT



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GUARD BUILDING

- **Color:** Blue
- **Size:** 5 ft. x 5 ft.
- **Material:** Steel
- **Door Size:** 80.75" x 36"
- **# of Windows:** 6
- **Lights:** LED
- **Electrical:** Solar & Battery Pack





HOLD

September 3, 2024

Clark County Board of County Commissioners
500 S. Grand Central Parkway
Las Vegas, NV

RE: Nellis & Happy Valley (#9 VS-24-0277 & #10 WS/DR-24-0276)

Dear Commissioner Segerblom:

Per communication with the District Commissioner's office, we are submitting a request for a continuance from the Board of County Commissioners meeting for items #9 and #10 on September 4, 2024, to the Board of County Commissioners meeting on October 2, 2024.

We respectfully request your consideration in the above-listed matter. If you have any questions, please feel free to contact us at (702) 435-9909.

Sincerely,

George C. Garcia
Founder

GCG: ag



A Planning & Development Services Corporation

1055 Whimpy Ranch Dr., Suite 210, Henderson, NV 89014
Telephone: (702) 435-9909 Facsimile: (702) 435-0457 E-Mail: ggarcia@gcgarciainc.com



9

September 24, 2024

HOLD

Tick Segerblom, Chairman
Clark County Board of County Commissioners
500 S. Grand Central Parkway
Las Vegas, NV

RE: Nellis & Happy Valley (VS-24-0277 & WS/DR-24-0276)

Dear Chairman Segerblom and Board of County Commissioners:

The following is a request for a continuance on items #8 and #9 (VS-24-0277 & WS/DR-24-0276) on the Board of County Commissioners hearing for October 2, 2024 to the Board of County Commissioners meeting on November 6, 2024. This will allow us additional time to work with the Commissioner's office.

We respectfully request your consideration in the above-listed matter. If you have any questions, please feel free to contact us at (702) 435-9909.

Sincerely,

George C. Garcia
Founder

GCG: ac



A Planning & Development Services Corporation

1055 Whitney Ranch Dr., Suite 210, Henderson, NV 89014
Telephone: (702) 435-9909 Facsimile: (702) 435-0457 E-Mail: ggarcia@gcgarciainc.com

PPLRL_1467



HOLD

September 3, 2024

Clark County Board of County Commissioners
500 S. Grand Central Parkway
Las Vegas, NV

RE: Nellis & Happy Valley (#9 VS-24-0277 & #10 WS/DR-24-0276)

Dear Commissioner Segerblom:

Per communication with the District Commissioner's office, we are submitting a request for a continuance from the Board of County Commissioners meeting for items #9 and #10 on September 4, 2024, to the Board of County Commissioners meeting on October 2, 2024.

We respectfully request your consideration in the above-listed matter. If you have any questions, please feel free to contact us at (702) 435-9909.

Sincerely,

George C. Garcia
Founder

GCG: ag



A Planning & Development Services Corporation

1055 Whimpy Ranch Dr., Suite 210, Henderson, NV 89014
Telephone: (702) 435-9909 Facsimile: (702) 435-0457 E-Mail: ggarcia@gcgarciainc.com

Katherine Corrow

From: Sami Real
Sent: Thursday, October 31, 2024 11:41 AM
To: CPAdmin
Subject: FW: HOLD Items VS-24-0277 and WS-24-0276

Please process this hold request from Commissioner Segerblom's office.
This hold is for two items, Items 7 and 8, on the 11/6 Zoning Agenda. The Commissioner is requesting these items be held until November 20, 2024.
Thank you.

Sami R. Real
Director, Department of Comprehensive Planning
Ph: (702) 455-3129
Business Hours: Mon. – Thurs., 7:30am to 5:30pm

From: Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Sent: Thursday, October 31, 2024 11:39 AM
To: Sami Real <Sami.Real@ClarkCountyNV.gov>
Cc: Jennifer Ammerman <jad@ClarkCountyNV.gov>; Tick Segerblom <Tsegerblom@ClarkCountyNV.gov>
Subject: RE: HOLD Items VS-24-0277 and WS-24-0276

Sorry about that! I will be to the second meeting in November.

Thank you!

Beatriz Martinez
Community Liaison | District E, Commissioner Tick Segerblom
500 S. Grand Central Parkway, 6th Floor, Las Vegas, NV 89155
Email: Beatriz.Martinez@ClarkCountyNV.gov
Office: 702.455.0560



From: Sami Real <Sami.Real@ClarkCountyNV.gov>
Sent: Thursday, October 31, 2024 11:37 AM
To: Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Cc: Jennifer Ammerman <jad@ClarkCountyNV.gov>; Tick Segerblom <Tsegerblom@ClarkCountyNV.gov>
Subject: RE: HOLD Items VS-24-0277 and WS-24-0276

Bea..
How long will these items be held for???
No date? Second meeting in November? Or???

Sami R. Real
Director, Department of Comprehensive Planning
Ph: (702) 455-3129
Business Hours: Mon. – Thurs., 7:30am to 5:30pm

From: Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Sent: Thursday, October 31, 2024 11:23 AM
To: Sami Real <Sami.Real@ClarkCountyNV.gov>
Cc: Jennifer Ammerman <jad@ClarkCountyNV.gov>; Tick Segerblom <Tsegerblom@ClarkCountyNV.gov>
Subject: HOLD Items VS-24-0277 and WS-24-0276

Hi Sami,

Commissioner Segerblom would like to hold items VS-24-0277 and WS-24-0276, we have made the consultant aware of the hold.

Thank you,

Beatriz Martinez
Community Liaison | District E, Commissioner Tick Segerblom
500 S. Grand Central Parkway, 6th Floor, Las Vegas, NV 89155
Email: Beatriz.Martinez@ClarkCountyNV.gov
Office: 702.455.0560





June 5, 2024

WS-24-0276

Clark County Current Planning
500 S. Grand Central Pkwy
Las Vegas, NV 89155

RE: Letter of Justification
Request for Design Review for Commercial Truck Parking – 3125 Nellis
APN#: 161-08-810-082 & -083

Dear Sami,

On behalf of the applicant, Leading Edge Ventures, LLC, please accept this letter and attached materials for a Design Review to create a Commercial Truck Parking Lot. This lot will enable truckers to have a place to legally park their local trucks (not long haul over-the-road). This will help keep trucks from parking on public streets creating enforcement and neighborhood issues. It will also provide a safer, more secure parking environment that always has solar powered cameras Metro can access. Additionally, a security guard is always present. The truck drivers arrive and park in the spaces vacated by their truck.

This also takes a site that previously occupied by a homeless encampment after the retail center was demolished. Their presence was a security and nuisance issue for the abutting residential and commercial. This use puts an active set of eyes on the street in an area that is relatively high in crime and will bring an informal parking lot into compliance after 3 years of operation. It also improves the tax value and employs a military veteran as the security guard.

The zoning of Commercial General (CG) and land use of Corridor Mixed-Use use designations provide for a Parking Lot as a permitted Commercial Use in CG. The zoning along Nellis, from Desert Inn to Vegas Valley Dr. is for Commercial General and Multifamily (RM32 & RM18). Happy Valley is RS20 on the south and RM-32 on the north.

This application will also resolve the pending CCPRO matter CE23-05369.
The site design meets both the Sustainability and Residential Adjacency requirements.

Design Review Approval Criteria 30.06.07-9(i)

1. Compatibility, in terms of scale and architectural features, with the site and surrounding area.

The site as proposed will be compatible as a parking lot on an arterial street with completion of infrastructure, lighting, landscaping and fencing. This will equal or exceed the rest of the older neighborhood. This replaces and is far more compatible than the prior homeless encampment and helps reduce crime in a high crime area.

Building and landscape materials are appropriate for the area and for the County;



A Planning & Development Services Corporation

1055 Whitney Ranch Dr., Suite 210, Henderson, NV 89014
Telephone: (702) 435-9909 Facsimile: (702) 435-0457 E-Mail: ggarcia@gcgarciainc.com PPLRL_1471

Along with the parking lot there is a guard and shade building structures proposed. The buildings will have energy saving sustainability elements incorporated.

All new landscaping will be consistent with the current low watering flow planting and reduced heat island requirements. The mature existing palms will remain/ All new trees will be replaced new drought tolerant landscaping along with the completion of the curb, gutter and sidewalk to enhance the aesthetics, safety, drainage and heat island and provide the required Buffering & Screening for Residential Adjacency (UDC 30.04.06.L.2).

SUSTAINABLY CHECKLIST (see attached landscape plan and completed checklist). The plans meet the required points .As a synopsis, the plans includes a 20% larger Landscape Buffer, More Trees, Water-Efficient Plantings; Cool Roof; Awnings; & Alternative Energy to power the Solar Lighting and Security Cameras. This accounts for 7.5 points, and more points, if needed, can be added for a Battery Backup and Low E Glass for another 1.5 points..

2. Harmony with the character of the neighborhood

The proposed development is in harmony with the adjacent development and development in the area. The commercial neighbors to the north and south find the use compatible and support the truck parking lot, that has been operating for 3 years with only one complaint. They appreciate the applicants' desire to further enhance the lot width: lighting, security cameras, security guard, landscaping, paving and fencing and keep the prior homeless camp away.

The retail center on this site was demolished. The surrounding area has older commercial storage sites and apartments near the major streets and to the west some residential homes. Across Happy Valley to the north there is a saloon/tavern.

A. Sunrise Manor Policies:

- a) SM 1-1 Encourage Reinvestment and Revitalization – This will improve a highly visible vacant commercial property. It will help deter further deterioration, homeless encampment, and safety issues. It will provide an interim use that helps promote reinvestment until area economic conditions attract a higher use. The abutting neighbors find this use compatible.***
- b) SM-1.3 Corridor Revitalization – This use will support the revitalization and prevent further deterioration and supports a use and improvements that will help some existing businesses and create a more aesthetic and vibrant appearance to help attract greater investment to the area compared to a vacant lot with a homeless encampment.***

RESIDENTIAL ADJACENCY

The plan complies with the Residential Adjacency requirements. The proposed site design as depicted on the Site and Landscape plans meets the Residential Adjacency requirements of the code: There is an existing 8FT decorative wall. 1) Grading – Not more than 3 feet of fill within 50 feet of the residential; 2) Site and Building Orientation – the guard building is oriented well away from the residential and at the entry point from Happy Valley. a) Additional Buffering and Screening is provided with a 20' foot landscape buffer with an 8-foot wall. 3) Building Configuration – The guard building is tiny one-story building and moved to about 200 feet away from the residential property line. Building Height and Facades is about 8-9 feet in height, well below the allowable height 50 feet, with articulation and consistent roof lines and roof

treatments. 4) Setbacks – the building at nearly 200 feet from residential and 75 feet from the street easily meet setbacks. 5) Lighting will be solar and will comply with no spill over lighting and no light fixture above 18 height (show on plan). 6) Trash Receptacles are located well beyond 50 feet to the adjacent residential at about 200+ feet 7) Parking Area Screening is provided with 20 feet or 5 feet & 33% more than the minimum of 15 FT of landscaped buffer and a staggered double row of evergreen trees 20 feet on center 8) Cut-Through Traffic is not possible.

3. Impact on the surrounding land uses; and

Site access and circulation will not negatively impact adjacent roadways or any neighborhoods as this is not like the prior commercial, retail or office parking lot that have higher frequency and volume of trips. The proposed project has a single appropriately located driveway to control access. The site has far less average daily trips than other permissible CG uses. The proposed use will add minimal traffic to the area and will complete the offsite improvements to Happy Valley including curb, gutter, and street lighting. The existing commercial access drive on Happy Valley will be reconstructed to current commercial drive standards.

4. The health, safety and welfare of the inhabitants of the area.

Removing the homeless encampment, completing the street, sidewalk, addition of lighting, a 24/7 security guard, intense landscape buffer, defensive landscaping, fencing and security cameras coupled with cooperation with Metro on implementing its recommendations and access to camera recordings as well as helping illegal and unsafe truck parking & CCPRO code enforcement will in combination, greatly enhance the public health, safety and welfare. It will also help address trash dumping and graffiti control.

The proposed project is consistent with the zoning and regulations, plans and policies of the County.

B. (i) A Parking Lot is a Permitted Use in CG.

(ii) The parking lot design is intended to fully comply with all codes.

(iii) Illegal Parking of Commercial Trucks on public streets has become a significant issue putting residents, businesses, and truck drivers at risk.

(iv) Jason's Law is a federal law to encourage safe parking havens for truckers.

C. Sunrise Manor Policies:

c) SM 1-1 Encourage Reinvestment and Revitalization – This will improve a highly visible vacant commercial property. It will help deter further deterioration, homeless encampment, and safety issues. It will provide an interim use that helps promote reinvestment until area economic conditions attract a higher use. The abutting neighbors find this use compatible.

d) SM-1.3 Corridor Revitalization – This use will support the revitalization and prevent further deterioration and supports a use and improvements that will help some existing businesses and create a more aesthetic and vibrant appearance to help attract greater investment to the area compared to a vacant lot with a homeless encampment.

5. N/A as this is not a Comprehensive Sign Plan

Waiver of Standards

1. Request to allow continuation of commercial access from Happy Valley Avenue (30.04.06D).

The site is zoned for commercial (CG) and the prior development had its access from Happy Valley. NDOT does not want access to Nellis given the volumes of traffic on Nellis and location of a driveway so close to the signal and bus stop as well as the existing driveway to the south. Happy Valley is the sole means of access given this limitation. It also appears that the prior driveway with access on Nellis was closed in 2021 during NDOT's improvements to Nellis. This meets the basis for an exception under 30.04.06.D.2.

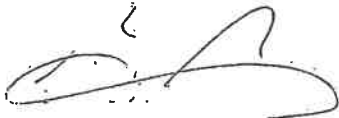
Summary

The proposed Commercial Truck parking Lot use will provide a location for truck drivers to park their vehicles outside of residential subdivisions and not on public roadways. This will also help minimize safety hazards, trash dumping, graffiti control, homeless encampments, and code citations. It will add to appearance with fencing and landscaping. It will enhance public safety by completing the road and sidewalk on Happy Valley. It will help with crime prevention.

The use is compatible with the surrounding commercial and residential development in the area as it is supported by the neighbors. It will not be detrimental to the surrounding properties; it will not overwhelm infrastructure and services; and will not negatively affect the public health, safety and welfare. We respectfully request your favorable consideration of this request.

Please do not hesitate to contact us if you have any questions or need additional information.

Sincerely,



George Garcia
Founder



June 5, 2024

Clark County Current Planning
500 S. Grand Central Pkwy
Las Vegas, NV 89155

RE: Letter of Justification
Request for Design Review for Commercial Truck Parking – 3125 Nellis
APN#: 161-08-810-082 & -083

Dear Sami,

On behalf of the applicant, Leading Edge Ventures, LLC, please accept this letter and attached materials for a Design Review to create a Commercial Truck Parking Lot. This lot will enable truckers to have a place to legally park their local trucks (not long haul over-the-road). This will help keep trucks from parking on public streets creating enforcement and neighborhood issues. It will also provide a safer, more secure parking environment that always has solar powered cameras Metro can access. Additionally, a security guard is always present. The truck drivers arrive and park in the spaces vacated by their truck.

This also takes a site that previously occupied by a homeless encampment after the retail center was demolished. Their presence was a security and nuisance issue for the abutting residential and commercial. This use puts an active set of eyes on the street in an area that is relatively high in crime and will bring an informal parking lot into compliance after 3 years of operation. It also improves the tax value and employs a military veteran as the security guard.

The zoning of Commercial General (CG) and land use of Corridor Mixed-Use use designations provide for a Parking Lot as a permitted Commercial Use in CG. The zoning along Nellis, from Desert Inn to Vegas Valley Dr. is for Commercial General and Multifamily (RM32 & RM18). Happy Valley is RS20 on the south and RM-32 on the north.

This application will also resolve the pending CCPRO matter CE23-05369.
The site design meets both the Sustainability and Residential Adjacency requirements.

Design Review Approval Criteria 30.06.07-9(i)

1. Compatibility, in terms of scale and architectural features, with the site and surrounding area.

The site as proposed with be compatible as a parking lot on an arterial street with completion of infrastructure, lighting, landscaping and fencing. This will equal or exceed the rest of the older neighborhood. This replaces and is far more compatible than the prior homeless encampment and helps reduce crime in a high crime area.

Building and landscape materials are appropriate for the area and for the County;



A Planning & Development Services Corporation

1055 Whitney Ranch Dr., Suite 210, Henderson, NV 89014
Telephone: (702) 435-9909 Facsimile: (702) 435-0457 E-Mail: aaarcia@acaarciainc.com

PPLRL_1475

Along with the parking lot there is a guard and shade building structures proposed. The buildings will have energy saving sustainability elements incorporated.

All new landscaping will be consistent with the current low watering flow planting and reduced heat island requirements. The mature existing palms will remain/ All new trees will be replaced new drought tolerant landscaping along with the completion of the curb, gutter and sidewalk to enhance the aesthetics, safety, drainage and heat island and provide the required Buffering & Screening for Residential Adjacency (UDC 30.04.06.L.2).

SUSTAINABLY CHECKLIST (see attached landscape plan and completed checklist). The plans meet the required points .As a synopsis, the plans includes a 20% larger Landscape Buffer, More Trees, Water-Efficient Plantings; Cool Roof; Awnings; & Alternative Energy to power the Solar Lighting and Security Cameras. This accounts for 7.5 points, and more points, if needed, can be added for a Battery Backup and Low E Glass for another 1.5 points..

2. Harmony with the character of the neighborhood

The proposed development is in harmony with the adjacent development and development in the area. The commercial neighbors to the north and south find the use compatible and support the truck parking lot, that has been operating for 3 years with only one complaint. They appreciate the applicants' desire to further enhance the lot width: lighting, security cameras, security guard, landscaping, paving and fencing and keep the prior homeless camp away.

The retail center on this site was demolished. The surrounding area has older commercial storage sites and apartments near the major streets and to the west some residential homes. Across Happy Valley to the north there is a saloon/tavern.

A. Sunrise Manor Policies:

- a) SM 1-1 Encourage Reinvestment and Revitalization – This will improve a highly visible vacant commercial property. It will help deter further deterioration, homeless encampment, and safety issues. It will provide an interim use that helps promote reinvestment until area economic conditions attract a higher use. The abutting neighbors find this use compatible.***
- b) SM-1.3 Corridor Revitalization – This use will support the revitalization and prevent further deterioration and supports a use and improvements that will help some existing businesses and create a more aesthetic and vibrant appearance to help attract greater investment to the area compared to a vacant lot with a homeless encampment.***

RESIDENTIAL ADJACENCY

The plan complies with the Residential Adjacency requirements. The proposed site design as depicted on the Site and Landscape plans meets the Residential Adjacency requirements of the code: There is an existing 8FT decorative wall. 1) Grading – Not more than 3 feet of fill within 50 feet of the residential; 2) Site and Building Orientation – the guard building is oriented well away from the residential and at the entry point from Happy Valley. a) Additional Buffering and Screening is provided with a 20' foot landscape buffer with an 8-foot wall. 3) Building Configuration – The guard building is tiny one-story building and moved to about 200 feet away from the residential property line. Building Height and Facades is about 8-9 feet in height, well below the allowable height 50 feet, with articulation and consistent roof lines and roof

treatments. 4) Setbacks – the building at nearly 200 feet from residential and 75 feet from the street easily meet setbacks. 5) Lighting will be solar and will comply with no spill over lighting and no light fixture above 18 height (show on plan). 6) Trash Receptacles are located well beyond 50 feet to the adjacent residential at about 200+ feet 7) Parking Area Screening is provided with 20 feet or 5 feet & 33% more than the minimum of 15 FT of landscaped buffer and a staggered double row of evergreen trees 20 feet on center 8) Cut-Through Traffic is not possible.

3. Impact on the surrounding land uses; and

Site access and circulation will not negatively impact adjacent roadways or any neighborhoods as this is not like the prior commercial, retail or office parking lot that have higher frequency and volume of trips. The proposed project has a single appropriately located driveway to control access. The site has far less average daily trips than other permissible CG uses. The proposed use will add minimal traffic to the area and will complete the offsite improvements to Happy Valley including curb, gutter, and street lighting. The existing commercial access drive on Happy Valley will be reconstructed to current commercial drive standards.

4. The health, safety and welfare of the inhabitants of the area.

Removing the homeless encampment, completing the street, sidewalk, addition of lighting, a 24/7 security guard, intense landscape buffer, defensive landscaping, fencing and security cameras coupled with cooperation with Metro on implementing its recommendations and access to camera recordings as well as helping illegal and unsafe truck parking & CCPRO code enforcement will in combination, greatly enhance the public health, safety and welfare. It will also help address trash dumping and graffiti control.

The proposed project is consistent with the zoning and regulations, plans and policies of the County.

B. (i) A Parking Lot is a Permitted Use in CG.

(ii) The parking lot design is intended to fully comply with all codes.

(iii) Illegal Parking of Commercial Trucks on public streets has become a significant issue putting residents, businesses, and truck drivers at risk.

(iv) Jason's Law is a federal law to encourage safe parking havens for truckers.

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Summary

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Please do not hesitate to contact us if you have any questions or need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'George Garcia', with a stylized flourish at the end.

George Garcia
Founder



LANDSCAPE PLAN

LEDGE APN:161-08-810-082, 083

EAST HAPPY VALLEY AVE. & SOUTH NELLIS BLVD.

LAS VEGAS, NV 89121

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THESE DRAWINGS ARE 60-60-60 IN NATURE AND SHOULD BE HELD IN ACCORDANCE TO EXISTING CONDITIONS.

S2 DESIGN STUDIO
PROFESSIONAL LANDSCAPE DESIGN

REVIEWED BY: MS

DATE: 06/05/24

SCALE: 1" = 20'-0"

SHEET NUMBER: L-1.0

NOT FOR CONSTRUCTION USE

KEY MAP/SHEET INDEX

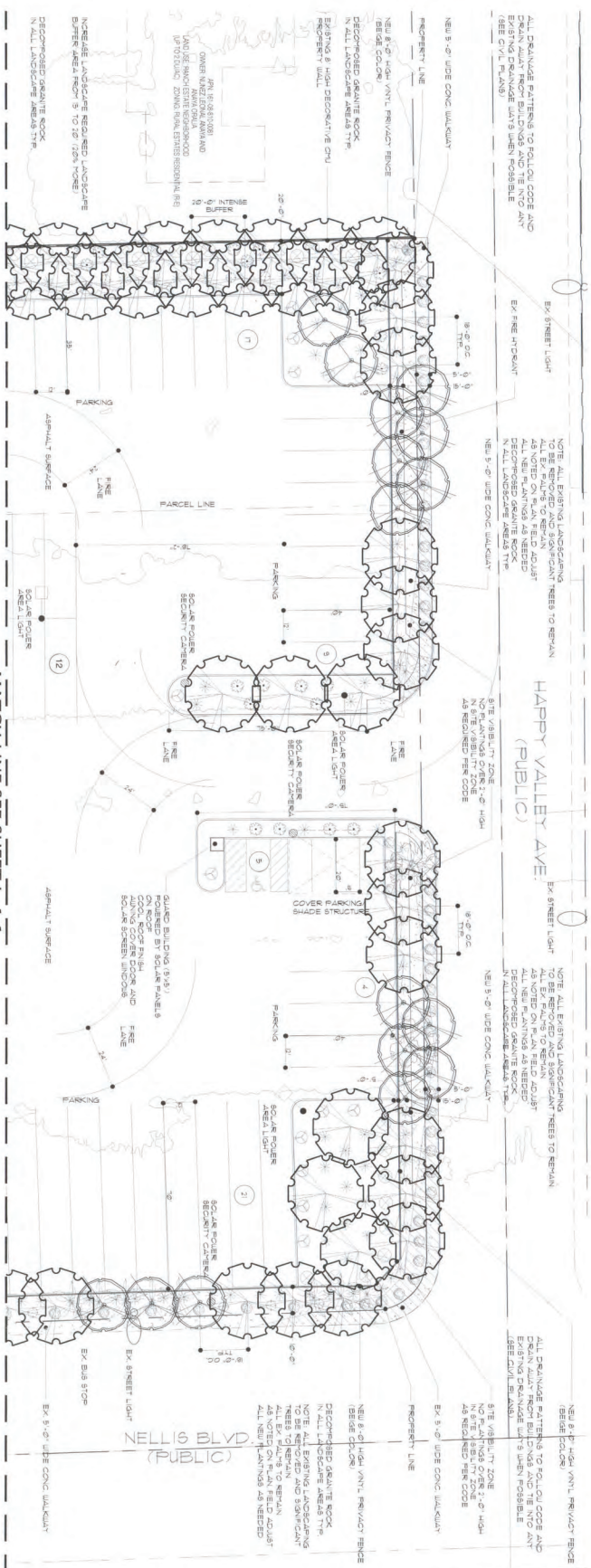
NOTE: SEE EXISTING LAYOUT AND NEED TO BE RELOCATED TO MAINTAIN PROPER DRAINAGE AS REQUIRED BY CODE. MAINTAIN POSITIVE DRAINAGE AWAY FROM ALL EXISTING AND PROPOSED BUILDINGS. SEE CIVIL PLAN FOR DRAINAGE PATTERNS.

CALL 1-800-727-2800

CALL 1-702-455-7590

Digitally signed by
Henry Sudweeks
Date: 2024.06.05
14:41:36 -0700

MATCH LINE SEE SHEET L-1.1



GENERAL PLANTING NOTES:

PLANT SPECIES SHOWN ON PLAN ARE SHOWN AT MATURE SIZE. PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF LAS VEGAS PLANTING SPECIFICATIONS. PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF LAS VEGAS PLANTING SPECIFICATIONS. PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF LAS VEGAS PLANTING SPECIFICATIONS.

GENERAL IRRIGATION NOTES:

ALL IRRIGATION SHALL BE DONE IN ACCORDANCE WITH THE CITY OF LAS VEGAS PLANTING SPECIFICATIONS. IRRIGATION SHALL BE DONE IN ACCORDANCE WITH THE CITY OF LAS VEGAS PLANTING SPECIFICATIONS. IRRIGATION SHALL BE DONE IN ACCORDANCE WITH THE CITY OF LAS VEGAS PLANTING SPECIFICATIONS.

GENERAL TREE PLANTING NOTES:

ALL TREE PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF LAS VEGAS PLANTING SPECIFICATIONS. TREE PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF LAS VEGAS PLANTING SPECIFICATIONS. TREE PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF LAS VEGAS PLANTING SPECIFICATIONS.

PLANT SCHEDULE					
SYM	QTY	SIZE	SCIENTIFIC NAME	COMMON NAME	PLANTING
1	21	2 1/2" CAL	Adiantum species	Breasting ferns	126 LF
2	37	3" CAL	Quercus laevis	Escarpment oak	320 LF
3	1	5" CAL	Chrysomelid	Creeping thyme	28 LF
4	1	5" CAL	Hypericum	St. John's wort	12 LF
5	1	5" CAL	Lonicera	Green manna vine	28 LF
6	1	5" CAL	Passiflora	Passiflora	28 LF
7	1	5" CAL	Passiflora	Passiflora	28 LF
8	1	5" CAL	Passiflora	Passiflora	28 LF
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100	1	5" CAL	Passiflora	Passiflora	28 LF



LANDSCAPE PLAN

LEDGE APN:161-08-810-082, 083
EAST HAPPY VALLEY AVE. 4 SOUTH NELLIS BLVD.
LAS VEGAS, NV 89121

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THESE DRAWINGS ARE SCHEMATIC IN NATURE AND SHOULD BE FIELD VERIFIED TO EXISTING CONDITIONS.

S2 DESIGN STUDIO
PROFESSIONAL LANDSCAPE DESIGN

* 2520 ST. ROSE PARKWAY, STE. 204, HENDERSON, NV 89074 *

REVIEWED BY: HS
DRAWN BY: TS
DATE: 06/05/24
SCALE: 1" = 20'-0"
SHEET NUMBER:

L-1.2

Henry
Sudwe

Digitally signed by
Henry Sudweeks
Date: 2024.06.05
14:42:13 -07'00'

NOTE: THESE DRAWINGS ARE SCHEMATIC AND NEED TO BE FIELD VERIFIED PRIOR TO INSTALLATION. ALL NEWLY GRADED AREAS TO HAVE PROPER DRAINAGE AS REQUIRED BY CODE.

MAINTAIN POSITIVE DRAINAGE AWAY FROM ALL STRUCTURES AND FOLLOW EXISTING DRAINAGE PATTERNS. SEE CIVIL PLAN FOR DRAINAGE PATTERN.



Call before you dig

Underground

1-702-455-7511

1-702-229-6611

Call
before you
Dig
1-800-227-2600
1-702-455-7540
www.dignotcall.com

NOT FOR CONSTRUCTION USE

MA

MAILING AMOUNTS

PC - Tuesday 9/3/2024			
Application	Amount	Date Mailed	
DR-24-0374	X	579	
ET-24-400082	X	812	
UC-24-0345	X	2088	
UC-24-0353	X	120	
VS-24-0356	X	243	
WS-24-0346	X	252	
WS-24-0347	X	267	
WS-24-0355	X	243	
		4604	

BCC - Wednesday 8/21/2024			
Application	Amount	Date Mailed	
PA-24-700008	X	353	
PA-24-700009	X	1464	
PA-24-700010	X	439	
PUD-24-0237	X	1464	
UC-23-0859	X	379	
VS-24-0238	X	1464	
WS-24-0218	X	353	
ZC-24-0217	X	353	
ZC-24-0236	X	1464	
ZC-24-0241	X	439	
		8172	

NT081924:55 8/20
ZS081924:10
CPSZ

BCC - Wednesday 9/4/2024			
Application	Amount	Date Mailed	
AR-24-400079	X	2181	
ET-24-400083	X	415	
UC-24-0359	X	709	
UC-24-0367	X	1315	
VS-24-0277	X	1200	
VS-24-0369	X	122	
WS-24-0276	X	1200	
WS-24-0325	X	546	
WS-24-0354	X	351	
WS-24-0358	X	105	
WS-24-0364	X	256	
WS-24-0366	X	676	
WS-24-0370	X	122	
ZC-24-0324	X	546	
ZC-24-0348	X	107	
ZC-24-0349	X	507	
ZC-24-0350	X	104	
ZC-24-0351	X	101	
ZC-24-0352	X	107	
ZC-24-0357	X	105	
ZC-24-0363	X	256	
ZC-24-0365	X	746	
ZC-24-0368	X	122	
		11899	

JP 8/8/24

VS for Delivery Confirmation			
Application	Amount	Date Mailed	
AB-24-0356	X	20	
AB-24-0277	X	10	
AB-24-0369	X	14	
AB-24-0238	X	12	
		56	
Mobile Home Parks			
Park Name	Amount		
Casa Linda	107		
Pleasant Valley	300		
Fun n Sun	113		
Robbins Nest	151		
Silverado	289		
American	65		
Casa Linda	107		
AAA	54		
Sand Creek	324		
Miracle Mile	469		
Kings Row	199		
Sand Creek	324		
Miracle Mile	469		
Kings Row	199		
Sand Creek	324		
Miracle Mile	469		
Kings Row	199		
Casa Linda	107		
AAA	54		
Casa Linda	107		
AAA	54		
Sand Creek	324		
Miracle Mile	469		
Kings Row	199		
		5476	

MAILING AMOUNTS

PC - Tuesday 9/3/2024

Application	Amount	Date Mailed
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BCC - Wednesday 9/4/2024

Application	Amount	Date Mailed
DR-24-0305	X	609
PA-24-700011	X	245
PA-24-700014	X	609
VS-24-0267	X	245
VS-24-0306	X	609
WS-24-0266	X	245
• ZC-24-0265	X	245
• ZC-24-0304	X	472
		3279

VS for Delivery Confirmation

Application	Amount	Date Mailed
AB-24-0267	X	7
AB-24-0306	X	122
		129

Mobile Home Parks

Park Name	Amount
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Wilder 8/12

CPAdmin

From: CPAgendas
Sent: Monday, August 26, 2024 10:10 AM
To: CPAdmin
Subject: BCC Meeting Notification | September 4, 2024 at 9:00 a.m.

Correspondent Name: Records
Correspondent E-mail: cpadmin@clarkcountynv.gov

Application#:

Please be advised that your application will be presented to the Clark County Board of County Commissioners on **9/4/2024**, at the hour of **9:00 a.m.**, in the Commission Chambers, CLARK COUNTY GOVERNMENT CENTER, 500 S. Grand Central Parkway, Las Vegas, Nevada.

REPRESENTATION IS MANDATORY AT THE ABOVE MENTIONED MEETING.

To access your staff report, please click on the link below to be directed to the Clark County meeting agendas website.

DIRECT LINK:

<https://clark.legistar.com/Calendar.aspx>

Once the link is opened, select **Meeting Details** from your assigned meeting body, then select your **Application Number** to access staff report documents.

The staff report contains your "**Project Description**," "**Staff Recommendation**," and "**Preliminary Staff Conditions**." Please review the document for accuracy and for your concurrence. If you have any questions regarding this information, please notify this department prior to the meeting date by emailing zoningmeeting@clarkcountynv.gov.

Items on the agenda under the "Routine" header may be approved in one hearing and in one motion. Items on the agenda under the "Non-Routine" header will be considered separately.

Audio visual equipment is available in the chambers for your use in presenting the agenda item. Please be advised that any presentation materials, for which there is no duplicate on file, must be retained for public records. If you plan to use slides or DVD(s) to present your item, please call (702) 455-4320 at least 24 hours prior to the meeting. Please do not submit any original slides, DVD(s), renderings, photographs, or other exhibits, unless you have a copy for your records. Any items you submit at the meeting must be retained for public record.

It is the applicant's responsibility to keep the application current and to provide a current contact name, address (including email address), and phone number to this department at the address listed above. This information must be submitted in writing with the application number referenced.

PERMIT INFORMATION:

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UPDATED PROCEDURE:

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Hearing Date	Hearing Time	Application Number	Comm Dist	Correspondent Name	Correspondent Email	Town Board Meeting Dates
09/04/2024	9:00 a.m.			Records	cpadmin@clarkcountynv.gov	
09/04/2024	9:00 a.m.			Agenda Processing	cpagendas@clarkcountynv.gov	
09/04/2024	9:00 a.m.	AR-24-400079	E	Lora Dreja	lora@brownlawlv.com	Winchester 08/13/2024
09/04/2024	9:00 a.m.	DR-24-0305	E	Lucy Stewart	stewplan@gmail.com	Paradise 07/09/2024
09/04/2024	9:00 a.m.	ET-22-400017	E	Jay H. Brown	lohene@brownlawlv.com	Paradise 04/12/2022
09/04/2024	9:00 a.m.	ET-24-400057	F	Gwendolyn Fischer	gwen@landbaroninv.com	Red Rock 08/28/2024
09/04/2024	9:00 a.m.	ET-24-400083	E	Juan Lopez	lopeztruckparts@gmail.com	Sunrise Manor 8/15/2024
09/04/2024	9:00 a.m.	PA-24-700011	F	Taney Engineering	EmilyS@TaneyCorp.com	Enterprise 07/10/2024
09/04/2024	9:00 a.m.	PA-24-700014	E	Lucy Stewart	stewplan@gmail.com	Paradise 07/09/2024
09/04/2024	9:00 a.m.	TM-24-500064	B	Moapa Valley Builders	permits@moapavalleybuilders.com	Moapa Valley 08/14/2024
09/04/2024	9:00 a.m.	TM-24-500069	C	Jennifer Veras	JVERAS@GCWENGINEERING.COM	Lone Mountain 08/13/2024
09/04/2024	9:00 a.m.	TM-24-500072	A	JOHN VORNSAND	john@vornsandconsulting.com	Spring Valley 08/13/2024
09/04/2024	9:00 a.m.	UC-24-0268	A	Brown, Brown, & Premsrut	aharris@brownlawlv.com	Enterprise 08/28/2024
09/04/2024	9:00 a.m.	UC-24-0308	A	Cassandra Worrell	cworrell@brownlawlv.com	Enterprise 07/10/2024
09/04/2024	9:00 a.m.	UC-24-0359	A	Earleane Johnson	earleanej@firebirdllc.com	Enterprise 08/14/2024
09/04/2024	9:00 a.m.	UC-24-0367	E	David Brown	dbrown@brownlawlv.com	Winchester 08/13/2024
09/04/2024	9:00 a.m.	UC-24-0378	A	Cassandra Worrell	cworrell@brownlawlv.com	Paradise 08/27/2024
09/04/2024	9:00 a.m.	VS-24-0267	F	Taney Engineering	EmilyS@TaneyCorp.com	Enterprise 07/10/2024
09/04/2024	9:00 a.m.	VS-24-0277	E	G. C. GARCIA, INC.	ACOLE@GCGARCIAINC.COM	Sunrise Manor 08/15/2024
09/04/2024	9:00 a.m.	VS-24-0306	E	Lucy Stewart	stewplan@gmail.com	Paradise 07/09/2024
09/04/2024	9:00 a.m.	VS-24-0309	A	Cassandra Worrell	cworrell@brownlawlv.com	Enterprise 07/10/2024
09/04/2024	9:00 a.m.	VS-24-0369	A	JOHN VORNSAND	john@vornsandconsulting.com	Spring Valley 08/13/2024
09/04/2024	9:00 a.m.	WC-24-400060	F	Lexa Green	lgreen@kcnvlaw.com	Enterprise 06/26/2024
09/04/2024	9:00 a.m.	WS-22-0147	E	Matthew Weinman	matthew.weinman@martinharris.com	Sunrise Manor 03/16/2023
09/04/2024	9:00 a.m.	WS-24-0266	F	Taney Engineering	EmilyS@TaneyCorp.com	Enterprise 07/10/2024
09/04/2024	9:00 a.m.	WS-24-0276	E	G. C. GARCIA, INC.	ACOLE@GCGARCIAINC.COM	Sunrise Manor 08/15/2024
09/04/2024	9:00 a.m.	WS-24-0290	C	Tim Moreno	tim@morenopec.com	Lone Mountain 07/30/2024
09/04/2024	9:00 a.m.	WS-24-0312	B	Bulloch Brothers Engineering, Inc.	victor@bullochbrothers.com	Moapa Valley 07/31/2024
09/04/2024	9:00 a.m.	WS-24-0325	B	Moapa Valley Builders	permits@moapavalleybuilders.com	Moapa Valley 08/14/2024
09/04/2024	9:00 a.m.	WS-24-0354	C	Jennifer Veras	JVERAS@GCWENGINEERING.COM	Lone Mountain 08/13/2024
09/04/2024	9:00 a.m.	WS-24-0358	B	DLC Consulting	lchristopherson@novusvi.com	Sunrise Manor 08/15/2024
09/04/2024	9:00 a.m.	WS-24-0364	C	Tilson Technology Management	slusby@tilsontech.com	Lone Mountain 08/13/2024
09/04/2024	9:00 a.m.	WS-24-0366	E	David Brown	dbrown@brownlawlv.com	Paradise 08/13/2024
09/04/2024	9:00 a.m.	WS-24-0370	A	JOHN VORNSAND	john@vornsandconsulting.com	Spring Valley 08/13/2024
09/04/2024	9:00 a.m.	ZC-24-0265	F	Taney Engineering	EmilyS@TaneyCorp.com	Enterprise 07/10/2024
09/04/2024	9:00 a.m.	ZC-24-0304	E	Lucy Stewart	stewplan@gmail.com	Paradise 07/09/2024
09/04/2024	9:00 a.m.	ZC-24-0307	A	Cassandra Worrell	cworrell@brownlawlv.com	Enterprise 07/10/2024
09/04/2024	9:00 a.m.	ZC-24-0324	B	Moapa Valley Builders	permits@moapavalleybuilders.com	Moapa Valley 08/14/2024
09/04/2024	9:00 a.m.	ZC-24-0348	A	County of Clark (Aviation)	anthonyper@lasairport.com	Enterprise 08/14/2024
09/04/2024	9:00 a.m.	ZC-24-0349	G	County of Clark (Aviation)	anthonyper@lasairport.com	Paradise 08/13/2024
09/04/2024	9:00 a.m.	ZC-24-0350	G	County of Clark (Aviation)	anthonyper@lasairport.com	Paradise 08/13/2024
09/04/2024	9:00 a.m.	ZC-24-0351	G	County of Clark (Aviation)	anthonyper@lasairport.com	Paradise 08/13/2024
09/04/2024	9:00 a.m.	ZC-24-0352	A	County of Clark (Aviation)	anthonyper@lasairport.com	Paradise 08/13/2024
09/04/2024	9:00 a.m.	ZC-24-0357	B	DLC Consulting	lchristopherson@novusvi.com	Sunrise Manor 08/15/2024
09/04/2024	9:00 a.m.	ZC-24-0363	C	Tilson Technology Management	slusby@tilsontech.com	Lone Mountain 08/13/2024
09/04/2024	9:00 a.m.	ZC-24-0365	D	Dennis Rusk	denniserusk@gmail.com	Sunrise Manor 08/15/2024
09/04/2024	9:00 a.m.	ZC-24-0368	A	JOHN VORNSAND	john@vornsandconsulting.com	Spring Valley 08/13/2024

CPAdmin

From: CPAgendas
Sent: Tuesday, September 24, 2024 9:26 AM
To: CPAdmin
Subject: BCC Meeting Notification | October 2, 2024 at 9:00 a.m.

Correspondent Name: Records
Correspondent E-mail: cpadmin@clarkcountynv.gov

Application#:

Please be advised that your application will be presented to the Clark County Board of County Commissioners on **10/2/2024**, at the hour of **9:00 a.m.**, in the Commission Chambers, CLARK COUNTY GOVERNMENT CENTER, 500 S. Grand Central Parkway, Las Vegas, Nevada.

REPRESENTATION IS MANDATORY AT THE ABOVE MENTIONED MEETING.

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DIRECT LINK:

<https://clark.legistar.com/Calendar.aspx>

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The staff report contains your **"Project Description," "Staff Recommendation," and "Preliminary Staff Conditions."** Please review the document for accuracy and for your concurrence. If you have any questions regarding this information, please notify this department prior to the meeting date by emailing zoningmeeting@clarkcountynv.gov.

Items on the agenda under the "Routine" header may be approved in one hearing and in one motion. Items on the agenda under the "Non-Routine" header will be considered separately.

Audio visual equipment is available in the chambers for your use in presenting the agenda item. Please be advised that any presentation materials, for which there is no duplicate on file, must be retained for public records. If you plan to use slides or DVD(s) to present your item, please call (702) 455-4320 at least 24 hours prior to the meeting. Please do not submit any original slides, DVD(s), renderings, photographs, or other exhibits, unless you have a copy for your records. Any items you submit at the meeting must be retained for public record.

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Hearing Date	Hearing Time	Application Number	Comm Dist	Correspondent Name	Correspondent Email	Town Board Meeting Dates
10/02/2024	9:00 a.m.			Records	cpadmin@clarkcountynv.gov	
10/02/2024	9:00 a.m.			Agenda Processing	cpagendas@clarkcountynv.gov	
10/02/2024	9:00 a.m.	AR-24-400090	G	Kaempfer Crowell	lkaempfer@kcnvlaw.com	Paradise 10/29/2026
10/02/2024	9:00 a.m.	SC-24-0261	A	Ed Garcia	egarcia@edgarcialaw.com	Spring Valley 07/09/2024
10/02/2024	9:00 a.m.	TM-24-500076	E	Cassandra Worrell	cworrell@brownlawlv.com	Sunrise Manor 08/29/2024
10/02/2024	9:00 a.m.	TM-24-500078	A	The WLB Group	mbangan@wlbgroup.com	Enterprise 09/11/2024
10/02/2024	9:00 a.m.	UC-24-0387	E	Cassandra Worrell	cworrell@brownlawlv.com	Sunrise Manor 08/29/2024
10/02/2024	9:00 a.m.	UC-24-0399	A	Marissa Fehrman	mfehrman@kcnvlaw.com	Spring Valley 08/27/2024
10/02/2024	9:00 a.m.	VS-24-0277	E	G.C. GARCIA, INC.	ACOLE@GCGARCIINC.COM	Sunrise Manor 08/15/2024
10/02/2024	9:00 a.m.	VS-24-0390	A	The WLB Group	mbangan@wlbgroup.com	Enterprise 09/11/2024
10/02/2024	9:00 a.m.	WS-24-0276	E	G.C. GARCIA, INC.	ACOLE@GCGARCIINC.COM	Sunrise Manor 08/15/2024
10/02/2024	9:00 a.m.	WS-24-0362	A	Janet Goyer	jang@ovationco.com	Enterprise 09/11/2024
10/02/2024	9:00 a.m.	WS-24-0391	A	The WLB Group	mbangan@wlbgroup.com	Enterprise 09/11/2024
10/02/2024	9:00 a.m.	WS-24-0419		G. C. GARCIA, INC.	ACOLE@GCGARCIINC.COM	Spring Valley 10/08/2024
10/02/2024	9:00 a.m.	WS-24-0437	F	JOHN VORNSAND	john@vornsandconsulting.com	Enterprise 09/11/2024
10/02/2024	9:00 a.m.	ZC-24-0394	A	Robert Messina	robert@jawastudio.com	Searchlight 09/11/2024

Katherine Corrow

From: CPAgendas
Sent: Tuesday, October 29, 2024 9:29 AM
To: CPAdmin
Subject: BCC Meeting Notification | November 6, 2024 at 9:00 a.m.

Correspondent Name: Records
Correspondent E-mail: cpadmin@clarkcountynv.gov

Application#:

Please be advised that your application will be presented to the Clark County Board of County Commissioners on **11/6/2024**, at the hour of **9:00 a.m.**, in the Commission Chambers, CLARK COUNTY GOVERNMENT CENTER, 500 S. Grand Central Parkway, Las Vegas, Nevada.

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11/06/2024	9:00 a.m.			Records	cpadmin@clarkcountynv.gov	
11/06/2024	9:00 a.m.			Agenda Processing	cpagendas@clarkcountynv.gov	
11/06/2024	9:00 a.m.	AR-24-400090	G	Kaempfer Crowell	lkaempfer@kcnvlaw.com	Paradise 10/29/2024
11/06/2024	9:00 a.m.	AR-24-400106	E	GARY LAKE	gdlake1@aol.com	Winchester 10/08/2024
11/06/2024	9:00 a.m.	ET-24-400101	E	Dwyer Engineering	bsoule@dwyerengineering.com	Sunrise Manor 10/10/2024
11/06/2024	9:00 a.m.	SC-24-0261	A	Ed Garcia	egarcia@edgarcialaw.com	Spring Valley 07/09/2024
11/06/2024	9:00 a.m.	TM-24-500106	F	Jessica Walesa	jessicaw@taneycorp.com	Enterprise 10/09/2024
11/06/2024	9:00 a.m.	TM-24-500109	B	Kimley Horn	eric.hopkins@kimley-horn.com	Lone Mountain 10/08/2024
11/06/2024	9:00 a.m.	UC-24-0436	E	Chris Hart	cmhart5@gmail.com	Paradise 10/08/2024
11/06/2024	9:00 a.m.	UC-24-0491	B	Bush Construction	jasonrbush@yahoo.com	Sunrise Manor 10/10/2024
11/06/2024	9:00 a.m.	VS-24-0277	E	G. C. GARCIA, INC.	ACOLE@GCGARCIINC.COM	Sunrise Manor 08/15/2024
11/06/2024	9:00 a.m.	VS-24-0494	F	Infinity Engineering, LLC	cseto@infinityengr.com	Spring Valley 10/08/2024
11/06/2024	9:00 a.m.	VS-24-0504	F	Jessica Walesa	jessicaw@taneycorp.com	Enterprise 10/09/2024
11/06/2024	9:00 a.m.	WC-24-400060	F	Lexa Green	lgreen@kcnvlaw.com	Enterprise 06/26/2024
11/06/2024	9:00 a.m.	WS-24-0276	E	G. C. GARCIA, INC.	ACOLE@GCGARCIINC.COM	Sunrise Manor 08/15/2024
11/06/2024	9:00 a.m.	WS-24-0419		G. C. GARCIA, INC.	ACOLE@GCGARCIINC.COM	Spring Valley 10/08/2024
11/06/2024	9:00 a.m.	WS-24-0473	A	JAVIER IBARRA	JAVIER@JJCONTRACTINGNV.COM	Enterprise 10/09/2024
11/06/2024	9:00 a.m.	WS-24-0475	A	ACG Design	acgdesignpermits@gmail.com	Enterprise 10/09/2024
11/06/2024	9:00 a.m.	WS-24-0484	A	CivilWorks, Inc.	gjp@civilworksonline.com	Enterprise 10/09/2024
11/06/2024	9:00 a.m.	WS-24-0488	F	George Rivera	Georgeriverajr@gmail.com	Enterprise 10/9/2024
11/06/2024	9:00 a.m.	WS-24-0489	B	Bryce Hardy	brycehardy1336@gmail.com	Moapa Valley 10/09/2024
11/06/2024	9:00 a.m.	WS-24-0495	F	MK Architecture	mk_arch@outlook.com	Spring Valley 10/08/2024
11/06/2024	9:00 a.m.	WS-24-0505	F	Jessica Walesa	jessicaw@taneycorp.com	Enterprise 10/09/2024
11/06/2024	9:00 a.m.	WS-24-0511	B	Kimley Horn	eric.hopkins@kimley-horn.com	Lone Mountain 10/08/2024

Katherine Corrow

From: CPAgendas
Sent: Tuesday, November 12, 2024 11:15 AM
To: CPAdmin
Subject: BCC Meeting Notification | November 20, 2024 at 9:00 a.m.

Correspondent Name: Records
Correspondent E-mail: cpadmin@clarkcountynv.gov

Application#:

Please be advised that your application will be presented to the Clark County Board of County Commissioners on **11/20/2024**, at the hour of **9:00 a.m.**, in the Commission Chambers, CLARK COUNTY GOVERNMENT CENTER, 500 S. Grand Central Parkway, Las Vegas, Nevada.

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Hearing Date	Hearing Time	Application Number	Comm Dist	Correspondent Name	Correspondent Email	Town Board Meeting Dates
11/20/2024	9:00 a.m.			Records	cpadmin@clarkcountynv.gov	
11/20/2024	9:00 a.m.			Agenda Processing	cpagendas@clarkcountynv.gov	
11/20/2024	9:00 a.m.	DR-24-0335	G	GMRA	pac@gmralv.com	Paradise 01/28/2025
11/20/2024	9:00 a.m.	ET-24-400107	A	Kaempfer Crowell	apierce@kcnvlaw.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	ET-24-400110	G	Kaempfer Crowell - Anthony Celeste	apierce@kcnvlaw.com	Paradise 10/29/2024
11/20/2024	9:00 a.m.	PA-24-700015	F	Cassandra Worrell	cworrell@brownlawlv.com	Spring Valley 07/09/2024
11/20/2024	9:00 a.m.	PA-24-700020	F	Kimley Horn	eric.hopkins@kimley-horn.com	Enterprise 09/25/2024
11/20/2024	9:00 a.m.	SDR-24-0334	G	GMRA	pac@gmralv.com	Paradise 01/28/2025
11/20/2024	9:00 a.m.	TM-24-500096	A	The WLB Group	mbangan@wlbgroup.com	Enterprise 09/25/2024
11/20/2024	9:00 a.m.	TM-24-500099	A	The WLB Group	mbangan@wlbgroup.com	Enterprise 09/25/2024
11/20/2024	9:00 a.m.	TM-24-500101	F	Kimley Horn	eric.hopkins@kimley-horn.com	Enterprise 09/25/2024
11/20/2024	9:00 a.m.	TM-24-500108	C	Taney Engineering	emilys@taneycorp.com	Lone Mountain 10/29/2024
11/20/2024	9:00 a.m.	TM-24-500114	F	Jessica Walesa	jessicaw@taneycorp.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	TM-24-500117	F	Jessica Walesa	jessicaw@taneycorp.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	UC-24-0311	F	Cassandra Worrell	cworrell@brownlawlv.com	Spring Valley 07/09/2024
11/20/2024	9:00 a.m.	UC-24-0319	E	Kat Van Diepen	katvandiepen@gmail.com	Paradise 10/29/2024
11/20/2024	9:00 a.m.	UC-24-0436	E	Chris Hart	cmhart5@gmail.com	Paradise 10/08/2024
11/20/2024	9:00 a.m.	UC-24-0460	D	Ruth Rios	Ruthrios78@gmail.com	Sunrise Manor 09/26/2024
11/20/2024	9:00 a.m.	UC-24-0521	A	Janet Goyer	jang@ovationco.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	UC-24-0536	C	Jeanalin Rehm	jeanalinrehm@gmail.com	
11/20/2024	9:00 a.m.	VS-24-0277	E	G. C. GARCIA, INC	ACOLE@GCGARCIAINC.COM	Sunrise Manor 08/15/2024
11/20/2024	9:00 a.m.	VS-24-0457	A	The WLB Group	mbangan@wlbgroup.com	Enterprise 09/25/2024
11/20/2024	9:00 a.m.	VS-24-0462	A	The WLB Group	mbangan@wlbgroup.com	Enterprise 09/25/2024
11/20/2024	9:00 a.m.	VS-24-0486	F	Kimley Horn	eric.hopkins@kimley-horn.com	Enterprise 09/25/2024
11/20/2024	9:00 a.m.	VS-24-0509	C	Taney Engineering	emilys@taneycorp.com	Lone Mountain 10/29/2024
11/20/2024	9:00 a.m.	VS-24-0520	A	Janet Goyer	jang@ovationco.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	VS-24-0539	F	Jessica Walesa	jessicaw@taneycorp.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	VS-24-0542	F	Jessica Walesa	jessicaw@taneycorp.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	WC-24-400111	A	Janet Goyer	jang@ovationco.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	WS-24-0276	E	G. C. GARCIA, INC	ACOLE@GCGARCIAINC.COM	Sunrise Manor 08/15/2024
11/20/2024	9:00 a.m.	WS-24-0456	A	The WLB Group	mbangan@wlbgroup.com	Enterprise 09/25/2024
11/20/2024	9:00 a.m.	WS-24-0461	A	The WLB Group	mbangan@wlbgroup.com	Enterprise 09/25/2024
11/20/2024	9:00 a.m.	WS-24-0487	F	Kimley Horn	eric.hopkins@kimley-horn.com	Enterprise 09/25/2024
11/20/2024	9:00 a.m.	WS-24-0510	C	Taney Engineering	emilys@taneycorp.com	Lone Mountain 10/29/2024
11/20/2024	9:00 a.m.	WS-24-0522	C	Jamason Theodore	mktholdings@gmail.com	Lone Mountain 10/29/2024
11/20/2024	9:00 a.m.	WS-24-0523	A	carryn warren	carrynb@aol.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	WS-24-0525	A	G. C. GARCIA, INC	ACOLE@GCGARCIAINC.COM	Paradise 10/29/2024
11/20/2024	9:00 a.m.	WS-24-0526	A	VTN-Nevada	jeffreya@vtinnv.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	WS-24-0527	F	Jessica Walesa	jessicaw@taneycorp.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	WS-24-0535	F	Sean Thueson	SThueson@SiegelCompanies.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	WS-24-0538	F	Jessica Walesa	jessicaw@taneycorp.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	WS-24-0543	F	Jessica Walesa	jessicaw@taneycorp.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	ZC-24-0310	F	Cassandra Worrell	cworrell@brownlawlv.com	Spring Valley 07/09/2024
11/20/2024	9:00 a.m.	ZC-24-0518	B	Yvonne Hand	yvonne.hand@snwa.com	

lem
Notification Verified

M
Mailed

NOTIFICATION INFORMATION

Application Number: WS-24-0276

BCC Meeting Date: 09/04/2024

Is a sign required? No

Notification Radius: 1500

Town Board Name: Sunrise Manor ; 08/15/2024

Mobile Home Parks To be notified? YES/ NO

APN: 161-08-810-082
161-08-810-083

Valley Vista
River Oaks

Public Hearing Notice

Date Mailed: AUG 18 2024

Amount Mailed: 1200

APPLICATION INFORMATION

APPLICATION NUMBER: WS-24-0276

OWNER: PALM PROPERTIES, LLC:

WAIVER OF DEVELOPMENT STANDARDS to modify residential adjacency standards.

DESIGN REVIEW for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone. Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor. (For possible action)

RELATED INFORMATION:

APN: 161-08-810-082; 161-08-810-083

APPLICATION LOCATION



MEETING INFORMATION

Sunrise Manor Town Board

August 15, 2024, 6:30 pm
Hollywood Neighborhood
Services Center
1650 S. Hollywood Blvd
Las Vegas, Nevada

Board of County Commissioners

September 4, 2024, 9:00 am
Clark County Government Center
500 S. Grand Central Parkway
Las Vegas, Nevada

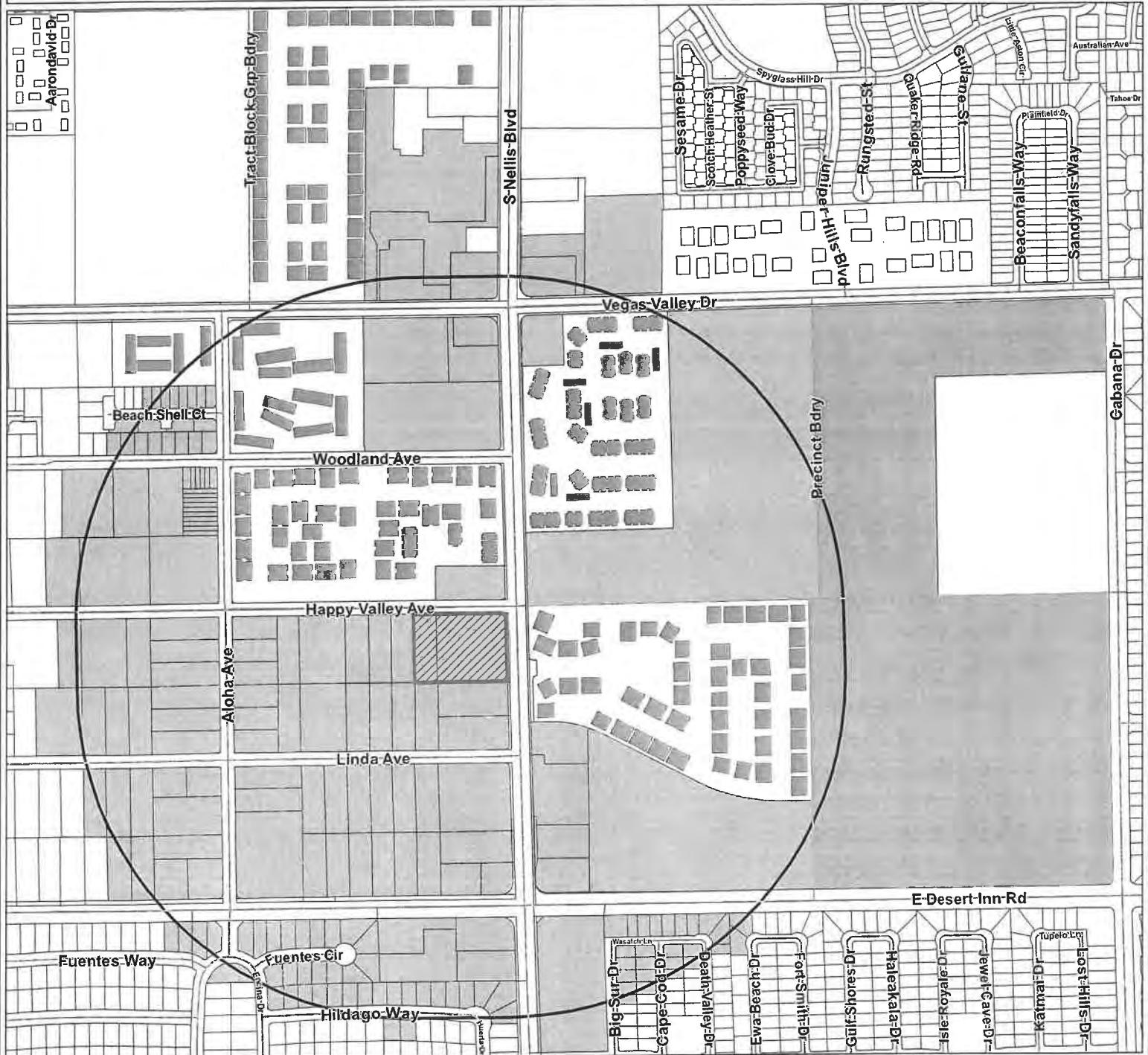
This information is considered accurate; however, minor variations may occur. Application documents are available for viewing online under the Clark County Comprehensive Planning Department by selecting "Services" on the left and selecting "Land Use Documents" from the drop-down. All persons interested may submit written support or opposition by email to zoningmeeting@clarkcountynv.gov. Include the item and application numbers on all emails. We suggest that you inform your lessee(s) of the matter. For more information, visit www.clarkcountynv.gov or call (702) 455-4314 (option 2, option 1).

Notification Radius Map





Department of Comprehensive Planning, Clark County Nevada

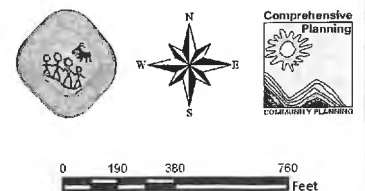
Application Number: WS-24-0276
Meeting Date: 090424
Notification Distance: 1500 feet
Subject Parcel(s): 2

Land Parcel(s) to be notified: 199
Condominiums to be notified: 412
Mobile Home Park(s) to be notified: 2
Owners to be notified: 588



Jurisdiction(s)
Paradise
Sunrise Manor

-  Subject Parcel(s)
-  Mobile Home Park Parcel(s)
-  Condominium Parcels
-  Land Parcel(s)



*This information is for display purposes only.
No liability is assumed as to the accuracy of
the data delineated herein.*

Map created on: July 30, 2024
PPLRL 1494

Notification list for Application: WS-24-0276
Commission Meeting Date: 090424
Notification Distance: 1500 feet
Created on 07/30/2024

Application Parcel Numbers: 2

16108810082 16108810083

Land Parcel Numbers: 199

16108603004	16108712026	16108810039	16108810081	16116110098	16117511010
16108603005	16108715001	16108810040	16108810082	16116110099	16117511011
16108603007	16108715002	16108810041	16108810083	16116110109	16117511012
16108603008	16108715003	16108810042	16108810084	16116110110	16117511013
16108710018	16108715004	16108810043	16108810085	16116110111	16117511014
16108710019	16108715005	16108810044	16108810086	16116110112	16117511015
16108710020	16108715006	16108810045	16108810087	16116110113	16117511016
16108710022	16108715007	16108810051	16108810088	16116110114	16117511017
16108710023	16108715008	16108810052	16108810089	16116110115	16117511018
16108710024	16108715009	16108810055	16108810090	16116110116	16117511019
16108710032	16108715010	16108810056	16108810094	16116110117	16117511020
16108710033	16108715011	16108810057	16108810098	16116110118	16117511021
16108710034	16108715012	16108810058	16108810099	16116110119	16117511022
16108710035	16108715013	16108810059	16109201004	16116110120	16117511089
16108710036	16108715014	16108810060	16109217003	16116110121	16117511090
16108712001	16108715015	16108810061	16109217004	16116110122	16117511091
16108712002	16108715016	16108810062	16109301004	16116110123	16117512010
16108712003	16108810010	16108810063	16109301005	16116110186	16117512011
16108712004	16108810011	16108810064	16109301007	16116110187	16117512012
16108712005	16108810012	16108810065	16109401002	16117501005	16117512013
16108712006	16108810013	16108810066	16109401007	16117501006	16117512014
16108712007	16108810014	16108810067	16109411003	16117501010	16117512015
16108712008	16108810015	16108810068	16109411004	16117501011	16117512016
16108712015	16108810016	16108810069	16109411005	16117510023	16117512017
16108712016	16108810017	16108810070	16109411006	16117510024	16117512018
16108712017	16108810018	16108810072	16109411007	16117511001	16117512019
16108712018	16108810019	16108810073	16116101001	16117511002	16117512020
16108712019	16108810020	16108810074	16116110083	16117511003	16117512022
16108712020	16108810021	16108810075	16116110084	16117511004	16117512023
16108712021	16108810022	16108810076	16116110093	16117511005	
16108712022	16108810035	16108810077	16116110094	16117511006	
16108712023	16108810036	16108810078	16116110095	16117511007	
16108712024	16108810037	16108810079	16116110096	16117511008	
16108712025	16108810038	16108810080	16116110097	16117511009	

Condominium Parcel Numbers: 412

16108611001	16108611070	16108611139	16108611208	16108611277	16108611346
16108611002	16108611071	16108611140	16108611209	16108611278	16108611347
16108611003	16108611072	16108611141	16108611210	16108611279	16108611348
16108611004	16108611073	16108611142	16108611211	16108611280	16108611349
16108611005	16108611074	16108611143	16108611212	16108611281	16108611350
16108611006	16108611075	16108611144	16108611213	16108611282	16108611351
16108611007	16108611076	16108611145	16108611214	16108611283	16108611352
16108611008	16108611077	16108611146	16108611215	16108611284	16108611353
16108611009	16108611078	16108611147	16108611216	16108611285	16108611354
16108611010	16108611079	16108611148	16108611217	16108611286	16108611355
16108611011	16108611080	16108611149	16108611218	16108611287	16108611356

16109301005 Valley Vista Mobile Home Park 16109401002 River Oaks Mobile Home
Park

Homeowner / Neighborhood Associations: 0

Town Advisory Boards: 2

Paradise Sunrise Manor

Citizens Advisory Councils: 0

Cities: 0

Military Installations: 0

Notified Parcels list for Application: WS-24-0276
Commission Meeting Date: 090424
Notification Distance: 1500 feet
List created on: 07/30/2024

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	River Oaks Mobile Home Park	Resident	Space # 1	5300 E Desert Inn Rd		Las Vegas	NV		89122-4034
	River Oaks Mobile Home Park	Resident	Space # 2	5300 E Desert Inn Rd		Las Vegas	NV		89122-4034
	River Oaks Mobile Home Park	Resident	Space # 3	5300 E Desert Inn Rd		Las Vegas	NV		89122-4034
	River Oaks Mobile Home Park	Resident	Space # 4	5300 E Desert Inn Rd		Las Vegas	NV		89122-4034
	River Oaks Mobile Home Park	Resident	Space # 5	5300 E Desert Inn Rd		Las Vegas	NV		89122-4034
	River Oaks Mobile Home Park	Resident	Space # 6	5300 E Desert Inn Rd		Las Vegas	NV		89122-4034
	River Oaks Mobile Home Park	Resident	Space # 7	5300 E Desert Inn Rd		Las Vegas	NV		89122-4034
	River Oaks Mobile Home Park	Resident	Space # 8	5300 E Desert Inn Rd		Las Vegas	NV		89122-4034
	River Oaks Mobile Home Park	Resident	Space # 9	5300 E Desert Inn Rd		Las Vegas	NV		89122-4034
	River Oaks Mobile Home Park	Resident	Space # 10	5300 E Desert Inn Rd		Las Vegas	NV		89122-4034
	River Oaks Mobile Home Park	Resident	Space # 11	5300 E Desert Inn Rd		Las Vegas	NV		89122-4079
	River Oaks Mobile Home Park	Resident	Space # 12	5300 E Desert Inn Rd		Las Vegas	NV		89122-4079
	River Oaks Mobile Home Park	Resident	Space # 13	5300 E Desert Inn Rd		Las Vegas	NV		89122-4079
	River Oaks Mobile Home Park	Resident	Space # 14	5300 E Desert Inn Rd		Las Vegas	NV		89122-4079
	River Oaks Mobile Home Park	Resident	Space # 15	5300 E Desert Inn Rd		Las Vegas	NV		89122-4079
	River Oaks Mobile Home Park	Resident	Space # 16	5300 E Desert Inn Rd		Las Vegas	NV		89122-4079
	River Oaks Mobile Home Park	Resident	Space # 17	5300 E Desert Inn Rd		Las Vegas	NV		89122-4079
	River Oaks Mobile Home Park	Resident	Space # 18	5300 E Desert Inn Rd		Las Vegas	NV		89122-4079
	River Oaks Mobile Home Park	Resident	Space # 19	5300 E Desert Inn Rd		Las Vegas	NV		89122-4079
	River Oaks Mobile Home Park	Resident	Space # 20	5300 E Desert Inn Rd		Las Vegas	NV		89122-4079
	River Oaks Mobile Home Park	Resident	Space # 21	5300 E Desert Inn Rd		Las Vegas	NV		89122-4081
	River Oaks Mobile Home Park	Resident	Space # 22	5300 E Desert Inn Rd		Las Vegas	NV		89122-4081
	River Oaks Mobile Home Park	Resident	Space # 23	5300 E Desert Inn Rd		Las Vegas	NV		89122-4081

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	River Oaks Mobile Home Park	Resident	Space # 24	5300 E Desert Inn Rd		Las Vegas	NV		89122-4081
	River Oaks Mobile Home Park	Resident	Space # 25	5300 E Desert Inn Rd		Las Vegas	NV		89122-4081
	River Oaks Mobile Home Park	Resident	Space # 26	5300 E Desert Inn Rd		Las Vegas	NV		89122-4081
	River Oaks Mobile Home Park	Resident	Space # 27	5300 E Desert Inn Rd		Las Vegas	NV		89122-4081
	River Oaks Mobile Home Park	Resident	Space # 28	5300 E Desert Inn Rd		Las Vegas	NV		89122-4081
	River Oaks Mobile Home Park	Resident	Space # 29	5300 E Desert Inn Rd		Las Vegas	NV		89122-4081
	River Oaks Mobile Home Park	Resident	Space # 30	5300 E Desert Inn Rd		Las Vegas	NV		89122-4081
	River Oaks Mobile Home Park	Resident	Space # 31	5300 E Desert Inn Rd		Las Vegas	NV		89122-4082
	River Oaks Mobile Home Park	Resident	Space # 32	5300 E Desert Inn Rd		Las Vegas	NV		89122-4082
	River Oaks Mobile Home Park	Resident	Space # 33	5300 E Desert Inn Rd		Las Vegas	NV		89122-4082
	River Oaks Mobile Home Park	Resident	Space # 34	5300 E Desert Inn Rd		Las Vegas	NV		89122-4082
	River Oaks Mobile Home Park	Resident	Space # 35	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 36	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 37	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 38	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 39	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 40	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 41	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 42	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 43	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 44	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 45	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 46	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 47	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 48	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 49	5300 E Desert Inn Rd		Las Vegas	NV		89122-4083
	River Oaks Mobile Home Park	Resident	Space # 50	5300 E Desert Inn Rd		Las Vegas	NV		89122-4083
	River Oaks Mobile Home Park	Resident	Space # 51	5300 E Desert Inn Rd		Las Vegas	NV		89122-4083

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	River Oaks Mobile Home Park	Resident Space # 52	5300 E Desert Inn Rd			Las Vegas	NV		89122-4083
	River Oaks Mobile Home Park	Resident Space # 53	5300 E Desert Inn Rd			Las Vegas	NV		89122-4083
	River Oaks Mobile Home Park	Resident Space # 54	5300 E Desert Inn Rd			Las Vegas	NV		89122-4083
	River Oaks Mobile Home Park	Resident Space # 55	5300 E Desert Inn Rd			Las Vegas	NV		89122-4083
	River Oaks Mobile Home Park	Resident Space # 56	5300 E Desert Inn Rd			Las Vegas	NV		89122-4083
	River Oaks Mobile Home Park	Resident Space # 57	5300 E Desert Inn Rd			Las Vegas	NV		89122-4083
	River Oaks Mobile Home Park	Resident Space # 58	5300 E Desert Inn Rd			Las Vegas	NV		89122-4083
	River Oaks Mobile Home Park	Resident Space # 59	5300 E Desert Inn Rd			Las Vegas	NV		89122-4084
	River Oaks Mobile Home Park	Resident Space # 60	5300 E Desert Inn Rd			Las Vegas	NV		89122-4084
	River Oaks Mobile Home Park	Resident Space # 61	5300 E Desert Inn Rd			Las Vegas	NV		89122-4084
	River Oaks Mobile Home Park	Resident Space # 62	5300 E Desert Inn Rd			Las Vegas	NV		89122-4084
	River Oaks Mobile Home Park	Resident Space # 63	5300 E Desert Inn Rd			Las Vegas	NV		89122-4084
	River Oaks Mobile Home Park	Resident Space # 64	5300 E Desert Inn Rd			Las Vegas	NV		89122-4084
	River Oaks Mobile Home Park	Resident Space # 65	5300 E Desert Inn Rd			Las Vegas	NV		89122-4084
	River Oaks Mobile Home Park	Resident Space # 66	5300 E Desert Inn Rd			Las Vegas	NV		89122-4084
	River Oaks Mobile Home Park	Resident Space # 67	5300 E Desert Inn Rd			Las Vegas	NV		89122-4084
	River Oaks Mobile Home Park	Resident Space # 68	5300 E Desert Inn Rd			Las Vegas	NV		89122-4084
	River Oaks Mobile Home Park	Resident Space # 69	5300 E Desert Inn Rd			Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident Space # 70	5300 E Desert Inn Rd			Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident Space # 71	5300 E Desert Inn Rd			Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident Space # 72	5300 E Desert Inn Rd			Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident Space # 73	5300 E Desert Inn Rd			Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident Space # 74	5300 E Desert Inn Rd			Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident Space # 75	5300 E Desert Inn Rd			Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident Space # 76	5300 E Desert Inn Rd			Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident Space # 77	5300 E Desert Inn Rd			Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident Space # 78	5300 E Desert Inn Rd			Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident Space # 79	5300 E Desert Inn Rd			Las Vegas	NV		89122-4076

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	River Oaks Mobile Home Park	Resident	Space # 80	5300 E Desert Inn Rd	.	Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 81	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 82	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 83	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 84	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 85	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 86	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 87	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 88	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 89	5300 E Desert Inn Rd		Las Vegas	NV		89122-4096
	River Oaks Mobile Home Park	Resident	Space # 90	5300 E Desert Inn Rd		Las Vegas	NV		89122-4096
	River Oaks Mobile Home Park	Resident	Space # 91	5300 E Desert Inn Rd		Las Vegas	NV		89122-4096
	River Oaks Mobile Home Park	Resident	Space # 92	5300 E Desert Inn Rd		Las Vegas	NV		89122-4096
	River Oaks Mobile Home Park	Resident	Space # 93	5300 E Desert Inn Rd		Las Vegas	NV		89122-4096
	River Oaks Mobile Home Park	Resident	Space # 94	5300 E Desert Inn Rd		Las Vegas	NV		89122-4096
	River Oaks Mobile Home Park	Resident	Space # 95	5300 E Desert Inn Rd		Las Vegas	NV		89122-4096
	River Oaks Mobile Home Park	Resident	Space # 96	5300 E Desert Inn Rd		Las Vegas	NV		89122-4096
	River Oaks Mobile Home Park	Resident	Space # 97	5300 E Desert Inn Rd		Las Vegas	NV		89122-4096
	River Oaks Mobile Home Park	Resident	Space # 98	5300 E Desert Inn Rd		Las Vegas	NV		89122-4096
	River Oaks Mobile Home Park	Resident	Space # 99	5300 E Desert Inn Rd		Las Vegas	NV		89122-4097
	River Oaks Mobile Home Park	Resident	Space # 100	5300 E Desert Inn Rd		Las Vegas	NV		89122-4097
	River Oaks Mobile Home Park	Resident	Space # 101	5300 E Desert Inn Rd		Las Vegas	NV		89122-4097
	River Oaks Mobile Home Park	Resident	Space # 102	5300 E Desert Inn Rd		Las Vegas	NV		89122-4097
	River Oaks Mobile Home Park	Resident	Space # 103	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident	Space # 104	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident	Space # 105	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident	Space # 106	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident	Space # 107	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	River Oaks Mobile Home Park	Resident Space # 108	5300 E Desert Inn Rd			Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident Space # 109	5300 E Desert Inn Rd			Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident Space # 110	5300 E Desert Inn Rd			Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident Space # 111	5300 E Desert Inn Rd			Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident Space # 112	5300 E Desert Inn Rd			Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident Space # 113	5300 E Desert Inn Rd			Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident Space # 114	5300 E Desert Inn Rd			Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident Space # 115	5300 E Desert Inn Rd			Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident Space # 116	5300 E Desert Inn Rd			Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident Space # 117	5300 E Desert Inn Rd			Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident Space # 118	5300 E Desert Inn Rd			Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident Space # 119	5300 E Desert Inn Rd			Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident Space # 120	5300 E Desert Inn Rd			Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident Space # 121	5300 E Desert Inn Rd			Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident Space # 122	5300 E Desert Inn Rd			Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident Space # 123	5300 E Desert Inn Rd			Las Vegas	NV		89122-4085
	River Oaks Mobile Home Park	Resident Space # 124	5300 E Desert Inn Rd			Las Vegas	NV		89122-4085
	River Oaks Mobile Home Park	Resident Space # 125	5300 E Desert Inn Rd			Las Vegas	NV		89122-4250
	River Oaks Mobile Home Park	Resident Space # 126	5300 E Desert Inn Rd			Las Vegas	NV		89122-4250
	River Oaks Mobile Home Park	Resident Space # 127	5300 E Desert Inn Rd			Las Vegas	NV		89122-4221
	River Oaks Mobile Home Park	Resident Space # 128	5300 E Desert Inn Rd			Las Vegas	NV		89122-4221
	River Oaks Mobile Home Park	Resident Space # 129	5300 E Desert Inn Rd			Las Vegas	NV		89122-4221
	River Oaks Mobile Home Park	Resident Space # 130	5300 E Desert Inn Rd			Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident Space # 131	5300 E Desert Inn Rd			Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident Space # 132	5300 E Desert Inn Rd			Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident Space # 133	5300 E Desert Inn Rd			Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident Space # 134	5300 E Desert Inn Rd			Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident Space # 135	5300 E Desert Inn Rd			Las Vegas	NV		89122-4038

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	River Oaks Mobile Home Park	Resident Space # 136	5300 E Desert Inn Rd			Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident Space # 137	5300 E Desert Inn Rd			Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident Space # 138	5300 E Desert Inn Rd			Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident Space # 139	5300 E Desert Inn Rd			Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident Space # 140	5300 E Desert Inn Rd			Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident Space # 141	5300 E Desert Inn Rd			Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident Space # 142	5300 E Desert Inn Rd			Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident Space # 143	5300 E Desert Inn Rd			Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident Space # 144	5300 E Desert Inn Rd			Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident Space # 145	5300 E Desert Inn Rd			Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident Space # 146	5300 E Desert Inn Rd			Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident Space # 147	5300 E Desert Inn Rd			Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident Space # 148	5300 E Desert Inn Rd			Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident Space # 149	5300 E Desert Inn Rd			Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident Space # 150	5300 E Desert Inn Rd			Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident Space # 151	5300 E Desert Inn Rd			Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident Space # 152	5300 E Desert Inn Rd			Las Vegas	NV		89122-4222
	River Oaks Mobile Home Park	Resident Space # 153	5300 E Desert Inn Rd			Las Vegas	NV		89122-4222
	River Oaks Mobile Home Park	Resident Space # 154	5300 E Desert Inn Rd			Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident Space # 155	5300 E Desert Inn Rd			Las Vegas	NV		89122-4039
	River Oaks Mobile Home Park	Resident Space # 156	5300 E Desert Inn Rd			Las Vegas	NV		89122-4039
	River Oaks Mobile Home Park	Resident Space # 157	5300 E Desert Inn Rd			Las Vegas	NV		89122-4039
	River Oaks Mobile Home Park	Resident Space # 158	5300 E Desert Inn Rd			Las Vegas	NV		89122-4039
	River Oaks Mobile Home Park	Resident Space # 159	5300 E Desert Inn Rd			Las Vegas	NV		89122-4039
	River Oaks Mobile Home Park	Resident Space # 160	5300 E Desert Inn Rd			Las Vegas	NV		89122-4039
	River Oaks Mobile Home Park	Resident Space # 161	5300 E Desert Inn Rd			Las Vegas	NV		89122-4039
	River Oaks Mobile Home Park	Resident Space # 162	5300 E Desert Inn Rd			Las Vegas	NV		89122-4039
	River Oaks Mobile Home Park	Resident Space # 163	5300 E Desert Inn Rd			Las Vegas	NV		89122-4039

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	River Oaks Mobile Home Park	Resident	Space # 164	5300 E Desert Inn Rd		Las Vegas	NV		89122-4039
	River Oaks Mobile Home Park	Resident	Space # 165	5300 E Desert Inn Rd		Las Vegas	NV		89122-4087
	River Oaks Mobile Home Park	Resident	Space # 166	5300 E Desert Inn Rd		Las Vegas	NV		89122-4087
	River Oaks Mobile Home Park	Resident	Space # 167	5300 E Desert Inn Rd		Las Vegas	NV		89122-4087
	River Oaks Mobile Home Park	Resident	Space # 168	5300 E Desert Inn Rd		Las Vegas	NV		89122-4087
	River Oaks Mobile Home Park	Resident	Space # 169	5300 E Desert Inn Rd		Las Vegas	NV		89122-4087
	River Oaks Mobile Home Park	Resident	Space # 170	5300 E Desert Inn Rd		Las Vegas	NV		89122-4087
	River Oaks Mobile Home Park	Resident	Space # 171	5300 E Desert Inn Rd		Las Vegas	NV		89122-4087
	River Oaks Mobile Home Park	Resident	Space # 172	5300 E Desert Inn Rd		Las Vegas	NV		89122-4087
	River Oaks Mobile Home Park	Resident	Space # 173	5300 E Desert Inn Rd		Las Vegas	NV		89122-4087
	River Oaks Mobile Home Park	Resident	Space # 174	5300 E Desert Inn Rd		Las Vegas	NV		89122-4087
	River Oaks Mobile Home Park	Resident	Space # 175	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 176	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 177	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 178	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 179	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 180	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 181	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 182	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 183	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 184	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 185	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 186	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 187	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 188	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 189	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 190	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 191	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	River Oaks Mobile Home Park	Resident Space # 192	5300 E Desert Inn Rd			Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident Space # 193	5300 E Desert Inn Rd			Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident Space # 194	5300 E Desert Inn Rd			Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident Space # 195	5300 E Desert Inn Rd			Las Vegas	NV		89122-4088
	River Oaks Mobile Home Park	Resident Space # 196	5300 E Desert Inn Rd			Las Vegas	NV		89122-4088
	River Oaks Mobile Home Park	Resident Space # 197	5300 E Desert Inn Rd			Las Vegas	NV		89122-4088
	River Oaks Mobile Home Park	Resident Space # 198	5300 E Desert Inn Rd			Las Vegas	NV		89122-4088
	River Oaks Mobile Home Park	Resident Space # 199	5300 E Desert Inn Rd			Las Vegas	NV		89122-4088
	River Oaks Mobile Home Park	Resident Space # 200	5300 E Desert Inn Rd			Las Vegas	NV		89122-4088
	River Oaks Mobile Home Park	Resident Space # 201	5300 E Desert Inn Rd			Las Vegas	NV		89122-4088
	River Oaks Mobile Home Park	Resident Space # 202	5300 E Desert Inn Rd			Las Vegas	NV		89122-4223
	River Oaks Mobile Home Park	Resident Space # 203	5300 E Desert Inn Rd			Las Vegas	NV		89122-4223
	River Oaks Mobile Home Park	Resident Space # 204	5300 E Desert Inn Rd			Las Vegas	NV		89122-4074
	River Oaks Mobile Home Park	Resident Space # 205	5300 E Desert Inn Rd			Las Vegas	NV		89122-4074
	River Oaks Mobile Home Park	Resident Space # 206	5300 E Desert Inn Rd			Las Vegas	NV		89122-4074
	River Oaks Mobile Home Park	Resident Space # 207	5300 E Desert Inn Rd			Las Vegas	NV		89122-4074
	River Oaks Mobile Home Park	Resident Space # 208	5300 E Desert Inn Rd			Las Vegas	NV		89122-4074
	River Oaks Mobile Home Park	Resident Space # 209	5300 E Desert Inn Rd			Las Vegas	NV		89122-4074
	River Oaks Mobile Home Park	Resident Space # 210	5300 E Desert Inn Rd			Las Vegas	NV		89122-4074
	River Oaks Mobile Home Park	Resident Space # 211	5300 E Desert Inn Rd			Las Vegas	NV		89122-4074
	River Oaks Mobile Home Park	Resident Space # 212	5300 E Desert Inn Rd			Las Vegas	NV		89122-4093
	River Oaks Mobile Home Park	Resident Space # 213	5300 E Desert Inn Rd			Las Vegas	NV		89122-4093
	River Oaks Mobile Home Park	Resident Space # 214	5300 E Desert Inn Rd			Las Vegas	NV		89122-4093
	River Oaks Mobile Home Park	Resident Space # 215	5300 E Desert Inn Rd			Las Vegas	NV		89122-4093
	River Oaks Mobile Home Park	Resident Space # 216	5300 E Desert Inn Rd			Las Vegas	NV		89122-4093
	River Oaks Mobile Home Park	Resident Space # 217	5300 E Desert Inn Rd			Las Vegas	NV		89122-4093
	River Oaks Mobile Home Park	Resident Space # 218	5300 E Desert Inn Rd			Las Vegas	NV		89122-4093
	River Oaks Mobile Home Park	Resident Space # 219	5300 E Desert Inn Rd			Las Vegas	NV		89122-4093

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	River Oaks Mobile Home Park	Resident	Space # 220	5300 E Desert Inn Rd		Las Vegas	NV		89122-4093
	River Oaks Mobile Home Park	Resident	Space # 221	5300 E Desert Inn Rd		Las Vegas	NV		89122-4093
	River Oaks Mobile Home Park	Resident	Space # 222	5300 E Desert Inn Rd		Las Vegas	NV		89122-4094
	River Oaks Mobile Home Park	Resident	Space # 223	5300 E Desert Inn Rd		Las Vegas	NV		89122-4094
	River Oaks Mobile Home Park	Resident	Space # 224	5300 E Desert Inn Rd		Las Vegas	NV		89122-4094
	River Oaks Mobile Home Park	Resident	Space # 225	5300 E Desert Inn Rd		Las Vegas	NV		89122-4074
	River Oaks Mobile Home Park	Resident	Space # 226	5300 E Desert Inn Rd		Las Vegas	NV		89122-4074
	River Oaks Mobile Home Park	Resident	Space # 227	5300 E Desert Inn Rd		Las Vegas	NV		89122-4224
	River Oaks Mobile Home Park	Resident	Space # 228	5300 E Desert Inn Rd		Las Vegas	NV		89122-4224
	River Oaks Mobile Home Park	Resident	Space # 229	5300 E Desert Inn Rd		Las Vegas	NV		89122-4056
	River Oaks Mobile Home Park	Resident	Space # 230	5300 E Desert Inn Rd		Las Vegas	NV		89122-4056
	River Oaks Mobile Home Park	Resident	Space # 231	5300 E Desert Inn Rd		Las Vegas	NV		89122-4056
	River Oaks Mobile Home Park	Resident	Space # 232	5300 E Desert Inn Rd		Las Vegas	NV		89122-4056
	River Oaks Mobile Home Park	Resident	Space # 233	5300 E Desert Inn Rd		Las Vegas	NV		89122-4056
	River Oaks Mobile Home Park	Resident	Space # 234	5300 E Desert Inn Rd		Las Vegas	NV		89122-4056
	River Oaks Mobile Home Park	Resident	Space # 235	5300 E Desert Inn Rd		Las Vegas	NV		89122-4056
	River Oaks Mobile Home Park	Resident	Space # 236	5300 E Desert Inn Rd		Las Vegas	NV		89122-4056
	River Oaks Mobile Home Park	Resident	Space # 237	5300 E Desert Inn Rd		Las Vegas	NV		89122-4056
	River Oaks Mobile Home Park	Resident	Space # 238	5300 E Desert Inn Rd		Las Vegas	NV		89122-4056
	River Oaks Mobile Home Park	Resident	Space # 239	5300 E Desert Inn Rd		Las Vegas	NV		89122-4089
	River Oaks Mobile Home Park	Resident	Space # 240	5300 E Desert Inn Rd		Las Vegas	NV		89122-4089
	River Oaks Mobile Home Park	Resident	Space # 241	5300 E Desert Inn Rd		Las Vegas	NV		89122-4089
	River Oaks Mobile Home Park	Resident	Space # 242	5300 E Desert Inn Rd		Las Vegas	NV		89122-4089
	River Oaks Mobile Home Park	Resident	Space # 243	5300 E Desert Inn Rd		Las Vegas	NV		89122-4089
	River Oaks Mobile Home Park	Resident	Space # 244	5300 E Desert Inn Rd		Las Vegas	NV		89122-4089
	River Oaks Mobile Home Park	Resident	Space # 245	5300 E Desert Inn Rd		Las Vegas	NV		89122-4089
	River Oaks Mobile Home Park	Resident	Space # 246	5300 E Desert Inn Rd		Las Vegas	NV		89122-4089
	River Oaks Mobile Home Park	Resident	Space # 247	5300 E Desert Inn Rd		Las Vegas	NV		89122-4089

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	River Oaks Mobile Home Park	Resident	Space # 248	5300 E Desert Inn Rd		Las Vegas	NV		89122-4089
	River Oaks Mobile Home Park	Resident	Space # 249	5300 E Desert Inn Rd		Las Vegas	NV		89122-4090
	River Oaks Mobile Home Park	Resident	Space # 250	5300 E Desert Inn Rd		Las Vegas	NV		89122-4090
	River Oaks Mobile Home Park	Resident	Space # 251	5300 E Desert Inn Rd		Las Vegas	NV		89122-4090
	River Oaks Mobile Home Park	Resident	Space # 252	5300 E Desert Inn Rd		Las Vegas	NV		89122-4090
	River Oaks Mobile Home Park	Resident	Space # 253	5300 E Desert Inn Rd		Las Vegas	NV		89122-4090
	River Oaks Mobile Home Park	Resident	Space # 254	5300 E Desert Inn Rd		Las Vegas	NV		89122-4090
	River Oaks Mobile Home Park	Resident	Space # 255	5300 E Desert Inn Rd		Las Vegas	NV		89122-4090
	River Oaks Mobile Home Park	Resident	Space # 256	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 257	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 258	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 259	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 260	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 261	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 262	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 263	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 264	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 265	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 266	5300 E Desert Inn Rd		Las Vegas	NV		89122-4091
	River Oaks Mobile Home Park	Resident	Space # 267	5300 E Desert Inn Rd		Las Vegas	NV		89122-4091
	River Oaks Mobile Home Park	Resident	Space # 268	5300 E Desert Inn Rd		Las Vegas	NV		89122-4091
	River Oaks Mobile Home Park	Resident	Space # 269	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 270	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 271	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 272	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 273	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 274	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 275	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	River Oaks Mobile Home Park	Resident Space # 276	5300 E Desert Inn Rd			Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident Space # 277	5300 E Desert Inn Rd			Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident Space # 278	5300 E Desert Inn Rd			Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident Space # 279	5300 E Desert Inn Rd			Las Vegas	NV		89122-4217
	River Oaks Mobile Home Park	Resident Space # 280	5300 E Desert Inn Rd			Las Vegas	NV		89122-4217
	River Oaks Mobile Home Park	Resident Space # 281	5300 E Desert Inn Rd			Las Vegas	NV		89122-4092
	River Oaks Mobile Home Park	Resident Space # 282	5300 E Desert Inn Rd			Las Vegas	NV		89122-4092
	River Oaks Mobile Home Park	Resident Space # 283	5300 E Desert Inn Rd			Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident Space # 284	5300 E Desert Inn Rd			Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident Space # 285	5300 E Desert Inn Rd			Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident Space # 286	5300 E Desert Inn Rd			Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident Space # 287	5300 E Desert Inn Rd			Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident Space # 288	5300 E Desert Inn Rd			Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident Space # 289	5300 E Desert Inn Rd			Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident Space # 290	5300 E Desert Inn Rd			Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident Space # 291	5300 E Desert Inn Rd			Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident Space # 292	5300 E Desert Inn Rd			Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident Space # 293	5300 E Desert Inn Rd			Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident Space # 294	5300 E Desert Inn Rd			Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident Space # 295	5300 E Desert Inn Rd			Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident Space # 296	5300 E Desert Inn Rd			Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident Space # 297	5300 E Desert Inn Rd			Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident Space # 298	5300 E Desert Inn Rd			Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident Space # 299	5300 E Desert Inn Rd			Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident Space # 300	5300 E Desert Inn Rd			Las Vegas	NV		89122-4095
	River Oaks Mobile Home Park	Resident Space # 301	5300 E Desert Inn Rd			Las Vegas	NV		89122-4095
	River Oaks Mobile Home Park	Resident Space # 302	5300 E Desert Inn Rd			Las Vegas	NV		89122-4095
	River Oaks Mobile Home Park	Resident Space # 303	5300 E Desert Inn Rd			Las Vegas	NV		89122-4095

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	River Oaks Mobile Home Park	Resident	Space # 304	5300 E Desert Inn Rd		Las Vegas	NV		89122-4095
	River Oaks Mobile Home Park	Resident	Space # 305	5300 E Desert Inn Rd		Las Vegas	NV		89122-4095
	River Oaks Mobile Home Park	Resident	Space # 306	5300 E Desert Inn Rd		Las Vegas	NV		89122-4095
	Valley Vista Mobile Home Park	Resident	Space # 1	3001 Cabana Dr		Las Vegas	NV		89122-4062
	Valley Vista Mobile Home Park	Resident	Space # 2	3001 Cabana Dr		Las Vegas	NV		89122-4062
	Valley Vista Mobile Home Park	Resident	Space # 3	3001 Cabana Dr		Las Vegas	NV		89122-4062
	Valley Vista Mobile Home Park	Resident	Space # 4	3001 Cabana Dr		Las Vegas	NV		89122-4062
	Valley Vista Mobile Home Park	Resident	Space # 5	3001 Cabana Dr		Las Vegas	NV		89122-4062
	Valley Vista Mobile Home Park	Resident	Space # 6	3001 Cabana Dr		Las Vegas	NV		89122-4062
	Valley Vista Mobile Home Park	Resident	Space # 7	3001 Cabana Dr		Las Vegas	NV		89122-4062
	Valley Vista Mobile Home Park	Resident	Space # 8	3001 Cabana Dr		Las Vegas	NV		89122-4062
	Valley Vista Mobile Home Park	Resident	Space # 9	3001 Cabana Dr		Las Vegas	NV		89122-4062
	Valley Vista Mobile Home Park	Resident	Space # 10	3001 Cabana Dr		Las Vegas	NV		89122-4062
	Valley Vista Mobile Home Park	Resident	Space # 11	3001 Cabana Dr		Las Vegas	NV		89122-4098
	Valley Vista Mobile Home Park	Resident	Space # 12	3001 Cabana Dr		Las Vegas	NV		89122-4098
	Valley Vista Mobile Home Park	Resident	Space # 13	3001 Cabana Dr		Las Vegas	NV		89122-4098
	Valley Vista Mobile Home Park	Resident	Space # 14	3001 Cabana Dr		Las Vegas	NV		89122-4098
	Valley Vista Mobile Home Park	Resident	Space # 15	3001 Cabana Dr		Las Vegas	NV		89122-4098
	Valley Vista Mobile Home Park	Resident	Space # 16	3001 Cabana Dr		Las Vegas	NV		89122-4098
	Valley Vista Mobile Home Park	Resident	Space # 17	3001 Cabana Dr		Las Vegas	NV		89122-4098
	Valley Vista Mobile Home Park	Resident	Space # 18	3001 Cabana Dr		Las Vegas	NV		89122-4098
	Valley Vista Mobile Home Park	Resident	Space # 19	3001 Cabana Dr		Las Vegas	NV		89122-4098
	Valley Vista Mobile Home Park	Resident	Space # 20	3001 Cabana Dr		Las Vegas	NV		89122-4098
	Valley Vista Mobile Home Park	Resident	Space # 21	3001 Cabana Dr		Las Vegas	NV		89122-4099
	Valley Vista Mobile Home Park	Resident	Space # 22	3001 Cabana Dr		Las Vegas	NV		89122-4099
	Valley Vista Mobile Home Park	Resident	Space # 23	3001 Cabana Dr		Las Vegas	NV		89122-4099
	Valley Vista Mobile Home Park	Resident	Space # 24	3001 Cabana Dr		Las Vegas	NV		89122-4099
	Valley Vista Mobile Home Park	Resident	Space # 25	3001 Cabana Dr		Las Vegas	NV		89122-4099

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	Valley Vista Mobile Home Park	Resident	Space # 26	3001 Cabana Dr		Las Vegas	NV		89122-4099
	Valley Vista Mobile Home Park	Resident	Space # 27	3001 Cabana Dr		Las Vegas	NV		89122-4099
	Valley Vista Mobile Home Park	Resident	Space # 28	3001 Cabana Dr		Las Vegas	NV		89122-4099
	Valley Vista Mobile Home Park	Resident	Space # 29	3001 Cabana Dr		Las Vegas	NV		89122-4099
	Valley Vista Mobile Home Park	Resident	Space # 30	3001 Cabana Dr		Las Vegas	NV		89122-4099
	Valley Vista Mobile Home Park	Resident	Space # 31	3001 Cabana Dr		Las Vegas	NV		89122-4200
	Valley Vista Mobile Home Park	Resident	Space # 32	3001 Cabana Dr		Las Vegas	NV		89122-4200
	Valley Vista Mobile Home Park	Resident	Space # 33	3001 Cabana Dr		Las Vegas	NV		89122-4200
	Valley Vista Mobile Home Park	Resident	Space # 34	3001 Cabana Dr		Las Vegas	NV		89122-4200
	Valley Vista Mobile Home Park	Resident	Space # 35	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 36	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 37	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 38	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 39	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 40	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 41	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 42	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 43	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 44	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 45	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 46	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 47	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 48	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 49	3001 Cabana Dr		Las Vegas	NV		89122-4201
	Valley Vista Mobile Home Park	Resident	Space # 50	3001 Cabana Dr		Las Vegas	NV		89122-4201
	Valley Vista Mobile Home Park	Resident	Space # 51	3001 Cabana Dr		Las Vegas	NV		89122-4201
	Valley Vista Mobile Home Park	Resident	Space # 52	3001 Cabana Dr		Las Vegas	NV		89122-4201
	Valley Vista Mobile Home Park	Resident	Space # 53	3001 Cabana Dr		Las Vegas	NV		89122-4201

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	Valley Vista Mobile Home Park	Resident	Space # 54	3001 Cabana Dr		Las Vegas	NV		89122-4201
	Valley Vista Mobile Home Park	Resident	Space # 55	3001 Cabana Dr		Las Vegas	NV		89122-4201
	Valley Vista Mobile Home Park	Resident	Space # 56	3001 Cabana Dr		Las Vegas	NV		89122-4201
	Valley Vista Mobile Home Park	Resident	Space # 57	3001 Cabana Dr		Las Vegas	NV		89122-4201
	Valley Vista Mobile Home Park	Resident	Space # 58	3001 Cabana Dr		Las Vegas	NV		89122-4201
	Valley Vista Mobile Home Park	Resident	Space # 59	3001 Cabana Dr		Las Vegas	NV		89122-4202
	Valley Vista Mobile Home Park	Resident	Space # 60	3001 Cabana Dr		Las Vegas	NV		89122-4202
	Valley Vista Mobile Home Park	Resident	Space # 61	3001 Cabana Dr		Las Vegas	NV		89122-4202
	Valley Vista Mobile Home Park	Resident	Space # 62	3001 Cabana Dr		Las Vegas	NV		89122-4202
	Valley Vista Mobile Home Park	Resident	Space # 63	3001 Cabana Dr		Las Vegas	NV		89122-4202
	Valley Vista Mobile Home Park	Resident	Space # 64	3001 Cabana Dr		Las Vegas	NV		89122-4202
	Valley Vista Mobile Home Park	Resident	Space # 65	3001 Cabana Dr		Las Vegas	NV		89122-4202
	Valley Vista Mobile Home Park	Resident	Space # 66	3001 Cabana Dr		Las Vegas	NV		89122-4202
	Valley Vista Mobile Home Park	Resident	Space # 67	3001 Cabana Dr		Las Vegas	NV		89122-4202
	Valley Vista Mobile Home Park	Resident	Space # 68	3001 Cabana Dr		Las Vegas	NV		89122-4202
	Valley Vista Mobile Home Park	Resident	Space # 69	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 70	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 71	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 72	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 73	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 74	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 75	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 76	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 77	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 78	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 79	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 80	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 81	3001 Cabana Dr		Las Vegas	NV		89122-4064

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	Valley Vista Mobile Home Park	Resident	Space # 82	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 83	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 84	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 85	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 86	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 87	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 88	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 89	3001 Cabana Dr		Las Vegas	NV		89122-4203
	Valley Vista Mobile Home Park	Resident	Space # 90	3001 Cabana Dr		Las Vegas	NV		89122-4203
	Valley Vista Mobile Home Park	Resident	Space # 91	3001 Cabana Dr		Las Vegas	NV		89122-4203
	Valley Vista Mobile Home Park	Resident	Space # 92	3001 Cabana Dr		Las Vegas	NV		89122-4203
	Valley Vista Mobile Home Park	Resident	Space # 93	3001 Cabana Dr		Las Vegas	NV		89122-4203
	Valley Vista Mobile Home Park	Resident	Space # 94	3001 Cabana Dr		Las Vegas	NV		89122-4203
	Valley Vista Mobile Home Park	Resident	Space # 95	3001 Cabana Dr		Las Vegas	NV		89122-4203
	Valley Vista Mobile Home Park	Resident	Space # 96	3001 Cabana Dr		Las Vegas	NV		89122-4203
	Valley Vista Mobile Home Park	Resident	Space # 97	3001 Cabana Dr		Las Vegas	NV		89122-4203
	Valley Vista Mobile Home Park	Resident	Space # 98	3001 Cabana Dr		Las Vegas	NV		89122-4203
	Valley Vista Mobile Home Park	Resident	Space # 99	3001 Cabana Dr		Las Vegas	NV		89122-4204
	Valley Vista Mobile Home Park	Resident	Space # 100	3001 Cabana Dr		Las Vegas	NV		89122-4204
	Valley Vista Mobile Home Park	Resident	Space # 101	3001 Cabana Dr		Las Vegas	NV		89122-4204
	Valley Vista Mobile Home Park	Resident	Space # 102	3001 Cabana Dr		Las Vegas	NV		89122-4204
	Valley Vista Mobile Home Park	Resident	Space # 103	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 104	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 105	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 106	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 107	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 108	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 109	3001 Cabana Dr		Las Vegas	NV		89122-4065

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	Valley Vista Mobile Home Park	Resident	Space # 110	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 111	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 112	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 113	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 114	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 115	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 116	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 117	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 118	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 119	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 120	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 121	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 122	3001 Cabana Dr		Las Vegas	NV		89122-4205
	Valley Vista Mobile Home Park	Resident	Space # 123	3001 Cabana Dr		Las Vegas	NV		89122-4205
	Valley Vista Mobile Home Park	Resident	Space # 124	3001 Cabana Dr		Las Vegas	NV		89122-4205
	Valley Vista Mobile Home Park	Resident	Space # 125	3001 Cabana Dr		Las Vegas	NV		89122-4251
	Valley Vista Mobile Home Park	Resident	Space # 126	3001 Cabana Dr		Las Vegas	NV		89122-4251
	Valley Vista Mobile Home Park	Resident	Space # 127	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 128	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 129	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 130	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 131	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 132	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 133	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 134	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 135	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 136	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 137	3001 Cabana Dr		Las Vegas	NV		89122-4206

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	Valley Vista Mobile Home Park	Resident	Space # 138	3001 Cabana Dr		Las Vegas	NV		89122-4206
	Valley Vista Mobile Home Park	Resident	Space # 139	3001 Cabana Dr		Las Vegas	NV		89122-4206
	Valley Vista Mobile Home Park	Resident	Space # 140	3001 Cabana Dr		Las Vegas	NV		89122-4206
	Valley Vista Mobile Home Park	Resident	Space # 141	3001 Cabana Dr		Las Vegas	NV		89122-4206
	Valley Vista Mobile Home Park	Resident	Space # 142	3001 Cabana Dr		Las Vegas	NV		89122-4206
	Valley Vista Mobile Home Park	Resident	Space # 143	3001 Cabana Dr		Las Vegas	NV		89122-4206
	Valley Vista Mobile Home Park	Resident	Space # 144	3001 Cabana Dr		Las Vegas	NV		89122-4206
	Valley Vista Mobile Home Park	Resident	Space # 145	3001 Cabana Dr		Las Vegas	NV		89122-4206
	Valley Vista Mobile Home Park	Resident	Space # 146	3001 Cabana Dr		Las Vegas	NV		89122-4206
	Valley Vista Mobile Home Park	Resident	Space # 147	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 148	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 149	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 150	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 151	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 152	3001 Cabana Dr		Las Vegas	NV		89122-4225
	Valley Vista Mobile Home Park	Resident	Space # 153	3001 Cabana Dr		Las Vegas	NV		89122-4225
	Valley Vista Mobile Home Park	Resident	Space # 154	3001 Cabana Dr		Las Vegas	NV		89122-4225
	Valley Vista Mobile Home Park	Resident	Space # 155	3001 Cabana Dr		Las Vegas	NV		89122-4225
	Valley Vista Mobile Home Park	Resident	Space # 156	3001 Cabana Dr		Las Vegas	NV		89122-4225
	Valley Vista Mobile Home Park	Resident	Space # 157	3001 Cabana Dr		Las Vegas	NV		89122-4225
	Valley Vista Mobile Home Park	Resident	Space # 158	3001 Cabana Dr		Las Vegas	NV		89122-4225
	Valley Vista Mobile Home Park	Resident	Space # 159	3001 Cabana Dr		Las Vegas	NV		89122-4067
	Valley Vista Mobile Home Park	Resident	Space # 160	3001 Cabana Dr		Las Vegas	NV		89122-4067
	Valley Vista Mobile Home Park	Resident	Space # 161	3001 Cabana Dr		Las Vegas	NV		89122-4067
	Valley Vista Mobile Home Park	Resident	Space # 162	3001 Cabana Dr		Las Vegas	NV		89122-4067
	Valley Vista Mobile Home Park	Resident	Space # 163	3001 Cabana Dr		Las Vegas	NV		89122-4067
	Valley Vista Mobile Home Park	Resident	Space # 164	3001 Cabana Dr		Las Vegas	NV		89122-4067
	Valley Vista Mobile Home Park	Resident	Space # 165	3001 Cabana Dr		Las Vegas	NV		89122-4207

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	Valley Vista Mobile Home Park	Resident	Space # 166	3001 Cabana Dr		Las Vegas	NV		89122-4207
	Valley Vista Mobile Home Park	Resident	Space # 167	3001 Cabana Dr		Las Vegas	NV		89122-4207
	Valley Vista Mobile Home Park	Resident	Space # 168	3001 Cabana Dr		Las Vegas	NV		89122-4207
	Valley Vista Mobile Home Park	Resident	Space # 169	3001 Cabana Dr		Las Vegas	NV		89122-4207
	Valley Vista Mobile Home Park	Resident	Space # 170	3001 Cabana Dr		Las Vegas	NV		89122-4207
	Valley Vista Mobile Home Park	Resident	Space # 171	3001 Cabana Dr		Las Vegas	NV		89122-4207
	Valley Vista Mobile Home Park	Resident	Space # 172	3001 Cabana Dr		Las Vegas	NV		89122-4207
	Valley Vista Mobile Home Park	Resident	Space # 173	3001 Cabana Dr		Las Vegas	NV		89122-4207
	Valley Vista Mobile Home Park	Resident	Space # 174	3001 Cabana Dr		Las Vegas	NV		89122-4207
	Valley Vista Mobile Home Park	Resident	Space # 175	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 176	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 177	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 178	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 179	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 180	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 181	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 182	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 183	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 184	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 185	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 186	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 187	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 188	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 189	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 190	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 191	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 192	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 193	3001 Cabana Dr		Las Vegas	NV		89122-4068

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	Valley Vista Mobile Home Park	Resident	Space # 194	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 195	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 196	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 197	3001 Cabana Dr		Las Vegas	NV		89122-4209
	Valley Vista Mobile Home Park	Resident	Space # 198	3001 Cabana Dr		Las Vegas	NV		89122-4209
	Valley Vista Mobile Home Park	Resident	Space # 199	3001 Cabana Dr		Las Vegas	NV		89122-4209
	Valley Vista Mobile Home Park	Resident	Space # 200	3001 Cabana Dr		Las Vegas	NV		89122-4209
	Valley Vista Mobile Home Park	Resident	Space # 201	3001 Cabana Dr		Las Vegas	NV		89122-4209
	Valley Vista Mobile Home Park	Resident	Space # 202	3001 Cabana Dr		Las Vegas	NV		89122-4226
	Valley Vista Mobile Home Park	Resident	Space # 203	3001 Cabana Dr		Las Vegas	NV		89122-4226
	Valley Vista Mobile Home Park	Resident	Space # 204	3001 Cabana Dr		Las Vegas	NV		89122-4069
	Valley Vista Mobile Home Park	Resident	Space # 205	3001 Cabana Dr		Las Vegas	NV		89122-4069
	Valley Vista Mobile Home Park	Resident	Space # 206	3001 Cabana Dr		Las Vegas	NV		89122-4069
	Valley Vista Mobile Home Park	Resident	Space # 207	3001 Cabana Dr		Las Vegas	NV		89122-4069
	Valley Vista Mobile Home Park	Resident	Space # 208	3001 Cabana Dr		Las Vegas	NV		89122-4069
	Valley Vista Mobile Home Park	Resident	Space # 209	3001 Cabana Dr		Las Vegas	NV		89122-4069
	Valley Vista Mobile Home Park	Resident	Space # 210	3001 Cabana Dr		Las Vegas	NV		89122-4069
	Valley Vista Mobile Home Park	Resident	Space # 211	3001 Cabana Dr		Las Vegas	NV		89122-4069
	Valley Vista Mobile Home Park	Resident	Space # 212	3001 Cabana Dr		Las Vegas	NV		89122-4210
	Valley Vista Mobile Home Park	Resident	Space # 213	3001 Cabana Dr		Las Vegas	NV		89122-4210
	Valley Vista Mobile Home Park	Resident	Space # 214	3001 Cabana Dr		Las Vegas	NV		89122-4210
	Valley Vista Mobile Home Park	Resident	Space # 215	3001 Cabana Dr		Las Vegas	NV		89122-4210
	Valley Vista Mobile Home Park	Resident	Space # 216	3001 Cabana Dr		Las Vegas	NV		89122-4210
	Valley Vista Mobile Home Park	Resident	Space # 217	3001 Cabana Dr		Las Vegas	NV		89122-4210
	Valley Vista Mobile Home Park	Resident	Space # 218	3001 Cabana Dr		Las Vegas	NV		89122-4210
	Valley Vista Mobile Home Park	Resident	Space # 219	3001 Cabana Dr		Las Vegas	NV		89122-4210
	Valley Vista Mobile Home Park	Resident	Space # 220	3001 Cabana Dr		Las Vegas	NV		89122-4210
	Valley Vista Mobile Home Park	Resident	Space # 221	3001 Cabana Dr		Las Vegas	NV		89122-4210

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	Valley Vista Mobile Home Park	Resident	Space # 222	3001 Cabana Dr		Las Vegas	NV		89122-4211
	Valley Vista Mobile Home Park	Resident	Space # 223	3001 Cabana Dr		Las Vegas	NV		89122-4211
	Valley Vista Mobile Home Park	Resident	Space # 224	3001 Cabana Dr		Las Vegas	NV		89122-4211
	Valley Vista Mobile Home Park	Resident	Space # 225	3001 Cabana Dr		Las Vegas	NV		89122-4211
	Valley Vista Mobile Home Park	Resident	Space # 226	3001 Cabana Dr		Las Vegas	NV		89122-4069
	Valley Vista Mobile Home Park	Resident	Space # 227	3001 Cabana Dr		Las Vegas	NV		89122-4069
	Valley Vista Mobile Home Park	Resident	Space # 228	3001 Cabana Dr		Las Vegas	NV		89122-4069
	Valley Vista Mobile Home Park	Resident	Space # 229	3001 Cabana Dr		Las Vegas	NV		89122-4070
	Valley Vista Mobile Home Park	Resident	Space # 230	3001 Cabana Dr		Las Vegas	NV		89122-4070
	Valley Vista Mobile Home Park	Resident	Space # 231	3001 Cabana Dr		Las Vegas	NV		89122-4070
	Valley Vista Mobile Home Park	Resident	Space # 232	3001 Cabana Dr		Las Vegas	NV		89122-4070
	Valley Vista Mobile Home Park	Resident	Space # 233	3001 Cabana Dr		Las Vegas	NV		89122-4070
	Valley Vista Mobile Home Park	Resident	Space # 234	3001 Cabana Dr		Las Vegas	NV		89122-4070
	Valley Vista Mobile Home Park	Resident	Space # 235	3001 Cabana Dr		Las Vegas	NV		89122-4070
	Valley Vista Mobile Home Park	Resident	Space # 236	3001 Cabana Dr		Las Vegas	NV		89122-4070
	Valley Vista Mobile Home Park	Resident	Space # 237	3001 Cabana Dr		Las Vegas	NV		89122-4070
	Valley Vista Mobile Home Park	Resident	Space # 238	3001 Cabana Dr		Las Vegas	NV		89122-4070
	Valley Vista Mobile Home Park	Resident	Space # 239	3001 Cabana Dr		Las Vegas	NV		89122-4212
	Valley Vista Mobile Home Park	Resident	Space # 240	3001 Cabana Dr		Las Vegas	NV		89122-4212
	Valley Vista Mobile Home Park	Resident	Space # 241	3001 Cabana Dr		Las Vegas	NV		89122-4212
	Valley Vista Mobile Home Park	Resident	Space # 242	3001 Cabana Dr		Las Vegas	NV		89122-4212
	Valley Vista Mobile Home Park	Resident	Space # 243	3001 Cabana Dr		Las Vegas	NV		89122-4212
	Valley Vista Mobile Home Park	Resident	Space # 244	3001 Cabana Dr		Las Vegas	NV		89122-4212
	Valley Vista Mobile Home Park	Resident	Space # 245	3001 Cabana Dr		Las Vegas	NV		89122-4212
	Valley Vista Mobile Home Park	Resident	Space # 246	3001 Cabana Dr		Las Vegas	NV		89122-4212
	Valley Vista Mobile Home Park	Resident	Space # 247	3001 Cabana Dr		Las Vegas	NV		89122-4212
	Valley Vista Mobile Home Park	Resident	Space # 248	3001 Cabana Dr		Las Vegas	NV		89122-4212
	Valley Vista Mobile Home Park	Resident	Space # 249	3001 Cabana Dr		Las Vegas	NV		89122-4213

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	Valley Vista Mobile Home Park	Resident	Space # 250	3001 Cabana Dr		Las Vegas	NV		89122-4213
	Valley Vista Mobile Home Park	Resident	Space # 251	3001 Cabana Dr		Las Vegas	NV		89122-4213
	Valley Vista Mobile Home Park	Resident	Space # 252	3001 Cabana Dr		Las Vegas	NV		89122-4213
	Valley Vista Mobile Home Park	Resident	Space # 253	3001 Cabana Dr		Las Vegas	NV		89122-4213
	Valley Vista Mobile Home Park	Resident	Space # 254	3001 Cabana Dr		Las Vegas	NV		89122-4213
	Valley Vista Mobile Home Park	Resident	Space # 255	3001 Cabana Dr		Las Vegas	NV		89122-4213
	Valley Vista Mobile Home Park	Resident	Space # 256	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 257	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 258	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 259	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 260	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 261	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 262	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 263	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 264	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 265	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 266	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 267	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 268	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 269	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 270	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 271	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 272	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 273	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 274	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 275	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 276	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 277	3001 Cabana Dr		Las Vegas	NV		89122-4071

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	Valley Vista Mobile Home Park	Resident	Space # 278	3001 Cabana Dr		Las Vegas	NV		89122-4214
	Valley Vista Mobile Home Park	Resident	Space # 279	3001 Cabana Dr		Las Vegas	NV		89122-4214
	Valley Vista Mobile Home Park	Resident	Space # 280	3001 Cabana Dr		Las Vegas	NV		89122-4214
	Valley Vista Mobile Home Park	Resident	Space # 281	3001 Cabana Dr		Las Vegas	NV		89122-4214
	Valley Vista Mobile Home Park	Resident	Space # 282	3001 Cabana Dr		Las Vegas	NV		89122-4227
	Valley Vista Mobile Home Park	Resident	Space # 283	3001 Cabana Dr		Las Vegas	NV		89122-4072
	Valley Vista Mobile Home Park	Resident	Space # 284	3001 Cabana Dr		Las Vegas	NV		89122-4072
	Valley Vista Mobile Home Park	Resident	Space # 285	3001 Cabana Dr		Las Vegas	NV		89122-4072
	Valley Vista Mobile Home Park	Resident	Space # 286	3001 Cabana Dr		Las Vegas	NV		89122-4072
	Valley Vista Mobile Home Park	Resident	Space # 287	3001 Cabana Dr		Las Vegas	NV		89122-4072
	Valley Vista Mobile Home Park	Resident	Space # 288	3001 Cabana Dr		Las Vegas	NV		89122-4072
	Valley Vista Mobile Home Park	Resident	Space # 289	3001 Cabana Dr		Las Vegas	NV		89122-4072
	Valley Vista Mobile Home Park	Resident	Space # 290	3001 Cabana Dr		Las Vegas	NV		89122-4072
	Valley Vista Mobile Home Park	Resident	Space # 291	3001 Cabana Dr		Las Vegas	NV		89122-4072
	Valley Vista Mobile Home Park	Resident	Space # 292	3001 Cabana Dr		Las Vegas	NV		89122-4072
	Valley Vista Mobile Home Park	Resident	Space # 293	3001 Cabana Dr		Las Vegas	NV		89122-4215
	Valley Vista Mobile Home Park	Resident	Space # 294	3001 Cabana Dr		Las Vegas	NV		89122-4215
	Valley Vista Mobile Home Park	Resident	Space # 295	3001 Cabana Dr		Las Vegas	NV		89122-4215
	Valley Vista Mobile Home Park	Resident	Space # 296	3001 Cabana Dr		Las Vegas	NV		89122-4215
	Valley Vista Mobile Home Park	Resident	Space # 297	3001 Cabana Dr		Las Vegas	NV		89122-4215
	Valley Vista Mobile Home Park	Resident	Space # 298	3001 Cabana Dr		Las Vegas	NV		89122-4215
	Valley Vista Mobile Home Park	Resident	Space # 299	3001 Cabana Dr		Las Vegas	NV		89122-4215
	Valley Vista Mobile Home Park	Resident	Space # 300	3001 Cabana Dr		Las Vegas	NV		89122-4215
	Valley Vista Mobile Home Park	Resident	Space # 301	3001 Cabana Dr		Las Vegas	NV		89122-4215
	Valley Vista Mobile Home Park	Resident	Space # 302	3001 Cabana Dr		Las Vegas	NV		89122-4215
	Valley Vista Mobile Home Park	Resident	Space # 303	3001 Cabana Dr		Las Vegas	NV		89122-4216
	Paradise Town Advisory Board	Attn: Maureen Helm		4713 Canna Drive	<null>	Las Vegas	NV		89122
	Sunrise Manor Town Advisory Board	Attn: Jill Nikovis-Leiva		10741 New Boro Avenue	<null>	Las Vegas	NV		89144

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
16108603004	ALBERTSON'S STORES SUB L L C		C/O PARADIGM TAX GROUP PO BOX 800729			DALLAS	TX		75380-0729
16108603005	VISTA CONVOY REALTY LTD		PO BOX 1610			COCKEYSVILLE	MD		21030
16108603007	L D NELLIS L L C		PO BOX 97821			LAS VEGAS	NV		89193-7821
16108603008	C A C L L C		2231 E DESERT INN RD			LAS VEGAS	NV		89169
16108611001	ELATION PROPERTIES L L C		3475 E TOMPKINS AVE			LAS VEGAS	NV		89121
16108611002	BALBASTRO RUBEN C & AMELIA A		2725 S NELLIS BLVD # 1117			LAS VEGAS	NV		89121
16108611003	SPERO SHANE E		2725 S NELLIS BLVD # 1120			LAS VEGAS	NV		89121-2094
16108611004	BARTHMAX LIVING TRUST	BARTH TETSUKO TRS	2725 S NELLIS BLVD UNIT 1119			LAS VEGAS	NV		89121
16108611005	PEREIRA ANA LUCIA		2725 S NELLIS BLVD # 2118			LAS VEGAS	NV		89121-7500
16108611006	GUZMAN PAUL G & SHERI L		1861 NAPOLEON DR			LAS VEGAS	NV		89156
16108611007	DORFF KEVIN		4537 POLK ST NE			COLUMBIA HEIGHTS	MN		55421
16108611008	CRUZ MARIANA		2725 S NELLIS BLVD # 2119			LAS VEGAS	NV		89121
16108611009	ORTIZ ALBERTINA MARIA		2725 S NELLIS BLVD			LAS VEGAS	NV		89121-2093
16108611010	GARBE REINHOLD G ETAL	KARWACKI-GARBE THERESA A	3226 WOODY LN			SAN JOSE	CA		95132
16108611011	CASTILLO ALEX R & SONIA P		2725 S NELLIS BLVD # 1108.			LAS VEGAS	NV		89121
16108611012	ALVAREZ GLADYS F		2725 S NELLIS BLVD # 1107			LAS VEGAS	NV		89121-2093
16108611013	IVALDY PHILLIP	PFUSTERER MARIA	2725 S NELLIS BLVD # 2106			LAS VEGAS	NV		89121
16108611014	SORIA HENRY G		2725 S NELLIS BLVD # 2105			LAS VEGAS	NV		89121-7500
16108611015	EVERETT PERRY		2725 S NELLIS BLVD # 2108			LAS VEGAS	NV		89121
16108611016	GILES EVA		2725 S NELLIS BLVD # 2107			LAS VEGAS	NV		89121
16108611017	DAYBREAK FAMILY TRUST		2922 SALTILLO LN			LAS VEGAS	NV		89121
16108611018	SALOMONS BRUCE & SANDRA	SALOMONS JESSE	46 KING CLOSE			RED DEER	AB	CANADA	T4P 3P5
16108611019	CLEMENTE FAMILY TRUST	CLEMENTE DOMINIC MICHAEL & KATHRYN MARIE TRS	2725 S NELLIS BLVD # 1104			LAS VEGAS	NV		89121
16108611020	CLEMENTE RALPH		2725 S NELLIS BLVD # 1103			LAS VEGAS	NV		89121-2093
16108611021	DEAN LAMBUS FREDERICK		2725 S NELLIS BLVD # 2102			LAS VEGAS	NV		89121
16108611022	WOODS BARBARA		2072 82ND AVENUE			OAKLAND	CA		94621-2225
16108611023	STRINGER JASON		2725 S NELLIS BLVD # 2104			LAS VEGAS	NV		89121

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
16108611024	BOWENS BRYANT L & ALISHEA		2725 S NELLIS BLVD # 2103			LAS VEGAS	NV		89121-7500
16108611025	GILREATH UNTOK		2725 S NELLIS BLVD 1098			LAS VEGAS	NV		89121
16108611026	MOLINA ANDRES		6912 ADOBE VILLA			LAS VEGAS	NV		89142-3710
16108611027	GONZALEZ JORGAN		30338 LAPASSADE CT			MURRIETA	CA		92563
16108611028	COURTIER BRIAN L	BIXLER LINDA D	2725 S NELLIS BLVD # 1099			LAS VEGAS	NV		89121
16108611029	MERCADO MARK ANTHONY ORDONA & EVERLY		2725 S NELLIS BLVD # 2098			LAS VEGAS	NV		89121
16108611030	THAYER FAMILY TRUST	THAYER DENNIS & SHIRLEY TRS	UNIT 117	2020 MULDOON RD		ANCHORAGE	AK		99504-3665
16108611031	MILLER WILLIAM C		2725 S NELLIS BLVD # 2100			LAS VEGAS	NV		89121
16108611032	HENDERSON EMMITT JR & ELIBERTA R		PO BOX 473			LA MESA	CA		91944-0473
16108611033	BLOCHBERGER CHARLES		2490 OAKCREST DR			PALM SPRINGS	CA		92264
16108611034	GRAY GERALD & JOY FAMILY TRUST	GRAY GERALD R & JOY TRS	2187 VALLEY DR			IDAHO FALLS	ID		83401-3232
16108611035	ROSS LONNIE C & SONYA I		2725 S NELLIS BLVD # 1088			LAS VEGAS	NV		89121
16108611036	GRADY ANTHONY DARNEL	ALEX- GRADY MERDEC MARIA	2725 S NELLIS BLVD UNIT 1087			LAS VEGAS	NV		89121-2093
16108611037	BROWN JAMES L & ROZA PETRIVNA		2725 S NELLIS BLVD UNIT 2086			LAS VEGAS	NV		89121
16108611038	CASALE JOHN G TRUST	CASALE JOHN G TRS	4935 MONTELEONE AVE			LAS VEGAS	NV		89141
16108611039	HUNT ROSEMARIE		2725 S NELLIS BLVD # 2088			LAS VEGAS	NV		89121
16108611040	LOONEY ALBERT ROE III		2725 S NELLIS BLVD # 2087			LAS VEGAS	NV		89121
16108611041	HENRY ROBERT THRALLS & NANCY M		2725 S NELLIS BLVD # 1082			LAS VEGAS	NV		89121-7724
16108611042	WELLS ALASKA COMMUNITY PPTY TR	WELLS RICHARD B & P K TRS	34411 KEYSTONE DR			SOLDOTNA	AK		99669
16108611043	BROWN JAMES L & ROZA P		2725 S NELLIS BLVD # 1084			LAS VEGAS	NV		89121-2093
16108611044	RODRIGUEZ JULIO CESAR		2725 NELLIS BLVD # 1083			LAS VEGAS	NV		89121
16108611045	REINER BRUCE		2725 S NELLIS BLVD # 2082			LAS VEGAS	NV		89121
16108611046	JOVIC JELENA		2725 S NELLIS BLVD # 2081			LAS VEGAS	NV		89121-7729
16108611047	KRAWCZYK BOGDAN		2725 S NELLIS BLVD # 2084			LAS VEGAS	NV		89121
16108611048	O'GRADY TARA		2725 S NELLIS BLVD # 2083			LAS VEGAS	NV		89121-7729
16108611049	BRILEY RUSSELL		2725 S NELLIS BLVD # 1078			LAS VEGAS	NV		89121

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
16108611050	GARCIA LILLIAN & JOAQUIN		2725 S NELLIS BLVD # 1077			LAS VEGAS	NV		89121
16108611051	GALINDO JOSE		2725 S NELLIS BLVD # 1080			LAS VEGAS	NV		89121-7724
16108611052	IKEDA KENT J		2725 S NELLIS BLVD # 1079			LAS VEGAS	NV		89121
16108611053	SMITH SELENE		423 BROADWAY # 305			MILLBRAE	CA		94030
16108611054	DURHAM KEVIN		34 BELCHER ST APT 5			SAN FRANCISCO	CA		94114
16108611055	STERLING ROBERT & MARTHA TRUST		2725 S NELLIS BLVD # 2080			LAS VEGAS	NV		89121-7729
16108611056	GARCIA RICHARD TRUST	GARCIA RICHARD TRS	2725 S NELLIS BLVD # 2079			LAS VEGAS	NV		89121-2099
16108611057	BRYANT WILLIAM R		2725 S NELLIS BLVD # 1074			LAS VEGAS	NV		89121
16108611058	ALLEN LARRY BERNARD		2149 DALEY ST C			NORTH LAS VEGAS	NV		89030
16108611059	GAMA CHRISTIAN		2725 S NELLIS BLVD # 1076			LAS VEGAS	NV		89121
16108611060	VALDES ISABEL		2725 S NELLIS BLVD # 1075			LAS VEGAS	NV		89121-7724
16108611061	AL-TURKMANI & AYMAN		2725 S NELLIS BLVD # 2074			LAS VEGAS	NV		89121
16108611062	FERNANDEZ ISABEL MARIA		2725 S NELLIS BLVD # 2073			LAS VEGAS	NV		89121-2099
16108611063	FRAGAKIS JEAN		2725 NELLIS BLVD # 2076			LAS VEGAS	NV		89121-2099
16108611064	SMITH JEFFERY		2725 NELLIS BLVD 2075			LAS VEGAS	NV		89121
16108611065	BARRERA JESUS		1117 PLEASANT BROOK ST			LAS VEGAS	NV		89142
16108611066	BELLEROSE EDWARD J & JUANITA K		2725 S NELLIS BLVD # 1061			LAS VEGAS	NV		89121-2092
16108611067	BAKER RICHARD L		2725 S NELLIS BLVD # 1064			LAS VEGAS	NV		89121
16108611068	BRYAN-WHITE ANNISE		2725 S NELLIS BLVD # 1063			LAS VEGAS	NV		89121
16108611069	CASH LARRY DARNEL	CORBIN GLENDA LAGAR	2725 S NELLIS BLVD # 2062			LAS VEGAS	NV		89121-2099
16108611070	FELLER ANTHONY		2725 S NELLIS BLVD # 2061			LAS VEGAS	NV		89121-2099
16108611071	HURSH DALVANTE DUANE	HARPER BONNIE MAE	2725 S NELLIS BLVD # 2064			LAS VEGAS	NV		89121
16108611072	MARSHALL PHYLLIS J	SHIRKEY ANDREW W	2725 S NELLIS BLVD UNIT 2063			LAS VEGAS	NV		89121-2099
16108611073	IBARRA MAYLENIS PIEDRA		2725 S NELLIS BLVD # 1058			LAS VEGAS	NV		89121
16108611074	HERNANDEZ EVANGELINA		2725 S NELLIS BLVD UNIT 1057			LAS VEGAS	NV		89121
16108611075	MORALES GILBERT		2725 S NELLIS BLVD UNIT 1060			LAS VEGAS	NV		89121

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
16108611076	PATTON SATONYA L ETAL	BELL LOUISE TRUST	2725 S NELLIS BLVD UNIT 1059			LAS VEGAS	NV		89121
16108611077	ZASADA ANTHONY	HOOK TIMOTHY TAI	2725 S NELLIS BLVD # 2058			LAS VEGAS	NV		89121-7502
16108611078	KOUNTZ DEBRA D		2725 S NELLIS BLVD UNIT 2057			LAS VEGAS	NV		89121
16108611079	VILLACARLOS ROMEO & GENEROSA		2725 S NELLIS BLVD # 2060			LAS VEGAS	NV		89121-2099
16108611080	SPROUL KRISTINA		2725 S NELLIS BLVD # 2059			LAS VEGAS	NV		89121
16108611081	VICUNA OSCAR		2725 S NELLIS BLVD # 1054			LAS VEGAS	NV		89121-2092
16108611082	REED PATTIE	DAVIS JAMES	2725 S NELLIS BLVD # 1053			LAS VEGAS	NV		89121-2092
16108611083	ELLIOTT RICHARD HARVEY		2725 S NELLIS BLVD UNIT 1056			LAS VEGAS	NV		89121
16108611084	LOTUS TRUST	NEHRU KUMUDA LOTUS TRS	2725 S NELLIS BLVD UNIT 1055			LAS VEGAS	NV		89121
16108611085	CRUZ NIKLWILLI L		2725 S NELLIS BLVD # 2054			LAS VEGAS	NV		89121
16108611086	RODRIGUEZ MARIBEL & LUIS		6159 HAYS COVE CT			LAS VEGAS	NV		89148
16108611087	SABEDRA DAVID		6518 PECAN GROVE CT			LAS VEGAS	NV		89142
16108611088	SACKS EMILIANO ADRIAN		2725 S NELLIS BLVD UNIT 2055			LAS VEGAS	NV		89121
16108611089	DANIGGELIS MONICA D REVOCABLE LIVING TRUST	DANIGGELIS MONICA D TRS	2725 S NELLIS BLVD # 1042			LAS VEGAS	NV		89121
16108611090	ALLEN LORIS		10620 VILLAGE RD			MORENO VALLEY	CA		92557-3959
16108611091	AZUCENA MARITZA L		7006 MURIETTA AVE			VAN NUYS	CA		91405-3316
16108611092	GUERRERO ERIKA R		2725 S NELLIS BLVD # 1043			LAS VEGAS	NV		89121
16108611093	SMITH ROBERT LEWIS & MARTHA ESTHER		2725 S NELLIS BLVD UNIT 2042			LAS VEGAS	NV		89121
16108611094	TROMP PAULA	JONES PAULETTE	4915 MAJOR DR			NEW ORLEANS	LA		70128
16108611095	SUMNER APRIL LEE & LEONARD ARTHUR JR		2725 S NELLIS BLVD # 2044			LAS VEGAS	NV		89121
16108611096	NEUSCHWANDER GERALD		2725 S NELLIS BLVD # 2043			LAS VEGAS	NV		89121
16108611097	MONTAGUE CAROLYN		2725 S NELLIS # 1038			LAS VEGAS	NV		89121
16108611098	KIPLING CHERYL A	DASCH ROBERT T	2725 S NELLIS BLVD # 1037			LAS VEGAS	NV		89121
16108611099	FAVORS YVETTE J	HARDIN LYNETTE	9323 S PEORIA ST			CHICAGO	IL		60620
16108611100	ASPEN SUMMIT VENTURES L L C		3137 E WARM SPRINGS RD # 100			LAS VEGAS	NV		89120

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
16108611101	MAYNARD RONALD AUSTIN	FRASER LESLIE ANN	2725 S NELLIS BLVD # 2038			LAS VEGAS	NV		89121-2098
16108611102	CORBETT CHELSEA E		2725 S NELLIS BLVD # 2037			LAS VEGAS	NV		89121
16108611103	CALDERON SANDRA D FAMILY TRUST	CALDERON SANDRA D TRS	260 HALEY WAY UNIT 140			MESQUITE	NV		89027
16108611104	TURMAN FAMILY TRUST	TURMAN MARIA M TRS	3835 WAYNESVILL ST			LAS VEGAS	NV		89122-4732
16108611105	PATRICK JUDY KAY REVOCABLE LIVING TRUST	PATRICK JUDY KAY TRS	2725 S NELLIS BLVD # 1034			LAS VEGAS	NV		89121
16108611106	WOLFE DIANE N		2725 S NELLIS BLVD # 1033			LAS VEGAS	NV		89121
16108611107	ONUS EDWARD		2725 S NELLIS BLVD # 1036			LAS VEGAS	NV		89121-2091
16108611108	ANDERSON BRAD & JEANNIFER		2725 S NELLIS BLVD # 1035			LAS VEGAS	NV		89121
16108611109	GARLIT FLORENCE		1304 OLIVIA PKWY			HENDERSON	NV		89011
16108611110	HALL MAYRA		4008 EL SEGUNDO AVE			LAS VEGAS	NV		89121
16108611111	THUNSTROM STEPHEN W		2725 S NELLIS BLVD # 2036			LAS VEGAS	NV		89121-2098
16108611112	GUTIERREZ HECTOR	ALVARADO MARIA DE REFUGIO	2725 S NELLIS BLVD # 2035			LAS VEGAS	NV		89121-2098
16108611113	LEE ERIN		5433 OVERLOOK VALLEY ST			NORTH LAS VEGAS	NV		89081
16108611114	GONZALEZ CARLOS RUIZ		2725 S NELLIS BLVD # 1029			LAS VEGAS	NV		89121
16108611115	MENOR GUY M Y	HAUMEA ELEANOR M	6231 OLOHENA RD			KAPAA	HI		96746
16108611116	FRANCIA CATHERINE		2725 S NELLIS BLVD # 1031			LAS VEGAS	NV		89121
16108611117	GUTIERREZ DIANA		2725 S NELLIS BLVD # 2030			LAS VEGAS	NV		89121-2098
16108611118	GOLDFARB RONALD I & RANDALL S		6 LARCH CIR			HOLLAND	PA		18966
16108611119	MUSTERED JOHN L & FLOR F		2725 S NELLIS BLVD # 2032			LAS VEGAS	NV		89121
16108611120	OWENS CRISTAL N		2725 S NELLIS BLVD # 2031			LAS VEGAS	NV		89121
16108611121	SULLIVAN BENJAMIN EDWARD		2725 S NELLIS BLVD # 1026			LAS VEGAS	NV		89121-2091
16108611122	HAYES THOMAS RAY & DANA MARIE		2725 S NELLIS BLVD # 1025			LAS VEGAS	NV		89121
16108611123	SCOTT TONI		2725 S NELLIS BLVD # 1028			LAS VEGAS	NV		89121
16108611124	GARCIA MARIA YSABEL SANCHEZ REVOCABLE LIVING TRUST	GARCIA MARIA YSABEL SANCHEZ TRS	1579 FALLING LEAF LANE			LAS VEGAS	NV		89142
16108611125	WILEY JOAN		2725 S NELLIS BLVD # 2026			LAS VEGAS	NV		89121-7727
16108611126	FISTER KATHRYN C		2725 S NELLIS BLVD # 2025			LAS VEGAS	NV		89121-2097

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
16108611127	LEWIS SPENCER & LORCESA		2725 S NELLIS BLVD UT 2028			LAS VEGAS	NV		89121
16108611128	VANPOOL REVOCABLE FAMILY LIVING TRUST	VANPOOL ANNABELLE LEE TRS	3553 ATLANTIC AVE STE A 666			LONG BEACH	CA		90807
16108611129	DELAROSA CRISTIAN ROJAS		2725 S NELLIS BLVD # 1022			LAS VEGAS	NV		89121
16108611130	GONZALEZ HERIBERTO ETAL	LOPEZ MARIA OLGA GONZALEZ	4134 ORANGE MIST WAY			LAS VEGAS	NV		89122
16108611131	BAEZ JOSEPH		2725 S NELLIS BLVD UNIT 1024			LAS VEGAS	NV		89121
16108611132	LOWE TYNISHA TRUST	LOWE DENISE CO-TRS	2725 S NELLIS BLVD # 1023			LAS VEGAS	NV		89121
16108611133	VENA EMILY & WILLIAM		2725 S NELLIS BLVD # 2022			LAS VEGAS	NV		89121
16108611134	SHPRINTZ JASON MICHAEL LIVING TRUST	SHPRINTZ JASON MICHAEL TRS	2725 S NELLIS BLVD # 2021			LAS VEGAS	NV		89121
16108611135	VAZQUEZ JESUS		2725 S NELLIS BLVD 2024			LAS VEGAS	NV		89121
16108611136	BARROS RACHEL CHRISTINE		2725 S NELLIS BLVD # 2023			LAS VEGAS	NV		89121-2097
16108611137	JOHNSON FAMILY TRUST	JOHNSON ELIJAH M TRS	2323 PROMETHEUS CT			HENDERSON	NV		89074
16108611138	MERCER ALFRED		2725 S NELLIS BLVD # 1017			LAS VEGAS	NV		89121
16108611139	VOGEL MARILYN FAMILY TRUST	VOGEL MARILYN TRS	2725 S NELLIS BLVD # 1020			LAS VEGAS	NV		89121-2090
16108611140	URBAN JEROME R & MARIA E		2725 S NELLIS BLVD # 1019			LAS VEGAS	NV		89121-2090
16108611141	FARMER STEVEN S		2725 S NELLIS # 2018			LAS VEGAS	NV		89121-2097
16108611142	NORIEGA FELIPE V JR & JULIANNA	NORIEGA JOANNA	2725 S NELLIS BLVD # 2017			LAS VEGAS	NV		89121
16108611143	BONILLA JENNIFER		2725 S NELLIS BLVD # 2020			LAS VEGAS	NV		89121-2097
16108611144	DOLAN JOHN P		702 W THOMAS RD			WHEATON	IL		60187-3162
16108611145	GONZALEZ RODRIGO R JR & ERMALINDA S		3713 SHAVING SHADOWS AVE			NORTH LAS VEGAS	NV		89032
16108611146	GROTE DONALD J & BECKY J		4703 384TH ST			NORTH BRANCH	MN		55056
16108611147	KELLER MARK		2725 S NELLIS BLVD # 1016			LAS VEGAS	NV		89121
16108611148	ALEXANDER JOHNNY & HSIANG CHI		2725 S NELLIS BLVD # 1015			LAS VEGAS	NV		89121
16108611149	SALAZAR-DIAZ LIZBETT		2725 S NELLIS BLVD # 2014			LAS VEGAS	NV		89121
16108611150	TRENT ASSETS L L C		7310 SOUTHERN MAGNOLIA ST			LAS VEGAS	NV		89149
16108611151	MARKEE JEFFREY DAVID	BUSCH BARBARA J	2725 S NELLIS BLVD UNIT 2016			LAS VEGAS	NV		89121

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16108611152	STEWART SANDI J		14 CEDAR CLOSE			LACOMBE	AB	CANADA	T4L 1P5
16108611153	CARDENAS-MENDOZA VICTOR OMAR		2725 S NELLIS BLVD # 1010			LAS VEGAS	NV		89121
16108611154	BELLIVEAU JOHN		2725 S NELLIS BLVD # 1009			LAS VEGAS	NV		89121-2090
16108611155	PEREYRA CRYSTAL VERONIQUE		2725 S NELLIS BLVD # 1012			LAS VEGAS	NV		89121
16108611156	WEST GINA LEE		2725 S NELLIS BLVD # 1011			LAS VEGAS	NV		89121
16108611157	KEEN TERESA		2725 S NELLIS BLVD # 2010			LAS VEGAS	NV		89121-2097
16108611158	KIRBY TERESA D		11859 SWILLY CT			ORLAND PARK	IL		60467
16108611159	HENRY SUSANNA M SEPARATE PPTY TR	HENRY SUSANNA M TRS	2725 S NELLIS BLVD # 2012			LAS VEGAS	NV		89121-2097
16108611160	MARTINEZ TAYMI RODRIGUEZ		2725 S NELLIS BLVD # 2011			LAS VEGAS	NV		89121
16108611161	SOUZA JESSICA R TRUST	SOUZA JESSICA R TRS	17305 SE 91ST LEE AVE			THE VILLAGES	FL		32162
16108611162	DOUGLAS MITCHELL LIVING TRUST	DOUGLAS MITCHELL TRS	2725 S NELLIS BLVD # 1005			LAS VEGAS	NV		89121-2090
16108611163	BELLIVEAU JOHN		PO BOX 178			KAPAA	HI		96746
16108611164	WEDGE MARGARET A REVOCABLE TRUST	WEDGE MARGARET A TRS	PO BOX 152			CARPENTERSVILLE	IL		60110
16108611165	CORTEZ MIGUEL A SARMIENTO		2725 S NELLIS BLVD # 2006			LAS VEGAS	NV		89121-2097
16108611166	ROBERTS MERRISSA		2725 S NELLIS BLVD # 2005			LAS VEGAS	NV		89121
16108611167	RODRIGUEZ-GOMEZ ANTONIO		2725 S NELLIS BLVD # 2008			LAS VEGAS	NV		89121
16108611168	FERRER RENE & RENE JR		2725 S NELLIS BLVD # 2007			LAS VEGAS	NV		89121
16108611169	JOHNSON YRASHHEMA		2725 S NELLIS BLVD # 1004			LAS VEGAS	NV		89121-2090
16108611170	FORESTAL ELDOUTE		2725 S NELLIS BLVD # 1003			LAS VEGAS	NV		89121
16108611171	KYLE JAMES MELVIN LIVING TRUST	KYLE JAMES MELVIN TRS	2725 S NELLIS BLVD # 1002			LAS VEGAS	NV		89121
16108611172	MORALES EDGAR E	MAYORGA ROSA E	2725 S NELLIS BLVD UNIT 1001			LAS VEGAS	NV		89121
16108611173	MILLS NORMA TRUST	MILLS NORMA TRS	2725 S NELLIS BLVD # 2004			LAS VEGAS	NV		89121-2097
16108611174	NIETO MARTHA E DIAZ		2725 S NELLIS BLVD # 2003			LAS VEGAS	NV		89121
16108611175	CRUZ EDGARDO C	DECRUZ FRANCISCA SANDOVAL	2725 S NELLIS BLVD # 2002			LAS VEGAS	NV		89121-2097
16108611176	MARINO THOMAS J		2725 S NELLIS BLVD # 2001			LAS VEGAS	NV		89121
16108611177	ESPINOZA ARMANDO		2725 S NELLIS BLVD # 1202			LAS VEGAS	NV		89121

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16108611178	ESCUERO ARIES VICENCIO		1405 S NELLIS BLVD # 1021			LAS VEGAS	NV		89104
16108611179	RENTERIA ANNA MARIE		2725 S NELLIS BLVD # 1204			LAS VEGAS	NV		89121-2096
16108611180	GARCIA MARIA SOLEDAD PANTOJA		2725 S NELLIS BLVD # 1203			LAS VEGAS	NV		89121
16108611181	BELLOTTO TANYA L		2725 S NELLIS BLVD # 2202			LAS VEGAS	NV		89121-7503
16108611182	RUBALCABA MARIA E LOPEZ		2725 S NELLIS BLVD # 2201			LAS VEGAS	NV		89121-7503
16108611183	WAGNER JOHN		626 CRESTWAY DR			SAN ANTONIO	TX		78239-2152
16108611184	ROMERO-GONZALEZ MANUEL ETAL	FREGOSO-GONZALEZ MARIBEL & YASAIRA	2725 S NELLIS BLVD 2203			LAS VEGAS	NV		89121
16108611185	JOHNSON MARIBEL & JAMES		2725 S NELLIS BLVD 1198			LAS VEGAS	NV		89121
16108611186	MCKAY JENNY L		2725 S NELLIS BLVD UNIT # 1197			LAS VEGAS	NV		89121
16108611187	VONG JODIE		9405 STONE SPRINGS DR			ELK GROVE	CA		95624
16108611188	TOMKO PATRICIA & MICHAEL		2725 S NELLIS BLVD # 1199			LAS VEGAS	NV		89121
16108611189	CANTRELL DANIEL & LINDA		2725 S NELLIS BLVD # 2198			LAS VEGAS	NV		89121-7503
16108611190	GEHRMAN ANN LIVING TRUST	GEHRMAN ANN TRS	9216 BLACK SLATE ST			LAS VEGAS	NV		89123
16108611191	BURDETTE JOHN L		2725 S NELLIS BLVD UT 2200			LAS VEGAS	NV		89121
16108611192	SCHNOCK-SOILEAU CLAIRA A		2725 S NELLIS BLVD # 2199			LAS VEGAS	NV		89121
16108611193	JAVINAR ANGEL JR & MARILYN N		2725 S NELLIS BLVD # 1196			LAS VEGAS	NV		89121
16108611194	HERIGSTAD BRETT & BRIAN		2725 S NELLIS BLVD # 1195			LAS VEGAS	NV		89121-2096
16108611195	PACELLI JANICE LYNNE PARLIN		2725 S NELLIS BLVD # 1194			LAS VEGAS	NV		89121-2096
16108611196	MAGANA-RANGEL MARIA DOLORES		2725 S NELLIS BLVD # 1193			LAS VEGAS	NV		89121
16108611197	MARTIATU DANNIA & DANIEL	MARTIATU DAYSI B	2725 S NELLIS BLVD # 2196			LAS VEGAS	NV		89121
16108611198	VONG BRITTANEY E		2725 S NELLIS BLVD UNIT 2195			LAS VEGAS	NV		89121
16108611199	OSTRANSKY MARVIN J		14002 S 108TH ST			SPRINGFIELD	NE		68059
16108611200	TRUJILLO DEIVIS BETANCOURT		2725 S NELLIS BLVD # 2193			LAS VEGAS	NV		89121
16108611201	DIAZ MAYBEL		2725 S NELLIS BLVD # 1184			LAS VEGAS	NV		89121-2096
16108611202	MATTIN JOSHUA ALAN & MONALISA TUTOR		2725 S NELLIS BLVD # 1183			LAS VEGAS	NV		89121
16108611203	MAROPULOS WILLIAM P &		4930 LEEDS ST			SIMI VALLEY	CA		93063-3054

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16108611204	ARMANNO TOMMASO LIVING TRUST	ARMANNO TOMMASO TRS	2725 S NELLIS BLVD # 1181			LAS VEGAS	NV		89121-2096
16108611205	NEWMAN JOEL B & JOAN E		2725 S NELLIS BLVD # 2184			LAS VEGAS	NV		89121-7503
16108611206	SULLIVAN BERRIE & CELESTINE		2725 S NELLIS BLVD UNIT 2183			LAS VEGAS	NV		89121
16108611207	RODRIGUEZ DANAY VARELA	JIMENEZ-VARELA ARIEL	2725 S NELLIS BLVD # 2182			LAS VEGAS	NV		89121
16108611208	YURGA PAUL S & HICKEY VICTORIA A LIVING TRUST		10245 E THISTLE AVE			MESA	AZ		85212
16108611209	SORIA ALBERTO		2725 S NELLIS BLVD # 1180			LAS VEGAS	NV		89121
16108611210	MATURAN NATIVIDAD ARRIETA		2725 S NELLIS BLVD UNIT 1179			LAS VEGAS	NV		89121
16108611211	MARTORANA ANDREW	SCHENK-MARTORANA AUBREY	4954 JUPITER HILLS DR			IDAHO FALLS	ID		83401
16108611212	MEDLIN DEBRA ELAINE		2725 S NELLIS BLVD # 1177			LAS VEGAS	NV		89121
16108611213	LEON KEVIN JAIR		2725 S NELLIS BLVD # 2180			LAS VEGAS	NV		89121
16108611214	SANCHEZ MA DEL REFUGIO ALBA		2725 S NELLIS BLVD # 2179			LAS VEGAS	NV		89121
16108611215	CHAN ANTONY TIN LING		2725 S NELLIS BLVD # 2178			LAS VEGAS	NV		89121
16108611216	OHREN FAMILY TRUST	OHREN MICHAEL MARK & JOAN E TRS	PO BOX 1153			HELENDALE	CA		92342
16108611217	POTTS MARGARET N & GEOFFREY A		2725 S NELLIS BLVD # 1176			LAS VEGAS	NV		89121-7726
16108611218	KUMAR FAMILY REVOCABLE LIVING TR	KUMAR NARESH TRS	PO BOX 270361			LAS VEGAS	NV		89127-4361
16108611219	BAKER RICHARD F REVOCABLE TRUST	BRYANT ELIZABETH TRS	2573 EAGLE ST			LAS VEGAS	NV		89142-2544
16108611220	POPE ROBERT H	YAGER-POPE CHRISTINE	2725 S NELLIS BLVD # 1173			LAS VEGAS	NV		89121-2095
16108611221	SMITH RICHARD A & DONNA M		2725 S NELLIS BLVD # 2176			LAS VEGAS	NV		89121-7502
16108611222	SOOKRAJ INDERA REVOCABLE LIV TR	SOOKRAJ INDERA TRS	2725 S NELLIS BLVD # 2175			LAS VEGAS	NV		89121
16108611223	DOTSON ROSELA R		2725 S NELLIS BLVD # 2174			LAS VEGAS	NV		89121
16108611224	HIET JANICE A	HUMES JOHN W	2725 S NELLIS BLVD # 2173			LAS VEGAS	NV		89121-7502
16108611225	M & G HERNANDEZ REVOCABLE LIVING TRUST	HERNANDEZ MOISES & GLORIA E 3847 VENTURA WAY CO-TRS				LAS VEGAS	NV		89121-6154
16108611226	HENLEY CAROL ANN		2725 S NELLIS BLVD # 1163			LAS VEGAS	NV		89121
16108611227	BAILIE DAVID E		2725 S NELLIS BLVD # 1162			LAS VEGAS	NV		89121

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16108611228	ROJAS LILIA		2725 S NELLIS BLVD UNIT 1161			LAS VEGAS	NV		89121
16108611229	CARPENTER SCOTT J & CYNTHIA S	CARPENTER MARK K & LINDA J	1306 CHASE AVE			CREIGHTON	NE		68729
16108611230	POSEY GLENN		6895 E LAKE MEAD BLVD # 167			LAS VEGAS	NV		89156
16108611231	BURTNICK ARLENE R		2725 S NELLIS BLVD # 2162			LAS VEGAS	NV		89121-7502
16108611232	MIRANDA MANUEL & AMANDA		2725 S NELLIS BLVD # 2161			LAS VEGAS	NV		89121
16108611233	NEDEAU FREDERICK D & ELIZABETH A		2725 S NELLIS BLVD # 1160			LAS VEGAS	NV		89121-2095
16108611234	KUETEMAN JODI M		2725 S NELLIS BLVD # 1159			LAS VEGAS	NV		89121
16108611235	SATICOY BAY LLC SERIES 2725		PO BOX 36208			LAS VEGAS	NV		89133
16108611236	ADANALIAN LENA GRACE		18 HAVENWOOD			IRVINE	CA		92614
16108611237	FISHER RYAN S		2725 S NELLIS BLVD # 2160			LAS VEGAS	NV		89121-7502
16108611238	PERALES CARLOS ALEJANDRO		2725 S NELLIS BLVD # 2159			LAS VEGAS	NV		89121
16108611239	DIAZ CARMEN C		2725 S NELLIS BLVD # 2158			LAS VEGAS	NV		89121
16108611240	AGUILAR JOSE M GARCIA		5189 VARSITY AVE			LAS VEGAS	NV		89146-7051
16108611241	K & P LACY FAMILY TRUST		5145 ARVILLE ST STE C			LAS VEGAS	NV		89118
16108611242	GARCIA ARLEY PADRON		2725 S NELLIS BLVD 1155			LAS VEGAS	NV		89121-2099
16108611243	LOPEZ ANTONIO S		2725 S NELLIS # 1154			LAS VEGAS	NV		89121-2095
16108611244	GLOVER JAMES C & BONNIE L		910 ELMHUST DR			PAPILLION	NE		68046
16108611245	MICKELSEN LONEY B		2725 S NELLIS BLVD # 2156			LAS VEGAS	NV		89121-7730
16108611246	YEE FAMILY TRUST	YEE DAVID T & DORINA FAZ TRS	2534 TALISKER AVE			HENDERSON	NV		89044
16108611247	GRAY PAMELA C		2725 S NELLIS BLVD # 2154			LAS VEGAS	NV		89121-7730
16108611248	BRADY PAUL & MANDY		515 S JACKSON ST			PAPILLION	NE		68046
16108611249	ALCANTARA RICARDO	SHENSHAW MARY LOU	2725 S NELLIS BLVD # 1152			LAS VEGAS	NV		89121
16108611250	WILLIAMS SARAH ANN		2725 S NELLIS BLVD # 1151			LAS VEGAS	NV		89121
16108611251	BURRELL ANDREW JR		2725 S NELLIS BLVD UNIT 1150			LAS VEGAS	NV		89121
16108611252	M & G HERNANDEZ REVOCABLE LIVING TRUST	HERNANDEZ MOISES & GLORIA E 3847 VENTURA WAY CO-TRS				LAS VEGAS	NV		89121
16108611253	MIRANDA AMANDA M		2725 S NELLIS BLVD # 2152			LAS VEGAS	NV		89121

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16108611254	BALLESTEROS GABRIELA 2023 LIVING TRUST	BALLESTEROS GABRIELA TRS	968 W 11TH ST			POMONA	CA		91766
16108611255	WEST TERESA L		2725 S NELLIS BLVD # 2150			LAS VEGAS	NV		89121-7730
16108611256	NANA BABETTE ALEXANDRALE SEUMAN		2725 S NELLIS BLVD # 2149			LAS VEGAS	NV		89121
16108611257	NATIVIDAD AZUCENA P & ROMEO F		2725 S NELLIS BLVD # 1140			LAS VEGAS	NV		89121
16108611258	SPERANZA GEORGE & SUSAN		2725 S NELLIS BLVD # 1139			LAS VEGAS	NV		89124
16108611259	LEE KELSEY LYNNE		2725 S NELLIS BLVD # 1138			LAS VEGAS	NV		89121
16108611260	KOSKI JANICE		2725 S NELLIS BLVD UNIT 1137			LAS VEGAS	NV		89121
16108611261	VENTURA ALEJANDRO		2725 S NELLIS BLVD # 2140			LAS VEGAS	NV		89121
16108611262	CONTRERAS ROBERTO & ANA		2725 S NELLIS BLVD # 2139			LAS VEGAS	NV		89121
16108611263	HILL KILBY LYN	HILL PETER R & CHERYL L	2725 S NELLIS BLVD # 2138			LAS VEGAS	NV		89121-7501
16108611264	NELSON MICHAEL E & MICHAEL II		861 E 2620 N			PROVO	UT		84604
16108611265	HAMAN STANLEY S		2725 S NELLIS BLVD # 1136			LAS VEGAS	NV		89121-2094
16108611266	KOSKI DAVE & BARBARA		2725 S NELLIS BLVD # 1135			LAS VEGAS	NV		89121
16108611267	HARRIS LEROY		2725 S NELLIS BLVD # 1134			LAS VEGAS	NV		89121-2094
16108611268	OPHEIM KIM & VIRGINIA MARIE		232130 R R 284			ROCKY VIEW	AB	CANADA	T1X 0K7
16108611269	EGAN ELENA		2725 S NELLIS BLVD # 2136			LAS VEGAS	NV		89121
16108611270	LINDO DAVID		2725 S NELLIS BLVD # 2135			LAS VEGAS	NV		89121
16108611271	SAPPHIRE TRUST	VILLA VIANCA TRS	3670 STARBRIGHT LN			LAS VEGAS	NV		89147
16108611272	BAEZ JULIE V		2725 S NELLIS BLVD UNIT 2133			LAS VEGAS	NV		89121
16108611273	MORALES DIANNE F & JOHN A		2725 S NELLIS BLVD # 1124			LAS VEGAS	NV		89121-2094
16108611274	NGUYEN THOI THI REVOCABLE LIVING TRUST	NGUYEN THOI THI TRS	2725 S NELLIS BLVD # 1123			LAS VEGAS	NV		89121-2094
16108611275	SMART JAMES R		2725 S NELLIS BLVD # 1122			LAS VEGAS	NV		89121-2094
16108611276	QUIJANO MICKYL ANTHONY RODRIGUEZ	AVILA JOANNA MARLEN MORA	2725 S NELLIS BLVD # 1121			LAS VEGAS	NV		89121
16108611277	PETTY BRENDA		2725 S NELLIS BLVD # 2124			LAS VEGAS	NV		89121-7501
16108611278	STCLAIR VICTORIA M		2725 S NELLIS BLVD # 2123			LAS VEGAS	NV		89121-7501

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16108611279	SHIRKEY ANDREW W		2725 S NELLIS BLVD # 2122			LAS VEGAS	NV		89121-7500
16108611280	VALENZUELA FAMILY TRUST ETAL	CASTRO RAUL VALENZUELA TRS	2725 S NELLIS BLVD # 2121			LAS VEGAS	NV		89121-7500
16108611281	MILLER EUNICE DARLENE TURNER		37114 CALLE REAL			PALMDALE	CA		93550
16108611282	MALIWAT ANTHONY & EILEEN		2725 S NELLIS BLVD 1125			LAS VEGAS	NV		89121
16108611283	CARREON LORENA AMBATALI & FRANCES		2725 S NELLIS BLVD UNIT 1128			LAS VEGAS	NV		89121
16108611284	CANNON MARK ALAN		2725 S NELLIS BLVD # 1127			LAS VEGAS	NV		89121
16108611285	BARRERA JESUS		6857 WISPY SKY CT			LAS VEGAS	NV		89142
16108611286	PERRY CHUN		2725 S NELLIS BLVD # 2125			LAS VEGAS	NV		89121
16108611287	GILBERT RALPH		33222 GERALD ST			WAYNE	MI		48184
16108611288	CRUZE TANYA R	CRUZ TANYA R	2725 S NELLIS BLVD # 1127			LAS VEGAS	NV		89120
16108611289	TOMKO MICHAEL	ALVAREZ-GARCIA NADIA	2725 S NELLIS BLVD # 1130			LAS VEGAS	NV		89121
16108611290	REBER CYNTHIA		2725 S NELLIS BLVD # 1129			LAS VEGAS	NV		89121-2094
16108611291	CORAL KEY L L C		3225 MCLEOD DR			LAS VEGAS	NV		89121
16108611292	TEETER KAY F		2725 S NELLIS BLVD # 1131			LAS VEGAS	NV		89121-2094
16108611293	VAZQUEZ-LOPEZ HECTOR	PACHECO-ROJAS EVA	10556 EL CERRITO CHICO ST			LAS VEGAS	NV		89179-1827
16108611294	HALE CASSANDRA L		2725 S NELLIS BLVD # 2129			LAS VEGAS	NV		89121
16108611295	JAIRAJ SEEROJINI REVOCABLE TRUST	JAIRAJ SEEROJINI TRS	2725 S NELLIS BLVD UNIT 2132			LAS VEGAS	NV		89121
16108611296	MILLER LANAYA		540 ELM DR UNIT 105			LAS VEGAS	NV		89169
16108611297	WAGNER JOHN OTTO & ENCARNACION M		626 CRESTWAY DR			SAN ANTONIO	TX		78239-2152
16108611298	GRUBE ARTHUR D & DONNA R		911 WICKLOW RD			PAPILLION	NE		68046-7050
16108611299	GRAHAM FAMILY TRUST		2725 S NELLIS BLVD # 2142			LAS VEGAS	NV		89121-7501
16108611300	LEE BRYAN J		PO BOX 660283			ARCADIA	CA		91066
16108611301	THOMAS LARONDAE		2725 S NELLIS BLVD # 2144			LAS VEGAS	NV		89121
16108611302	KINNEY AMELIA	KINNEY ROGER & MICHELLE	2725 S NELLIS BLVD # 2143			LAS VEGAS	NV		89121
16108611303	GRAHAM FAMILY TRUST		2725 S NELLIS BLVD # 2142			LAS VEGAS	NV		89121-7501
16108611304	MAGLIARDITI NICHOLAS J	FROSTAD JOANNE	2725 S NELLIS BLVD # 2141			LAS VEGAS	NV		89121-7501

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16108611305	MONTAGUE CALVIN		2725 S NELLIS BLVD # 1146			LAS VEGAS	NV		89121
16108611306	CATES HEDY T		1050 W COOLIDGE ST			BITELY	MI		49309
16108611307	D R M P B A TRUST	MARSHALL CALVIN ALI TRS	2725 S NELLIS BLVD # 1148			LAS VEGAS	NV		89121
16108611308	THOMPSON RONNIE		2725 S NELLIS BLVD # 1147			LAS VEGAS	NV		89121
16108611309	DURANT JERRY JR		2725 S NELLIS BLVD UNIT 2146			LAS VEGAS	NV		89121
16108611310	PRANDECKI TGA E		2725 S NELLIS BLVD # 2145			LAS VEGAS	NV		89121-7501
16108611311	MAHESHWARI FAMILY TRUST	MAHESHWARI ANOOP KUMAR & MEENU TRS	1157 W GRAND BLVD			CORONA	CA		92882
16108611312	EDMUNDS DARIUS D		1433 LIME POINT ST			LAS VEGAS	NV		89110
16108611313	ASTORGA-RAMIREZ MARIA CONSUELO		2725 S NELLIS BLVD # 1166			LAS VEGAS	NV		89121
16108611314	POWELL ROBERT JR & ZILA		2725 S NELLIS BLVD # 1165			LAS VEGAS	NV		89121-2095
16108611315	GLASSMAN JOHN D & JENICE V		PO BOX 8521			TACOMA	WA		98419-0521
16108611316	SERNA GERARDO		2725 S NELLIS BLVD # 1167			LAS VEGAS	NV		89121
16108611317	QUINTERO CARLOS HUMBERTO		2725 S NELLIS BLVD # 2166			LAS VEGAS	NV		89121-7502
16108611318	REED DANIELLE S		2725 S NELLIS BLVD # 2165			LAS VEGAS	NV		89121
16108611319	VALENTINE IYESHIA C		2725 S NELLIS BLVD # 2168			LAS VEGAS	NV		89121
16108611320	POWELL PATRICK & NAOMI		4022 FOXGROVE DR			LAS VEGAS	NV		89147
16108611321	JOHNSON ROBERT L		2725 S NELLIS BLVD # 1170			LAS VEGAS	NV		89121-2095
16108611322	CHAFF ESTRELLITA LIVING TRUST	CHAFF ESTRELLITA L TRS	2725 S NELLIS BLVD # 1169			LAS VEGAS	NV		89121
16108611323	KNOX MONA L		2725 S NELLIS BLVD UNIT 1172			LAS VEGAS	NV		89121
16108611324	RIER MICHAEL		2725 S NELLIS BLVD # 1171			LAS VEGAS	NV		89121-2095
16108611325	COMPLIT ANDRE ABEL		2725 S NELLIS BLVD # 2170			LAS VEGAS	NV		89121-7502
16108611326	CADENA ISIDRO ARMANDO MEJIA	HERNANDEZ FATIMA MEJIA	2725 S NELLIS BLVD # 2169			LAS VEGAS	NV		89121
16108611327	DEELY KEVIN & NANCY	DEELY DAVID	2725 S NELLIS BLVD # 2172			LAS VEGAS	NV		89121
16108611328	QUIMSON RIZA C		2725 S NELLIS BLVD # 2171			LAS VEGAS	NV		89121-7502
16108611329	ROBBINS TOBY		2725 S NELLIS BLVD UNIT 1186			LAS VEGAS	NV		89121-2096
16108611330	GONZALEZ-KEELING MAGALY		2725 S NELLIS BLVD # 1185			LAS VEGAS	NV		89121

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
16108611331	VELAZQUEZ JOEL TRUST	VELAZQUEZ JOEL MERAZ TRS	2725 S NELLIS BLVD UNIT 1188			LAS VEGAS	NV		89122
16108611332	HAYASE JAY S		2725 S NELLIS BLVD # 1187			LAS VEGAS	NV		89121-2096
16108611333	BILDERBACK KIMBERLY KAY	TSCHEITTER DANIEL GILBERT	2725 S NELLIS BLVD # 2186			LAS VEGAS	NV		89121
16108611334	LONG SHADOW HOLDINGS L L C		2950 TIFFANY CIR			LOS ANGELES	CA		90077
16108611335	ROTH ROBERT		2725 S NELLIS BLVD # 2188			LAS VEGAS	NV		89121
16108611336	KEBLER JANICE		2725 S NELLIS BLVD # 2187			LAS VEGAS	NV		89121
16108611337	SMITH CRAIG A & JAYME L		2725 S NELLIS BLVD # 1190			LAS VEGAS	NV		89121-2096
16108611338	LISAC FAMILY TRUST ETAL	LISAC JOHN D TRS	2725 S NELLIS BLVD # 1189			LAS VEGAS	NV		89121
16108611339	PASQUINELLI JAMES TRUST	PASQUINELLI JAMES ALFRED TRS	2725 S NELLIS BLVD UNIT 1192			LAS VEGAS	NV		89121
16108611340	MITCHELL ANISSA		2725 S NELLIS BLVD 1191			LAS VEGAS	NV		89121
16108611341	YAMKA SAULINE REVOCABLE LIVING TRUST ETAL	KEISER DINA TRS	2725 S NELLIS BLVD UNIT 2190			LAS VEGAS	NV		89121
16108611342	PELLONI DEBORAH J & JACALYN J		2725 S NELLIS # 2189			LAS VEGAS	NV		89121-7503
16108611343	CHEN ZHIQIANG		2725 S NELLIS BLVD # 43-2192			LAS VEGAS	NV		89121
16108611344	CAMPISI GARY T	ANIES-CAMPISI CATHERINE	PSC 517 BOX 5628R			FPO	AP		96517
16108611345	ANDRES ANGELA LUCINICIO		2725 S NELLIS BLVD UNIT 1046			LAS VEGAS	NV		89121
16108611346	DEATON DEBRA ANN		2725 S NELLIS BLVD # 1045			LAS VEGAS	NV		89121
16108611347	GAIGNARD ARTHUR		2725 S NELLIS BLVD # 1048			LAS VEGAS	NV		89121
16108611348	WIERCYSKI JANE E		2725 S NELLIS BLVD # 1047			LAS VEGAS	NV		89121-7723
16108611349	CHON YONG SUK	WONG TA SUN	2725 SOUTH NELLIS BLVD # 2046			LAS VEGAS	NV		89121
16108611350	WILCOX NATHANIEL		2725 S NELLIS BLVD # 2045			LAS VEGAS	NV		89121
16108611351	A E CONCEPTS L L C		2510 W HORIZON RIDGE PKWY # 100			HENDERSON	NV		89052
16108611352	HASLEY MARTIN		2725 S NELLIS BLVD # 2047			LAS VEGAS	NV		89121
16108611353	MARTINEZ FAMILIA TRUST ETAL	MARTINEZ-RODRIGUEZ LORENA TRS	2725 S NELLIS BLVD UNIT 1052			LAS VEGAS	NV		89121
16108611354	PASTWA PAUL		2725 S NELLIS BLVD # 1051			LAS VEGAS	NV		89121-2092
16108611355	WARD ERIK GRANT		2725 S NELLIS BLVD # 1050			LAS VEGAS	NV		89121-2092

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16108611356	2002 NAKAMURA FAMILY REVOCABLE LIVING TRUST	NAKAMURA HERBERT M & ANITA K-O-K AKANA TRS	41-620 BELL ST			WAIMANALO	HI		96795
16108611357	PINKHAM ALEX ANN		2725 S NELLIS BLVD # 2052			LAS VEGAS	NV		89121-2098
16108611358	BAI DUOJIAO		2725 S NELLIS BLVD # 2051			LAS VEGAS	NV		89121
16108611359	YOUNG MICHAEL		3839 VENTURA WAY			LAS VEGAS	NV		89121
16108611360	BOREN RHONDA L		2725 S NELLIS BLVD # 2049			LAS VEGAS	NV		89121-2098
16108611361	LIPPE FRANCES L TRUST ETAL	GILLIS CYNTHIA LYNETTE TRS	3680 UNDERBUSH AVE			PAHRUMP	NV		89048
16108611362	FERRARO THOMAS D & JOSEPHINE L		2725 S NELLIS BLVD # 1065			LAS VEGAS	NV		89121
16108611363	CARNERO MINERVA		2725 S NELLIS BLVD UNIT 1068			LAS VEGAS	NV		89121
16108611364	ROMERO JEFFREY V		2725 S NELLIS BLVD # 1067			LAS VEGAS	NV		89121-2092
16108611365	CHAVIANO-AGUIAR GUILLERMO	FERNANDEZ-RODRIGUEZ EMMA	2725 S NELLIS BLVD # 2066			LAS VEGAS	NV		89121
16108611366	LAUDON JOHN		2725 S NELLIS BLVD # 2065			LAS VEGAS	NV		89121-2099
16108611367	KIMES KAREN		4538 REGALO BELLO ST			LAS VEGAS	NV		89135
16108611368	CANTAVE ALEXANDRE & SHEVONIE		2725 S NELLIS BLVD # 2067			LAS VEGAS	NV		89121
16108611369	EARLY ELIZABETH		2725 S NELLIS BLVD # 1072			LAS VEGAS	NV		89121
16108611370	MATTEUCCI JOAN D		2725 S NELLIS BLVD UNIT 1177			LAS VEGAS	NV		89121
16108611371	GARCIA LETICIA		2725 S NELLIS BLVD # 1070			LAS VEGAS	NV		89121
16108611372	HERNANDEZ DIANNA		4537 TOADSTOOL LN			LAS VEGAS	NV		89110
16108611373	LEWIS GLENDA		215 SILVERCREEK C1 NW			CALGARY	AB	CANADA	T3B 4G4
16108611374	SHRYACK RODNEY O & CONNIE M		2725 S NELLIS BLVD # 2071			LAS VEGAS	NV		89121-2099
16108611375	GRABEL SHARON E		2725 S NELLIS BLVD # 2070			LAS VEGAS	NV		89121-2099
16108611376	FOLEY HAROLD C & SUSAN F		1150 S COLONY WAY # 3-246			PALMER	AK		99645
16108611377	QUIMSON LILIAN A		2725 S NELLIS BLVD # 1092			LAS VEGAS	NV		89121
16108611378	SUMMERS JEFFREY		8395 LOST LAKE CT			LAS VEGAS	NV		89147-6140
16108611379	WINNIK FILIP M & KRISTYNA		2725 S NELLIS BLVD UNIT 1090			LAS VEGAS	NV		89121
16108611380	PRANDECKI IGA		9811 W CHARLESTON BLVD # 2			LAS VEGAS	NV		89117

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16108611381	CATAPANO ANTHONY J JR		2725 S NELLIS BLVD # 2092			LAS VEGAS	NV		89121-7500
16108611382	ALVAREZ JOSE		1323 BURNHAM AVE			LAS VEGAS	NV		89104
16108611383	CAMP WILLIAM R		2725 S NELLIS BLVD UNIT 2090			LAS VEGAS	NV		89121
16108611384	PANASIUK ROMANA		2725 S NELLIS BLVD # 2089			LAS VEGAS	NV		89121
16108611385	MAIONE JOANNE CONSTANCE REVOCABLE LIVING TRUST	MAIONE JOANNE CONSTANCE TRS	2725 S NELLIS BLVD # 1096			LAS VEGAS	NV		89121
16108611386	ZAVARELLA FAMILY REVOCABLE LIVING TRUST ETAL	ZAVARELLA NICHOLAS & SHIRLEY TRS	2725 S NELLIS # 1096			LAS VEGAS	NV		89121
16108611387	HAFNER CHARLES V		29162 WAGNER ST			WARREN	MI		48093-8627
16108611388	ZAVARELLA FAMILY REVOCABLE LIVING TRUST	ZAVARELLA NICHOLAS & SHIRLEY TRS	2836 SAN MARTIN CT			LAS VEGAS	NV		89121
16108611389	MAIONE JOANNE CONSTANCE REVOCABLE LIVING TRUST	MAIONE JOANNE CONSTANCE TRS	2725 S NELLIS BLVD # 1096			LAS VEGAS	NV		89121
16108611390	SYSIOC VIRGINIA		2725 S NELLIS BLVD # 2095			LAS VEGAS	NV		89121
16108611391	BROWN CATHERINE		2725 S NELLIS BLVD UNIT 2094			LAS VEGAS	NV		89121-7500
16108611392	PALESTINA JOSE J		1681 PENTECOST WAY # 1			SAN DIEGO	CA		92105-7714
16108611393	MARIN MARTA ARELY		6857 WISPY SKY CT			LAS VEGAS	NV		89142
16108611394	VALDES RODRIGUEZ JOSE	HERNANDEZ ANA ODELYS GOMEZ	2725 S NELLIS BLVD # 1109			LAS VEGAS	NV		89121
16108611395	HARTMANN DMARIE G		2725 S NELLIS BLVD # 1112			LAS VEGAS	NV		89121
16108611396	JAUREGUI SAUL		4820 MONTEBELLO AVE			LAS VEGAS	NV		89110
16108611397	MASON DORLISA I		2725 S NELLIS BLVD # 2110			LAS VEGAS	NV		89121
16108611398	FOULK SCOTT B		2725 S NELLIS BLVD UNIT 2109			LAS VEGAS	NV		89121
16108611399	MCKELLIER DENISE		2725 S NELLIS BLVD # 2112			LAS VEGAS	NV		89121
16108611400	GONZALEZ MARCO ANTONIO		2725 S NELLIS BLVD # 2111			LAS VEGAS	NV		89121-7500
16108611401	FARNSWORTH KEVIN D		2725 S NELLIS BLVD # 1116			LAS VEGAS	NV		89121-2093
16108611402	TRAUFER SUSAN DELORES		2725 S NELLIS BLVD # 1115			LAS VEGAS	NV		89121
16108611403	ALFECH NELSON	ABRAGAN RENA	3403 GREENWOOD SPRINGS DR			LAS VEGAS	NV		89122
16108611404	RODRIGUEZ SUSANA & HUGO HECTOR		18034 VENTURA BLVD # 476			ENCINO	CA		91316

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16108611405	HOLMES RODERICK W		2725 S NELLIS BLVD # 2116			LAS VEGAS	NV		89121
16108611406	DANIGGELIS MONICA & ELIZABETH P		2725 S NELLIS BLVD # 2115			LAS VEGAS	NV		89121
16108611407	SNODGRASS BRANDON LEE & JENNIFER MARIE		4830 CAROUSEL CIR			ANCHORAGE	AK		99502
16108611408	HOMESTEAD INDUSTRIES L L C		2725 S NELLIS BLVD UNIT 2113			LAS VEGAS	NV		89121
16108710018	RUIZ BLANCA DEL ROCIO		4686 HAPPY VALLEY AVE			LAS VEGAS	NV		89121-7110
16108710019	BEAZER HOMES HOLDINGS L L C		2490 PASEO VERDE PKWY STE 120			HENDERSON	NV		89074
16108710020	APOSTOLIC ASSEMBLY FAITH CHRIST JESUS		10807 LAUREL ST			RANCHO CUCAMONGA	CA		91730
16108710022	MORALES JOSE R		2000 LAS VEGAS BLVD # C2			LAS VEGAS	NV		89104
16108710023	BEAZER HOMES HOLDINGS L L C		2490 PASEO VERDE PKWY STE 120			HENDERSON	NV		89074
16108710024	BEAZER HOMES HOLDINGS L L C		2490 PASEO VERDE PKWY STE 120			HENDERSON	NV		89074
16108710032	BLUE WAVE PROPERTIES INC		3085 S NELLIS BLVD			LAS VEGAS	NV		89121-2020
16108710033	BRISTOL SUNRISE L L C		PO BOX 800729			DALLAS	TX		75380
16108710034	AMIGO REALTY CORP		4186 TATTERSALL PL			LAS VEGAS	NV		89115
16108710035	TABORLAND L L C		2444 WILSHIRE BLVD STE 601			SANTA MONICA	CA		90403
16108710036	A S I VEGAS VALLEY L P		2550 UNIVERSITY AVE STE 330N			SAINT PAUL	MN		55114
16108711217	4855 VEGAS VALLEY OWNER L L C		2002 N TAMPA ST STE 110			TAMPA	FL		33602
16108712001	VALDES ADA	BAUTISTA-PEREZ YONNEY	4798 BEACH SHELL CT			LAS VEGAS	NV		89121
16108712002	CESPEDES-TRIANA GLADYS		4790 BEACH SHELL CT			LAS VEGAS	NV		89121-7160
16108712003	HERNANDEZ LESLIE DENNIS MARTINEZ	HURTADO ROSMELYS CHACON	4782 BEACH SHELL CT			LAS VEGAS	NV		89121
16108712004	DEBLU TRUST	LUJAN DEBORAH TRS	4774 BEACH SHELL CT			LAS VEGAS	NV		89121
16108712005	IGNACIO LESLIE-ANNE V		4766 BEACH SHELL CT			LAS VEGAS	NV		89121
16108712006	KAPUNO ROLANDO & CYNTHIA		4758 BEACH SHELL CT			LAS VEGAS	NV		89121-7159
16108712007	SEVEN POINTS BORROWER L L C		PO BOX 4090			SCOTTSDALE	AZ		85261
16108712008	DHILLON HARJIT S		4742 BEACH SHELL CT			LAS VEGAS	NV		89121-7159
16108712015	VALDOVINOS BRENDA L		4715 BEACH SHELL CT			LAS VEGAS	NV		89121-7159

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16108712016	SANDHU GURINDER KAUR REVOCABLE FAMILY TRUST		2933 CRYSTAL BAY DR			LAS VEGAS	NV		89117-2256
16108712017	MABALOT JASON D		1090 ALA NAPUNANI ST # 407			HONOLULU	HI		96818-1792
16108712018	PYRENEES INVESTMENT II L L C		209 S STEPHANIE ST # B251			HENDERSON	NV		89012
16108712019	ESPIRITU JESSIE		4796 WOODLAND AVE			LAS VEGAS	NV		89121
16108712020	VARGAS PAOLA	DELGADILLO-ALVAREZ ANTONIO	4786 WOODLAND AVE			LAS VEGAS	NV		89121
16108712021	JEFFRIES JORMA T		4776 WOODLAND AVE			LAS VEGAS	NV		89121-7134
16108712022	ORELLANO-CIENFUEGOS IRIS ADALGIZA		4760 WOODLAND AVE			LAS VEGAS	NV		89121
16108712023	RODARTE JONATHAN & LAURA O ACOSTA		4748 WOODLAND AVE			LAS VEGAS	NV		89121
16108712024	MALAN RACHEL J		231 E STRAWBERRY DR			MILL VALLEY	CA		94941-2506
16108712025	CANDELARIO YOEL FRAGA & ADISLEY FRAGA		4724 WOODLAND AVE			LAS VEGAS	NV		89121
16108712026	PETERSMAN ROBERT C		1135 DEL ORO WAY			GILROY	CA		95020
16108714322	B M F IV NV 3055 LAS VEGAS L L C		111 E SEGO LILY DR STE 400			SANDY	UT		84070
16108715001	AVENDANO'S PPTY DEVELOPMENT INC		631 LOS FELIZ ST			LAS VEGAS	NV		89110
16108715002	BUSTAMANTE DANIEL HERNANDEZ	GUERRERO-RAMIREZ BRENDA JUDITH	4781 WOODLAND AVE			LAS VEGAS	NV		89121
16108715003	JAVIER RENATO		4787 WOODLAND AVE			LAS VEGAS	NV		89121
16108715004	SORIANO LOURDES Q	IBUAN GERARDO	4789 WOODLAND AVE			LAS VEGAS	NV		89121
16108715005	TORRALBA PRECY C & ROY CORTES		4793 WOODLAND AVE			LAS VEGAS	NV		89121
16108715006	CHAVARRO MICHAEL ANGELO	OLEJUA EDELIN BEATRIZ	4795 WOODLAND AVE			LAS VEGAS	NV		89147
16108715007	AVENDANO'S PROPERTY DEV INC		631 LOS FELIZ ST			LAS VEGAS	NV		89110
16108715008	AVENDANO'S PROPERTY DEV INC		631 LOS FELIZ ST			LAS VEGAS	NV		89110
16108715009	AVENDANO'S PROPERTY DEV INC		631 LOS FELIZ ST			LAS VEGAS	NV		89110
16108715010	AVENDANO'S PROPERTY DEV INC		631 LOS FELIZ ST			LAS VEGAS	NV		89110
16108715011	AVENDANO'S PROPERTY DEV INC		631 LOS FELIZ ST			LAS VEGAS	NV		89110
16108715012	AVENDANO'S PROPERTY DEV INC		631 LOS FELIZ ST			LAS VEGAS	NV		89110
16108715013	AVENDANO'S PROPERTY DEV INC		631 LOS FELIZ ST			LAS VEGAS	NV		89110

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16108715014	AVENDANO'S PROPERTY DEV INC		631 LOS FELIZ ST			LAS VEGAS	NV		89110
16108715015	AVENDANO'S PROPERTY DEV INC		631 LOS FELIZ ST			LAS VEGAS	NV		89110
16108715016	AVENDANO'S PROPERTY DEV INC		631 LOS FELIZ ST			LAS VEGAS	NV		89110
16108810010	REED RONALD G & ANGELA M		4674 LINDA AVE			LAS VEGAS	NV		89121-7114
16108810011	CARRASCO ARTURO & YESENIA		4710 LINDA LN			LAS VEGAS	NV		89121-7115
16108810012	HIGGINS GEORGE RICHARD & DARLA DEANNA TRUST AGTMT DARLA DEANNA TRS		4724 LINDA AVE			LAS VEGAS	NV		89121
16108810013	VASQUEZ JESUS T & BERTHA		4742 LINDA AVE			LAS VEGAS	NV		89121
16108810014	MCDONALD JAMES & CHARLEEN FAM TR	MCDONALD JAMES TRS	2301 PINTO RD			HENDERSON	NV		89002
16108810015	GERMAN JUAN L	GARCIA ANAY	5384 SILVERHEART AVE			LAS VEGAS	NV		89142-0187
16108810016	LEE RANCH TRUST		3137 ALOHA AVE			LAS VEGAS	NV		89121-7105
16108810017	LEE RANCH TRUST		3137 ALOHA AVE			LAS VEGAS	NV		89121-7105
16108810018	CARRERA FRANCISCO		2927 ALOHA AVE			LAS VEGAS	NV		89121-7101
16108810019	DE CRISTO REY DIOCESIS		PO BOX 570201			LAS VEGAS	NV		89157
16108810020	STANFORD JERRY D & CYNTHIA A		4741 E HAPPY VALLEY AVE			LAS VEGAS	NV		89121-7121
16108810021	REED RONALD G & ANGELA M		4725 HAPPY VALLEY AVE			LAS VEGAS	NV		89121-7121
16108810022	REED SARA ELIZABETH & DEREK R	REED TREVER EDGAR	4674 LINDA AVE			LAS VEGAS	NV		89121-7114
16108810035	ISLAMIC SOCIETY NEVADA		4730 E DESERT INN RD			LAS VEGAS	NV		89121-2804
16108810036	ISLAMIC SOCIETY NEVADA		4730 E DESERT INN RD			LAS VEGAS	NV		89121-2804
16108810037	ISLAMIC SOCIETY NEVADA		4730 E DESERT INN RD			LAS VEGAS	NV		89121-2804
16108810038	YATES INN L L C		8102 S TELFORD WAY			SANDY	UT		84093-6309
16108810039	BASHIR A CHOWDHY FAMILY FOUNDATION		605 QUEENSRIDGE CT			LAS VEGAS	NV		89145
16108810040	GONZALEZ-RODRIGUEZ SALVADOR	PARGA-FLORES MONICA	3239 ALOHA AVE			LAS VEGAS	NV		89121-7107
16108810041	FUERTE IGLESIA APOSTOLICA TORRE		3701 BETHEL BAY ST			NORTH LAS VEGAS	NV		89032
16108810042	FUERTE IGLESIA APOSTOLICA TORRE		3701 BETHEL BAY ST			NORTH LAS VEGAS	NV		89032
16108810043	LOPEZ VIANEY		4741 LINDA AVE			LAS VEGAS	NV		89121-7116
16108810044	MARTINEZ FRANCISCO TRUST		4725 LINDA AVE			LAS VEGAS	NV		89121-7116

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16108810045	MARTINEZ FRANCISCO	ERIVES GUADALUPE	6715 FOX RD			LAS CRUCES	NM		88012
16108810051	GUERRERO JOSE L RINCON		4825 LINDA AVE			LAS VEGAS	NV		89121-2005
16108810052	SANTIAGO EMILY		3220 ALOHA AVE			LAS VEGAS	NV		89121
16108810055	IRLAS FERNANDO D SR & SAN J		4860 E DESERT INN RD			LAS VEGAS	NV		89121-2855
16108810056	MAGDALENO JAVIER		4874 E DESERT INN RD			LAS VEGAS	NV		89121
16108810057	PHILLIPS GORDON R & NANCY LIV TR	PHILLIPS GORDON R & NANCY S TRS	4906 E DESERT INN RD			LAS VEGAS	NV		89121-2808
16108810058	ARANA BOCHE TRUST ETAL	ARANA-ORELLANA CARLOS MANUEL TRS	4906 E DESERT INN RD			LAS VEGAS	NV		89121
16108810059	FELLER MICHAEL E TRUST	FELLER MICHAEL E TRS	4924 E DESERT INN RD			LAS VEGAS	NV		89121-2808
16108810060	STEVENS BARBARA J & SCOTT C		4934 E DESERT INN RD			LAS VEGAS	NV		89121-2808
16108810061	DESERT INN CAPITAL MANAGEMENT L L C		3755 BREAKTHROUGH WAY # 250			LAS VEGAS	NV		89135
16108810062	3285 S NELLIS L L C		PO BOX 100843			FORT WORTH	TX		76184
16108810063	GETTY LEASING INC		292 MADISON AVE 9TH FLR			NEW YORK	NY		10017-6318
16108810064	S G N V 3225 S NELLIS BLVD L L C		PO BOX 71870	6890 S 2300 E		SALT LAKE CITY	UT		84171
16108810065	HOLYOAK 1982 TRUST	HOLYOAK CHARLEEN TRS	4925 LINDA AVE			LAS VEGAS	NV		89121-2040
16108810066	GUTIERREZ LOZANO TRUST	GUTIERREZ CESARIO C & BRAULIA TRS	4915 LINDA AVE			LAS VEGAS	NV		89121
16108810067	ARANA BOCHE TRUST ETAL	ARANA-ORELLANA CARLOS MANUEL TRS	4906 E DESERT INN RD			LAS VEGAS	NV		89121
16108810068	LEGUEN RAUL IVAN GUERRA		4879 LINDA AVE			LAS VEGAS	NV		89121
16108810069	BARRIENTOS EMMANUEL	CAZARES BELEM	4940 EL CAPITAN WAY			LAS VEGAS	NV		89149
16108810070	ALLEN EVA MARIE		4875 LINDA AVE			LAS VEGAS	NV		89121
16108810072	PARRALES OMAR IVAN	PIEDRA MARIA GUADALUPE ROBERTO	3180 ALOHA AVE			LAS VEGAS	NV		89121-7106
16108810073	GONZALEZ-HEREDIA MARINA		3160 ALOHA AVE			LAS VEGAS	NV		89121
16108810074	RODKOFF-YOSEE FAMILY TRUST		15455 SHERMAN WAY UNIT 28			VAN NUYS	CA		91406
16108810075	MURRAY GEORGE THOMAS JR TR	MURRAY GEORGE THOMAS JR TRS	3130 ALOHA			LAS VEGAS	NV		89121-7106
16108810076	HERMANSON DAVE		3120 ALOHA AVE			LAS VEGAS	NV		89121
16108810077	ARIAS HUGO & LETICIA		4754 FUENTES WAY			LAS VEGAS	NV		89121

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
16108810078	CARVAJAL BEVERLY REBECCA	MARTINEZ GUILLERMO A	7342 SUNRAY POINT ST			NORTH LAS VEGAS	NV		89084
16108810079	SIGRETTO MICHAEL P & ROBIN L REYNOLDS		4895 HAPPY VALLEY AVE			LAS VEGAS	NV		89121-2037
16108810080	ESCALERA JUAN		4951 HAPPY VALLEY AVE			LAS VEGAS	NV		89121-2038
16108810081	NUNEZ LEONEL ANAYA	ANAYA ORALIA	4925 HAPPY VALLEY AVE			LAS VEGAS	NV		89121-2038
16108810082	PALM PROPERTIES L L C		6050 S FORT APACHE RD # 100			LAS VEGAS	NV		89148
16108810083	PALM PROPERTIES L L C		6050 S FORT APACHE RD # 100			LAS VEGAS	NV		89148
16108810084	DOUGLAS FAMILY TRUST	DOUGLAS MIKE & LISA TRS	490 MOORE RD			WOODSIDE	CA		94062
16108810085	DOUGLAS FAMILY TRUST	DOUGLAS MIKE & LISA TRS	490 MOORE RD			WOODSIDE	CA		94062
16108810086	DOUGLAS FAMILY TRUST	DOUGLAS MIKE & LISA TRS	490 MOORE RD			WOODSIDE	CA		94062
16108810087	VASQUEZ ESTABAN TORRES JR		2045 WESTERN			LAS VEGAS	NV		89102-4608
16108810088	WOOD THOMAS F		4906 LINDA AVE			LAS VEGAS	NV		89121
16108810089	HEWES MARILYN & PATRICK		4878 LINDA AVE			LAS VEGAS	NV		89121
16108810090	AHUMADA JOSE R		4864 LINDA AVE			LAS VEGAS	NV		89121
16108810094	CHURCH UNIVERSAL INC		100 MULBERRY ST 14TH FL			NEWARK	NJ		07102
16108810098	LEE MICHELLE		8461 FARM RD # 120-277			LAS VEGAS	NV		89131
16108810099	880 E SAHARA L L C - SERIES 3		880 E SAHARA AVE			LAS VEGAS	NV		89104
16109201004	CHEVMAC 1 L L C		110 N CARPENTER ST			CHICAGO	IL		60607
16109217003	USA POSTAL SERVICE		8055 E TUFTS AVENUE PKWY # 400			DENVER	CO		80237-2881
16109217004	G S K I L L C		955 TEMPLE VIEW DR			LAS VEGAS	NV		89110-2900
16109301004	HAMPTON APTS INC		2016 RIVERSIDE DR			LOS ANGELES	CA		90039-3707
16109301005	VALLEY VISTA M H C L L C		31200 NORTHWESTERN HWY			FARMINGTON HILLS	MI		48334
16109301007	REBEL LAND AND DEVELOPMENT L L C		2424 RIDGE RD			ROCKWALL	TX		75087
16109310345	3050 S NELLIS D B L L C		1880 CENTURY PARK E STE 300			LOS ANGELES	CA		90067
16109401002	VALLEY VISTA M H C L L C		31200 NORTHWESTERN HWY			FARMINGTON HILLS	MI		48334
16109401007	SCHOOL BOARD OF TRUSTEES		1180 MILITARY TRIBUTE PL			HENDERSON	NV		89074

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
16109410385	U S M F MEADOWS PROPCO L L C		6191 STATE HIGHWAY 161 STE 100			IRVING	TX		75038
16109411003	S S B PROPCO L L C		465 FIRST ST WEST 2ND FL			SONOMA	CA		95476
16109411004	BECKMAN CHARLES & LOLING		1265 CASIANO RD			LOS ANGELES	CA		90049
16109411005	M D C COASTAL 20 L L C		11995 EL CAMINO REAL			SAN DIEGO	CA		92130
16109411006	CY HOMA L L C		3721 CANARY PALM			LAS VEGAS	NV		89121-7239
16109411007	S S B PROPCO L L C		465 FIRST ST W 2ND FLR			SONOMA	CA		95476
16116101001	KHARBANDA SANJEEV LIVING TRUST	KHARBANDA SANJEEV TRS	5469 SIGNAL HILL DR			DUBLIN	CA		94568
16116110083	SOTO-SUASTIGUI EDUARDO		5075 BROWNWOOD AVE			LAS VEGAS	NV		89122
16116110084	MAZZONNE ROSALIE		3311 DEATH VALLEY DR			LAS VEGAS	NV		89122
16116110093	ALCHEMY INVESTMENT L L C		8978 SPANISH RIDGE # 102			LAS VEGAS	NV		89148
16116110094	BOYLE MICHAEL		3312 CAPE COD DR			LAS VEGAS	NV		89122
16116110095	DEAMER 1993 TRUST	DEAMER FLORENCE L TRS	3306 CAPE COD DR			LAS VEGAS	NV		89122-3909
16116110096	3303 CAPE COD TRUST	CHRISTIE K L TRS	3225 MCLEOD DR			LAS VEGAS	NV		89121
16116110097	VARGAS MARIA		3309 CAPE COD DR			LAS VEGAS	NV		89122
16116110098	MORENO-FRAUSTO RAMON		3315 CAPE COD DR			LAS VEGAS	NV		89122-3950
16116110099	HILDENBRAND ALAN THOMAS	BROWN REGINA LEE	3323 CAPE COD DR			LAS VEGAS	NV		89122
16116110109	GUERRERO EDLIN		3332 BIG SUR DR			LAS VEGAS	NV		89122
16116110110	GIANINETTO STELLA M		3324 BIG SUR DR			LAS VEGAS	NV		89122-3905
16116110111	BROCKMAN JOSEPH & ADORA		3316 BIG SUR DR			LAS VEGAS	NV		89122-3905
16116110112	HOUSTON LARRY D & DEBORAH J		3310 BIG SUR DR			LAS VEGAS	NV		89122-3905
16116110113	SERPAS JUAN CARLOS		3304 BIG SUR DR			LAS VEGAS	NV		89122
16116110114	DESERT INN MOBILE FAM ESTS ASSN		5100 BLUE RIDGE PKWY			LAS VEGAS	NV		89122-3924
16116110115	YAMAGUCHI L L C		1723 FRANKLIN CHASE			HENDERSON	NV		89012
16116110116	DEWEGELI ELIZABETH RUTH	RUTH HARMONY	5150 SPYGLASS HILL DR # 177			LAS VEGAS	NV		89142
16116110117	GREEN BRENDA KAY		5068 WASATCH LN			LAS VEGAS	NV		89122
16116110118	SHUIT HEATHER N & DAVUD V	HELMAN-SHUIT BERTHA L	5072 WASATCH LN			LAS VEGAS	NV		89122-4055

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
16116110119	MITCHELL ROBERT J		5110 WASATCH LN			LAS VEGAS	NV		89122-4055
16116110120	FISHER JASON H & ALLYSON S		14 DOVETAIL CIR			HENDERSON	NV		89014
16116110121	MACIEL-GIL ANGEL		5122 WASATCH LN			LAS VEGAS	NV		89122
16116110122	HADDAD MICHAEL		PO BOX 691960			STOCKTON	CA		95269
16116110123	EDWARDS RONALD T	ERLANO EULALIA C	6110 ORANGE HILL DR			LAS VEGAS	NV		89142-0604
16116110186	MARTINEZ ALFREDO		3305 EWA BEACH DR			LAS VEGAS	NV		89122
16116110187	BROCCOLINO JAMES J & SHIRLEY A		5130 TUPELO LN			LAS VEGAS	NV		89122-4054
16117501005	CHAN ALVIN B INC		PO BOX 4900			SCOTTSDALE	AZ		85261-4900
16117501006	RAINBOW MARKET #8 L L C		1281 TERMINAL WAY # 115			RENO	NV		89502
16117501010	WANG FAMILY LIVING TRUST	WANG SUNG-VUM TRS	PO BOX 17535			ANAHEIM	CA		92817
16117501011	SPACE PROVIDERS ASHEVILLE L L C	C CAROLINA VEGAS L L C	1300 TUNNEL RD			ASHVILLE	NC		28805-1629
16117510023	ALVI KHIZAR		22 ABBEY RD			NEWARK	DE		19702
16117510024	ORTEGA PAUL	ZARATE YOLANDA	4802 FUENTES WAY			LAS VEGAS	NV		89121
16117511001	DESILVA MARIA A HERNANDEZ		4840 FUENTES CIR			LAS VEGAS	NV		89121-2816
16117511002	BACON JOANNE LIVING TRUST	BACON JOANNE TRS	2800 CONGRESS AVE			LAS VEGAS	NV		89121
16117511003	ROMERO GRACIELA FIGUEROA		4856 FUENTES CIR			LAS VEGAS	NV		89121-2816
16117511004	BARRETT KEVIN & LORINDA		4866 FUENTES CIR			LAS VEGAS	NV		89121
16117511005	PORTELLO DAVID O		4874 FUENTES CIR			LAS VEGAS	NV		89121
16117511006	GARCIA YOANDY LUIS CUETO		4882 FUENTES CIR			LAS VEGAS	NV		89121
16117511007	AGUIRRE JUVENIO A		4890 FUENTES CIR			LAS VEGAS	NV		89121
16117511008	CONTRERAS SARAI JACO	RODRIGUEZ DAVID SANTANA	4972 HIDALGO WAY			LAS VEGAS	NV		89121
16117511009	PADOVICH DAVID A		4906 FUENTES CIR			LAS VEGAS	NV		89121
16117511010	HALLEWELL MICHAEL H & NANCY L		5841 E CHARLESTON BLVD # 230-265			LAS VEGAS	NV		89142
16117511011	DISABATO DAVID		4897 FUENTES CIR			LAS VEGAS	NV		89121
16117511012	BELLA JULIE	LOPEZ CHASE	4889 FUENTES CIR			LAS VEGAS	NV		89121
16117511013	ALVEY LAWRENCE E & ROBERTA J		4881 FUENTES CIR			LAS VEGAS	NV		89121-2827
16117511014	MARTINEZ SYMONE	SALINAS PEDRO	4873 FUENTES CIR			LAS VEGAS	NV		89121-2827

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
16117511015	J C L L C		4144 COMB CIR			LAS VEGAS	NV		89104
16117511016	SPINARD CYNTHIA		4855 FUENTES CIR			LAS VEGAS	NV		89121-2827
16117511017	AVILA JULIO CESAR VELASCO		4856 HILDAGO WAY			LAS VEGAS	NV		89121
16117511018	DUSENBERY JOSEPH A & PATRICIA A		4866 HILDAGO WAY			LAS VEGAS	NV		89121-2847
16117511019	DOMINGUEZ DAMACIO PEREZ		913 S ROANNE ST			ANAHEIM	CA		92804
16117511020	ROSAS VICTOR MANUEL & ESMERALDA		6414 ENCHANTING CT			LAS VEGAS	NV		89156
16117511021	PINZON-GARCIA OMAR DAVID	PINZON FEDERICO GARCIA	3602 HUERTA DR			LAS VEGAS	NV		89121
16117511022	KELMAN DANIEL		4898 HILDAGO WAY			LAS VEGAS	NV		89121
16117511089	STICKNEY MICHAEL & DARLENE G		4814 FUENTES WAY			LAS VEGAS	NV		89121-2810
16117511090	JOVEL GLORIA ARACELY		3315 VISTA DEL MONTE DR			LAS VEGAS	NV		89121
16117511091	COUNTY OF CLARK(PK & COMM SERV)		500 S GRAND CENTRAL PKWY			LAS VEGAS	NV		89155
16117512010	OLIVARES-MURGUIA LUIS	RODRIGUEZ ELIDA FLORES	3364 HUERTA DR			LAS VEGAS	NV		89121
16117512011	FLORES JOSE MANUEL OLIVARES	AGUILAR VANESSA HERNANDEZ	3350 HUERTA DR			LAS VEGAS	NV		89121
16117512012	PERDOMO SERGIO		4972 HILDAGO WAY			LAS VEGAS	NV		89121
16117512013	MCMILLIAN NANCY ANN		325 LEHMAN ST			LAS VEGAS	NV		89122
16117512014	VILLANUEVA ARMANDO & MARIA		4956 HILDAGO WAY			LAS VEGAS	NV		89121-2864
16117512015	CUELLAR-MORONES LUIS A		4948 HILDAGO WAY			LAS VEGAS	NV		89121
16117512016	FINLULO L L C		3255 LINDELL RD			LAS VEGAS	NV		89145
16117512017	RIPPEL NICHOLAS S & DEBORAH L		4932 HILDAGO WAY			LAS VEGAS	NV		89121-2864
16117512018	BOBADILLA-GARCIA RUBEN	BOBADILLA BERTHA	4921 HILDAGO WAY			LAS VEGAS	NV		89121
16117512019	CUEVAS GABRIELA	LONA CIRIACO CUEVAS	4916 HILDAGO WAY			LAS VEGAS	NV		89121-2864
16117512020	FONGER KARLYLE B		4908 HILDAGO WAY			LAS VEGAS	NV		89121-2864
16117512022	BOBADILLA-GARCIA RUBEN	BOBADILLA BERTHA LETICIA	4924 HILDAGO WAY			LAS VEGAS	NV		89121
16117512023	HUPP FRED & JANICE E		4933 HILDAGO WAY			LAS VEGAS	NV		89121-2863

VC-18-0578



PLANS PREPARED FOR



PLANS PREPARED BY



**W-T COMMUNICATIONS
DESIGN GROUP, LLC**
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Las Vegas, NV 89123
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WWW.WTDESIGNGROUP.COM
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REVISION	DESCRIPTION	DATE	BY
1	FOR CLIENT REVIEW	04.18.19	J
2	CLIENT COMMENTS	06.09.19	D

W-T PROJECT NUMBER:
17060432

CROWN CASTLE SITE NAME:

LV115 NELLIS & DI

SITE LOCATION

VG90XC440

SITE ADDRESS

3125 S. NELLIS BOULEVARD
LAS VEGAS, NV 89121

SHEET DESCRIPTION

TITLE SHEET

SHEET NUMBER

T-1

SPRINT NE PROJECT

VG90XC440

LV115 NELLIS & DI

825521

3125 S. NELLIS BOULEVARD

LAS VEGAS, NV 89121

67'-0" MONOPINE W/ 10'-0" EXTENSION

PROJECT:

SITE CASCADE:

CROWN CASTLE

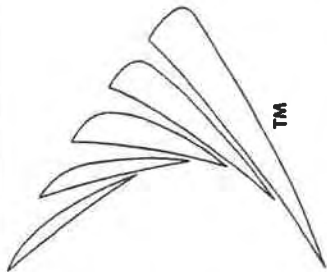
SITE NAME:

CROWN CASTLE

SITE NUMBER:

SITE ADDRESS:

SITE TYPE:



Sprint

SHEET INDEX		SHEET TITLE:	
SHEET:	TITLE SHEET	SHEET:	TITLE SHEET
T-1	GENERAL NOTES	T-1	GENERAL NOTES
N-1	GENERAL NOTES	N-1	GENERAL NOTES
N-2	GENERAL NOTES	N-2	GENERAL NOTES
N-3	GENERAL NOTES	N-3	GENERAL NOTES
C-1	OVERALL SITE PLAN	C-1	OVERALL SITE PLAN
C-2	OVERALL COMPOUND PLAN	C-2	OVERALL COMPOUND PLAN
C-3	ENLARGED EQUIPMENT PLAN	C-3	ENLARGED EQUIPMENT PLAN
C-4	SITE DETAILS	C-4	SITE DETAILS
C-5	CABINET DETAILS	C-5	CABINET DETAILS
C-6	CONCRETE PAD DETAILS	C-6	CONCRETE PAD DETAILS
A-1	TOWER ELEVATIONS	A-1	TOWER ELEVATIONS
A-2	TOWER ELEVATIONS	A-2	TOWER ELEVATIONS
A-3	EQUIPMENT ELEVATION	A-3	EQUIPMENT ELEVATION
A-4	ANTENNA PLAN	A-4	ANTENNA PLAN
A-5	EQUIPMENT DETAILS	A-5	EQUIPMENT DETAILS
A-6	EQUIPMENT DETAILS	A-6	EQUIPMENT DETAILS
A-7	EQUIPMENT DETAILS	A-7	EQUIPMENT DETAILS
E-1	UTILITY PLAN	E-1	UTILITY PLAN
E-2	ELECTRICAL DETAILS	E-2	ELECTRICAL DETAILS
E-3	BATTERY SPECIFICATIONS	E-3	BATTERY SPECIFICATIONS
E-4	BATTERY SPECIFICATIONS	E-4	BATTERY SPECIFICATIONS
E-5	BATTERY SPECIFICATIONS	E-5	BATTERY SPECIFICATIONS
GR-1	GROUNDING PLAN	GR-1	GROUNDING PLAN
GR-2	GROUNDING DETAILS	GR-2	GROUNDING DETAILS
GR-3	GROUNDING DETAILS	GR-3	GROUNDING DETAILS

PROJECT DESCRIPTION	APPLICABLE CODES
<ul style="list-style-type: none"> ALL NEW TOWER EQUIPMENT TO BE PAINTED TO MATCH EXISTING STRUCTURE INSTALL NEW 10'-0" X 10'-0" CONCRETE EQUIPMENT PAD INSTALL (1) EQUIPMENT CABINET AT GRADE INSTALL (1) HOFFMAN JUNCTION BOX & (1) PPC CABINET MOUNTED ON NEW H-FRAME AT GRADE INSTALL 10'-0" TOWER EXTENSION INSTALL (3) HYBRID CABLES ON EXISTING TOWER INSTALL (6) PANEL ANTENNAS ON EXISTING TOWER INSTALL (3) SECTOR FRAMES ON EXISTING TOWER INSTALL (6) 800MHZ RRR'S AT ANTENNAS INSTALL (3) 1900MHZ RRR'S AT ANTENNAS INSTALL (24) JUMPERS 	<p>• ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES.</p> <p>BUILDING CODE: 2012 INTERNATIONAL BUILDING CODE MECHANICAL CODE: 2012 INTERNATIONAL MECHANICAL CODE ELECTRICAL CODE: 2011 NATIONAL ELECTRICAL CODE</p>

AREA MAP	AERIAL MAP

SITE INFORMATION	SITE CONTACTS
<p>PROPERTY OWNER: CROWN CASTLE, LLC 200 SPECTRUM, SUITE 1700 IRVINE, CA 92618 PH: (702) 998-1003 WWW.CROWNCASTLE.COM</p> <p>CROWN CASTLE SITE NUMBER: 825521</p> <p>CROWN CASTLE SITE NAME: LV115 NELLIS & DI</p> <p>CROWN CASTLE APPLICATION ID: 430989</p> <p>SITE ADDRESS: 3125 S. NELLIS BOULEVARD LAS VEGAS, NV 89121 CLARK COUNTY</p> <p>GEOGRAPHIC COORDINATES: LATITUDE: 36.1344285 LONGITUDE: -115.088279 ALTITUDE (ANSL): 1724'</p> <p>JURISDICTION: CLARK COUNTY</p> <p>APN: 161-08-810-083</p> <p>POWER COMPANY: NV ENERGY</p> <p>FIBER COMPANY: COX</p> <p>SITE ACQUISITION CONTACT: CROWN CASTLE, LLC 200 SPECTRUM, SUITE 1700 IRVINE, CA 92618 CONTACT: GRENOLYN FISCHER PHONE: (702) 416-7530 E-MAIL: grenolyn.fischer@crowncastle.com</p> <p>W-T COMMUNICATIONS DESIGN GROUP, LLC 8600 S. EASTERN AVENUE, SUITE 220 LAS VEGAS, NEVADA 89123 PH: (702) 998-1003 FAX: (702) 998-1010 CONTACT: ERICK ROMERO WWW.WTDESIGNGROUP.COM</p> <p>STRUCTURAL ENGINEER: BLACK & VEATCH 8600 W. 113TH STREET SUITE 2202 OVERLAND PARK, KS 66211 TEL: (913) 458-8145</p>	<p>CROWN CASTLE USA, INC. CM: LUKE CHRISTIAN PHONE: (702) 408-5147</p> <p>PH: TIMOTHY MILLER PHONE: (949) 936-0221</p> <p>ZONING & PERMITTING SPECIALIST: CM: WILLIAM GAUL PHONE: (702) 518-4349</p> <p>PH: BARBARA BROWN PHONE: (923) 464-3434</p>



— MJA PARTNER



PLANS PREPARED BY

WT

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REVISIONS	DESCRIPTION	DATE	BY	REV
	FOR CLIENT REVIEW	04.18.16	JTB	A
	CLIENT COMMENTS	05.09.16	EPH	B

WITNESSES

CROWN CASTLE SITE NAME

LV115 NELLIS & DI

— SITE CASCADE —

VG90XC440

315

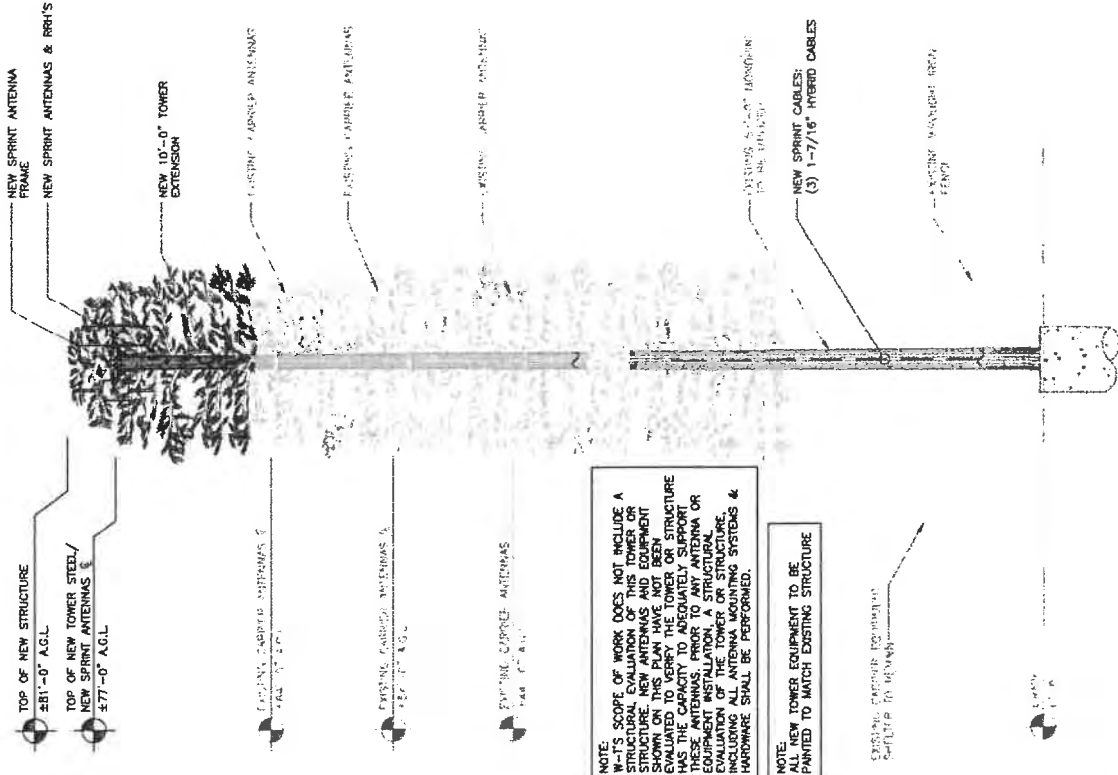
3125 S. NELLIS BOULEVARD
LAS VEGAS, NV 89121

1001-9232/02/1105-0000\$15.00/0

TOWER ELEVATIONS

13375

A-



NOTE: W-1'S SCOPE OF WORK DOES NOT INCLUDE A STRUCTURAL EVALUATION OF THIS TOWER OR STRUCTURE. NEW ANTENNA AND EQUIPMENT SHOWN ON THIS PLAN HAVE NOT BEEN REVIEWED BY THE TOWER DESIGNER. THE TOWER STRUCTURE HAS THE CAPACITY TO USUALLY SUPPORT THESE ANTENNAS PRIOR TO ANTENNA OR EQUIPMENT INSTALLATION. A STRUCTURAL EVALUATION OF THE TOWER OR STRUCTURE, INCLUDING ALL ANTENNA MOUNTING SYSTEMS & HARDWARE SHALL BE PERFORMED.

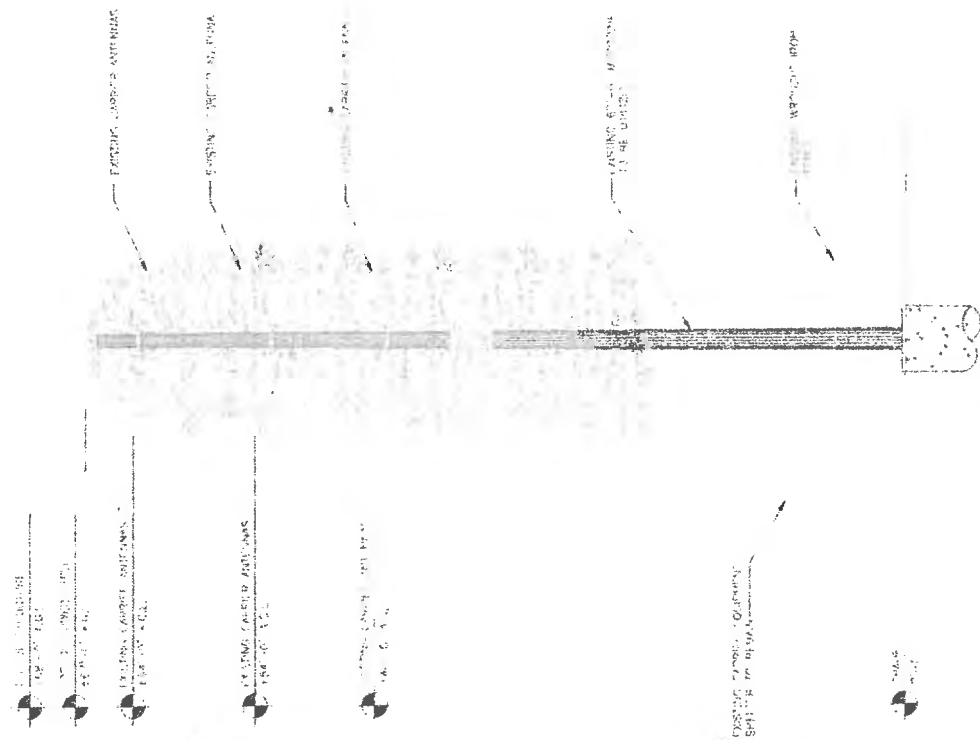
NOTE:
ALL NEW TOWER EQUIPMENT TO BE
PAINTED TO MATCH EXISTING STRUCTURE

1990-1991

PROPOSED TOWER ELEVATION

SCALE: 1" = 10'-0"

2

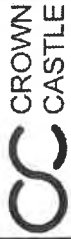


EXISTING TOWER ELEVATION

SCALE: 1" = 10'-0"



WEA PARTNER



— PLANS FOR PAPER BY



W-T COMMUNICATIONS
DESIGN GROUP, LLC

WHEELS OF INFRASTRUCTURE
8580 S Eastern Avenue Suite 220
Las Vegas, NV 89123
PH: (702) 968-1000 FAX: (702) 968-1010
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REVISIONS	DESCRIPTION	DATE	BY	REASON
	FOR CLIENT REVIEW	04.12.16	JTB	A
	CLIENT COMMENTS	05.09.16	ENR	B

INSTRUMENTAL ANALYSIS
T1800432

LV115 NELLS & DI

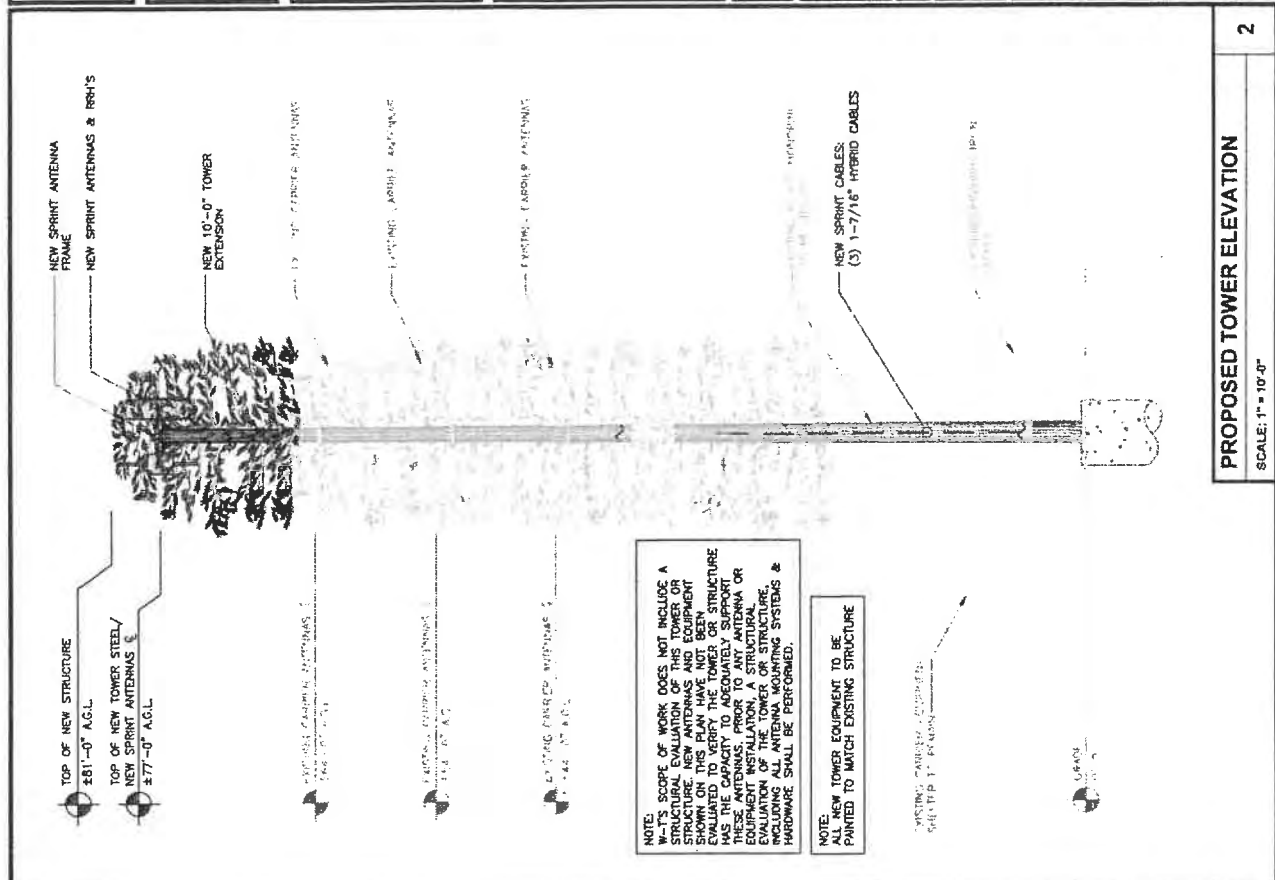
LOWE'S PAPER/INK

VG90XC440

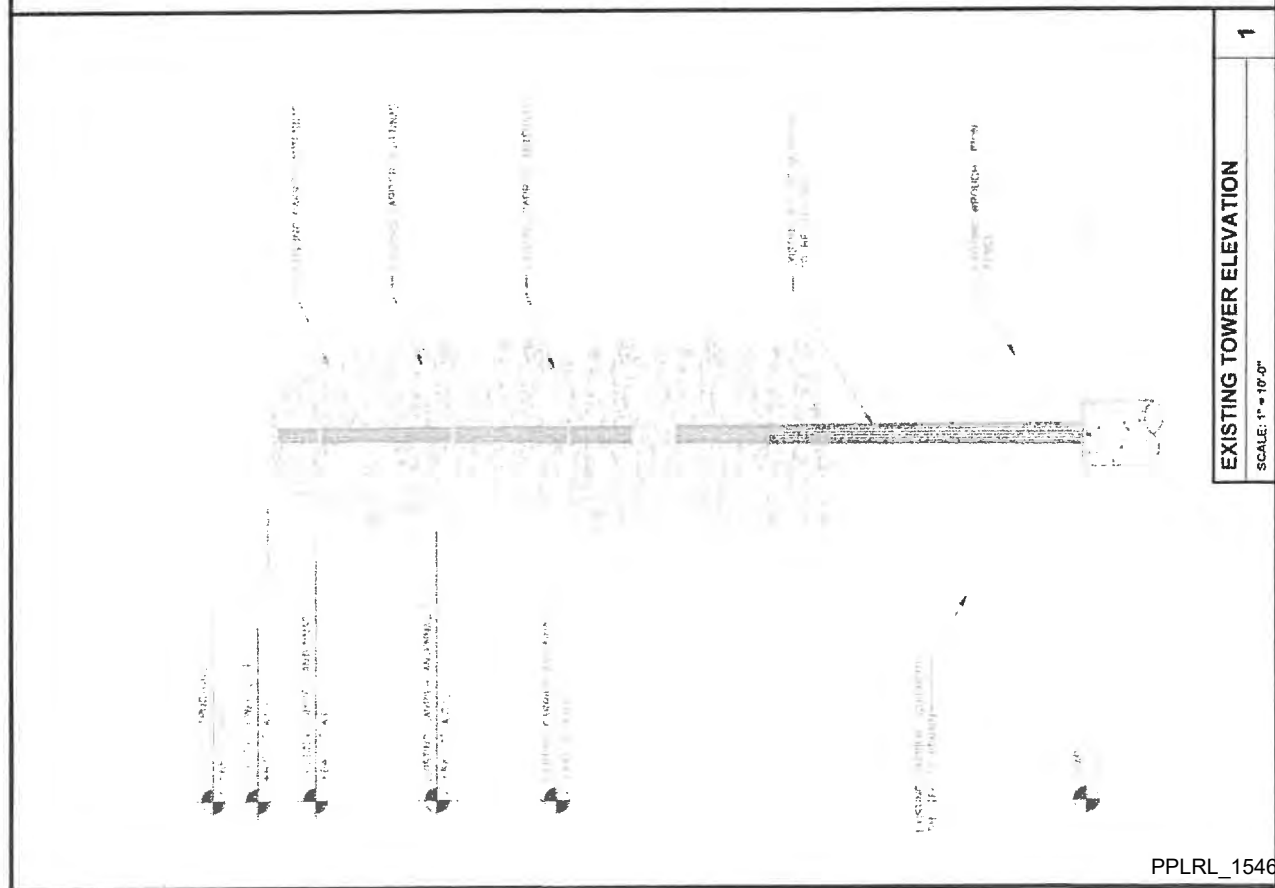
SAFE AUTO, INC.
3125 S. NELLIS BOULEVARD
LAS VEGAS, NV 89121

TOWER ELEVATIONS

— 1985年12月24日

**PROPOSED TOWER ELEVATION**SCALE: $1'' = 10'-0''$

2



EXISTING TOWER ELEVATION

SCALE: 1" = 10'-0"

1



— MAY PARTIALITY —



PLANS PREPARED BY:



**W-T COMMUNICATION
DESIGN GROUP, LLC.**

WHEELER HOFNATH
8550 S Eastern Avenue Suite 270
Las Vegas, NV 89123
PH: (702) 988-1000 FAX: (702) 988-1010

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REVISIONS	DESCRIPTION	DATE	BY	REV
	FOR CLIENT REVIEW	04.10.10	JTB	A
	CLIENT COMMENTS	05.09.10	ERM	B

W-1 PROJECT NUMBER
T1800432

CROWN CASTLE SITE NAME:

LV115 NELLIS & DI

THE SITE CHARACTERIZATION

VG90XC440

515 JOURNAL OF DOCUMENTATION

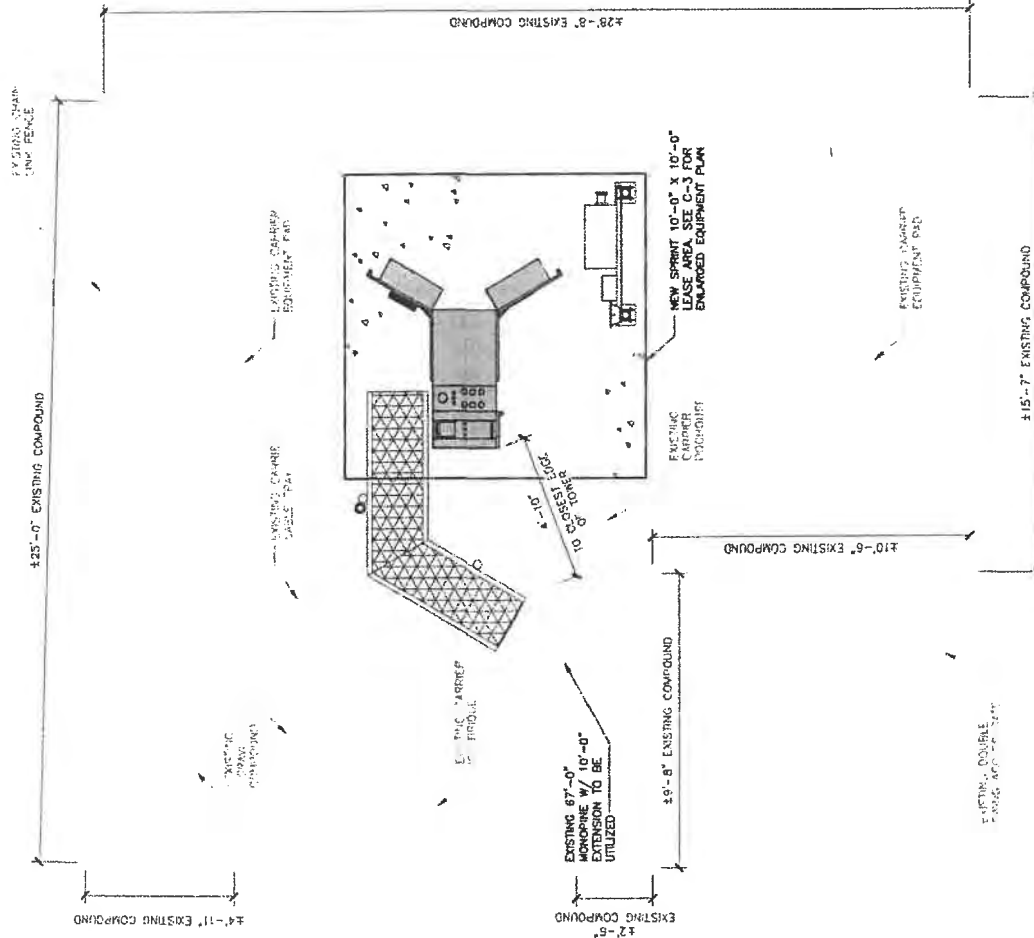
3125 S. NELLIS BOULEVARD
LAS VEGAS, NV 89121

9541 CINCINNATI

**OVERALL COMPOUND
PLAN**

84521 MANBTA

C-2



OVERALL COMPOUND PLAN

SCALE: 1/4" = 1'-0"



W. A. D. 1975

CROWN
CASTLE

1. The University of California, San Diego, La Jolla, California 92037

W.

**W-T COMMUNICATION
DESIGN GROUP, LLC.**
WIRELESS INFRASTRUCTURE
8590 S. Eastern Avenue Suite 220
Las Vegas, NV 89123
44-700-886-1000 FAX: (702) 886-1010
www.wirelessdesign.com

and the same for the other two cases. \square

Sports for...

JEFFREY S. GUTENSKY
PROFESSIONAL ENGINEER
STATE OF NEVADA
LICENSE # 018008

DATE: 04/30/16 SOURCE: 03/22/16

DATE	BY	REV
04/14/18	JPS	A
04/01/18	SPB	B
03/29/18	CPA	C
04/13/18	DPF	E
02/23/18	DPF	F

DESCRIPTION

FIRM CLIENT REVIEW

CLIENT COMMENTS

TEST CONSTRUCTION DRAWINGS

REVIEW LOWER FIRMATION

CLIENT COMMENTS

DATE: 04/14/18 BY: JPS REV: A

DATE: 04/01/18 BY: SPB REV: B

DATE: 03/29/18 BY: CPA REV: C

DATE: 04/13/18 BY: DPF REV: E

DATE: 02/23/18 BY: DPF REV: F

11/000472

LV115 NELLIS & DI

VG90XC440

3131 24th St. S.
313125 S. NELLIS BOULEVARD
LAS VEGAS, NV 89121


OVERALL SITE PLAN

150


6




UC-18-0578



W-T COMMUNICATION DESIGN GROUP, LLC
3125 S. NELLIS BOULEVARD
LAS VEGAS, NV 89121
PH: (702) 416-7530
WWW.WTDESIGNGROUP.COM



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3125 S. NELLIS BOULEVARD
LAS VEGAS, NV 89121
PH: (702) 416-7530
WWW.WTDESIGNGROUP.COM



W-T COMMUNICATION DESIGN GROUP, LLC
3125 S. NELLIS BOULEVARD
LAS VEGAS, NV 89121
PH: (702) 416-7530
WWW.WTDESIGNGROUP.COM

PLANNING

FOR CLIENT REVIEW
DATE: 04/18/18
BY: A

CLIENT COMMENTS
05/08/18 EMB B

PROJECT NUMBER
1180032


PROJECT NAME
LV115 NELLIS & DI

SITE NUMBER
VG90XC440

SITE ADDRESS
3125 S. NELLIS BOULEVARD
LAS VEGAS, NV 89121

TITLE SHEET

SHEET NUMBER
T-1



PROJECT:
SITE CASCADE:
CROWN CASTLE
SITE NAME:
CROWN CASTLE
SITE NUMBER:
SITE ADDRESS:
SITE TYPE:

SPRINT NE PROJECT
VG90XC440

LV115 NELLIS & DI

825521

3125 S. NELLIS BOULEVARD
LAS VEGAS, NV 89121

67'-0" MONOPINE W/ 10'-0" EXTENSION

SHEET INDEX

SHEET:	SHEET TITLE:
T-1	TITLE SHEET
N-1	GENERAL NOTES
N-2	GENERAL NOTES
N-3	GENERAL NOTES
C-1	OVERALL SITE PLAN
C-2	OVERALL COMPOUND PLAN
C-3	ENLARGED EQUIPMENT PLAN
C-4	SITE DETAILS
C-5	CABINET DETAILS
C-6	CONCRETE PAD DETAILS
A-1	TOWER ELEVATIONS
A-2	TOWER ELEVATIONS
A-3	EQUIPMENT ELEVATION
A-4	ANTENNA PLAN
A-5	EQUIPMENT DETAILS
A-6	EQUIPMENT DETAILS
A-7	EQUIPMENT DETAILS
E-1	UTILITY PLAN
E-2	ELECTRICAL DETAILS
E-3	BATTERY SPECIFICATIONS
E-4	BATTERY SPECIFICATIONS
E-5	BATTERY SPECIFICATIONS
E-6	BATTERY SPECIFICATIONS
GR-1	GROUNDING PLAN
GR-2	GROUNDING DETAILS
GR-3	GROUNDING DETAILS

PROJECT DESCRIPTION

- ALL NEW TOWER EQUIPMENT TO BE PAINTED TO MATCH EXISTING STRUCTURE.
- INSTALL NEW 10'-0" X 10'-0" CONCRETE EQUIPMENT PAD
- INSTALL (1) EQUIPMENT CABINET AT GRADE
- INSTALL (1) HOFFMAN JUNCTION BOX & (1) PPC CABINET MOUNTED ON NEW H-FRAME AT GRADE
- INSTALL 10'-0" TOWER EXTENSION
- INSTALL (3) HYBRID CABLES ON EXISTING TOWER
- INSTALL (6) PANEL ANTENNAS ON EXISTING TOWER
- INSTALL (3) SECTOR FRAMES ON EXISTING TOWER
- INSTALL (6) BOOMZ RHYS AT ANTENNAS
- INSTALL (3) 1900MHZ RHYS AT ANTENNAS
- INSTALL (24) JUMPERS

APPLICABLE CODES

- ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES.
- BUILDING CODE: 2012 INTERNATIONAL BUILDING CODE
- PLUMBING CODE: 2012 UNIFORM PLUMBING CODE
- ELECTRICAL CODE: 2011 NATIONAL ELECTRICAL CODE

SITE INFORMATION

PROPERTY OWNER:
PALM PROPERTIES, LLC
6050 S. FORT APACHE ROAD, SUITE 100
LAS VEGAS, NV 89146

CROWN CASTLE SITE NUMBER:
825521

CROWN CASTLE SITE NAME:
LV115 NELLIS & DI

CROWN CASTLE APPLICATION ID:
430989

SITE ADDRESS:
3125 S. NELLIS BOULEVARD
LAS VEGAS, NV 89121
CLARK COUNTY

GEOGRAPHIC COORDINATES:
LATITUDE: 36.132429°
LONGITUDE: -115.08627°
ALTITUDE (AMSL): 1724'

JURISDICTION:
CLARK COUNTY

APN:
181-08-810-083

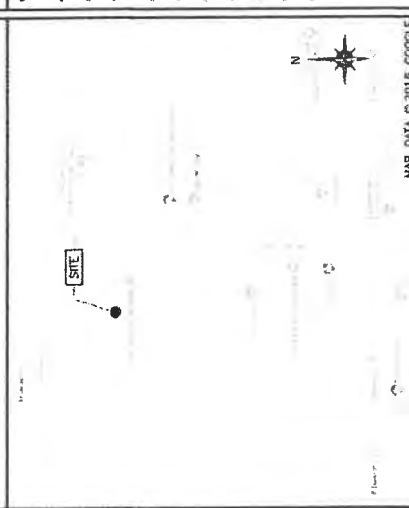
POWER COMPANY:
NV ENERGY

SITE ACQUISITION CONTACT:
CROWN CASTLE USA, INC.
1700
IRVINE, CA 92618
CONTACT: GWENDOLYN FISCHER
PHONE: (702) 416-7530
E-MAIL: gwendolyn.fischer@crownccastle.com

A&E FIRM:
W-T COMMUNICATION DESIGN GROUP, LLC
8660 S. EASTERN AVE, SUITE 220
LAS VEGAS, NEVADA 89123
PHONE: (702) 416-7530
FAX: (702) 898-1010
CONTACT: ERICK ROMERO
WWW.WTDESIGNGROUP.COM


STRUCTURAL ENGINEER:
BUD & YEATCH
1115TH STREET
SUITE 2292
OVERLAND PARK, KS 66211
TEL: (913) 438-8145

AREA MAP



MAP DATA © 2018 GOOGLE

AERIAL MAP



MAP DATA © 2018 GOOGLE

SITE CONTACTS

CROWN CASTLE USA, INC.
CM: LUISE CHRISTIAN
PHONE: (702) 408-5147

PM: BARBARA BOON
PHONE: (913) 464-3434

ZONING & PERMITTING SPECIALIST:
CM: WILLIAM GAUL
PHONE: (702) 518-4348

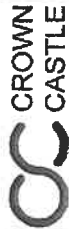
PM: TONY MILLER
PHONE: (949) 938-0221

811

800 years below
Call before you dig.



MIA PARTNER;



PLANS PREPARED BY:



**W-T COMMUNICATIONS
DESIGN GROUP, LLC**

WIRELESS INFRASTRUCTURE

8590 S Eastern Avenue, Suite 220
Las Vegas, NV 89123
PH: (702) 258-1000 FAX: (702) 896-1010
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REVISIONS	DATE	BY	REV
DESCRIPTION	04/18/16	JTB	A
FOR CLIENT REVIEW			
CLIENT COMMENTS	05/09/16	ESM	B

WT PROJECT NUMBER T1800432

ORCHIN CASTLE SITE NAME:

LV115 NELLIS & DI

SITE DISCARD ID: *****

1000000

04407YN09A

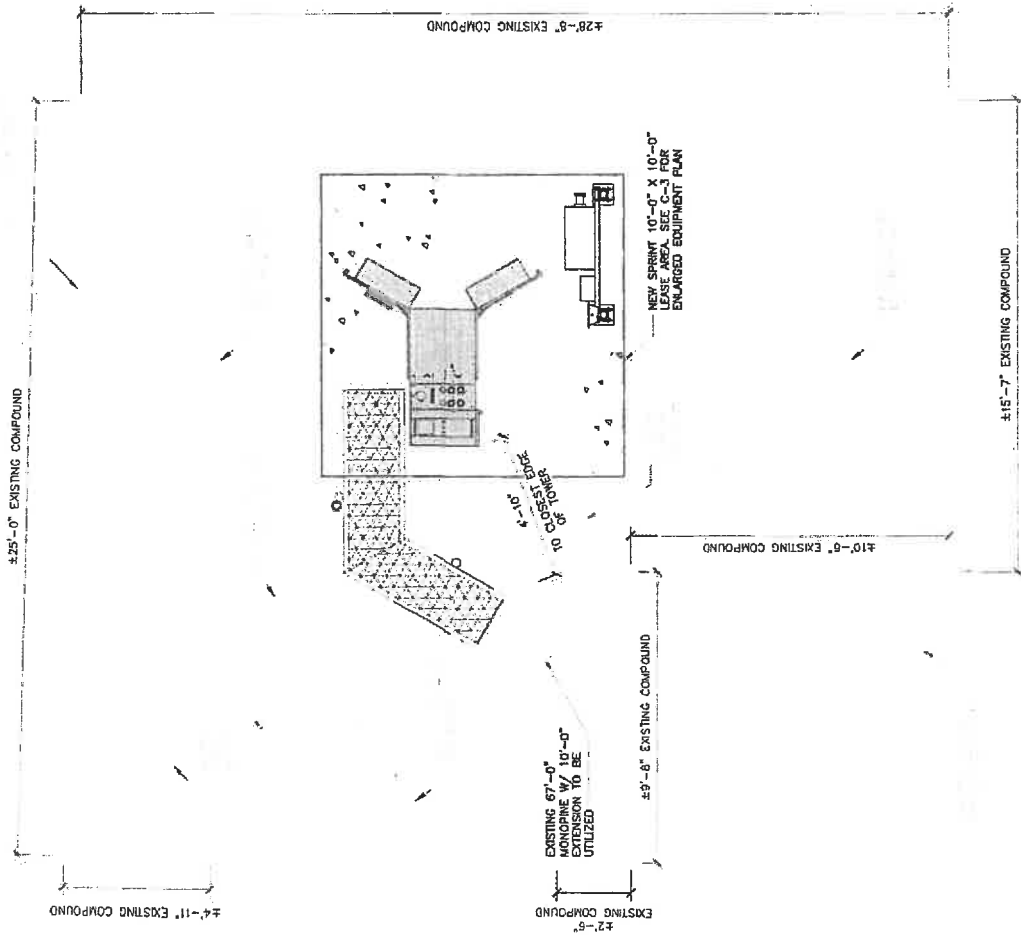
SITE ADDRESS: 3125 S. NELLS BOULV. EVANSTON

LAS VEGAS, NV 89121

BRIEF DESCRIPTION:

OVERALL COMPOUND PLAN

SHEET NUMBER.



OVERALL COMPOUND PLAN

SCALE: 1/4" = 1'-0"



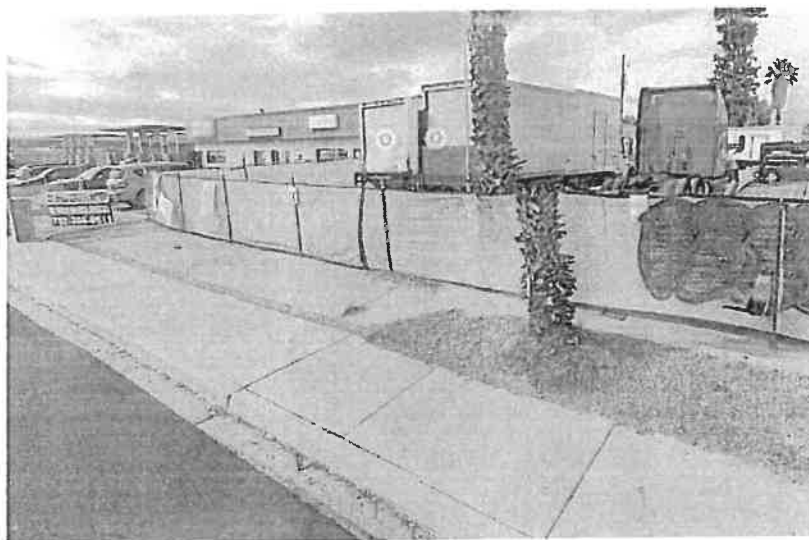
2024

Closed driveway #1 on Nellis (NE Corner)



2024

Closed driveway #2 center of east PL along Nellis.



2024

Closed driveway #3 south east corner along Nellis.



2021

OPEN driveway #1 on Nellis (NE Corner)



2021

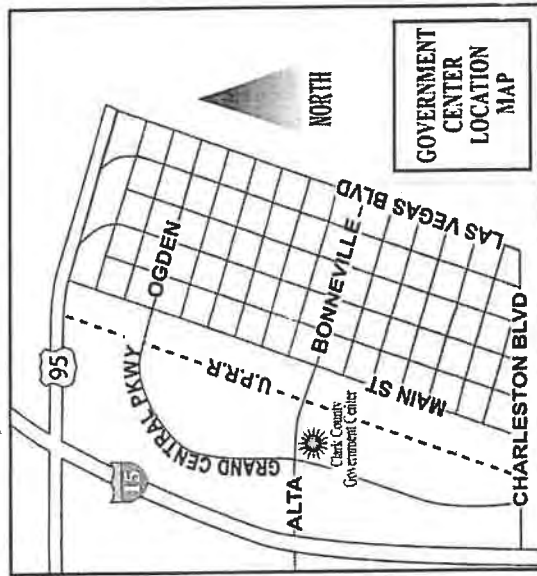
OPEN driveway #2 center of east PL along Nellis.



2021

OPEN driveway #3 south east corner along Nellis.

DEPARTMENT OF COMPREHENSIVE PLANNING
LAND USE PLANNING
(702) 455-4314
CLARK COUNTY GOVERNMENT CENTER
500 S. GRAND CENTRAL PARKWAY
BOX 551741
LAS VEGAS, NEVADA 89155-1741



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☐ I SUPPORT this request

☒ I OPPOSE this request



WS-24-0276 090424
GARBE REINHOLD G ETAL
KARWACKI-GARBE THERESA A
3226 WOODY LN
SAN JOSE, CA 95132

1 2 2 4 PPLRL-1554 955 1 322

APPLICATION INFORMATION

APPLICATION NUMBER: WS-24-0276
OWNER: PALM PROPERTIES, LLC:

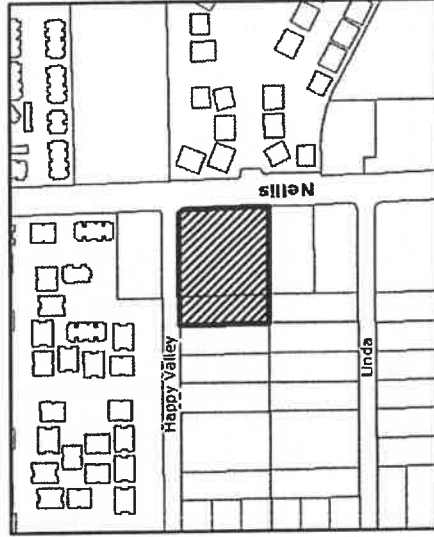
WAIVER OF DEVELOPMENT STANDARDS to modify residential adjacency standards.

DESIGN REVIEW for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone. Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor. (For possible action)

RELATED INFORMATION:

APN: 161-08-810-082; 161-08-810-083

APPLICATION LOCATION



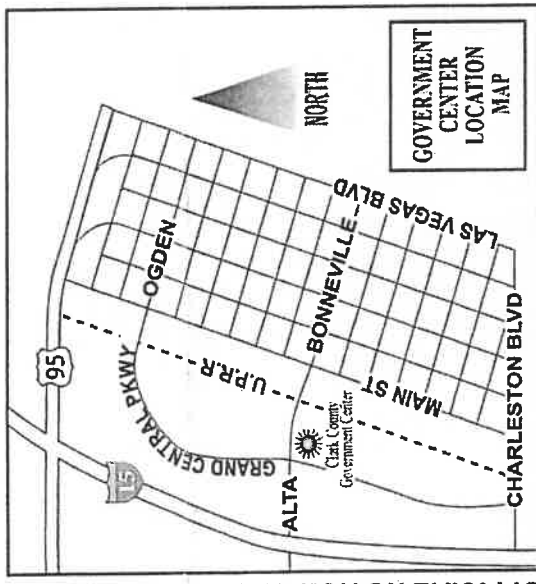
MEETING INFORMATION

Sunrise Manor Town Board
August 15, 2024, 6:30 pm
Hollywood Neighborhood
Services Center
1650 S. Hollywood Blvd
Las Vegas, Nevada

Board of County Commissioners
September 4, 2024, 9:00 am
Clark County Government Center
500 S. Grand Central Parkway
Las Vegas, Nevada

This information is considered accurate; however, minor variations may occur. Application documents are available for viewing online under the Clark County Comprehensive Planning Department by selecting "Services" on the left and selecting "Land Use Documents" from the drop-down. All persons interested may submit written support or opposition by email to zoningmeeting@clarkcountynv.gov. Include the item and application numbers on all emails. We suggest that you inform your lessee(s) of the matter. For more information, visit www.clarkcountynv.gov or call (702) 455-4314 (option 2, option 1).

DEPARTMENT OF COMPREHENSIVE PLANNING
LAND USE PLANNING
(702) 455-4314
CLARK COUNTY GOVERNMENT CENTER
500 S. GRAND CENTRAL PARKWAY
BOX 551741
LAS VEGAS, NEVADA 89155-1741



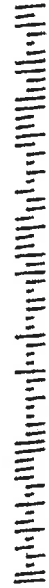
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☐ I SUPPORT this request

☒ I OPPOSE this request

ES PREPARE 09121



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FIRST CLASS



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ZIP 89120 \$ 000.43⁵
02 4W
0000362055 AUG 08 2024

WS-24-0276 090424
SIGRETTO MICHAEL P & ROBIN L REYNOLDS
4895 HAPPY VALLEY AVE
LAS VEGAS, NV 89121-2037

APPLICATION INFORMATION

APPLICATION NUMBER: WS-24-0276
OWNER: PALM PROPERTIES, LLC:

WAIVER OF DEVELOPMENT STANDARDS to modify residential adjacency standards.

DESIGN REVIEW for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone. Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor. (For possible action)

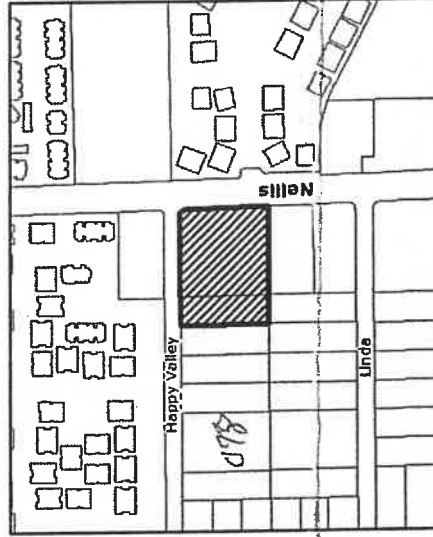
RELATED INFORMATION:

APN: 161-08-810-082; 161-08-810-083

*IF WS-24-0276 & VS 24-0277 PASS, NEXT
THEY WILL TRY THIS ON LOT 161-08-810-078*

*THIS LOT IS NOT
COMMERCIAL PROPERTY.*

APPLICATION LOCATION



MEETING INFORMATION

Sunrise Manor Town Board
August 15, 2024, 6:30 pm
Hollywood Neighborhood
Services Center
1650 S. Hollywood Blvd
Las Vegas, Nevada

Board of County Commissioners
September 4, 2024, 9:00 am
Clark County Government Center
500 S. Grand Central Parkway
Las Vegas, Nevada

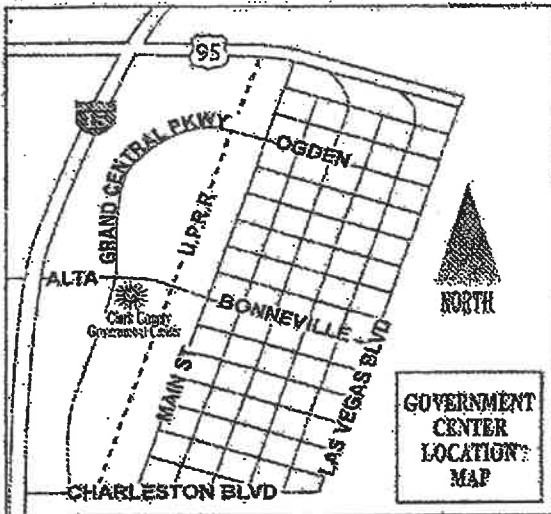
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DEPARTMENT OF COMPREHENSIVE PLANNING
LAND USE PLANNING
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CLARK COUNTY GOVERNMENT CENTER
500 S. GRAND CENTRAL PARKWAY
BOX 551741
LAS VEGAS, NEVADA 89155-1741

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ZIP 89120 \$ 000.43
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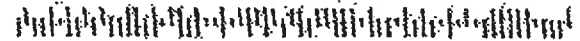


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☐ I SUPPORT
this request

☒ I OPPOSE
this request

126 PRDFMMP 24082



Application # WS-24-0277

WS-24-0276

Item # APN# 161-08-810-082

161-08-810-083

→ WS-24-0276 090424
DOUGLAS FAMILY TRUST
DOUGLAS MIKE & LISA TRS
490 MOORE RD
WOODSIDE, CA 94062

APPLICATION INFORMATION

APPLICATION NUMBER: WS-24-0276

OWNER: PALM PROPERTIES, LLC:

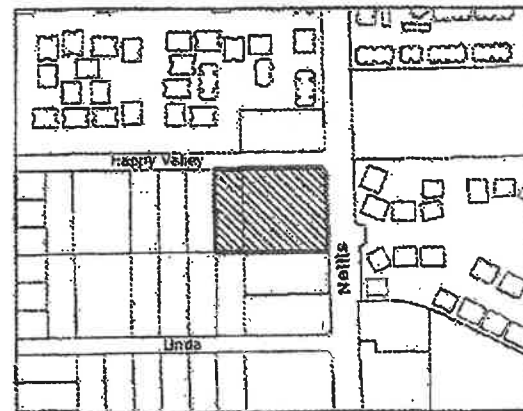
WAIVER OF DEVELOPMENT STANDARDS to modify residential adjacency standards.

DESIGN REVIEW for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone. Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor. (For possible action)

RELATED INFORMATION:

APN: 161-08-810-082; 161-08-810-083

APPLICATION LOCATION



MEETING INFORMATION

Sunrise Manor Town Board
August 15, 2024, 6:30 pm
Hollywood Neighborhood
Services Center
1650 S. Hollywood Blvd
Las Vegas, Nevada

Board of County Commissioners
September 4, 2024, 9:00 am
Clark County Government Center
500 S. Grand Central Parkway
Las Vegas, Nevada

This information is considered accurate; however, minor variations may occur. Application documents are available for viewing online under the Clark County Comprehensive Planning Department by selecting "Services" on the left and selecting "Land Use Documents" from the drop-down. All persons interested may submit written support or opposition by email to zonemeeting@clarkcountynv.gov. Include the item and application numbers on all emails. We suggest that you inform your lessee(s) of the matter. For more information, visit www.clarkcountynv.gov or call (702) 455-4314 (option 2, option 1).

PPLRL 1558

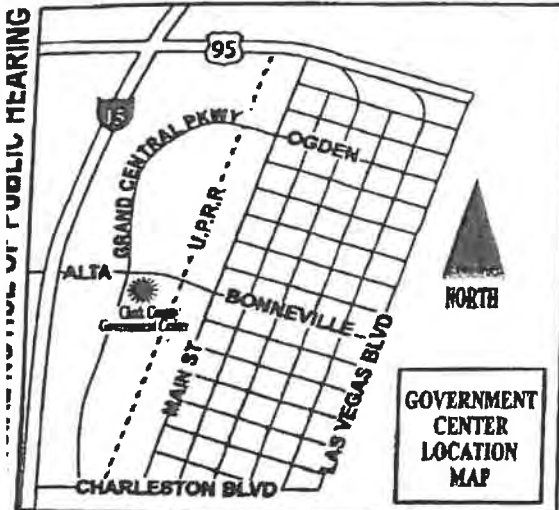
DEPARTMENT OF COMPREHENSIVE PLANNING
 LAND USE PLANNING
 (702) 455-4314
 CLARK COUNTY GOVERNMENT CENTER
 500 S. GRAND CENTRAL PARKWAY
 BOX 551741
 LAS VEGAS, NEVADA 89155-1741

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☐ I SUPPORT
 this request

☒ I OPPOSE
 this request

WS-24-0276 090424
 AL-TURKMANI & AYMAN
 2725 S NELLIS BLVD # 2074
 LAS VEGAS, NV 89121

69 FROFNM 89121

Aug. 14. 2024 12:13PM

MD Investments

DEPARTMENT OF COMPREHENSIVE PLANNING
LAND USE PLANNING
(702) 455-4314
CLARK COUNTY GOVERNMENT CENTER
500 S. GRAND CENTRAL PARKWAY
BOX 551741
LAS VEGAS, NEVADA 89155-1741

No. 8135 P. 3/3

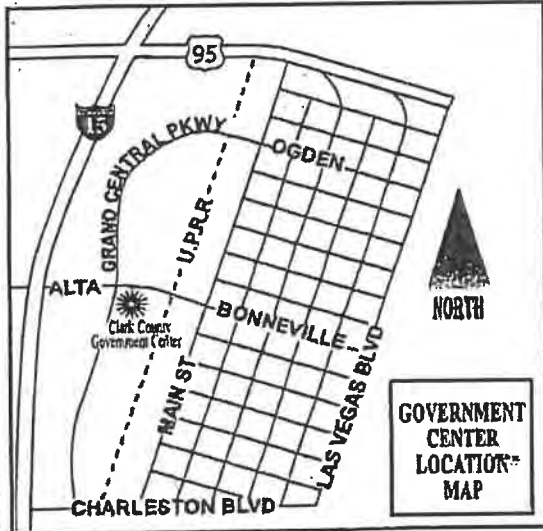
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☐ I SUPPORT
this request

☒ I OPPOSE
this request

126 FREDMMP 94062

WS-24-0276 090424
DOUGLAS FAMILY TRUST
DOUGLAS MIKE & LISA TRS
490 MOORE RD
WOODSIDE, CA 94062



CPAdmin

Subject: FW: Application Number:VS-24-0277 and WS-24-0276 APN: 161-08-810-082: 161-08-810-083

From: ZoningMeeting <ZoningMeeting@ClarkCountyNV.gov>

Sent: Wednesday, August 14, 2024 1:42 PM

To: CPAdmin <CPAdmin@clarkcountynv.gov>

Subject: FW: Application Number:VS-24-0277 and WS-24-0276 APN: 161-08-810-082: 161-08-810-083

From: Nellis Storage <nellisstorage@gmail.com>

Sent: Wednesday, August 14, 2024 1:41:36 PM (UTC-08:00) Pacific Time (US & Canada)

To: ZoningMeeting <ZoningMeeting@ClarkCountyNV.gov>

Cc: Lisa Douglas <lisa@mdinvests.com>; Emma Santana <emma@mdinvests.com>

Subject: Application Number:VS-24-0277 and WS-24-0276 APN: 161-08-810-082: 161-08-810-083

To Whom This May Concern,

Our position is to oppose the development of a commercial truck parking lot located at 3125 S. Nellis Blvd, Las Vegas, NV 89121.

In the last 3 years, the address stated in this letter has had activity other than commercial parking.

The building of structures, spray painting the new buildings and vehicles with no cover to catch the paint spray particles or containing the fumes that have been placed in the air for hours, sometimes days. These types of fumes were heavy in the air and did affect my breathing on the days this would take place. I do offer parking next door at 3175 S. Nellis Blvd. Las Vegas, NV 89121. Not once were we notified of this activity or had a visit from Robert explaining when such building of structures or spraying would be taking place. We offer parking spots for monthly parking and we also have public parking for the laundry mat, the hair salon and for a law office. We also offer parking for the customers that rent Budget Truck Rental for the local day use.

Robert visited Nellis Self Storage asking if I would hand out flyers to people that were looking for parking. He explained to me that there would be a security officer there in the guard shack 24 hours a day, guard shack located at the entrance. The guard was to check people in and out and keep the vehicles safe and their contents. I have never seen a security guard over there in my passing on different occasions. I never handed out the flyers.

I have had several customers in the past few years come to Nellis Self Storage after storing with Robert. The customers have stated they never saw a security officer. They would call the number posted and Robert would meet them and take their money and sign a lease.

What I do know is vehicles that have been stored there have been broken into and their contents in the vehicle and their catalytic converters were stolen. This is when I would meet those customers due to trying to find safe parking.

My concern is the safety for Nellis Self Storage employees, our customers and our surrounding businesses connected to the facility and the community in the surrounding area. The reckless behavior of what Robert is allowing on the property located at 3125 S. Nellis BLVD is way more than just commercial parking.

My name is Rebecca Breckon, Property Manager of the Nellis Self Storage. I am standing in for the Owners Mike and Lisa Douglas. The Douglas Family Trust.

--

We appreciate you,
Rebecca Breckon,
Property Manager

Nellis Self Storage
3175 South Nellis Blvd.
Las Vegas, NV 89121
(702) 440-6440

CPAdmin

Subject: FW: APPLICATION NUMBER VS-24-0277: WS-24-0276 - APN:161-08-810-082: 161-08-810-083

From: ZoningMeeting <ZoningMeeting@ClarkCountyNV.gov>
Sent: Thursday, August 15, 2024 1:12 PM
To: CPAdmin <CPAdmin@clarkcountynv.gov>
Subject: FW: APPLICATION NUMBER VS-24-0277: WS-24-0276 - APN:161-08-810-082: 161-08-810-083

From: Nellis Storage <nellisstorage@gmail.com>
Sent: Thursday, August 15, 2024 1:12:04 PM (UTC-08:00) Pacific Time (US & Canada)
To: ZoningMeeting <ZoningMeeting@ClarkCountyNV.gov>
Cc: Lisa Douglas <lisa@mdinvests.com>; Emma Santana <emma@mdinvests.com>
Subject: APPLICATION NUMBER VS-24-0277: WS-24-0276 - APN:161-08-810-082: 161-08-810-083

To Whom It May Concern,

We strongly oppose the development of a commercial truck parking lot at 3125 S. Nellis Blvd, Las Vegas, NV 89121.

Over the past three years, the property at this address has been used for activities beyond commercial parking. Structures have been built, and spray painting of buildings and vehicles has occurred without proper containment of fumes or particles. These activities have negatively impacted air quality and, on several occasions, caused respiratory issues.

Despite numerous issues raised, the property owners have not demonstrated good neighbor practices. It appears that they are only now seeking compliance because they have been caught conducting business without adhering to city regulations. The neighborhood is already undergoing significant transition and has experienced a tremendous increase in homelessness and crime. The last thing we need is a business with a checkered past, which has contributed to the decline of the area.

There are additional concerns regarding the property at 3125 S. Nellis Blvd:

- The presence of chemicals and hazardous materials stored without proper oversight.
- Inadequate fencing, which fails to secure the property and allows unauthorized access.
- A lack of security, despite promises of a 24-hour guard.
- The type of trucks using the facility, with no clear information on what they are carrying, including the risk of transporting hazardous materials.
- No transparency around office hours or the management of the property.

- No inspections or regulation of out-of-state trucks, raising concerns about what is being transported into our community.
- The presence of “lot lizards,” which further degrades the safety and reputation of the neighborhood.

Most critically, the proximity of several schools poses a severe risk to children and families. The potential exposure to hazardous materials, increased traffic, and the associated dangers make this proposed development especially unsafe for the most vulnerable members of our community. The thought of hazardous materials being stored or transported so close to schools is alarming and unacceptable.

Additionally, there are serious concerns regarding fire safety and emergency preparedness. What measures are in place for fire prevention, especially concerning chemical fires? Are there adequate alarms for potential chemical explosions? Can emergency vehicles access the site in compliance with regulations? We also question whether the property has obtained all necessary permits for its operations, as these are crucial for ensuring safety and compliance.

We were hopeful that the planned new housing development would bring positive change and reassurance to the community. This business, however, has been a detractor, bringing down the neighborhood. With the new housing development on the horizon, we have an opportunity to revitalize this area, and allowing this business to continue would be a step in the wrong direction.

As the Property Manager of Nellis Self Storage, located next door at 3175 S. Nellis Blvd, Las Vegas, NV 89121, I am deeply concerned about the safety and well-being of our employees, customers, and surrounding businesses. Despite assurances from the property manager, Robert, about security measures, these have not been observed. Furthermore, several customers have reported thefts, including break-ins and catalytic converter thefts, after storing their vehicles at 3125 S. Nellis Blvd.

We are committed to ensuring the safety and security of our facility and the surrounding community. The activities taking place at 3125 S. Nellis Blvd go beyond the scope of commercial parking and raise significant concerns.

Thank you for your attention to this matter.

Sincerely,

*Rebecca Breckon
Property Manager
Nellis Self Storage
(702)440-6440
On behalf of the Douglas Family Trust*

**Nellis Self Storage
3175 South Nellis Blvd.**

Las Vegas, NV 89121
(702) 440-6440

WEDNESDAY
BOARD OF COUNTY COMMISSIONERS AGENDA
OCTOBER 02, 2024

RECOMMENDATIONS FROM: SOUTHERN NEVADA WATER AUTHORITY
Patrick Denison, Right-of-Way Agent
702-862-3474.

ITEM #	APPLICATION NUMBER	COMMENTS	CONTACT NAME
4.	AR-24-400090 (UC-0849-14)	Not reviewed	P. Denison
5.	UC-24-0387 HOLDOVER	Not reviewed	P. Denison
6.	TM-24-500076 HOLDOVER	No objection	P. Denison
7.	UC-24-0399 HOLDOVER	Not reviewed	P. Denison
8.	VS-24-0277 HOLDOVER	No objection	P. Denison
9.	WS-24-0276 HOLDOVER	Not reviewed	P. Denison
10.	WS-24-0362	Not reviewed	P. Denison
11.	ZC-24-0394	Not reviewed	P. Denison
12.	ORD-24-900412	Not reviewed	P. Denison
13.	ORD-24-900463	Not reviewed	P. Denison
14.	ORD-24-900551	Not reviewed	P. Denison
15.	ORD-24-900578	Not reviewed	P. Denison
<u>NON-ROUTINE</u>			
16.	SC-24-0261 HOLDOVER	Not reviewed	P. Denison
17.	VS-24-0390	No objection	P. Denison
18.	WS-24-0391	Not reviewed	P. Denison
19.	TM-24-500078	No objection	P. Denison
20.	WS-24-0419	Not reviewed	P. Denison

WEDNESDAY
BOARD OF COUNTY COMMISSIONERS AGENDA
OCTOBER 02, 2024

RECOMMENDATIONS FROM: SOUTHERN NEVADA WATER AUTHORITY
Patrick Denison, Right-of-Way Agent
702-862-3474

ITEM #	APPLICATION NUMBER	COMMENTS	CONTACT NAME
21.	WS-24-0437	Not reviewed	P. Denison
<u>AGENDA ITEM</u>			
22.	AG-24-900634	Not reviewed	P. Denison
<u>ORDINANCES - INTRODUCTION</u>			
23.	ORD-24-900471	Not reviewed	P. Denison
24.	ORD-24-900591	Not reviewed	P. Denison

WEDNESDAY
BOARD OF COUNTY COMMISSIONERS AGENDA
NOVEMBER 6, 2024

RECOMMENDATIONS FROM: SOUTHERN NEVADA WATER AUTHORITY
Patrick Denison, Right-of-Way
702-862-3474

ITEM #	APPLICATION NUMBER	COMMENTS	CONTACT NAME
4.	AR-24-400090 (UC-0849-14) HOLDOVER	Not reviewed	P. Denison
5.	AR-24-400106 (UC-22-0498)	Not reviewed	P. Denison
6.	ET-24-400101 (UC-22-0403)	Not reviewed	P. Denison
7.	VS-24-0277 HOLDOVER	No objection	P. Denison
8.	WS-24-0276 HOLDOVER	Not reviewed	P. Denison
9.	WS-24-0419 HOLDOVER	Not reviewed	P. Denison
10.	WS-24-0473	Not reviewed	P. Denison
<u>NON-ROUTINE</u>			
11.	SC-24-0261 HOLDOVER	Not reviewed	P. Denison
12.	UC-24-0436	Not reviewed	P. Denison
13.	UC-24-0491	Not reviewed	P. Denison
14.	VS-24-0494	No objection	P. Denison
15.	WS-24-0495	Not reviewed	P. Denison
16.	VS-24-0504	No objection	P. Denison
17.	WS-24-0505	Not reviewed	P. Denison
18.	TM-24-500106	No objection	P. Denison
19.	WC-24-400060 (NZC-22-0028) HOLDOVER	Not reviewed	P. Denison

WEDNESDAY
BOARD OF COUNTY COMMISSIONERS AGENDA
NOVEMBER 6, 2024

RECOMMENDATIONS FROM: SOUTHERN NEVADA WATER AUTHORITY
Patrick Denison, Right-of-Way
702-862-3474

ITEM #	APPLICATION NUMBER	COMMENTS	CONTACT NAME
20.	WS-24-0475	Not reviewed	P. Denison
21.	WS-24-0484	Not reviewed	P. Denison
22.	WS-24-0488	Not reviewed	P. Denison
23.	WS-24-0489	Not reviewed	P. Denison
24.	WS-24-0511	Not reviewed	P. Denison
25.	TM-24-500109	No objection	P. Denison
<u>AGENDA ITEM</u>			
26.	AG-24-900729	Not reviewed	P. Denison
<u>ORDINANCES - INTRODUCTION</u>			
27.	ORD-24-900529	Not reviewed	P. Denison
28.	ORD-24-900546	Not reviewed	P. Denison
29.	ORD-24-900599	Not reviewed	P. Denison
30.	ORD-24-900699	Not reviewed	P. Denison
31.	ORD-24-900708	Not reviewed	P. Denison
32.	ORD-24-900710	Not reviewed	P. Denison
33.	ORD-24-900725	Not reviewed	P. Denison

10/29/2024 7:21 AM

BOARD OF COUNTY COMMISSIONERS
NOVEMBER 6, 2024, 9:00 A.M.

VS – VACATION AND ABANDONMENTS
RECOMMENDATIONS FROM: SOUTHERN NEVADA WATER AUTHORITY
Patrick Denison, Right-of-Way Agent
702-862-3474

APPLICATION	COMMENTS	CONTACT NAME
VS-24-0494	No objection	P. Denison
VS-24-0504	No objection	P. Denison

WEDNESDAY
BOARD OF COUNTY COMMISSIONERS AGENDA
NOVEMBER 20, 2024

RECOMMENDATIONS FROM: SOUTHERN NEVADA WATER AUTHORITY
Patrick Denison, Right-of-Way Agent
702-862-3474

ITEM #	APPLICATION NUMBER	COMMENTS	CONTACT NAME
4.	SDR-24-0334 HOLDOVER	Not reviewed	P. Denison
5.	DR-24-0335 HOLDOVER	Not reviewed	P. Denison
6.	ET-24-400107 (UC-20-0288)	Not reviewed	P. Denison
7.	WC-24-400111 (ZC-1965-04)	Not reviewed	P. Denison
8.	VS-24-0520	No objection	P. Denison
9.	UC-24-0521	Not reviewed	P. Denison
10.	ZC-24-0518	Not reviewed	P. Denison
11.	ORD-24-900529	Not reviewed	P. Denison
12.	ORD-24-900546	Not reviewed	P. Denison
13.	ORD-24-900599	Not reviewed	P. Denison
14.	ORD-24-900699	Not reviewed	P. Denison
15.	ORD-24-900708	Not reviewed	P. Denison
16.	ORD-24-900710	Not reviewed	P. Denison
17.	ORD-24-900725	Not reviewed	P. Denison
<u>NON-ROUTINE</u>			
18.	CP-24-900629	Not reviewed	P. Denison
19.	ET-24-400110 (UC-20-0493)	Not reviewed	P. Denison
20.	UC-24-0319	Not reviewed	P. Denison

WEDNESDAY
BOARD OF COUNTY COMMISSIONERS AGENDA
NOVEMBER 20, 2024

RECOMMENDATIONS FROM: SOUTHERN NEVADA WATER AUTHORITY
Patrick Denison, Right-of-Way Agent
702-862-3474

ITEM #	APPLICATION NUMBER	COMMENTS	CONTACT NAME
21.	UC-24-0436 HOLDOVER	Not reviewed	P. Denison
22.	UC-24-0460 HOLDOVER	Not reviewed	P. Denison
23.	UC-24-0536	Not reviewed	P. Denison
24.	VS-24-0277 HOLDOVER	No objection	P. Denison
25.	WS-24-0276 HOLDOVER	Not reviewed	P. Denison
26.	VS-24-0457 HOLDOVER	No objection	P. Denison
27.	WS-24-0456 HOLDOVER	Not reviewed	P. Denison
28.	TM-24-500096 HOLDOVER	No objection	P. Denison
29.	VS-24-0462 HOLDOVER	No objection	P. Denison
30.	WS-24-0461 HOLDOVER	Not reviewed	P. Denison
31.	TM-24-500099 HOLDOVER	No objection	P. Denison
32.	VS-24-0509	No objection	P. Denison
33.	WS-24-0510	Not reviewed	P. Denison
34.	TM-24-500108	No objection	P. Denison
35.	VS-24-0539	No objection	P. Denison
36.	WS-24-0538	Not reviewed	P. Denison
37.	VS-24-0542	No objection	P. Denison
38.	WS-24-0543	Not reviewed	P. Denison

WEDNESDAY
BOARD OF COUNTY COMMISSIONERS AGENDA
NOVEMBER 20, 2024

RECOMMENDATIONS FROM: SOUTHERN NEVADA WATER AUTHORITY
Patrick Denison, Right-of-Way Agent
702-862-3474

ITEM #	APPLICATION NUMBER	COMMENTS	CONTACT NAME
39.	TM-24-500117	No objection	P. Denison
40.	WS-24-0522	Not reviewed	P. Denison
41.	WS-24-0523	Not reviewed	P. Denison
42.	WS-24-0525	Not reviewed	P. Denison
43.	WS-24-0526	Not reviewed	P. Denison
44.	WS-24-0527	Not reviewed	P. Denison
45.	TM-24-500114	No objection	P. Denison
46.	WS-24-0535	Not reviewed	P. Denison
47.	PA-24-700015	Not reviewed	P. Denison
48.	ZC-24-0310	Not reviewed	P. Denison
49.	UC-24-0311	Not reviewed	P. Denison
50.	PA-24-700020	Not reviewed	P. Denison
51.	ZC-24-0485	Not reviewed	P. Denison
52.	VS-24-0486	No objection	P. Denison
53.	WS-24-0487	Not reviewed	P. Denison
54.	TM-24-500101	No objection	P. Denison
<u>AGENDA ITEM</u>			
55.	AG-24-900729 HOLDOVER	Not reviewed	P. Denison

WEDNESDAY
BOARD OF COUNTY COMMISSIONERS AGENDA
NOVEMBER 20, 2024

RECOMMENDATIONS FROM: SOUTHERN NEVADA WATER AUTHORITY
Patrick Denison, Right-of-Way Agent
702-862-3474

ITEM #	APPLICATION NUMBER	COMMENTS	CONTACT NAME
<u>ORDINANCES - INTRODUCTION</u>			
56.	ORD-24-900565	Not reviewed	P. Denison
57.	ORD-24-900572	Not reviewed	P. Denison
58.	ORD-24-900582	Not reviewed	P. Denison
59.	ORD-24-900734	Not reviewed	P. Denison
60.	ORD-24-900758	Not reviewed	P. Denison
61.	ORD-24-900766	Not reviewed	P. Denison

11/13/2024 8:01 AM

PW - ROW

<input type="checkbox"/> MANAGERS	<input type="checkbox"/> DONE
<input checked="" type="checkbox"/> ARTERIALS	<input checked="" type="checkbox"/> DONE
<input type="checkbox"/> VACATIONS	<input type="checkbox"/> DONE

161-08-800-082 1083

APP #: WS-24-0276

DESCRIPTION: Truck parking lot

ZC UC WS DR VC

09/04/2024 BCC

08/15/2024 Sunrise Manor

CONCURRENT APPS:

PREVIOUS APPS:

WAIVERS/DRS:

VS-24-0277

APP-24-100004

NO ROW
errors

UC-19-0630

APP-23-101485

UC/DR-18-0578

ADR-06-900333

UC-04-0040

NOTES:

* Patrick checking. YES
update needed.

☐ ANALYSIS: ☐ RECOMMENDATION: ☐ APPROVAL ☐ DENIAL ☐ OTHER

☐ CONDITIONS: Rev Patrick ☒ D/S NO Per ☐ T/S K & J ☒ O/S Varak ☒ DET SW ☐ LVBS ☐ L & M ☐ BUS STOP
☐ DR #2 ☒ NDOT ☐ NDOT/BLUE DIAMOND ☐ RES. COVENANT
☐ VS LEGAL ☐ VS REC PERMIT/MAP ☐ VS REC O/S INSPECT
☐ ROW 30/90 FOR ALL ☐ ROW 30/90 FOR 80+

☐ ROW:

☐ OTHER:

☐ ADVISORY:

☐ ETs/ARS: ☐ ANALYSIS NEEDED? ☐ PREVIOUS ☐ NEW CONDITIONS?

☐ NO COMMENT

SCAN TO FILE

11100

**CLARK COUNTY
COMPREHENSIVE PLANNING LAND USE APPLICATIONS
LAND USE APPLICATION ANALYSIS/CONDITIONS**

APPLICATION NUMBER/OWNER
WS-24-0276/PALM PROPERTIES L L C

The following has been entered to Accela for the above referenced land use application for **Public Works**
- Development Review.

Preliminary Conditions

- Drainage study and compliance;
- Full off-site improvements.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that Nevada Department of Transportation (NDOT) permits may be required.
/syp

Applied by: Sarah Mabry-Padovese
Date entered: 7/31/2024

APN(s):
161-08-810-082 through 161-08-810-083

VS-24-0276

**CLARK COUNTY
COMPREHENSIVE PLANNING LAND USE APPLICATIONS
LAND USE APPLICATION ANALYSIS/CONDITIONS**

APPLICATION NUMBER/OWNER
WS-24-0276/PALM PROPERTIES L L C

The following has been entered to Accela for the above referenced land use application for **Public Works**
- Development Review.

Preliminary Conditions

~~NOT READY TO MERGE~~

- Drainage study and compliance:
- Full off-site improvements.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that Nevada Department of Transportation (NDOT) permits may be required.
/syp

Applied by: Sarah Mabry-Padovese
Date entered: 7/22/2024

APN(s):
161-08-810-082 through 161-08-810-083

Sarah Y. Mabry-Padovese

From: Clark County <Clarkcounty-accela@clarkcountynv.gov>
Sent: Tuesday, February 27, 2024 4:47 PM
To: centurywest1@hotmail.com; ACOLE@GCGARCIINC.COM
Cc: PWLanduse
Subject: New Submittal: APR-23-101485 - APN: 161-08-810-083 Public Works ok

Good afternoon,

Public Works has no further comments on this Application Pre-Review (APR). Please contact Comprehensive Planning at 702-455-4314 or zoning@ClarkCountyNV.gov for information on how to proceed.

Thank you
JaWaan Dodson

Important information:

Please note that although Public Works has no further comments on this APR, it does not mean that we will recommend approval.

Sarah Y. Mabry-Padovese

From: Andrea Cole <acole@gcgarciainc.com>
Sent: Tuesday, February 27, 2024 10:48 AM
To: PWLanduse
Subject: New Submittal: APR-23-101485 - APN: 161-02-810-083 Public Works comments
Attachments: site-6-SP1.pdf; Map that dedicated the ROW for Happy Valley MapPL0040001.pdf

Categories: JaWaan

See below responses and the attached.

From: Clark County Clarkcounty-accela@clarkcountynv.gov
Sent: Tuesday, February 27, 2024 8:46 AM
To: centurywest1@hotmail.com; Andrea Cole acole@gcgarciainc.com
Cc: PWLanduse@ClarkCountyNV.gov
Subject: New Submittal: APR-23-101485 - APN: 161-02-810-083 Public Works comments

Good morning,

Please see the Public Works comments below:

The comments from 2/15/2024 are in black. My original responses are in blue. PW's comments from 2/27/2024 are in red. Additional responses in Green.

Be advised that Nellis Boulevard is a Nevada Department of Transportation (NDOT) right-of-way.

Detached sidewalks are required, this application will need to include a vacation of the right-of-way. Application revised to include the vacation.

Site Plan:

- The minimum required throat is 100 feet per Uniform Standard Drawing 222.1. Site Plan revised to show 100'. It looks like the parking was reduced with this revision and 75 feet is now the minimum. Resolved.
- Provide and show the back of curb radius on the east side of the Happy Valley Avenue commercial driveway and at the intersection. Shown on revised site plan. Not provided (2nd request). Previously provided, attached for reference.
- Correct the right-of-way width for Happy Valley Avenue. ROW corrected on revised site plan. Resolved.

Vacation:

- Provide a the record information for the right-of-way being vacated. See attached recorded map that dedicated the ROW on Happy Valley.

Thank you

JaWaan Dodson

Directions for when you make the necessary changes

- Email the following to Public Works – Development Review at PWLandUse@ClarkCountyNV.gov:
 - o A detailed written response to each of our comments.
 - o Copies of revised plans and documents.
 - o If you make changes other than those that are specified in our comments, provide a detailed list of the changes and an explanation for why the changes were made.

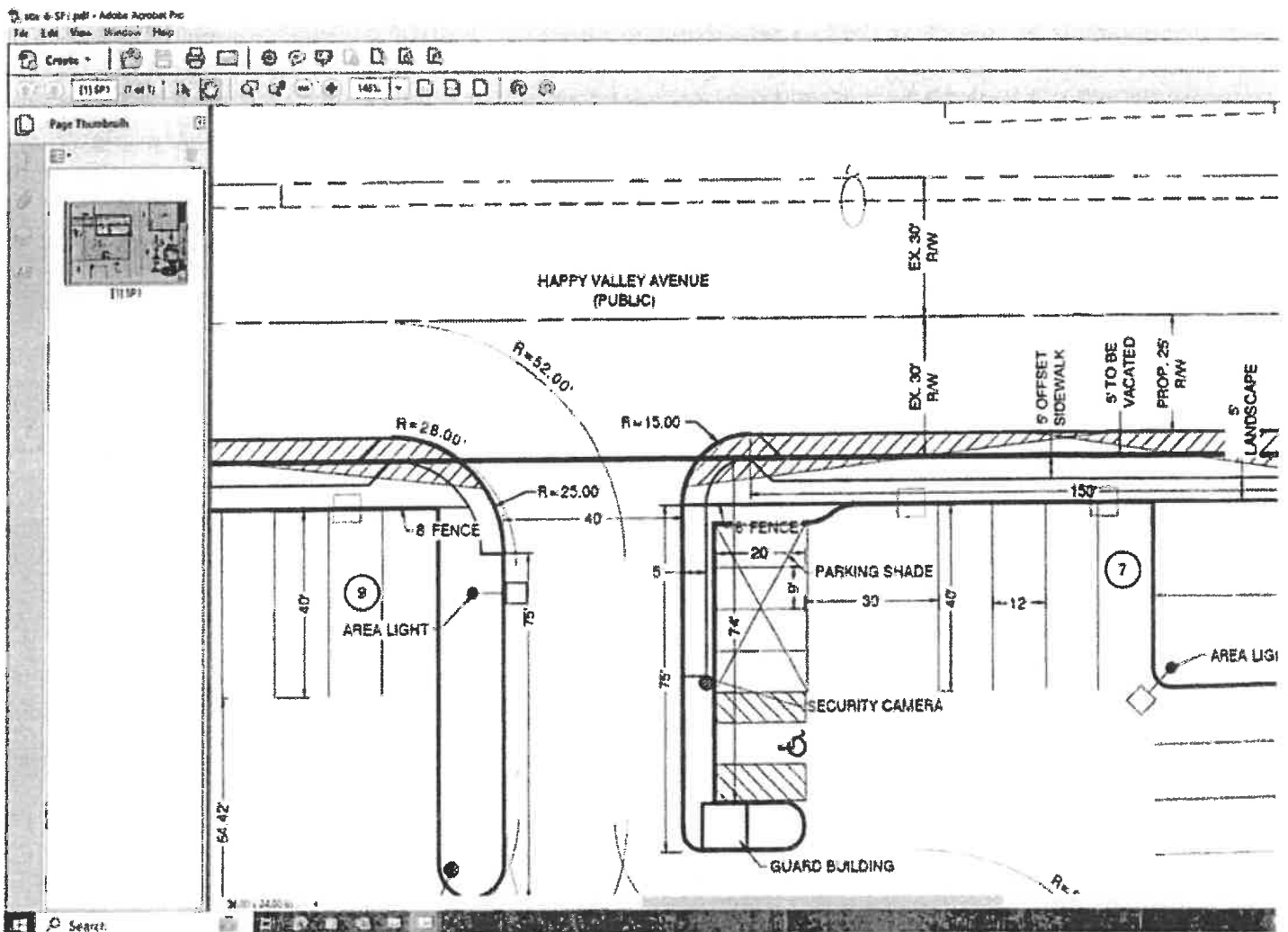
Contacts for the Public Works - Land Use Application Team

- **Email:**
 - o PWLandUse@ClarkCountyNV.gov
- **Phone numbers:**
 - o 702-455-4607 – Sarah Mabry-Padovese
 - o 702-455-6387 – JaWaan Dodson
 - o 702-455-6385 – Nick Goodman
 - o 702-455-4600 – Main number for Development Review

Sarah Y. Mabry-Padovese

From: Andrea Cole <acole@gcgarciainc.com>
Sent: Tuesday, February 27, 2024 10:09 AM
To: PWLanduse
Subject: New Submittal: APR-23-101485 - APN: 161-02-810-083 Public Works comments

I'm slightly confused by the comment asking for the back of curb radius on the plan. I re-reviewed the site plan provided and all of the radii's appear to be there (see below print screen). Is there something I am missing?



If you have any questions please feel free to contact me at the number listed below.

Thanks and Best Regards.

Andrea Cole, Project Coordination Manager
G.C. Garcia, Inc.

1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
(702) 435-9909 Phone
(702) 435-0457 Fax
acole@gcgarciainc.com E-mail
<https://gcgarciainc.com> Website

From: Clark County <Clarkcounty-accela@clarkcountynv.gov>
Sent: Tuesday, February 27, 2024 8:46 AM
To: centurywest1@hotmail.com; Andrea Cole <acole@gcgarciainc.com>
Cc: PWLanduse@ClarkCountyNV.gov
Subject: New Submittal: APR-23-101485 - APN: 161-02-810-083 Public Works comments

Good morning,

Please see the Public Works comments below:
The comments from 2/15/2024 are in black. Your responses are in blue. The new comments from 2/27/2024 are in red.

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Vacation:

- Provide a the record information for the right-of-way being vacated.

Thank you

JaWaan Dodson

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- Email the following to Public Works - Development Review at PWLandUse@ClarkCountyNV.gov:
 - o A detailed written response to each of our comments.
 - o Copies of revised plans and documents.
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Contacts for the Public Works - Land Use Application Team

- **Email:**
 - o PWLandUse@ClarkCountyNV.gov
- **Phone numbers:**
 - o 702-455-4607 - Sarah Mabry-Padovese
 - o 702-455-6387 - JaWaan Dodson
 - o 702-455-6385 - Nick Goodman
 - o 702-455-4600 - Main number for Development Review

Sarah Y. Mabry-Padovese

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Sent: Tuesday, February 27, 2024 8:46 AM
To: centurywest1@hotmail.com; ACOLE@GCGARCIINC.COM
Cc: PWLanduse
Subject: New Submittal: APR-23-101485 - APN: 161-02-810-083 Public Works comments

Good morning,

Please see the Public Works comments below:

The comments from 2/15/2024 are in black. Your responses are in blue. The new comments from 2/27/2024 are in red.

Be advised that Nellis Boulevard is a Nevada Department of Transportation (NDOT) right-of-way.

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JaWaan Dodson

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- o A detailed written response to each of our comments.
- o Copies of revised plans and documents.
- o If you make changes other than those that are specified in our comments, provide a detailed list of the changes and an explanation for why the changes were made.

Contacts for the Public Works - Land Use Application Team

- **Email:**
 - o PWLandUse@ClarkCountyNV.gov
- **Phone numbers:**
 - o 702-455-4607 - Sarah Mabry-Padovese
 - o 702-455-6387 - JaWaan Dodson
 - o 702-455-6385 - Nick Goodman
 - o 702-455-4600 - Main number for Development Review

Sarah Y. Mabry-Padovese

From: Andrea Cole <acole@gcgarciainc.com>
Sent: Tuesday, February 20, 2024 4:01 PM
To: PWLanduse
Subject: New Submittal: APR-23-101485 - APN: 161-02-810-093 Public Works comments

Categories: JaWaan

Apologize, I replied incorrectly in my original email to the below.

- The minimum required throat is 100 feet per Uniform Standard Drawing 222.1. Site Plan revised to show 100'

Should have stated:

- The minimum required throat is 100 feet per Uniform Standard Drawing 222.1. Parking was reduced to 99 stalls, and depth of throat for driveway is 75' as required per uniform standard drawing 222.1.

If you have any questions please feel free to contact me at the number listed below.

Thanks and Best Regards.

Andrea Cole, Project Coordination Manager
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
(702) 435-9909 Phone
(702) 435-0457 Fax
acole@gcgarciainc.com E-mail
<https://gcgarciainc.com> Website

From: Andrea Cole
Sent: Tuesday, February 20, 2024 1:07 PM
To: PWLanduse@ClarkCountyNV.gov
Subject: New Submittal: APR-23-101485 - APN: 161-02-810-093 Public Works comments

Please see attached revised drawings, added Vacation application, and responses below.

If you have any questions please feel free to contact me at the number listed below.

Thanks and Best Regards.

Andrea Cole, Project Coordination Manager
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
(702) 435-9909 Phone
(702) 435-0457 Fax
acole@gcgarciainc.com E-mail
<https://gcgarciainc.com> Website

From: Clark County <Clarkcounty-accela@clarkcountynv.gov>
Sent: Thursday, February 15, 2024 2:32 PM
To: centurywest1@hotmail.com; Andrea Cole <acole@gcgarciainc.com>
Cc: PWLanduse@ClarkCountyNV.gov
Subject: New Submittal: APR-23-101485 - APN: 161-02-810-093 Public Works comments

Good afternoon,

Please see the Public Works comments below:

Be advised that Nellis Boulevard is a Nevada Department of Transportation (NDOT) right-of-way.

Detached sidewalks are required, this application will need to include a vacation of the right-of-way.
Application revised to include the vacation.

Site Plan:

- The minimum required throat is 100 feet per Uniform Standard Drawing 222.1. Site Plan revised to show 100'
- Provide and show the back of curb radius on the east side of the Happy Valley Avenue commercial driveway and at the intersection. Shown on revised site plan.
- Correct the right-of-way width for Happy Valley Avenue. ROW corrected on revised site plan

Thank you

JaWaan Dodson

Directions for when you make the necessary changes

- Email the following to Public Works – Development Review at PWLandUse@ClarkCountyNV.gov:
 - o A detailed written response to each of our comments.
 - o Copies of revised plans and documents.

- o If you make changes other than those that are specified in our comments, provide a detailed list of the changes and an explanation for why the changes were made.

Contacts for the Public Works - Land Use Application Team

- **Email:**
 - o PWLandUse@ClarkCountyNV.gov
- **Phone numbers:**
 - o 702-455-4607 – Sarah Mabry-Padovese
 - o 702-455-6387 – JaWaan Dodson
 - o 702-455-6385 – Nick Goodman
 - o 702-455-4600 – Main number for Development Review

Sarah Y. Mabry-Padovese

From: Andrea Cole <acole@gcgarciainc.com>
Sent: Tuesday, February 20, 2024 1:07 PM
To: PWLanduse
Subject: New Submittal: APR-23-101485 - APN: 161-02-810-093 Public Works comments
Attachments: 18-0578_Cell Tower Plans (Sprint)_59419011_2.pdf; Carport w Solar.pdf; Cross Sections_Happy Valley Nellis_20240219.pdf; Elevation - Guard Building.pdf; Ltr-Just ADR 2-20-24.pdf; Ltr-Response to 2nd round of Planning Comments 02-01-24.pdf; Ltr-Just VAC 02-19-24.pdf; Vacation Legal ROW_20240219.pdf; Vacation Site Plan_20240219.pdf; site-6-SP1.pdf

Categories: JaWaan

Please see attached revised drawings, added Vacation application, and responses below.

If you have any questions please feel free to contact me at the number listed below.

Thanks and Best Regards.

Andrea Cole, Project Coordination Manager
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
(702) 435-9909 Phone
(702) 435-0457 Fax
acole@gcgarciainc.com E-mail
<https://gcgarciainc.com> Website

From: Clark County <Clarkcounty-accela@clarkcountynv.gov>
Sent: Thursday, February 15, 2024 2:32 PM
To: centurywest1@hotmail.com; Andrea Cole <acole@gcgarciainc.com>
Cc: PWLanduse@ClarkCountyNV.gov
Subject: New Submittal: APR-23-101485 - APN: 161-02-810-093 Public Works comments

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 - o 702-455-6385 – Nick Goodman
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Sarah Y. Mabry-Padovese

From: Diane Scarcelli
Sent: Tuesday, February 20, 2024 7:26 AM
To: Al Laird; Brady Bernhart; Dane Detommaso; Danielle Weible; Diane Scarcelli; Dominique Williams; Greg Cerven; Hunter White; Jason Allswang; Jazmine Harris; Jennifer Ammerman; Jillee Opiniano-Rowland; Jonathan Marenfeld; Judith M. Rodriguez; Katherine Corrow; Loren Graham; Lorna Phegley; Mara Weber; Mark Donohue; Martin Gies; Matt Young; Michael Huling; Nairee Agulian; Negar Masoomi; PWLanduse; Richard Ruggles; Robert Kaminski; Roxy Pais-Evia; Steven De Merritt; Tyler Delorenzo
Subject: Appointments for today 2/20/24
Attachments: Appointments 2-20-24 (2).xlsx

Please find these attached. Thank you.

Sincerely,

Diane Scarcelli
Senior Office Specialist
Department of Comprehensive Planning
T: 702-455-1599
dzwa@ClarkCountyNV.gov



Sarah Y. Mabry-Padovese

From: Clark County <Clarkcounty-accela@clarkcountynv.gov>
Sent: Thursday, February 15, 2024 2:32 PM
To: centurywest1@hotmail.com; ACOLE@GCGARCIAINC.COM
Cc: PWLanduse
Subject: New Submittal: APR-23-101485 - APN: 161-02-810-093 Public Works comments

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- o 702-455-6385 – Nick Goodman
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Sarah Y. Mabry-Padovese

From: Diane Scarcelli
Sent: Wednesday, February 14, 2024 4:48 PM
To: Al Laird; Brady Bernhart; Dane Detommaso; Danielle Weible; Diane Scarcelli; Dominique Williams; Greg Cerven; Hunter White; Jason Allswang; Jazmine Harris; Jennifer Ammerman; Jillee Opiniano-Rowland; Jonathan Marenfeld; Judith M. Rodriguez; Katherine Corrow; Loren Graham; Lorna Phegley; Mara Weber; Mark Donohue; Martin Gies; Matt Young; Michael Huling; Nairee Agulian; Negar Masoomi; PWLanduse; Richard Ruggles; Robert Kaminski; Roxy Pais-Evia; Steven De Merritt; Tyler Delorenzo
Subject: Appointment list for Tuesday 2/20/24
Attachments: Appointments 2-20-24 (1).xlsx

With Monday 2/19 being a holiday, I am sending out the list for Tuesday 2/20/24 today. Please find the upcoming appointments attached, and thank you.

Sincerely,

Diane Scarcelli
Senior Office Specialist
Department of Comprehensive Planning
T: 702-455-1599
dzwa@ClarkCountyNV.gov



Sarah Y. Mabry-Padovese

From: PWLanduse
Sent: Wednesday, February 14, 2024 10:32 AM
To: Andrea Cole; PWLanduse
Cc: Melissa Eure; George Garcia
Subject: RE: APR-23-101485 LEDGE Nellis & Happy Valley: Submittal Pckg

Please note that we have 10 business days (2.5 weeks) to review your application. There are currently 8 head of you in the queue at this time.

Thanks

Sarah Y. Mabry-Padovese

Plan Checker

Public Works – Development Review

(702)455-4607

From: Andrea Cole <acole@gcgarciainc.com>
Sent: Wednesday, February 14, 2024 10:24 AM
To: PWLanduse <PWLanduse@ClarkCountyNV.gov>
Cc: Melissa Eure <meure@gcgarciainc.com>; George Garcia <ggarcia@gcgarciainc.com>
Subject: APR-23-101485 LEDGE Nellis & Happy Valley: Submittal Pckg

I just wanted to follow up on the below that was submitted on 02/06/24. Do we know where it is in the pile of items to be reviewed? Please advise.

If you have any questions please feel free to contact me at the number listed below.

Thanks and Best Regards.

Andrea Cole, Project Coordination Manager

G.C. Garcia, Inc.

1055 Whitney Ranch Dr., Suite 210

Henderson, NV 89014

(702) 435-9909 Phone

(702) 435-0457 Fax

acole@gcgarciainc.com E-mail

<https://gcgarciainc.com> Website

From: Andrea Cole
Sent: Tuesday, February 6, 2024 3:49 PM
To: 'Pwlanduse@clarkcountynv.gov' <Pwlanduse@clarkcountynv.gov>
Cc: Melissa Eure <meure@gcgarciainc.com>; George Garcia <ggarcia@gcgarciainc.com>
Subject: APR-23-101485 LEDGE Nellis & Happy Valley: Submittal Pckg

Please see attached proposed application for APR-23-101485 for your review and comment. The proposed use is a Commercial Truck Parking Lot at 3125 Nellis APN#s: 161-08-810-082 & -083.

If you have any questions please feel free to contact me at the number listed below.

Thanks and Best Regards.

Andrea Cole, Project Coordination Manager

G.C. Garcia, Inc.

1055 Whitney Ranch Dr., Suite 210

Henderson, NV 89014

(702) 435-9909 Phone

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From: Andrea Cole
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Subject: APR-23-101485 LEDGE Nellis & Happy Valley: Submittal Pckg

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Sarah Y. Mabry-Padovese

From: Andrea Cole <acole@gcgarciainc.com>
Sent: Tuesday, February 6, 2024 3:49 PM
To: PWLanduse
Cc: Melissa Eure; George Garcia
Subject: APR-23-101485 LEDGE Nellis & Happy Valley: Submittal Pckg
Attachments: site-5-SP1-rev-carport.pdf; site-5-CS.pdf; Ledge Planning 1 Plans.pdf; Ltr-Just ADR 2-1-24.pdf; SSI-Palm Properties LLC as of 01-09-24.pdf; APN map as of 10-25-23.pdf; Application & Ownership forms from property owner - ADR Signed.pdf; Deed as of 04-04-23.pdf; Ownership form (Leading Edge Ventures) (signed).jpeg; Ownership form (Leading Edge Ventures) (signed).pdf; SSI for Leading Edge Ventures, LLC.pdf

Categories: NEW PROCESS

Please see attached proposed application for APR-23-101485 for your review and comment. The proposed use is a Commercial Truck Parking Lot at 3125 Nellis APN#s: 161-08-810-082 & -083.

If you have any questions please feel free to contact me at the number listed below.

Thanks and Best Regards.

Andrea Cole, Project Coordination Manager
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
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Department of Comprehensive Planning Application Form

CIVIL
ENGINEERING

ASSESSOR PARCEL #(s): 161-08-810-082 & -083

PROPERTY ADDRESS/ CROSS STREETS: Nellis & Happy Valley Ave (3125 S Nellis Blvd)

DETAILED SUMMARY PROJECT DESCRIPTION

Parking Lot for Commercial Vehicles and a vacation of 5' on Happy Valley

PROPERTY OWNER INFORMATION

NAME: Palm Properties LLC

ADDRESS: 6050 S FORT APACHE RD STE 100

CITY: Las Vegas

STATE: NV

ZIP CODE: 89148

TELEPHONE: _____ CELL 702-429-7354 EMAIL: rai@milestoneconst.us

APPLICANT INFORMATION

NAME: Leading Edge Ventures LLC

ADDRESS: 850 E Desert Inn #PH3

CITY: Las Vegas

STATE: NV

ZIP CODE: 89148

REF CONTACT ID # _____

TELEPHONE: _____ CELL _____ EMAIL: centurywest1@hotmail.com

CORRESPONDENT INFORMATION

NAME: G.C. Garcia, Inc c/o George Garcia

ADDRESS: 1055 Whitney Ranch Dr, Suite 210

CITY: Henderson

STATE: NV

ZIP CODE: 89014

REF CONTACT ID # _____

TELEPHONE: 7024359909 CELL 7023408042 EMAIL: acole@gcgarciainc.com

*Correspondent will receive all project communication

(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Clark County Comprehensive Planning Department, or its designee, to enter the premises and to install any required signs on said property for the purpose of advising the public of the proposed application.

Property Owner (Signature)*

Property Owner (Print)

Date

DEPARTMENT USE ONLY:

<input type="checkbox"/> AC	<input type="checkbox"/> AR	<input type="checkbox"/> ET	<input type="checkbox"/> PUDD	<input type="checkbox"/> SN	<input type="checkbox"/> UC	<input type="checkbox"/> WS
<input type="checkbox"/> ADR	<input type="checkbox"/> AV	<input type="checkbox"/> PA	<input type="checkbox"/> SC	<input type="checkbox"/> TC	<input type="checkbox"/> VS	<input type="checkbox"/> ZC
<input type="checkbox"/> AG	<input checked="" type="checkbox"/> DR	<input type="checkbox"/> PUD	<input type="checkbox"/> SDR	<input type="checkbox"/> TM	<input type="checkbox"/> WC	OTHER _____

APPLICATION # (s) WS-24-0276

ACCEPTED BY JUD

PC MEETING DATE _____

DATE

07/08/24

BCC MEETING DATE 09/04/24

TAB/CAC LOCATION

Sunrise Manor DATE 08/15/24



June 5, 2024

Clark County Current Planning
500 S. Grand Central Pkwy
Las Vegas, NV 89155

WS-24-0276

CIVIL
ENGINEERING

RE: Letter of Justification
Request for Design Review for Commercial Truck Parking – 3125 Nellis
APN#: 161-08-810-082 & -083

Dear Sami,

On behalf of the applicant, Leading Edge Ventures, LLC, please accept this letter and attached materials for a Design Review to create a Commercial Truck Parking Lot. This lot will enable truckers to have a place to legally park their local trucks (not long haul over-the-road). This will help keep trucks from parking on public streets creating enforcement and neighborhood issues. It will also provide a safer, more secure parking environment that always has solar powered cameras Metro can access. Additionally, a security guard is always present. The truck drivers arrive and park in the spaces vacated by their truck.

This also takes a site that previously occupied by a homeless encampment after the retail center was demolished. Their presence was a security and nuisance issue for the abutting residential and commercial. This use puts an active set of eyes on the street in an area that is relatively high in crime and will bring an informal parking lot into compliance after 3 years of operation. It also improves the tax value and employs a military veteran as the security guard.

The zoning of Commercial General (CG) and land use of Corridor Mixed-Use use designations provide for a Parking Lot as a permitted Commercial Use in CG. The zoning along Nellis, from Desert Inn to Vegas Valley Dr. is for Commercial General and Multifamily (RM32 & RM18). Happy Valley is RS20 on the south and RM-32 on the north.

This application will also resolve the pending CCPRO matter CE23-05369.
The site design meets both the Sustainability and Residential Adjacency requirements.

Design Review Approval Criteria 30.06.07-9(i)

1. Compatibility, in terms of scale and architectural features, with the site and surrounding area.

The site as proposed will be compatible as a parking lot on an arterial street with completion of infrastructure, lighting, landscaping and fencing. This will equal or exceed the rest of the older neighborhood. This replaces and is far more compatible than the prior homeless encampment and helps reduce crime in a high crime area.

Building and landscape materials are appropriate for the area and for the County;



A Planning & Development Services Corporation

1055 Whitney Ranch Dr., Suite 210, Henderson, NV 89014
Telephone: (702) 435-9909 Facsimile: (702) 435-0457 E-Mail: ggarcia@gcgarciainc.com

PPLRL_1601

Along with the parking lot there is a guard and shade building structures proposed. The buildings will have energy saving sustainability elements incorporated.

All new landscaping will be consistent with the current low watering flow planting and reduced heat island requirements. The mature existing palms will remain/ All new trees will be replaced new drought tolerant landscaping along with the completion of the curb, gutter and sidewalk to enhance the aesthetics, safety, drainage and heat island and provide the required Buffering & Screening for Residential Adjacency (UDC 30.04.06.L.2).

SUSTAINABLY CHECKLIST (see attached landscape plan and completed checklist). The plans meet the required points .As a synopsis, the plans includes a 20% larger Landscape Buffer, More Trees, Water-Efficient Plantings; Cool Roof; Awnings; & Alternative Energy to power the Solar Lighting and Security Cameras. This accounts for 7.5 points, and more points, if needed, can be added for a Battery Backup and Low E Glass for another 1.5 points..

2. Harmony with the character of the neighborhood

The proposed development is in harmony with the adjacent development and development in the area. The commercial neighbors to the north and south find the use compatible and support the truck parking lot, that has been operating for 3 years with only one complaint. They appreciate the applicants' desire to further enhance the lot width: lighting, security cameras, security guard, landscaping, paving and fencing and keep the prior homeless camp away.

The retail center on this site was demolished. The surrounding area has older commercial storage sites and apartments near the major streets and to the west some residential homes. Across Happy Valley to the north there is a saloon/tavern.

A. Sunrise Manor Policies:

- a) SM 1-1 Encourage Reinvestment and Revitalization – This will improve a highly visible vacant commercial property. It will help deter further deterioration, homeless encampment, and safety issues. It will provide an interim use that helps promote reinvestment until area economic conditions attract a higher use. The abutting neighbors find this use compatible.***
- b) SM-1.3 Corridor Revitalization – This use will support the revitalization and prevent further deterioration and supports a use and improvements that will help some existing businesses and create a more aesthetic and vibrant appearance to help attract greater investment to the area compared to a vacant lot with a homeless encampment.***

RESIDENTIAL ADJACENCY

The plan complies with the Residential Adjacency requirements. The proposed site design as depicted on the Site and Landscape plans meets the Residential Adjacency requirements of the code: There is an existing 8FT decorative wall. 1) Grading – Not more than 3 feet of fill within 50 feet of the residential; 2) Site and Building Orientation – the guard building is oriented well away from the residential and at the entry point from Happy Valley. a) Additional Buffering and Screening is provided with a 20' foot landscape buffer with an 8-foot wall. 3) Building Configuration – The guard building is tiny one-story building and moved to about 200 feet away from the residential property line. Building Height and Facades is about 8-9 feet in height, well below the allowable height 50 feet, with articulation and consistent roof lines and roof

treatments. 4) Setbacks – the building at nearly 200 feet from residential and 75 feet from the street easily meet setbacks. 5) Lighting will be solar and will comply with no spill over lighting and no light fixture above 18 height (show on plan). 6) Trash Receptacles are located well beyond 50 feet to the adjacent residential at about 200+ feet 7) Parking Area Screening is provided with 20 feet or 5 feet & 33% more than the minimum of 15 FT of landscaped buffer and a staggered double row of evergreen trees 20 feet on center 8) Cut-Through Traffic is not possible.

3. Impact on the surrounding land uses; and

Site access and circulation will not negatively impact adjacent roadways or any neighborhoods as this is not like the prior commercial, retail or office parking lot that have higher frequency and volume of trips. The proposed project has a single appropriately located driveway to control access. The site has far less average daily trips than other permissible CG uses. The proposed use will add minimal traffic to the area and will complete the offsite improvements to Happy Valley including curb, gutter, and street lighting. The existing commercial access drive on Happy Valley will be reconstructed to current commercial drive standards.

4. The health, safety and welfare of the inhabitants of the area.

Removing the homeless encampment, completing the street, sidewalk, addition of lighting, a 24/7 security guard, intense landscape buffer, defensive landscaping, fencing and security cameras coupled with cooperation with Metro on implementing its recommendations and access to camera recordings as well as helping illegal and unsafe truck parking & CCPRO code enforcement will in combination, greatly enhance the public health, safety and welfare. It will also help address trash dumping and graffiti control.

The proposed project is consistent with the zoning and regulations, plans and policies of the County.

B. (i) A Parking Lot is a Permitted Use in CG.

(ii) The parking lot design is intended to fully comply with all codes.

(iii) Illegal Parking of Commercial Trucks on public streets has become a significant issue putting residents, businesses, and truck drivers at risk.

(iv) Jason's Law is a federal law to encourage safe parking havens for truckers.

C. Sunrise Manor Policies:

c) SM 1-1 Encourage Reinvestment and Revitalization – This will improve a highly visible vacant commercial property. It will help deter further deterioration, homeless encampment, and safety issues. It will provide an interim use that helps promote reinvestment until area economic conditions attract a higher use. The abutting neighbors find this use compatible.

d) SM-1.3 Corridor Revitalization – This use will support the revitalization and prevent further deterioration and supports a use and improvements that will help some existing businesses and create a more aesthetic and vibrant appearance to help attract greater investment to the area compared to a vacant lot with a homeless encampment.

5. N/A as this is not a Comprehensive Sign Plan

Waiver of Standards

1. Request to allow continuation of commercial access from Happy Valley Avenue (30.04.06D).

The site is zoned for commercial (CG) and the prior development had its access from Happy Valley. NDOT does not want access to Nellis given the volumes of traffic on Nellis and location of a driveway so close to the signal and bus stop as well as the existing driveway to the south. Happy Valley is the sole means of access given this limitation. It also appears that the prior driveway with access on Nellis was closed in 2021 during NDOT's improvements to Nellis. This meets the basis for an exception under 30.04.06.D.2.

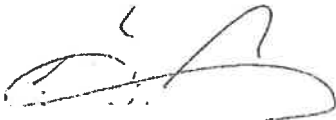
Summary

The proposed Commercial Truck parking Lot use will provide a location for truck drivers to park their vehicles outside of residential subdivisions and not on public roadways. This will also help minimize safety hazards, trash dumping, graffiti control, homeless encampments, and code citations. It will add to appearance with fencing and landscaping. It will enhance public safety by completing the road and sidewalk on Happy Valley. It will help with crime prevention.

The use is compatible with the surrounding commercial and residential development in the area as it is supported by the neighbors. It will not be detrimental to the surrounding properties; it will not overwhelm infrastructure and services; and will not negatively affect the public health, safety and welfare. We respectfully request your favorable consideration of this request.

Please do not hesitate to contact us if you have any questions or need additional information.

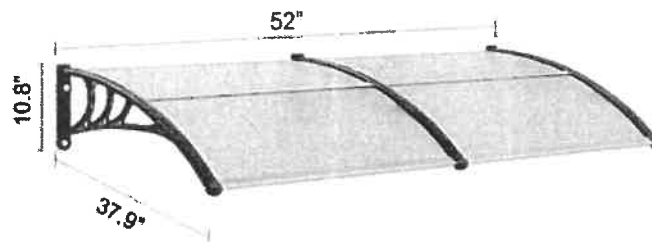
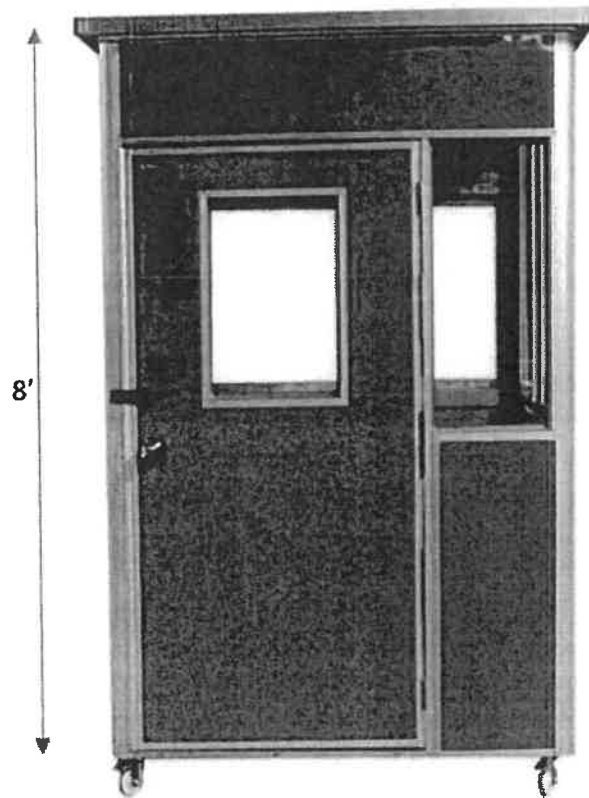
Sincerely,



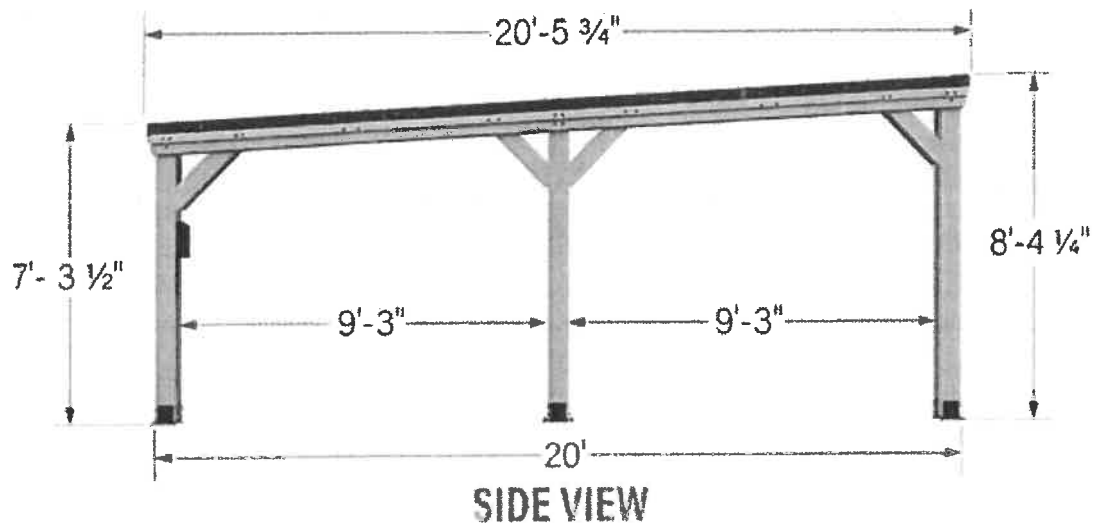
George Garcia
Founder

GUARD BUILDING

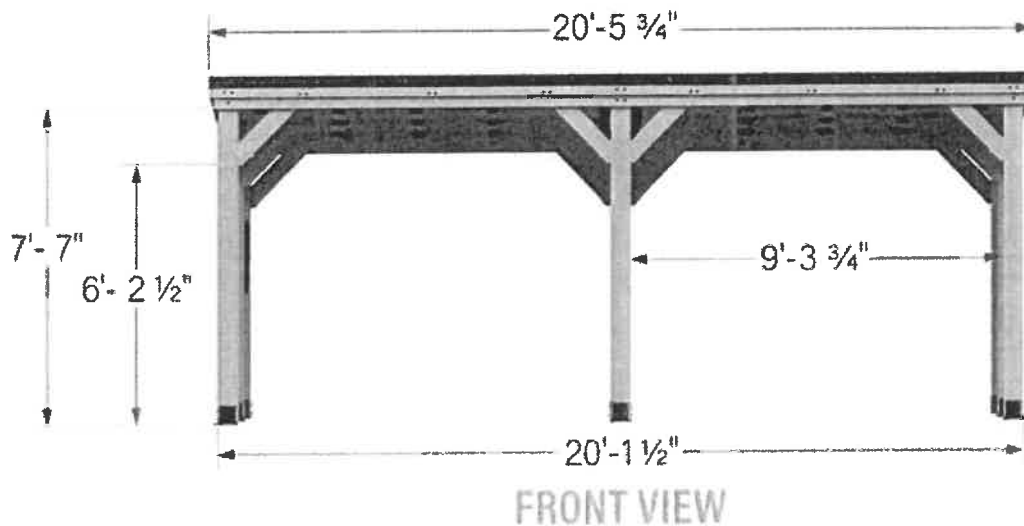
- Color: Blue
- Size: 5 ft. x 5 ft.
- Material: Steel
- Door Size: 80.75" x 36"
- # of Windows: 6
- Lights: LED
- Electrical: Solar & Battery Pack



WS-24-0276

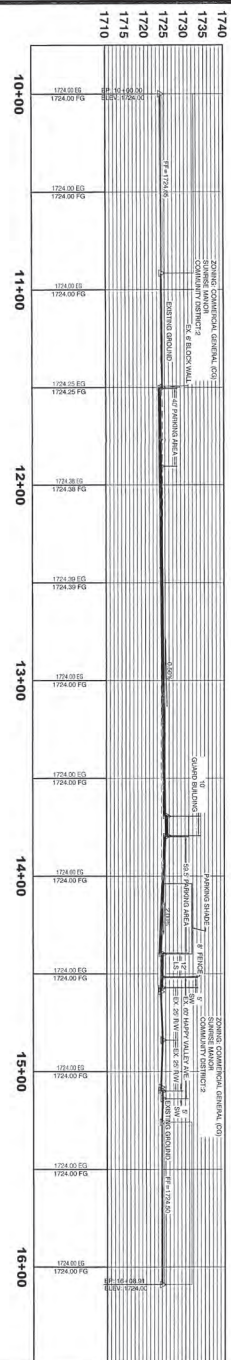


20X20 KINGSFORT CARPORT

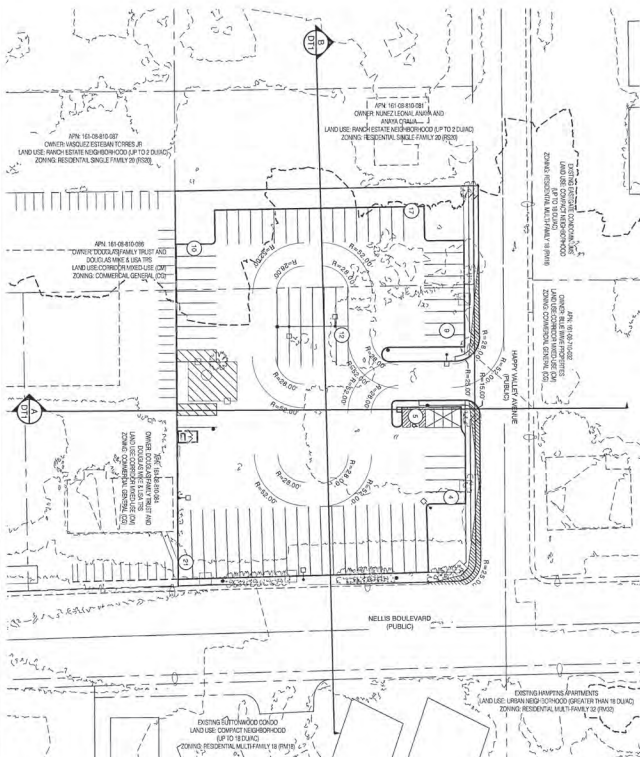
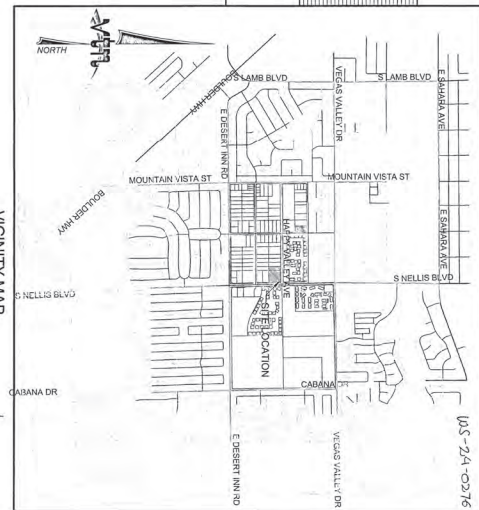
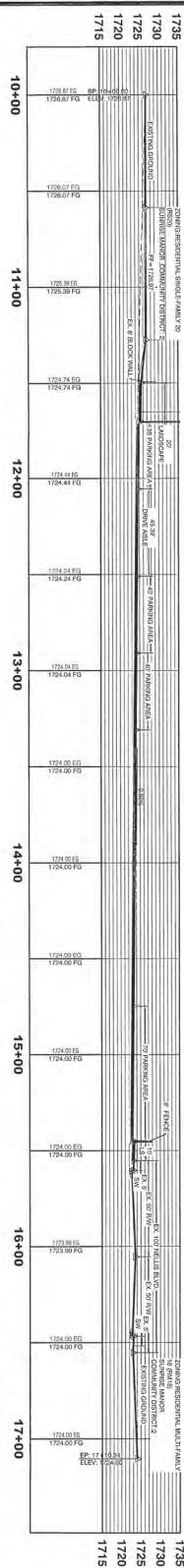


The 20x20 x 2 Kingsport Carport, fits all of your shade and element protection needs! This clean yet versatile slope roof design will minimize water from accumulating on the roof while complimenting any home's architectural style. The 20x20 Kingsport Carport is a reliable Pro-Tect® structure; certified to withstand a roof load of up to 20,000 pounds and up to 100 MPH winds. Naturally resistant to decay; the 100% Cedar Kingsport Carport includes our exclusive PowerPort with 3 electrical outlets and 3 USB ports to power up anything you might need while working outside. the 20x20 Kingsport

SECTION A



SECTION B



CROSS SECTION

APN:161-08-810-082, 083
NELLIS AND HAPPY VALLEY

CLARK COUNTY, NEVADA

7777 SOUTH RAINBOW BOULEVARD
LAS VEGAS, NEVADA 89149-5148
PH: (702) 879-7550 FAX: (702) 363-5597 WEB: WWW.VTNV.COM
CONSULTING ENGINEERS • PLANNERS • LAND SURVEYORS

ROP 000368

PPLRL 1607

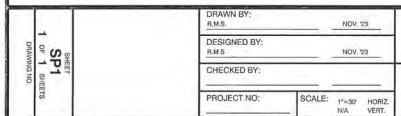
DRAWN BY: R.M.S. NOV. '23
DESIGNED BY: R.M.S. NOV. '23
CHECKED BY: R.M.S.
PROJECT NO: SCALE: 1"=50' HORIZ. 1"=10' VERT.

CS1
1 OF 1 SHEETS
DRAWING NO.



DRAIN BY: T
DATE: 06/05/24
SCALE: 1" = 20'-0"
SHEET NUMBER:
L-1.1





STAFF COMMENTS


Clark County Comprehensive Planning, Current Planning Division

Application # WS-24-0276

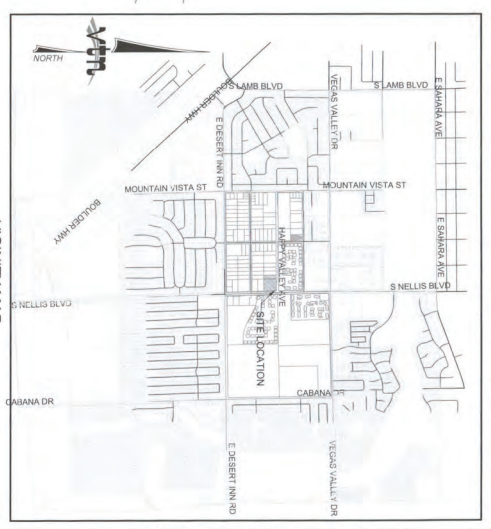
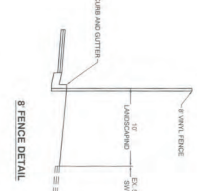
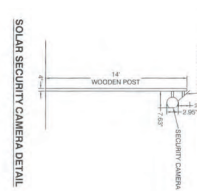
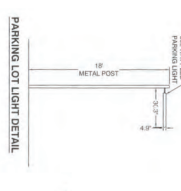
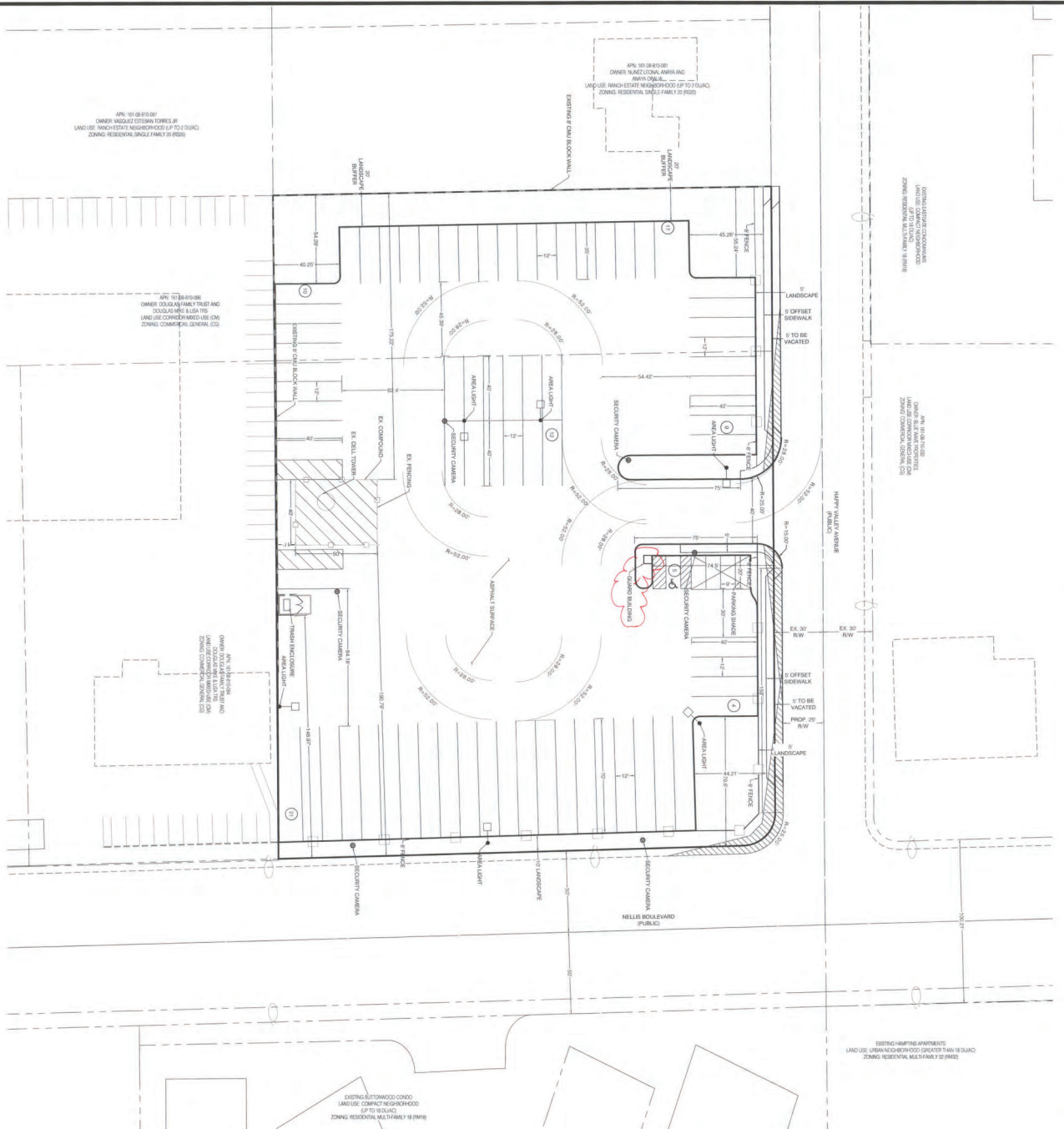
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THIS PORTION TO BE COMPLETED BY RECORDS STAFF ONLY

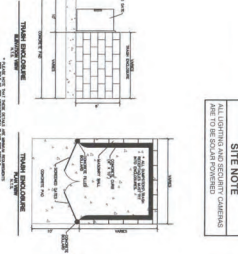
☒ Full Size Plans
24"x36" or larger

 **Plans**
Up to 11"x14"

☐ No Plans

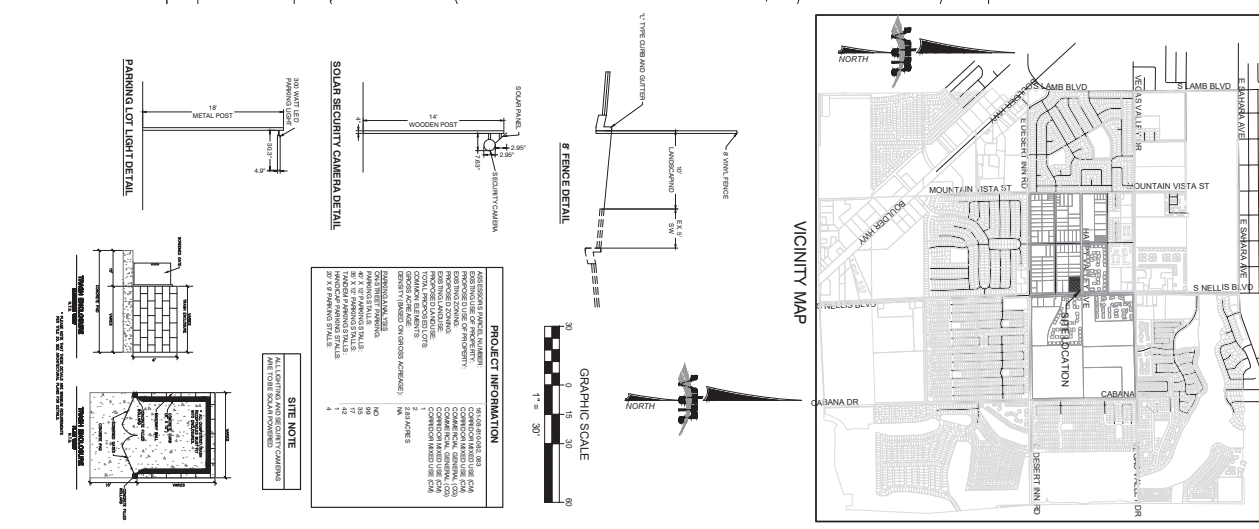
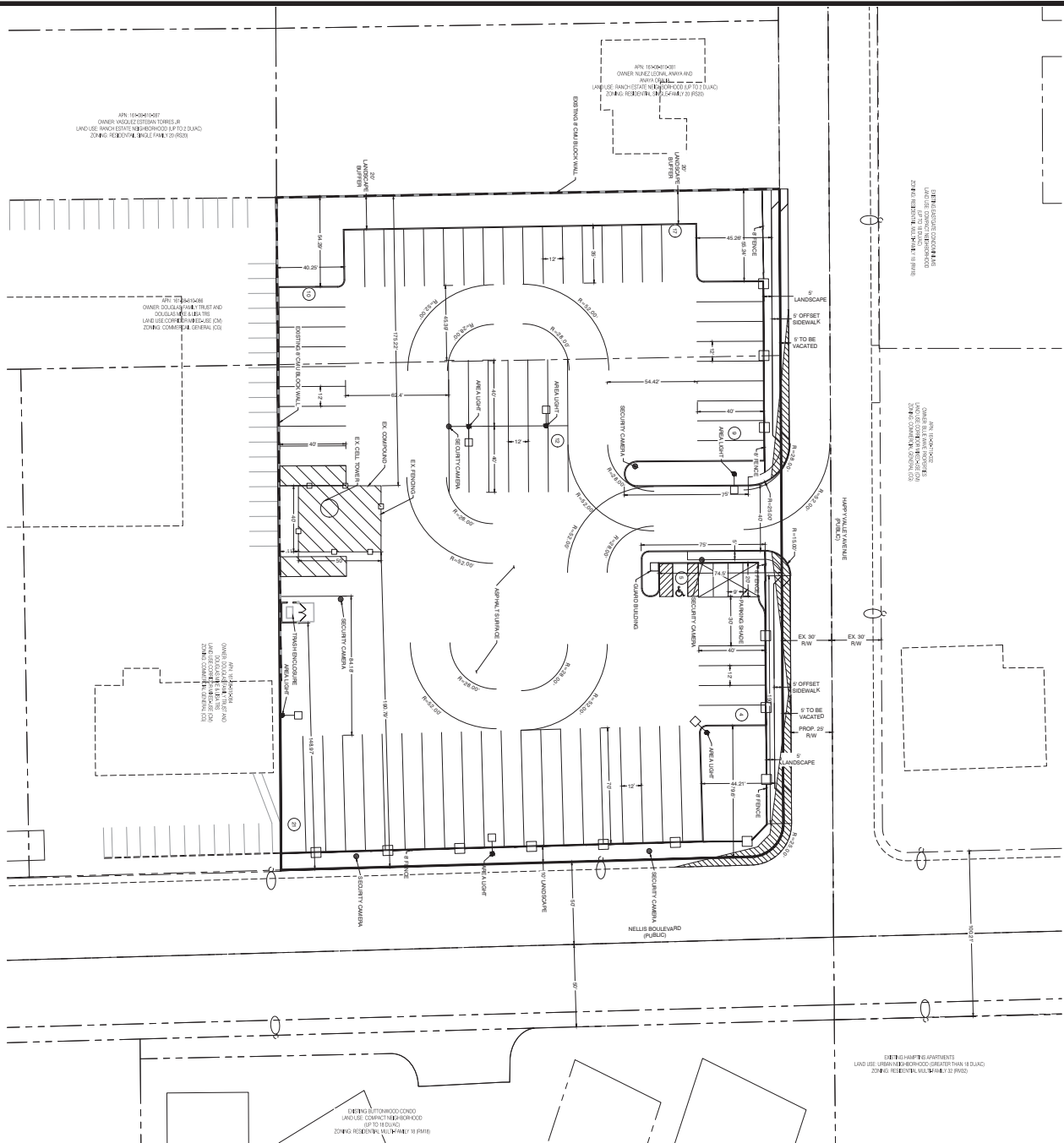


PROJECT INFORMATION	
APN: 161-08-810-082, 083	OWNER: [REDACTED]
PROJECT: [REDACTED]	DATE: [REDACTED]
DESIGNED BY: [REDACTED]	CHECKED BY: [REDACTED]
DRAWN BY: [REDACTED]	SCALE: [REDACTED]



MS-24-0276

DRAWN BY: [REDACTED] DESIGNED BY: [REDACTED] CHECKED BY: [REDACTED] PROJECT NO: [REDACTED]		SCALE: [REDACTED] DATE: [REDACTED]		SITE PLAN APN: 161-08-810-082, 083 NELLIS AND HAPPY VALLEY		CLARK COUNTY, NEVADA 2727 SOUTH RAINBOW BOULEVARD LAS VEGAS, NEVADA 89146-5148 PH: (702) 875-1900 FAX: (702) 862-2997 WEB: WWW.VTNR.COM CONSULTING ENGINEERS & LAND SURVEYORS		ROP 000374 REV: [REDACTED] DATE: [REDACTED] BY: [REDACTED] REVISION: [REDACTED]	
---	--	---------------------------------------	--	--	--	---	--	--	--



PROJECT INFORMATION

APN: 161-08-810-082, 083
NELLIS AND HAPPY VALLEY

GRAPHIC SCALE

0 15 30 45 60

1" = 30'

SITE NOTE

ALL LIGHTING AND SECURITY CAMERA

AND OTHER SOLAR SECURITY CAMERA

PARKING LOT LIGHT DETAIL

18" METAL POST

12" WOODEN POST

SOLAR SECURITY CAMERA DETAIL

18" METAL POST

12" WOODEN POST

8" FENCE DETAIL

8" VINYL FENCE

1" TYPE DUMP AND GUTTER

PROJECT INFORMATION

DESIGNED BY: R.M.S.

CHECKED BY: R.M.S.

PROJECT NO: 1-20

CLARK COUNTY, NEVADA

2077 SOUTH RAINBOW BOULEVARD

LAS VEGAS, NEVADA 89146-5148

PH: (702) 875-7550 FAX: (702) 365-2597 WEB: WWW.VTNV.COM

CONSULTING ENGINEERS PLANNERS LAND SURVEYORS

ROP 000375

REV DATE BY REVISION



Clark County Comprehensive Planning Department
SUSTAINABILITY PROVISION
DEVELOPMENT TYPE: MULTI-FAMILY (5pts) / NON-RESIDENTIAL (7 pts.)
30.04.05 J Sustainability Options
To be shown on plans

		Points
X	Trees: Provide 10% more than required by Title (1 pt)	1
X	Water-Efficient Planting: Provide 95% or more of plants have low or very low water needs. (1 pt)	1
X	Landscape Buffer: Exceed required buffer width by 10% (1/2 pt) OR exceed buffer width by 20%. (1 pt)	1
	Parking Lot Trees: Provide mature tree canopies to cover at least 50% of paved parking. (1 pt)	
	Parking Lot Solar: Provide solar covers at for least 50% of the paved area (2 pts) OR between 25% and 50% (1 pt)	
	Electric Bicycles: Provide bicycle charging (1/2 pt); Provide shade to bicycle charging area (1/2 pt)	
	Mojave Native Plants Protection: Protect = to or > 5% of development footprint to remain natural area (1 pt)	
	Mojave Native Plants Restoration: Restore pre-development native plants = to or > the area disturbed. (1/2 pt)	
	Energy Conservation/Solar Gains: Orient plant materials south and west sides of the building. (1/2 pt)	
x	Cool Roofs: Provide roof w/SRI=to or >78 for low sloped roofs (<2.12) & or 29 for steep sloped roofs (>2.12) (1 pt)	1
	Building Orientation: Orient roofs within 30°of true east-west & flat or sloped to the south. (1 pt)	
x	Shade Structures: Provide shade/awnings over 50% of south/west windows & doors (1 pt). Add 1 pt for each additional 25% (typically 3-foot min overhang)	1
	Amenity Zone Shade Structures: Provide for sidewalks or building adjacent to amenity zone. (1/2 pt)	
	Shaded Walkways: Provide for at least 60% of all building facades adjacent to or facing streets, drive aisles, and gathering and parking areas (1 pt). Each additional 10% provided. (1 pt)	
	Daylighting Strategies: Provide daylighting strategies to minimize artificial lighting. (1/2 pt)	
	Multiple Family Ventilation: Provide floor to ceiling heights of 9 feet on all floors. (1/2 pt)	
	Nonresidential Ventilation: Provide floor to ceiling heights of 11 feet on all floors. (1/2 pt)	
x	Low-emissivity Glass: Provide on all south & west facing windows. (1/2 pt)	.5
	Building Entrances and ADA Ramps: Shade with awning or portico or other device. (1/2 pt)	
x	Alternative Energy: Cover 70% roof area in solar OR on-site solar generates 100% of project's energy OR Battery backup is provided. (2 pts for provide one of the 3)	2
x	Total Points:	7.5
	<i>Determined by Staff</i> Sustainability Compliant:	YES/NO
	<i>Determined by Staff</i> Incentives Allowed:	YES/NO

OWNER/APPLICANT SHALL BE AWARE *New development shall incorporate sustainability measures into the project to achieve a minimum number of points per Section 30.04.05J. Compliance with Section 30.04.05J will be conducted during the design review and building permits of an applicable project. It is the applicant's responsibility to ensure the standards approved with the land use application will be implemented in the final building design. Any changes to sustainability measures after approval of a land use application may result in a delay in the issuance of applicable permits and the need for a new land use application. No points awarded for compliance with standards that are otherwise required by Title 30.*

OWNER / APPLICANT declares the information provided and statements made as part of this application are true and correct.

Signature: _____ Date: _____

**CLARK COUNTY
TOWN ADVISORY BOARD/CITIZEN ADVISORY COUNCIL
RECOMMENDATION**

Application Number: **WS-24-0276**

PC/BCC Meeting Date: **09-04-2024**

Commission District: **E**

TAB/CAC: **SUNRISE MANOR**

TAB/CAC Meeting Date: **08-15-2024**

Project Type: Nonresidential Development/Use (with construction or site modifications)

Property Owner: PALM PROPERTIES LLC

- | | | |
|---|---|--|
| <input type="checkbox"/> Text Amendment | <input checked="" type="checkbox"/> Design Review | <input type="checkbox"/> Clarification of Conditions |
| <input type="checkbox"/> Rezone | <input type="checkbox"/> Sign Design Review | <input type="checkbox"/> Extension of Time |
| <input type="checkbox"/> Planned Unit Development | <input type="checkbox"/> Street Name Change | <input type="checkbox"/> Revocation |
| <input type="checkbox"/> Use Permit | <input type="checkbox"/> Street Numbering Change | <input type="checkbox"/> Waiver of Conditions |
| <input type="checkbox"/> Variance | <input type="checkbox"/> Annexation Request | <input type="checkbox"/> Ordinance |
| <input checked="" type="checkbox"/> Waiver of Development Standards | <input type="checkbox"/> Vacation and Abandonment | <input type="checkbox"/> Agenda Item |
| <input type="checkbox"/> Waiver of Title | <input type="checkbox"/> Tentative Map | <input type="checkbox"/> Other _____ |
| | <input type="checkbox"/> Application Review | |

Motion By: Earl Barbeau Vote: 4-0 Approval ☒ Denial / ☐ No Comment

Hold (including To Date and Reason) _____

of Neighbors Present 2 # of Neighbors For _____ # of Neighbors Against 2 # of Neighbors Undecided _____

Brief synopsis of COMMENTS, DISCUSSION, REASONING: _____

truck parking eye sore
security
truck fumes

Conditions of Approval: _____

Name of Applicant/Representative George Garcia

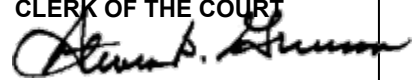
Applicant agreed to conditions _____ Yes _____ No

Neighborhood meeting held? _____ Yes _____ No

M. Lewa
Signature
secretary
Title (Secretary or Chair)

8/15/24
Date

Email to Comprehensive Planning: CPAgendas@ClarkCountyNV.gov & Email to Applicable Commission District: DistrictE@ClarkCountyNV.gov



ROP

STEVEN B. WOLFSON

District Attorney

CIVIL DIVISION

State Bar No. 001565

By: ROBERT T. WARHOLA

Chief Deputy District Attorney

State Bar No. 4410

500 South Grand Central Pkwy., Suite 5075

Las Vegas, Nevada 89155-2215

(702) 455-4761

Fax (702) 382-5178

E-Mail: Robert.Warhola@ClarkCountyDANV.gov

Attorneys for Respondent

Clark County

DISTRICT COURT

CLARK COUNTY, NEVADA

PALM PROPERTIES, LLC, a Nevada limited
liability company; LEADING EDGE
VENTURES, LLC, a Nevada limited liability
company; ROBERT LAUER, an individually.)

Case No: A-24-907944-J
Dept No: 18

Petitioners,

vs.

COUNTY OF CLARK, a political
subdivision of the State of Nevada, et al.,

Respondent.

RECORD OF THE PROCEEDINGS, VOLUME III

Respondent hereby files with the Court the Record of the Proceedings pursuant to Eighth Judicial District Court Rule 2.15 consisting of documents from the Clark County Clerk, Commission Division, and the Clark County Current Planning Division numbered ROP 000378 through ROP 000568.

DATED this 24th day of March, 2025.

STEVEN B. WOLFSON
DISTRICT ATTORNEY

By: /s/ Robert T. Warhola

ROBERT T. WARHOLA

Chief Deputy District Attorney

State Bar No. 4410

500 South Grand Central Pkwy., Suite 5075

Las Vegas, Nevada 89155-2215

Attorney for Respondent

CERTIFICATE OF ELECTRONIC SERVICE

I hereby certify that I am an employee of the Office of the Clark County District Attorney and that on this this 24th day of March, 2025 I served a true and correct copy of the foregoing **RECORD OF THE PROCEEDINGS, VOLUME III** (United States District Court Pacer System or the Eighth Judicial District Court Wiznet), by e-mailing the same to the following recipients. Service of the foregoing document by e-mail is in place of service via the United States Postal Service.

Amy L. Sugden, Esq.
SUGDEN LAW
375 E. Warm Springs, Ste. 104
Las Vegas, Nevada 89119
Attorney for Petitioners
amy@sugdenlaw.com

/s/Patricia C. Villa
An Employee of the Clark County District
Attorney's Office – Civil Division



Department of Comprehensive Planning Application Form

ASSESSOR PARCEL #(s): 161-08-810-082 & -083

PROPERTY ADDRESS/ CROSS STREETS: Nellis & Happy Valley Ave (3125 S Nellis Blvd)

DETAILED SUMMARY PROJECT DESCRIPTION

Parking Lot for Commercial Vehicles and a vacation of 5' on Happy Valley

PROPERTY OWNER INFORMATION

NAME: Palm Properties LLC

ADDRESS: 6050 S FORT APACHE RD STE 100

CITY: Las Vegas

STATE: NV

ZIP CODE: 89148

TELEPHONE: _____

CELL 702-429-7354

EMAIL: raj@milestoneconst.us

APPLICANT INFORMATION

NAME: Leading Edge Ventures LLC

ADDRESS: 850 E Desert Inn #PH3

CITY: Las Vegas

STATE: NV

ZIP CODE: 89148

REF CONTACT ID # _____

TELEPHONE: _____

CELL _____

EMAIL: centurywest1@hotmail.com

CORRESPONDENT INFORMATION

NAME: G.C. Garcia, Inc c/o George Garcia

ADDRESS: 1055 Whitney Ranch Dr, Suite 210

CITY: Henderson

STATE: NV

ZIP CODE: 89014

REF CONTACT ID # _____

TELEPHONE: 7024359909

CELL 7023408042

EMAIL: acole@gcgarciainc.com

*Correspondent will receive all project communication

(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned and understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Clark County Comprehensive Planning Department, or its designee, to enter the premises and to install any required signs on said property for the purpose of advising the public of the proposed application.

Property Owner (Signature)* [Signature]

Property Owner (Print) RAJWINDER S. DHALIWAL

Date 01-16-2024

DEPARTMENT USE ONLY:

<input type="checkbox"/> AC	<input type="checkbox"/> AR	<input type="checkbox"/> ET	<input type="checkbox"/> PUDD	<input type="checkbox"/> SN	<input type="checkbox"/> UC	<input type="checkbox"/> WS
<input type="checkbox"/> ADR	<input type="checkbox"/> AV	<input type="checkbox"/> PA	<input type="checkbox"/> SC	<input type="checkbox"/> TC	<input type="checkbox"/> VS	<input type="checkbox"/> ZC
<input type="checkbox"/> AG	<input type="checkbox"/> DR	<input type="checkbox"/> PUD	<input type="checkbox"/> SDR	<input type="checkbox"/> TM	<input type="checkbox"/> WC	OTHER _____

APPLICATION # (s) VS-24-0277

ACCEPTED BY JUD

PC MEETING DATE _____

DATE 07/8/2024

BCC MEETING DATE 09/04/24

TAB/CAC LOCATION Sunrise Manor DATE 08/15/24



Department of Comprehensive Planning Application Form

ASSESSOR PARCEL #(s): 161-08-810-082 & -083

PROPERTY ADDRESS/ CROSS STREETS: Nellis & Happy Valley Ave (3125 S Nellis Blvd)

DETAILED SUMMARY PROJECT DESCRIPTION

Parking Lot for Commercial Vehicles

PROPERTY OWNER INFORMATION

NAME: Palm Properties LLC

ADDRESS: 6050 S FORT APACHE RD STE 100

CITY: Las Vegas

STATE: NV ZIP CODE: 89148

TELEPHONE: _____ CELL 702-429-7354 EMAIL: raj@milestoneconst.us

APPLICANT INFORMATION

NAME: Leading Edge Ventures LLC

ADDRESS: 850 E Desert Inn #PH3

CITY: Las Vegas

STATE: NV

ZIP CODE: 89148

REF CONTACT ID # _____

TELEPHONE: _____ CELL _____ EMAIL: centurywest1@hotmail.com

CORRESPONDENT INFORMATION

NAME: G.C. Garcia, Inc c/o George Garcia

ADDRESS: 1055 Whitney Ranch Dr, Suite 210

CITY: Henderson

STATE: NV

ZIP CODE: 89014

REF CONTACT ID # _____

TELEPHONE: 7024359909 CELL 7023408042 EMAIL: acole@gcgarciainc.com

*Correspondent will receive all project communication

(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Clark County Comprehensive Planning Department, or its designee, to enter the premises and to install any required signs on said property for the purpose of advising the public of the proposed application.


Property Owner (Signature)*

RAJWINDER S. DHALIWAL
Property Owner (Print)

01-16-2024
Date

DEPARTMENT USE ONLY:

<input type="checkbox"/> AC	<input type="checkbox"/> AR	<input type="checkbox"/> ET	<input type="checkbox"/> PUDD	<input type="checkbox"/> SN	<input type="checkbox"/> UC	<input type="checkbox"/> WS
<input type="checkbox"/> ADR	<input type="checkbox"/> AV	<input type="checkbox"/> PA	<input type="checkbox"/> SC	<input type="checkbox"/> TC	<input type="checkbox"/> VS	<input type="checkbox"/> ZC
<input type="checkbox"/> AG	<input type="checkbox"/> DR	<input type="checkbox"/> PUD	<input type="checkbox"/> SDR	<input type="checkbox"/> TM	<input type="checkbox"/> WC	OTHER _____

APPLICATION # (s) _____

ACCEPTED BY _____

PC MEETING DATE _____

DATE _____

BCC MEETING DATE _____

TAB/CAC LOCATION _____

DATE _____



APPLICATION MEETING INFORMATION

CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

IMPORTANT INFORMATION ON MANDATORY MEETINGS

APPLICATION NUMBER(s): WS-24-0276 & VS-24-0277

TOWN ADVISORY BOARD/CITIZENS ADVISORY COUNCIL (TAB/CAC)

TAB/CAC: Sunrise Manor TAB Time: 6:30 p.m.

Date: 08/15/2024 (August 15, 2024)

Location: Refer to listing on other side

Draft staff reports: Available 3 business days prior to the TAB/CAC meeting on the following website

<https://clarkcountynv.gov/TABCACInformation>

Once on page, select appropriate TAB/CAC to view posted agenda and supporting material

PLANNING COMMISSION (PC)

Date: Click or tap to enter a date. N/A Time: 7:00 PM

Location: 500 S. Grand Central Pkwy, Commission Chambers

Staff reports: Available 3 business days prior to the PC meeting on the following website

<https://clarkcountynv.gov/agendas>

BOARD OF COUNTY COMMISSIONERS (BCC)

Date: 09/04/2024 (Sept. 4, 2024) Time: 9:00 AM

Location: 500 S. Grand Central Pkwy, Commission Chambers

Staff reports: Available 3 business days prior to the BCC meeting on the following website

<https://clarkcountynv.gov/agendas>

Please Note:

- All meetings are mandatory for ALL applications.
- PC/BCC meeting information will be emailed to the correspondent on file.
- Project revisions and/or failure to appear at any meeting may result in delays and/or extra expense.
- You (or your representative) must be prepared to make a presentation and answer questions about your application at the Town Board, PC and/or BCC meetings.
- The Town Boards, PC and/or BCC are provided copies of the staff report for your item, but NOT copies of the plans or paperwork that you have submitted.
- You MUST bring copies of all necessary plans and documentation to make a complete presentation of your item to the Town Board, PC and/or BCC. This includes, but is not limited to:

Site plans - Landscape plans - Elevations - Floor plans - Photos - Renderings

- If you cannot adequately present and discuss your project, or if you do not bring copies of the necessary plans, this could result in a delay of action on your application.
- If, for any reason, you cannot attend any of your scheduled meetings, or if you have any questions about your application, please contact the Department of Comprehensive Planning as soon as possible at (702) 455-4314, option 2, option 1.

TOWN ADVISORY BOARDS & CITIZENS ADVISORY COUNCILS

At the request of the Planning Commission and the Board of County Commissioners, the opinions of the Town Advisory Boards and Citizens Advisory Councils are solicited with respect to all zoning actions within their areas. The TAB and CAC members are appointed by the County Commissioners and are subject to the Open Meeting Law requirements pursuant to NRS Chapter 241.

These groups hold public meetings at least once each month, and accomplish the following three functions:

- 1) To receive information pertaining to the neighborhood (long-term planning, zoning changes, public works projects, new ordinances, etc.) and to provide input regarding these matters to the Planning Commission and/or Board of County Commissioners.
- 2) To forward the concerns or problems of residents for resolution by County staff.
- 3) To disseminate information that it receives from the Board of County Commissioners and County staff to the residents of the area.

BUNKERVILLE

Judith Metz, Secretary
(702) 455-4572
Bunkerville TAB Room
190 W. Virgin Street, Bunkerville

ENTERPRISE

Carmen Hayes
(702) 371-7991
Silverado Ranch Community Center
9855 Gilespe Street, Las Vegas

GOODSPRINGS

Jeri Pinkerton, Secretary
(702) 806-8660
Goodsprings Community Center
375 W. San Pedro Avenue, Goodsprings

INDIAN SPRINGS

Jami Reid
(702) 378-8028
Indian Springs Civic Center
715 Greta Lane, Indian Springs

LAUGHLIN

Tammy Harris, Secretary
(702) 298-0828
Regional Government Center
101 Civic Way, Laughlin

LONE MOUNTAIN

Dawn vonMendenhall, Secretary
(702) 289-0196
Mtn. Crest Neighborhood Services Center
4701 N. Durango Dr., Las Vegas

LOWER KYLE CANYON

Dawn vonMendenhall, Secretary
(702) 289-0196
Mtn. Crest Neighborhood Services Center
4701 N. Durango Dr., Las Vegas

MOAPA

Judith Metz, Secretary
(702) 455-4572
Marley P. Robinson Justice Court &
Community Center
1340 E. Highway 168, Moapa

MOAPA VALLEY

Judith Metz, Secretary
(702) 455-4572
Moapa Valley Community Center
320 N. Moapa Valley Blvd., Overton

MOUNTAIN SPRINGS

Electra Smith, Secretary
(702) 370-6297
Mountain Springs Fire Station
State Route 160, Mountain Springs

MT. CHARLESTON

Dawn VonMendenhall, Secretary
(702) 289-0196
Mt. Charleston Library
75 Ski Chalet Place, Mt. Charleston

PARADISE

Maureen Helm, Secretary
(702) 606-0747
Paradise Park Community Center
4775 McLeod Dr., Las Vegas

RED ROCK

Electra Smith, Secretary
(702) 370-6297
Blue Diamond Library
14 Cottonwood Dr., Blue Diamond

SANDY VALLEY

Electra Smith, Secretary
(702) 370-6297
Sandy Valley Community Center
650 W. Quartz Avenue, Sandy Valley

SEARCHLIGHT

Tammy Harris, Secretary
(702) 298-0828
Searchlight Community Center
200 Michael Wendell Way, Searchlight

SPRING VALLEY

Carmen Hayes
(702) 371-7991
Desert Breeze Community Center
8275 Spring Mtn. Road, Las Vegas

SUNRISE MANOR

Jill Nikovis-Leiva, Secretary
(702) 334-6892
Hollywood Recreation & Community Ctr.
1650 S. Hollywood, Las Vegas

WHITNEY

Samantha Crunkilton, Secretary
(702) 854-0878
Whitney Recreation Center
5712 E. Missouri Ave., Las Vegas

WINCHESTER

Valerie Leiva, Secretary
(702) 468-9839
Winchester Community Center
3130 S. McLeod, Las Vegas

PLANNING COMMISSIONERS & COUNTY COMMISSIONERS

Planning Commissioner	Phone	County Commissioner	District
Liane Lee	(702) 455-3113*	Michael Naft	A
Nelson Stone	(702) 455-3113*	Marilyn K. Kirkpatrick	B
Timothy Castello	(702) 455-3113*	Ross Miller	C
Edward Frasier III	(702) 455-3113*	William McCurdy II	D
Vivian Kilarski	(702) 455-3113*	Tick Segerblom	E
Leslie Mujica	(702) 455-3113*	Justin Jones	F
Steve Kirk	(702) 455-3113*	James Gibson	G

All mail for Clark County Planning Commissioners should be sent to 500 S. Grand Central Pkwy., Las Vegas, NV 89155-1741.

*Contact Cindy Horschmann at Clark County Comprehensive Planning

Revised 4/1/2024

Department of Comprehensive Planning

500 S. Grand Central Parkway, Box 551741, Las Vegas, NV 89155-1741 • (702) 455-4314
<http://www.clarkcountynv.gov/comprehensive-planning>



Department of Comprehensive Planning

500 S Grand Central Pkwy • Box 551741 • Las Vegas NV 89155-1741
(702) 455-4314 • Fax (702) 455-3271

Sami Real, Director

NOTICE OF FINAL ACTION

December 03, 2024

G. C. GARCIA, INC.
1055 WHITNEY RANCH DRIVE, SUITE 210
HENDERSON, NV 89014

REFERENCE: VS-24-0277

On the date indicated above, a Notice of Final Action was filed with the Clark County Clerk, Commission Division, pursuant to NRS 278.0235 and NRS 278.3195, which starts the commencement of the twenty-five (25) day limitation period specified therein.

The above-referenced application was presented before the Clark County Board of County Commissioners at their regular meeting of **November 20, 2024**. Please be advised that the application was **DENIED**.

If you have any questions regarding your Notice of Final Action, please call the Department of Comprehensive Planning at (702) 455-4314 (option 2, option 1).

BOARD OF COUNTY COMMISSIONERS

TICK SEGERBLOM, Chair • WILLIAM MCCURDY II, Vice Chair
MICHAEL NAFT • MARILYN KIRKPATRICK • JUSTIN C. JONES • ROSS MILLER • JAMES B. GIBSON
KEVIN SCHILLER, County Manager

**BOARD OF COUNTY COMMISSIONERS
AGENDA LOG AMENDMENT
WEDNESDAY, September 4, 2024**

Hold to the September 18, 2024 Zoning meeting:

- Item 33 – UC-24-0268 per the applicant. Enterprise/lm
- Item 36 – WS-24-0312 per the Board. Moapa Valley/jud

Hold to the October 2, 2024 Zoning meeting:

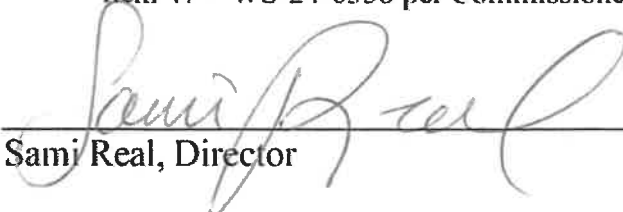
- Item 9 – VS-24-0277 per the applicant. Sunrise Manor/jor
- Item 10 – WS-24-0276 per the applicant. Sunrise Manor/jor

Hold to the November 6, 2024 Zoning meeting:

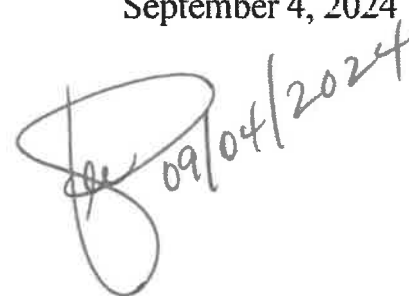
- Item 35 – WC-24-400060 (NZC-22-0028) per the applicant. Enterprise/rg

Hold no date:

- Item 46 – ZC-24-0357 per Commissioner Kirkpatrick. Sunrise Manor/rr
- Item 47 – WS-24-0358 per Commissioner Kirkpatrick. Sunrise Manor/rr


Sami Real, Director

September 4, 2024



**BOARD OF COUNTY COMMISSIONERS
AGENDA LOG AMENDMENT
WEDNESDAY, OCTOBER 2, 2024**

Hold to the November 6, 2024 Zoning meeting:

- Item 4 – AR-24-400090 (WC-0174-16 / UC-0849-14) per the applicant. Paradise/bb.
- Item 8 – VS-24-0277 per the applicant. Sunrise Manor/jor
- Item 9 – WS-24-0276 per the applicant. Sunrise Manor/jor
- Item 16 – SC-24-0261 per the applicant to rewrite and renotify. Renotification fees are required. Spring Valley/sd
- Item 20 – WS-24-0419 per the applicant. Spring Valley/sd



Sami Real, Director

October 2, 2024


10/02/2024

**BOARD OF COUNTY COMMISSIONERS
AGENDA LOG AMENDMENT
WEDNESDAY, NOVEMBER 6, 2024**

Hold to the November 20, 2024 Zoning meeting:

- Item 7 – VS-24-0277 per the Commissioner Segerblom. Sunrise Manor/jor
- Item 8 – WS-24-0276 per the Commissioner Segerblom. Sunrise Manor/jor
- Item 12 – UC-24-0436 per the Commissioner Segerblom. Paradise/sd
- Item 26 – AG-24-900729 per the Commissioner Segerblom.

Hold to the December 4, 2024 Zoning meeting:


- Item 4 – AR-24-400090 (WC-0174-16 (UC-0849-14)) per the applicant. Paradise/bb
 - o NOTE: Application to return to the November 26, 2024 Paradise Town Board meeting per prior email due to data entry error in Accela. Town Board meeting date to be corrected in Accela to ensure application gets placed on the November 26, 2024 meeting agenda.

Hold to the February 5, 2025 Zoning meeting:

- Item 19 – WC-24-400060 (NZC-22-0028) per the applicant. Fees are required to place the item back on an agenda. Enterprise/rg



Sami Real, Director

 11/06/2024

November 6, 2024

cial records, including surveys and deeds,
on required for assessment. See the
detailed legal information.

EN MAP REDUCED FROM 11X17 ORIGINAL

400

600

800

MAP LEGEND

ROAD EASEMENT

MATCH / LEADER LINE

HISTORIC LOT LINE

HISTORIC SUB BOUNDARY

HISTORIC PM/LD BOUNDARY

SECTION LINE

202 PARCEL SUB/SEQ NUMBER

PB 24-45 PLAT RECORDING NUMBER

5 BLOCK NUMBER

5 LOT NUMBER

GL5 GOV. LOT NUMBER

3162

161

160

6177

178

179

Scale: 1" = 200'

Rev: 1/8/2019

19

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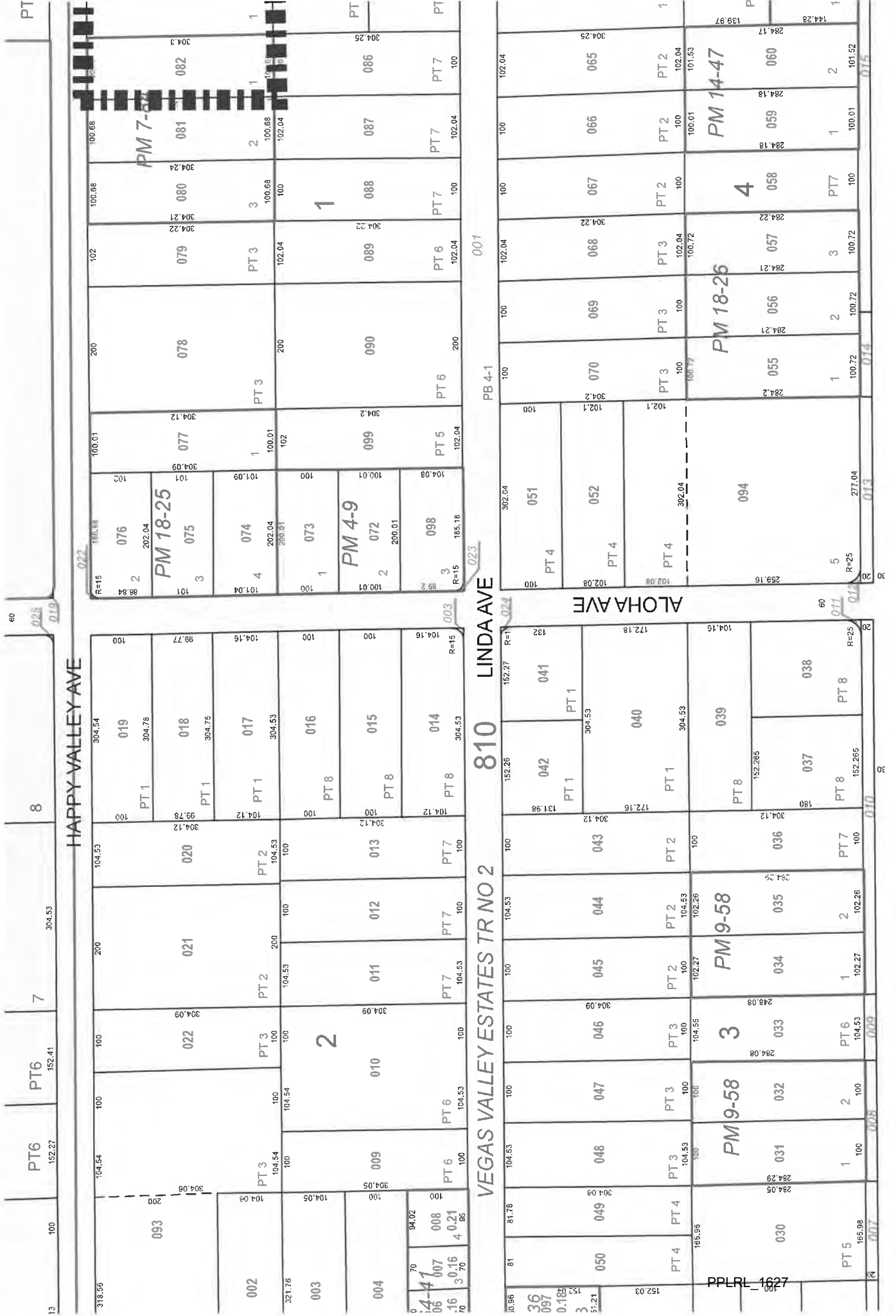
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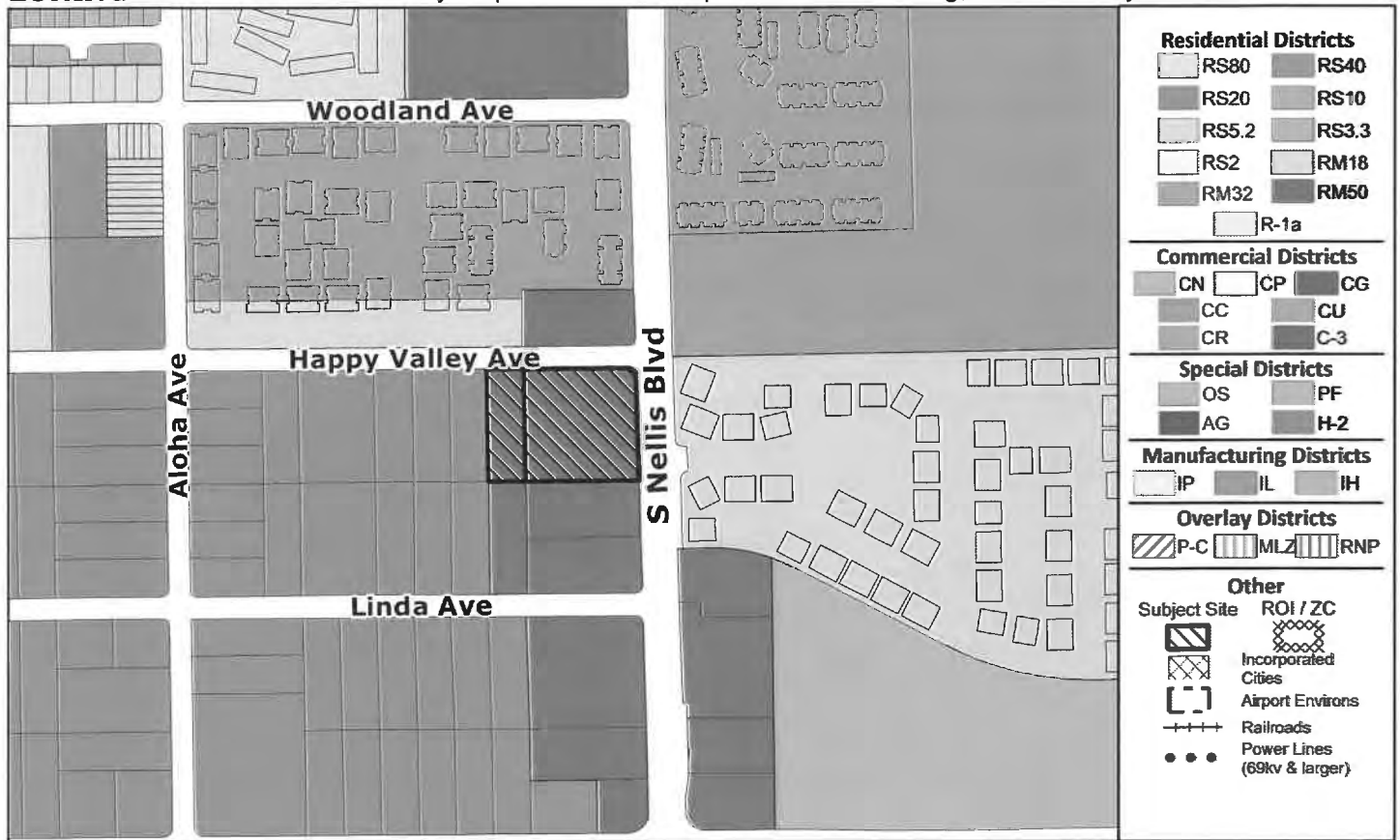
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Commission Agenda Map

VS-24-0277

ZONING

Clark County Department of Comprehensive Planning, Clark County, Nevada



PLANNED LAND USE



This information is for display purposes only. No liability is assumed as to the accuracy of the data delineated hereon.

Subject Parcel(s)
16108810082
16108810083



0 125 250 500 Feet
Map Created on 7/30/2024



PPLRL_1629

09/04/24 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-24-0277-PALM PROPERTIES, LLC:

VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file). TS/jor/syp (For possible action)

RELATED INFORMATION:

APN:

161-08-810-082; 161-08-810-083

LAND USE PLAN:

SUNRISE MANOR - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

The applicant is requesting to vacate 5 feet of right-of-way being Happy Valley Avenue. The purpose of this request is to allow for the installation of detached sidewalks.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-19-0630	Temporary construction storage for an off-site Las Vegas Valley Water District project (main replacement and The Dales subdivision)	Approved by PC	October 2019
UC-18-0578	Increased height of existing communication tower, with a design review for additional antenna	Approved by PC	October 2018
ADR-0333-05	73 foot high monopole communication tower with an antenna array	Approved by ZA	April 2005
UC-0040-04	Vehicle, watercraft, and recreational vehicle sales	Approved by PC	February 2005
UC-0431-02	Check cashing facility	Approved By BCC	June 2002
ADR-1086-01	Communications facility	Approved by ZA	November 2001
DR-0727-99	Revised plans for a previously approved shopping center and to continue the use of a vehicle sales lot	Approved by BCC	June 1999
WC-0025-99 (ZC-0480-98)	Waived conditions of a zone change for the proposed shopping center with an existing restaurant building on site	Approved by BCC	March 1999

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0480-98	Reclassified the site (both subject parcels- 161-08-810-082 and 161-08-810-083) to C-2 zoning (now CG) for a proposed 34,000 square foot shopping center	Approved by BCC	May 1998
DR-1464-97	Vehicle sales lot within an existing shopping center - expired	Approved by PC	September 1997

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Corridor Mixed-Use & Compact Neighborhood (up to 18 du/ac)	CG & RM18	Multi-family residential & tavern
South	Corridor Mixed-Use	CG	Commercial center
East	Compact Neighborhood (up to 18 du/ac)	RM18	Multi-family residential
West	Ranch Estate Neighborhood (up to 2 du/ac)	RS20	Single-family residential

Related Applications

Application Number	Request
WS-24-0276	A waiver of development standards with a design review for a proposed commercial truck parking lot is a companion item on this agenda.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis**Public Works - Development Review**

Staff has no objection to the vacation of right-of-way for detached sidewalks.

Staff Recommendation

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that Nevada Department of Transportation (NDOT) permits may be required.

Building Department - Addressing

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC: Sunrise Manor - denial.

APPROVALS:

PROTESTS:

APPLICANT: LEADING EDGE VENTURES, LLC

CONTACT: G. C. GARCIA, INC, 1055 WHITNEY RANCH DRIVE, SUITE 210,
HENDERSON, NV 89014

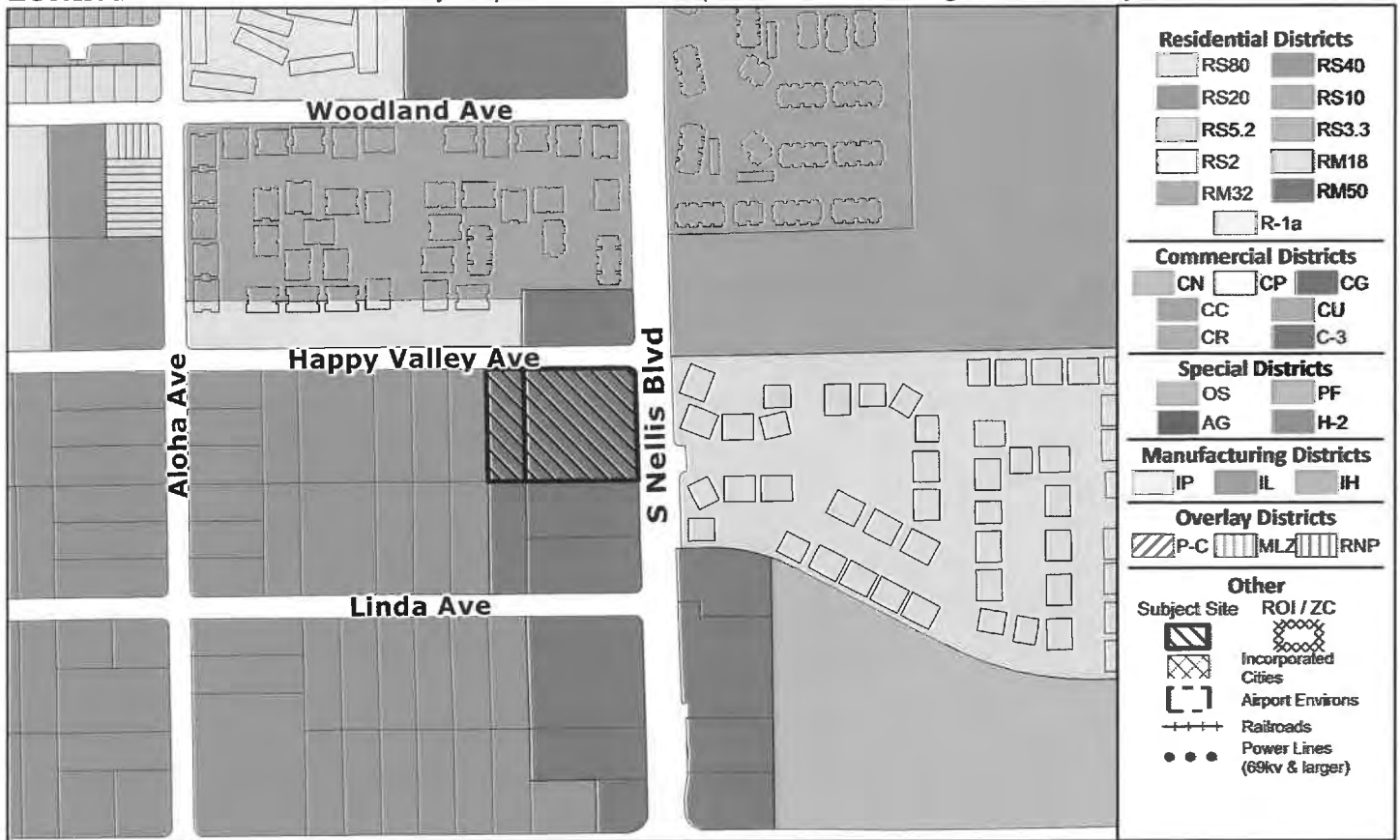
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Commission Agenda Map

VS-24-0277

ZONING

Clark County Department of Comprehensive Planning, Clark County, Nevada



PLANNED LAND USE



This information is for display purposes only. No liability is assumed as to the accuracy of the data delineated hereon.

Subject Parcel(s)
16108810082
16108810083



0 125 250 500 Feet
Map Created on 7/30/2024

PPLRL_1634



PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-24-0277-PALM PROPERTIES, LLC:

HOLDOVER VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file). TS/jor/syp (For possible action)

RELATED INFORMATION:

APN:

161-08-810-082; 161-08-810-083

LAND USE PLAN:

SUNRISE MANOR - CORRIDOR MIXED-USE

BACKGROUND:**Project Description**

The applicant is requesting to vacate 5 feet of right-of-way being Happy Valley Avenue. The purpose of this request is to allow for the installation of detached sidewalks.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-19-0630	Temporary construction storage for an off-site Las Vegas Valley Water District project (main replacement and The Dales subdivision)	Approved by PC	October 2019
UC-18-0578	Increased height of existing communication tower, with a design review for additional antenna	Approved by PC	October 2018
ADR-0333-05	73 foot high monopole communication tower with an antenna array	Approved by ZA	April 2005
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UC-0431-02	Check cashing facility	Approved By BCC	June 2002
ADR-1086-01	Communications facility	Approved by ZA	November 2001
DR-0727-99	Revised plans for a previously approved shopping center and to continue the use of a vehicle sales lot	Approved by BCC	June 1999
WC-0025-99 (ZC-0480-98)	Waived conditions of a zone change for the proposed shopping center with an existing restaurant building on site	Approved by BCC	March 1999

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0480-98	Reclassified the site (both subject parcels- 161-08-810-082 and 161-08-810-083) to C-2 zoning (now CG) for a proposed 34,000 square foot shopping center	Approved by BCC	May 1998
DR-1464-97	Vehicle sales lot within an existing shopping center - expired	Approved by PC	September 1997

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Corridor Mixed-Use & Compact Neighborhood (up to 18 du/ac)	CG & RM18	Multi-family residential & tavern
South	Corridor Mixed-Use	CG	Commercial center
East	Compact Neighborhood (up to 18 du/ac)	RM18	Multi-family residential
West	Ranch Estate Neighborhood (up to 2 du/ac)	RS20	Single-family residential

Related Applications

Application Number	Request
WS-24-0276	A waiver of development standards with a design review for a proposed commercial truck parking lot is a companion item on this agenda.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis**Public Works - Development Review**

Staff has no objection to the vacation of right-of-way for detached sidewalks.

Staff Recommendation

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that Nevada Department of Transportation (NDOT) permits may be required.

Building Department - Addressing

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC: Sunrise Manor - denial.

APPROVALS:

PROTESTS: 6 cards, 2 letters

COUNTY COMMISSION ACTION: September 4, 2024 – HELD – To 10/02/24 – per the applicant.

APPLICANT: LEADING EDGE VENTURES, LLC

CONTACT: G.C. GARCIA, INC, 1055 WHITNEY RANCH DRIVE, SUITE 210, HENDERSON, NV 89014

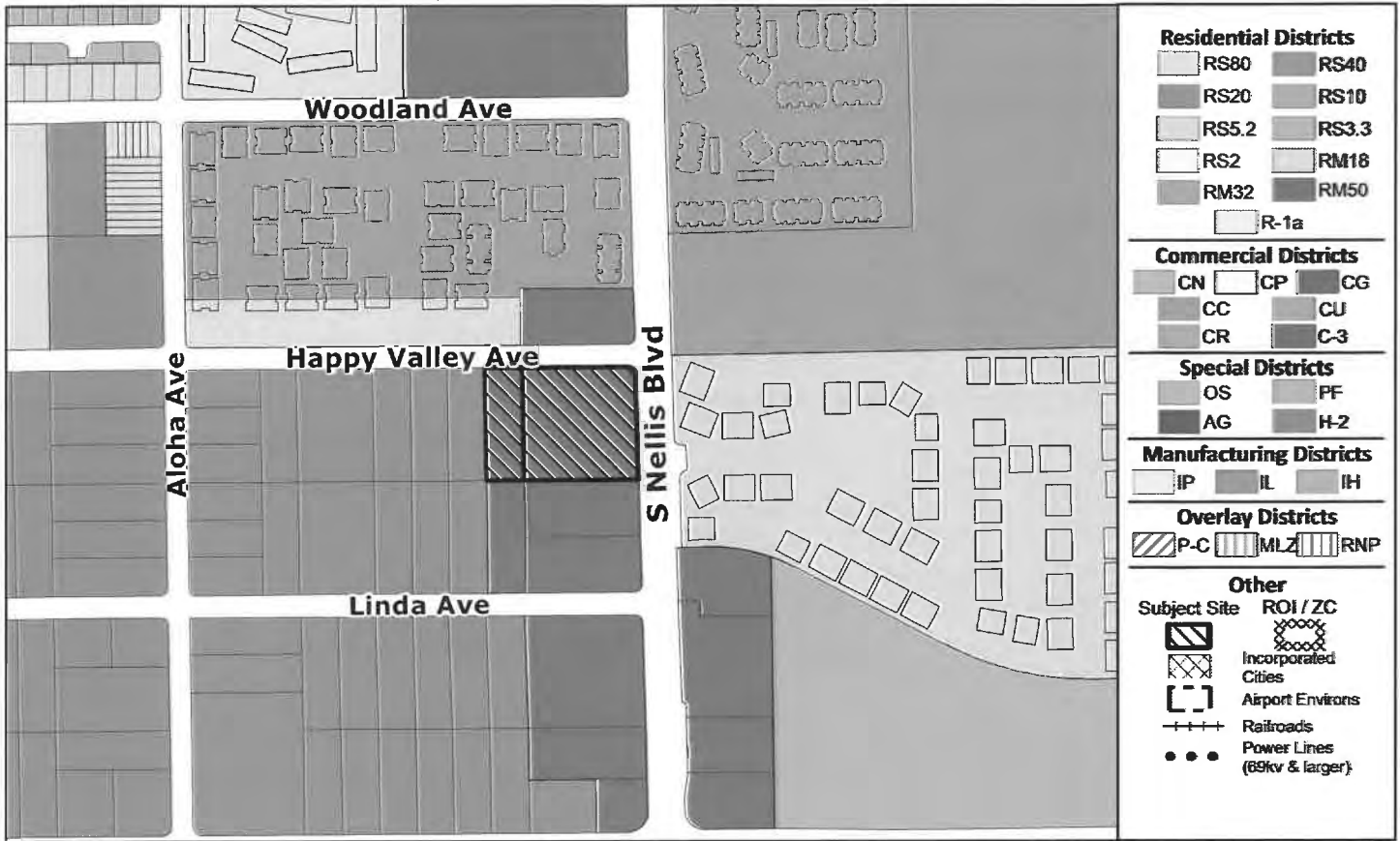
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Commission Agenda Map

VS-24-0277

ZONING

Clark County Department of Comprehensive Planning, Clark County, Nevada

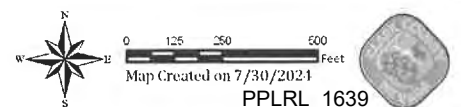


PLANNED LAND USE



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Subject Parcel(s)
16108810082
16108810083



PPLRL_1639

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-24-0277-PALM PROPERTIES, LLC:

HOLDOVER VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file). TS/jor/syp (For possible action)

RELATED INFORMATION:

APN:

161-08-810-082; 161-08-810-083

LAND USE PLAN:

SUNRISE MANOR - CORRIDOR MIXED-USE

BACKGROUND:**Project Description**

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Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
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Related Applications

Application Number	Request
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STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis**Public Works - Development Review**

Staff has no objection to the vacation of right-of-way for detached sidewalks.

Staff Recommendation

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Satisfy utility companies' requirements.
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Building Department - Addressing

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC: Sunrise Manor - denial.

APPROVALS:

PROTESTS: 6 cards, 2 letters

COUNTY COMMISSION ACTION: September 4, 2024 – HELD – To 10/02/24 – per the applicant.

COUNTY COMMISSION ACTION: October 2, 2024 – HELD – To 11/06/24 – per the applicant.

APPLICANT: LEADING EDGE VENTURES, LLC

CONTACT: G.C. GARCIA, INC, 1055 WHITNEY RANCH DRIVE, SUITE 210, HENDERSON, NV 89014

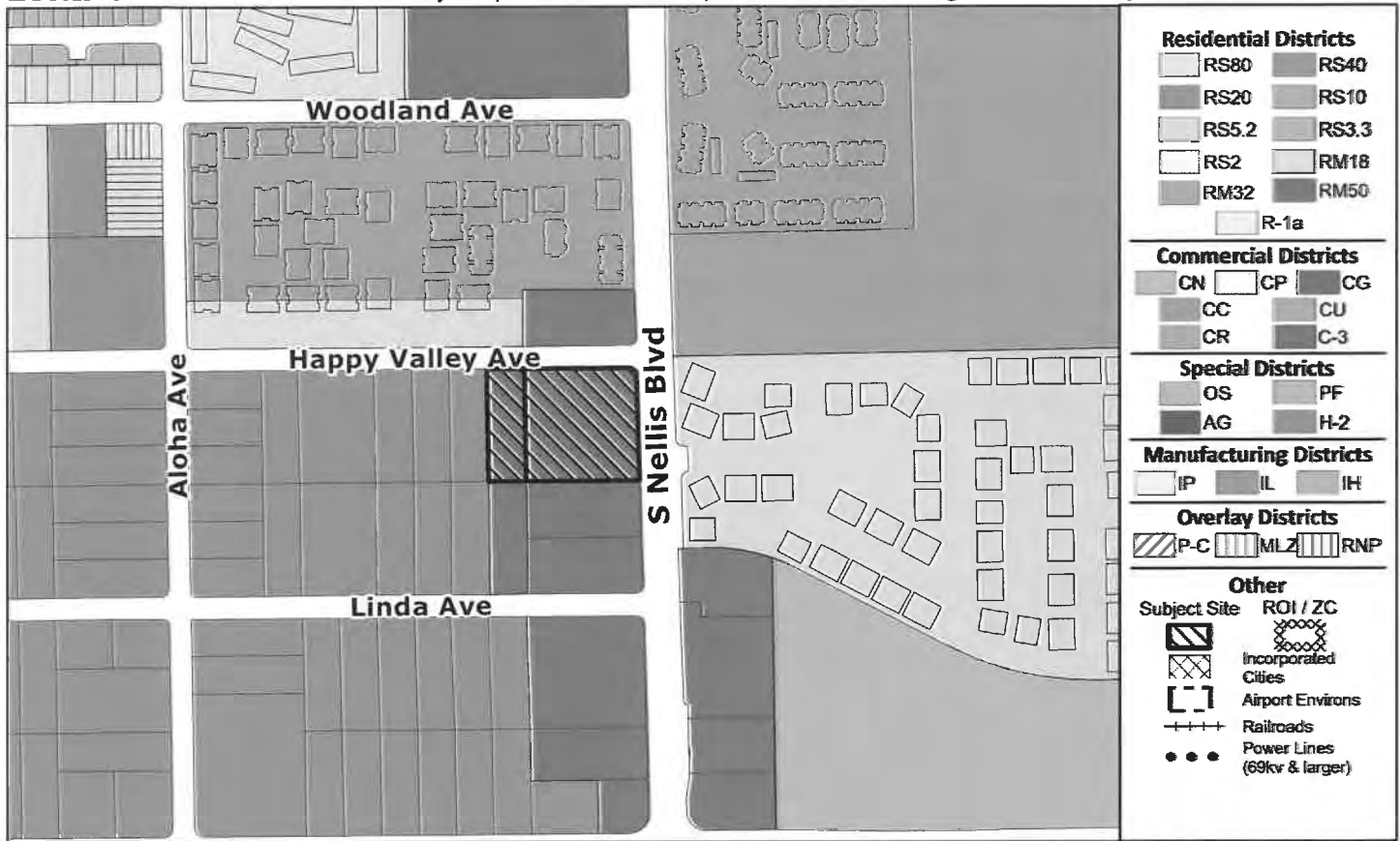
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Commission Agenda Map

VS-24-0277

ZONING

Clark County Department of Comprehensive Planning, Clark County, Nevada



PLANNED LAND USE



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Subject Parcel(s)
16108810082
16108810083



0 125 250 500 Feet
Map Created on 7/30/2024

PPLRL_1644



PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-24-0277-PALM PROPERTIES, LLC:

HOLDOVER VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file). TS/jor/syp (For possible action)

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APN:

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Related Applications

Application Number	Request
WS-24-0276	A waiver of development standards with a design review for a proposed commercial truck parking lot is a companion item on this agenda.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis**Public Works - Development Review**

Staff has no objection to the vacation of right-of-way for detached sidewalks.

Staff Recommendation

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Satisfy utility companies' requirements.
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Public Works - Development Review

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Building Department - Addressing

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC: Sunrise Manor - denial.

APPROVALS:

PROTESTS: 6 cards, 2 letters

COUNTY COMMISSION ACTION: September 4, 2024 – HELD – To 10/02/24 – per the applicant.

COUNTY COMMISSION ACTION: October 2, 2024 – HELD – To 11/06/24 – per the applicant.

COUNTY COMMISSION ACTION: November 6, 2024 – HELD – To 11/20/24 – per Commissioner Segerblom.

APPLICANT: LEADING EDGE VENTURES, LLC

CONTACT: G.C. GARCIA, INC, 1055 WHITNEY RANCH DRIVE, SUITE 210, HENDERSON, NV 89014



AUTHORIZATION TO SUBMIT APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

Application Pre-review (APR) record number: APR-23-101485

Application Materials have been deemed ready to submit ☐ without revisions ☒ with minor revisions.

Notes: L/S plan and JL revised

By: JUD Date: 06/08/2024

Advisory: Authorization to submit expires 2 weeks after determination is made. If all required documents are not provided to staff within this timeframe, an appointment to re-review the application materials is required.

Required Application(s):

- | | | |
|--|--|---|
| <input type="checkbox"/> Master Plan Amendment | <input type="checkbox"/> Land Use – Administrative Design Review (ADR) | <input type="checkbox"/> Tentative Map (TM) |
| <input type="checkbox"/> Land Use | <input type="checkbox"/> Land Use – Wavier of Conditions (WC) | <input checked="" type="checkbox"/> Vacation and Abandonment (VS) |
| <input type="checkbox"/> Zone Change (ZC) | <input type="checkbox"/> Land Use – Application for Review (AR) | <input type="checkbox"/> Other: |
| <input type="checkbox"/> Special Use Permit (UC) | <input type="checkbox"/> Land Use – Extension of Time (ET) | |
| <input checked="" type="checkbox"/> Waiver of Development Standards (WS) | | |
| <input checked="" type="checkbox"/> Design Review (DR) | | |

Required Fees:

- Refer to the attached Fee Sheet.

Next Steps:

- Review the attached submittal requirements for the applicable application type(s).
- Go to the Application Pre-review record in the County's Citizen Access Portal (ACA) and upload all required application documents in PDF format (regardless of the format specified in the submittal requirements).
- Once all the application documents are uploaded, coordinate the transmittal of the required hard copy documents with the planner who authorized the submittal (see name above); all transmittals shall include a cover letter and/or transmittal memo and a copy of this form. The Personnel Contact Information list on Department's Contact Us webpage includes the phone number and email address for all planners.
- When the application package is received, the documents will be re-reviewed to ensure no changes except those noted above have been made and, if in an acceptable form, the planner will accept the application documents. Staff will then create the application records. If payment for the application fees was not included in the application package, an email notice will be sent to the record(s) contact indicating the application fees are due. This step may take up to 2 business days to complete.
- Once fees are paid, the application(s) will be considered "Submitted".

Andrea Cole

From: Clark County <Clarkcounty-accela@clarkcountynv.gov>
Sent: Tuesday, February 27, 2024 4:47 PM
To: centurywest1@hotmail.com; Andrea Cole
Cc: PWLanduse@ClarkCountyNV.gov
Subject: New Submittal: APR-23-101485 - APN: 161-08-810-083 Public Works ok

Good afternoon,

Public Works has no further comments on this Application Pre-Review (APR). Please contact Comprehensive Planning at 702-455-4314 or zoning@ClarkCountyNV.gov for information on how to proceed.

Thank you
JaWaan Dodson

Important information:

Please note that although Public Works has no further comments on this APR, it does not mean that we will recommend approval.



February 19, 2024

Comprehensive Planning
Clark County
500 S. Grand Central Pkwy
Las Vegas, NV 89155

RE: Response to Planning Comments: Parking Lot for Commercial Vehicles
APN#s 161-08-810-082 & -083

Dear Steve:

On behalf of my client, Leading Edge Ventures LLC, we wish to address the 2nd round of comments received on February 1, 2024, for the application listed above.

02/01/24 Comments:

Per our morning meeting for the parking lot for commercial trucks below is a summary of our discussion.

Comments:

- Parking lot for commercial trucks in CG zone and is permitted use. Design review required.
Response – A Design Review for Commercial Truck Parking is requested through a Design Review as well as a Vacation request.
- Possible waiver for ingress/egress onto residential street. Public Works will determine.
Response – Traffic believed retaining access on a low volume local street, Happy Valley, was acceptable but was Planning decision not Traffic. Putting an access drive onto a major arterial will cause more delays and potential for accidents on Nellis.
- Asked applicant to have their Engineer(s) to review the section in Title 30 30.04.07 on “Operational Standards” for requirements on lighting, including shielding, type of lighting, motion sensors etc.
Response – The requested code required section is referenced on the revised plans for this pre-submittal
- Provide elevations for the existing cell tower with setback dimensions and for the security building, including exterior materials and setbacks and height.
Response – Information from the County records is provided with the revised plans for this pre-submittal
- Will still need to provide vacation application for 5 feet of right-of-way being Happy Valley Lane. Will discuss with Public Works.
Response – A Vacation application for 5 feet of Happy Valley is included with this resubmittal.



A Planning & Development Services Corporation

1055 Whitney Ranch Dr., Suite 210, Henderson, NV 89014
Telephone: (702) 435-9909 Facsimile: (702) 435-0457 E-Mail: ggarcia@gcgarciainc.com

PPLRL_1650

- Sustainability information provided on landscape plan.
Response – The sustainability information was previously provided and is on the landscape plans with this resubmittal.
- Applicant provided revised letter based upon first review of plans.
Response – Applicant has made minor revisions to the justification letter as part of this resubmittal.
Public Works will need to review these plans. Their email is PWLanduse@ClarkCountyNV.gov Provide them electronically with APN number, APR number and your contact information.
Response – The plans were submitted to PW and comments received and address per the provided revised plans and response letter as part of this revised pre-submittal
- Please setup your next appointment after comments are provided by Public Works with a Planner to provide for review.
Response – The next pre-submittal is February 20, 2024 in compliance with the above comment.

We respectfully request your consideration of the above responses and would appreciate any request for further clarification or expansion you may require.

Sincerely,

A handwritten signature in black ink, appearing to read 'George Garcia', with a stylized flourish at the end.

George Garcia
Founder



June 4, 2024

Comprehensive Planning
Clark County
500 S. Grand Central Pkwy
Las Vegas, NV 89155

RE: Response to Planning Comments: Parking Lot for Commercial Vehicles
APN#s 161-08-810-082 & -083

Dear Judith:

On behalf of my client, Leading Edge Ventures LLC, we wish to address the 3rd round of comments received on February 20, 2024, for the application listed above.

02/20/24 Comments:

Please see the Current Planning comments below. Note, you must secure another appointment in order to address this APR.

- Vacation site plan
 1. Project information shall be updated to today's code zoning districts.
Response – Vacation Site plan has been revised with the current zoning districts
- Site Plan (did not review)
- Justification Letter
 1. Include language about the active CCPRO violation CE23-05369.
Response – Included In revised letter
 2. Include language regarding the proposed sustainability points and design review.
Response – Included in revised letter
 3. Address Sections 30.04.06 I (signs) & M (cut through traffic).
Response – Included in revised letter
 4. Include waiver of development standards request to allow access to a local street, see Section 30.04.06 D & 30.04.06 M.
Response – Included in revised letter
- Elevations
 1. Guard building does not provide the building height.
Response – Height added to exhibit
 2. The awning above the entry door must extend 3 feet in order to count towards sustainability.
Response – Awning added to exhibit



A Planning & Development Services Corporation

1055 Whitney Ranch Dr., Suite 210, Henderson, NV 89014

Telephone: (702) 435-8000 Fax: (702) 435-0457 Email: garcia@gcgarcia.com

PPLRL_1652

- Landscape Plan

1. Buffering and screening shall to residential shall be 8-foot-high decorative wall.

Response – Landscape & Site plans revised to show the existing 8' high cmu wall

2. A 15-foot landscaped buffer with a double row of evergreen trees planted offset from one another. In each row trees shall be planted 20 feet apart on center. (staff understands the applicant is providing 20 feet of LS; however, the proposed trees are not evergreen).

Response – Landscape plan revised to show the above.

3. Mondel pines are not recommended per SNWA plant list.

Response – Mondel pines removed from plan

- Cross Sections (residential adjacency only)

4. Site zoning district as well as surrounding zoning districts shall be labeled with the current zoning district names.

Response – Cross Sections exhibit has been revised to show current zoning districts.

Please e-mail PWLandUse@ClarkCountyNV.gov your application package as this application shall also be reviewed and concurrence shall be received from Public Works Development Review prior to its submittal. Make sure to include your APR number on the subject line when sending your APR to PW.

Response – PW's signed off on 02/28/24, see attached email

We respectfully request your consideration of the above responses and would appreciate any request for further clarification or expansion you may require.

Sincerely,



George Garcia
Founder

Andrea Cole

From: Andrea Cole
Sent: Tuesday, February 27, 2024 10:48 AM
To: PWLanduse@ClarkCountyNV.gov
Subject: New Submittal: APR-23-101485 - APN: 161-02-810-083 Public Works comments
Attachments: site-6-SP1.pdf; Map that dedicated the ROW for Happy Valley MapPL0040001.pdf

See below responses and the attached.

From: Clark County Clarkcounty-accela@clarkcountynv.gov
Sent: Tuesday, February 27, 2024 8:46 AM
To: centurywest1@hotmail.com; Andrea Cole acole@gcgarciainc.com
Cc: PWLanduse@ClarkCountyNV.gov
Subject: New Submittal: APR-23-101485 - APN: 161-02-810-083 Public Works comments

Good morning,

Please see the Public Works comments below:

The comments from 2/15/2024 are in black. My original responses are in blue. PW's comments from 2/27/2024 are in red. Additional responses in Green.

Be advised that Nellis Boulevard is a Nevada Department of Transportation (NDOT) right-of-way.

Detached sidewalks are required, this application will need to include a vacation of the right-of-way. Application revised to include the vacation.

Site Plan:

- The minimum required throat is 100 feet per Uniform Standard Drawing 222.1. Site Plan revised to show 100'. It looks like the parking was reduced with this revision and 75 feet is now the minimum. Resolved.
- Provide and show the back of curb radius on the east side of the Happy Valley Avenue commercial driveway and at the intersection. Shown on revised site plan. Not provided (2nd request). Previously provided, attached for reference.
- Correct the right-of-way width for Happy Valley Avenue. ROW corrected on revised site plan. Resolved.

Vacation:

- Provide a the record information for the right-of-way being vacated. See attached recorded map that dedicated the ROW on Happy Valley.

Thank you

JaWaan Dodson

-

Directions for when you make the necessary changes

- Email the following to Public Works – Development Review at PWLandUse@ClarkCountyNV.gov:
 - o A detailed written response to each of our comments.
 - o Copies of revised plans and documents.
 - o If you make changes other than those that are specified in our comments, provide a detailed list of the changes and an explanation for why the changes were made.

Contacts for the Public Works - Land Use Application Team

- Email:
 - o PWLandUse@ClarkCountyNV.gov
- Phone numbers:
 - o 702-455-4607 – Sarah Mabry-Padovese
 - o 702-455-6387 – JaWaan Dodson
 - o 702-455-6385 – Nick Goodman
 - o 702-455-4600 – Main number for Development Review

Inst #: 20150911-0001608
Fees: \$20.00 N/C Fee: \$0.00
RPTT: \$3570.00 Ex: #
09/11/2015 01:08:51 PM
Receipt #: 2550965
Requestor:
FIDELITY NATIONAL TITLE - L
Recorded By: CYV Pgs: 5
DEBBIE CONWAY
CLARK COUNTY RECORDER

GBS Deed

A.P.N. 161-08-810-082 and
161-08-810-083

**RECORDING REQUESTED AND
WHEN RECORDED RETURN TO:**

**Palm Properties, LLC
6050 S. Fort Apache Rd #100
Las Vegas, NV 89148**

SEND TAX STATEMENTS TO:

SAME AS ABOVE

GRANT, BARGAIN, SALE DEED

THIS INDENTURE (this "**Deed**"), made and entered into on this 9th day of September, 2015, by RG Properties, LLC, a Nevada limited liability company ("**Grantor**"), in favor of Palm Properties, LLC, a Nevada limited liability company ("**Grantee**").

WITNESSETH:

The Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00), lawful money of the United States, to it in hand paid by the said Grantee, and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby GRANT, BARGAIN, SELL and convey unto the said Grantee, its respective successors and assigns forever, all of Grantor's rights, title, interests, and estate in and the real property more particularly described as follows:

See the Exhibit A attached hereto and incorporated herein by this reference

Subject To:

1. Taxes for the current fiscal year, and any and all taxes (including supplemental taxes) and assessments levied or assessed after the recording date of this document.
2. Rights of way, reservations, restrictions, easements and conditions of record.

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Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, remainders, rents, issues or profits thereof.

IN WITNESS WHEREOF, the Grantor has caused this Deed to be executed on the day and year first above written.

RG Properties, LLC, a Nevada limited liability company

Roula Grillas by Janina Jones her attorney in fact
By: Roula Grillas, Manager (by Janina Jones, her duly appointed attorney-in-fact)

STATE OF CA
COUNTY OF Los Angeles } ss.

This instrument was acknowledged before me on this 9th day of September, 2015, by Janina Jones as power of attorney for Roula Grillas, Manager of RG Properties, LLC, a Nevada limited liability company.

Please add

the attached
acknowledgment

Chap
Not
Seal
SA

NOTARY PUBLIC

December 4, 2016

Commission expires

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

State of California

County of Los Angeles

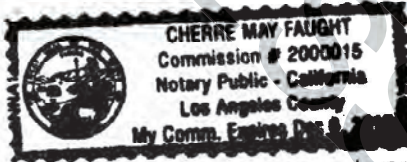
On Sept 9
Date

before me,

Cherre May Faught, Notary Public
Here Insert Name and Title of the Officer

personally appeared

Janina Maria Jones
Name(s) of Signer(s)



My Comm. Expires Dec 6, 2016

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature:

Cherre May Faught
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____

Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Individual

☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Individual

☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

EXHIBIT A

Parcel 1:

Lot One (1) in Block One (1) of Vegas Valley Estates Tract No. 2 as shown by map thereof on file in Book 4 of Plats, Page 1, in the Office of the County Recorder, Clark County, Nevada.

Excepting therefrom that portion as conveyed to the County of Clark by that certain deed recorded November 6, 1975 in Book 568 as Document No. 527120 of Official Records.

Parcel 2:

That portion of Lot Two (2) in Block One (1) of Vegas Valley Estates Tract No. 2, as shown by map thereof on file in Book 4 of Plats, Page 1, in the Office of the County Recorder of Clark County, Nevada described as follows:

Parcel One (1) as shown by map thereof on file in File 7 of Parcel Maps, Page 84, in the Office of the County Recorder of Clark County, Nevada.

Assessor's Parcel Number: 161-08-810-082, 161-08-810-083

**STATE OF NEVADA
DECLARATION OF VALUE FORM**

1. Assessor Parcel Number(s) ☐

- a) 161-08-810-083
b) _____
c) 161-08-810-082
d) _____

2. Type of Property:

- a) ☐ Vacant Land b) ☐ Single Fam. Res.
c) ☐ Condo/Twnhse d) ☐ 2-4 Plex
e) ☐ Apt. Bldg. f) ☒ Comm'l/Ind'l
g) ☐ Agricultural h) ☐ Mobile Home
i) ☐ Other _____

FOR RECORDER'S OPTIONAL USE ONLY

Document/Instrument # _____

Book: _____ Page: _____

Date of Recording: _____

Notes: _____

3. Total Value/Sales Price of Property: _____

\$700,000.00

Deed in Lieu of Foreclosure Only (value of property): _____

(0.00)

Transfer Tax Value: _____

\$700,000.00

Real Property Transfer Tax Due: _____

\$3,570.00

4. **If Exemption Claimed:**

a. Transfer Tax Exemption, per NRS 375.090, Section: _____

b. Explain Reason for Exemption: _____

5. Partial Interest: Percentage being transferred: _____%

The undersigned Seller/(Grantor)/Buyer (Grantee), declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the parties agree that disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month.

Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

Signature _____

Capacity Grantor

Signature [Signature]

Capacity Grantee

SELLER (GRANTOR) INFORMATION

BUYER (GRANTEE) INFORMATION

(REQUIRED)

(REQUIRED)

Print Name RG Properties, LLC, a Nevada
limited liability company

Print Name: Palm Properties, LLC, a Nevada
limited liability company

Address: c/o Singer Burke 6345 Balboa
Bldg #375 Bldg 4

Address: 6050 S. Fort Apache Rd #100

City, St., Zip: Encino, CA 91316

City, St., Zip: Las Vegas, NV 89148

COMPANY REQUESTING RECORDING

Print Name: Fidelity National Title Agency of Nevada, Inc.

Escrow #: 00039824-118

Address: 2450 St. Rose Parkway, Suite 150

City/State/Zip: Henderson, NV 89074

AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED



ENTITY INFORMATION

ENTITY INFORMATION

Entity Name:
PALM PROPERTIES, LLC
Entity Number:
E0342702013-6
Entity Type:
Domestic Limited-Liability Company (96)
Entity Status:
Active
Formation Date:
07/15/2013
NV Business ID:
NV20131420281
Termination Date:
Annual Report Due Date:
7/31/2024
Compliance Hold:
Series LLC:
Restricted LLC:

REGISTERED AGENT INFORMATION

Name of Individual or Legal Entity:
DHANMINDER K DHALIWAL
Status:
Active
CRA Agent Entity Type:
Registered Agent Type:
Non-Commercial Registered Agent
NV Business ID:
Office or Position:
Jurisdiction:
Street Address:
6050 S FORT APACHE RD STE 100, LAS VEGAS, NV, 89148, USA
Mailing Address:
Individual with Authority to Act:
Fictitious Website or Domain Name:

OFFICER INFORMATION

☐ VIEW HISTORICAL DATA

Title	Name	Address	Last Updated	Status
Managing Member	RAJWINDER S DHALIWAL	6050 S FORT APACHE RD., SUITE 100, LAS VEGAS, NV, 89148 - 5614, USA	06/04/2018	Active
Managing Member	DHANMINDER K DHALIWAL	6050 S FORT APACHE RD., SUITE 100., LAS VEGAS, NV, 89148 - 5614, USA	06/04/2018	Active

Page 1 of 1, records 1 to 2 of 2

[Filing History](#) [Name History](#) [Mergers/Conversions](#)

[Return to Search](#) [Return to Results](#)

ENTITY INFORMATION

ENTITY INFORMATION

Entity Name: LEADING EDGE VENTURES LLC

Entity Number: E23741252022-9

Entity Type: Domestic Limited-Liability Company
(86)

Entity Status: Active

Formation Date: 06/07/2022

NV Business ID: NV20222470546

Termination Date: Perpetual

Annual Report Due Date: 6/30/2023

Series LLC: ☐

Restricted LLC: ☐

REGISTERED AGENT INFORMATION

**Name of Individual or
Legal Entity:** The Corporate Experts Limited

Status: Active

CRA Agent Entity Type: CRA - LIMITED-LIABILITY
CORPORATION

Registered Agent Type: Commercial Registered Agent

NV Business ID: NV20181139686

Office or Position:

Jurisdiction: NEVADA

Street Address: 9708 GILLESPIE STREET, SUITE 104,
Las Vegas, NV, 89183, USA

Mailing Address:

**Individual with
Authority to Act:** Barry Michaels

**Fictitious Website or
Domain Name:**

OFFICER INFORMATION

☐ VIEW HISTORICAL DATA

Title	Name	Address	Last Updated	Status
Manager	Robert Lauer	5001 East Gowan Ave, Las Vegas, NV, 89115, USA	01/11/2023	Active

Page 1 of 1, records 1 to 1 of 1

[Filing History](#) [Name History](#) [Mergers/Conversions](#)

[Return to Search](#) [Return to Results](#)



9
HOLD

September 3, 2024

Clark County Board of County Commissioners
500 S. Grand Central Parkway
Las Vegas, NV

RE: Nellis & Happy Valley (#9 VS-24-0277 & #10 WS/DR-24-0276)

Dear Commissioner Segerblom:

Per communication with the District Commissioner's office, we are submitting a request for a continuance from the Board of County Commissioners meeting for items #9 and #10 on September 4, 2024, to the Board of County Commissioners meeting on October 2, 2024.

We respectfully request your consideration in the above-listed matter. If you have any questions, please feel free to contact us at (702) 435-9909.

Sincerely,

A handwritten signature in black ink, appearing to be 'G. Garcia'.

George C. Garcia
Founder

GCG: ag



A Planning & Development Services Corporation

1055 Whitney Ranch Dr., Suite 210, Henderson, NV 89014
Telephone: (702) 435-9909 Facsimile: (702) 435-0457 E-Mail: ggarcia@gcgarciainc.com



8

September 24, 2024

HOLD

Tick Segerblom, Chairman
Clark County Board of County Commissioners
500 S. Grand Central Parkway
Las Vegas, NV

RE: Nellis & Happy Valley (VS-24-0277 & WS/DR-24-0276)

Dear Chairman Segerblom and Board of County Commissioners:

The following is a request for a continuance on items #8 and #9 (VS-24-0277 & WS/DR-24-0276) on the Board of County Commissioners hearing for October 2, 2024 to the Board of County Commissioners meeting on November 6, 2024. This will allow us additional time to work with the Commissioner's office.

We respectfully request your consideration in the above-listed matter. If you have any questions, please feel free to contact us at (702) 435-9909.

Sincerely,

George C. Garcia
Founder

GCG: ac



A Planning & Development Services Corporation

1055 Whitney Ranch Dr., Suite 210, Henderson, NV 89014
Telephone: (702) 435-9909 Facsimile: (702) 435-0457 E-Mail: ggarcia@gcgarciainc.com PPLRL_1666



9
HOLD

September 3, 2024

Clark County Board of County Commissioners
500 S. Grand Central Parkway
Las Vegas, NV

RE: Nellis & Happy Valley (#9 VS-24-0277 & #10 WS/DR-24-0276)

Dear Commissioner Segerblom:

Per communication with the District Commissioner's office, we are submitting a request for a continuance from the Board of County Commissioners meeting for items #9 and #10 on September 4, 2024, to the Board of County Commissioners meeting on October 2, 2024.

We respectfully request your consideration in the above-listed matter. If you have any questions, please feel free to contact us at (702) 435-9909.

Sincerely,

George C. Garcia
Founder

GCG: ag



A Planning & Development Services Corporation

1055 Whitney Ranch Dr., Suite 210, Henderson, NV 89014
Telephone: (702) 435-9909 Facsimile: (702) 435-0457 E-Mail: ggarcia@gcgarcia.com

Katherine Corrow

From: Sami Real
Sent: Thursday, October 31, 2024 11:41 AM
To: CPAdmin
Subject: FW: HOLD Items VS-24-0277 and WS-24-0276

Please process this hold request from Commissioner Segerblom's office.
This hold is for two items, Items 7 and 8, on the 11/6 Zoning Agenda. The Commissioner is requesting these items be held until November 20, 2024.
Thank you.

Sami R. Real
Director, Department of Comprehensive Planning
Ph: (702) 455-3129
Business Hours: Mon. – Thurs., 7:30am to 5:30pm

From: Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Sent: Thursday, October 31, 2024 11:39 AM
To: Sami Real <Sami.Real@ClarkCountyNV.gov>
Cc: Jennifer Ammerman <jad@ClarkCountyNV.gov>; Tick Segerblom <Tsegerblom@ClarkCountyNV.gov>
Subject: RE: HOLD Items VS-24-0277 and WS-24-0276

Sorry about that! I will be to the second meeting in November.

Thank you!

Beatriz Martinez
Community Liaison | District E, Commissioner Tick Segerblom
500 S. Grand Central Parkway, 6th Floor, Las Vegas, NV 89155
Email: Beatriz.Martinez@ClarkCountyNV.gov
Office: 702.455.0560



From: Sami Real <Sami.Real@ClarkCountyNV.gov>
Sent: Thursday, October 31, 2024 11:37 AM
To: Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Cc: Jennifer Ammerman <jad@ClarkCountyNV.gov>; Tick Segerblom <Tsegerblom@ClarkCountyNV.gov>
Subject: RE: HOLD Items VS-24-0277 and WS-24-0276

Bea..
How long will these items be held for???
No date? Second meeting in November? Or???

Sami R. Real
Director, Department of Comprehensive Planning
Ph: (702) 455-3129
Business Hours: Mon. – Thurs., 7:30am to 5:30pm

From: Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Sent: Thursday, October 31, 2024 11:23 AM
To: Sami Real <Sami.Real@ClarkCountyNV.gov>
Cc: Jennifer Ammerman <jad@ClarkCountyNV.gov>; Tick Segerblom <Tsegerblom@ClarkCountyNV.gov>
Subject: HOLD Items VS-24-0277 and WS-24-0276

Hi Sami,

Commissioner Segerblom would like to hold items VS-24-0277 and WS-24-0276, we have made the consultant aware of the hold.

Thank you,

Beatriz Martinez

Community Liaison | District E, Commissioner Tick Segerblom

500 S. Grand Central Parkway, 6th Floor, Las Vegas, NV 89155

Email: Beatriz.Martinez@ClarkCountyNV.gov

Office: 702.455.0560





June 5, 2024

Clark County Current Planning
500 S. Grand Central Pkwy
Las Vegas, NV 89155

RE: Letter of Justification
Request for Design Review for Commercial Truck Parking – 3125 Nellis
APN#s: 161-08-810-082 & -083

Dear Sami,

On behalf of the applicant, Leading Edge Ventures, LLC, please accept this letter and attached materials for a Design Review to create a Commercial Truck Parking Lot. This lot will enable truckers to have a place to legally park their local trucks (not long haul over-the-road). This will help keep trucks from parking on public streets creating enforcement and neighborhood issues. It will also provide a safer, more secure parking environment that always has solar powered cameras Metro can access. Additionally, a security guard is always present. The truck drivers arrive and park in the spaces vacated by their truck.

This also takes a site that previously occupied by a homeless encampment after the retail center was demolished. Their presence was a security and nuisance issue for the abutting residential and commercial. This use puts an active set of eyes on the street in an area that is relatively high in crime and will bring an informal parking lot into compliance after 3 years of operation. It also improves the tax value and employs a military veteran as the security guard.

The zoning of Commercial General (CG) and land use of Corridor Mixed-Use use designations provide for a Parking Lot as a permitted Commercial Use in CG. The zoning along Nellis, from Desert Inn to Vegas Valley Dr. is for Commercial General and Multifamily (RM32 & RM18). Happy Valley is RS20 on the south and RM-32 on the north.

This application will also resolve the pending CCPRO matter CE23-05369.
The site design meets both the Sustainability and Residential Adjacency requirements.

Design Review Approval Criteria 30.06.07-9(i)

1. Compatibility, in terms of scale and architectural features, with the site and surrounding area.

The site as proposed with be compatible as a parking lot on an arterial street with completion of infrastructure, lighting, landscaping and fencing. This will equal or exceed the rest of the older neighborhood. This replaces and is far more compatible than the prior homeless encampment and helps reduce crime in a high crime area.

Building and landscape materials are appropriate for the area and for the County;



A Planning & Development Services Corporation

1055 Whitney Ranch Dr., Suite 210, Henderson, NV 89014
Telephone: (702) 435-9909 Facsimile: (702) 435-0457 E-Mail: aaarcia@aacarciainc.com

PPLRL_1670

Along with the parking lot there is a guard and shade building structures proposed. The buildings will have energy saving sustainability elements incorporated.

All new landscaping will be consistent with the current low watering flow planting and reduced heat island requirements. The mature existing palms will remain/ All new trees will be replaced new drought tolerant landscaping along with the completion of the curb, gutter and sidewalk to enhance the aesthetics, safety, drainage and heat island and provide the required Buffering & Screening for Residential Adjacency (UDC 30.04.06.L.2).

SUSTAINABLY CHECKLIST (see attached landscape plan and completed checklist). The plans meet the required points .As a synopsis, the plans includes a 20% larger Landscape Buffer, More Trees, Water-Efficient Plantings; Cool Roof; Awnings; & Alternative Energy to power the Solar Lighting and Security Cameras. This accounts for 7.5 points, and more points, if needed, can be added for a Battery Backup and Low E Glass for another 1.5 points..

2. Harmony with the character of the neighborhood

The proposed development is in harmony with the adjacent development and development in the area. The commercial neighbors to the north and south find the use compatible and support the truck parking lot, that has been operating for 3 years with only one complaint. They appreciate the applicants' desire to further enhance the lot width: lighting, security cameras, security guard, landscaping, paving and fencing and keep the prior homeless camp away.

The retail center on this site was demolished. The surrounding area has older commercial storage sites and apartments near the major streets and to the west some residential homes. Across Happy Valley to the north there is a saloon/tavern.

A. Sunrise Manor Policies:

- a) SM 1-1 Encourage Reinvestment and Revitalization – This will improve a highly visible vacant commercial property. It will help deter further deterioration, homeless encampment, and safety issues. It will provide an interim use that helps promote reinvestment until area economic conditions attract a higher use. The abutting neighbors find this use compatible.***
- b) SM-1.3 Corridor Revitalization – This use will support the revitalization and prevent further deterioration and supports a use and improvements that will help some existing businesses and create a more aesthetic and vibrant appearance to help attract greater investment to the area compared to a vacant lot with a homeless encampment.***

RESIDENTIAL ADJACENCY

The plan complies with the Residential Adjacency requirements. The proposed site design as depicted on the Site and Landscape plans meets the Residential Adjacency requirements of the code: There is an existing 8FT decorative wall. 1) Grading – Not more than 3 feet of fill within 50 feet of the residential; 2) Site and Building Orientation – the guard building is oriented well away from the residential and at the entry point from Happy Valley. a) Additional Buffering and Screening is provided with a 20' foot landscape buffer with an 8-foot wall. 3) Building Configuration – The guard building is tiny one-story building and moved to about 200 feet away from the residential property line. Building Height and Facades is about 8-9 feet in height, well below the allowable height 50 feet, with articulation and consistent roof lines and roof

treatments. 4) Setbacks – the building at nearly 200 feet from residential and 75 feet from the street easily meet setbacks. 5) Lighting will be solar and will comply with no spill over lighting and no light fixture above 18 height (show on plan). 6) Trash Receptacles are located well beyond 50 feet to the adjacent residential at about 200+ feet 7) Parking Area Screening is provided with 20 feet or 5 feet & 33% more than the minimum of 15 FT of landscaped buffer and a staggered double row of evergreen trees 20 feet on center 8) Cut-Through Traffic is not possible.

3. Impact on the surrounding land uses; and

Site access and circulation will not negatively impact adjacent roadways or any neighborhoods as this is not like the prior commercial, retail or office parking lot that have higher frequency and volume of trips. The proposed project has a single appropriately located driveway to control access. The site has far less average daily trips than other permissible CG uses. The proposed use will add minimal traffic to the area and will complete the offsite improvements to Happy Valley including curb, gutter, and street lighting. The existing commercial access drive on Happy Valley will be reconstructed to current commercial drive standards.

4. The health, safety and welfare of the inhabitants of the area.

Removing the homeless encampment, completing the street, sidewalk, addition of lighting, a 24/7 security guard, intense landscape buffer, defensive landscaping, fencing and security cameras coupled with cooperation with Metro on implementing its recommendations and access to camera recordings as well as helping illegal and unsafe truck parking & CCPRO code enforcement will in combination, greatly enhance the public health, safety and welfare. It will also help address trash dumping and graffiti control.

The proposed project is consistent with the zoning and regulations, plans and policies of the County.

B. (i) A Parking Lot is a Permitted Use in CG.

(ii) The parking lot design is intended to fully comply with all codes.

(iii) Illegal Parking of Commercial Trucks on public streets has become a significant issue putting residents, businesses, and truck drivers at risk.

(iv) Jason's Law is a federal law to encourage safe parking havens for truckers.

C. Sunrise Manor Policies:

c) SM 1-1 Encourage Reinvestment and Revitalization – This will improve a highly visible vacant commercial property. It will help deter further deterioration, homeless encampment, and safety issues. It will provide an interim use that helps promote reinvestment until area economic conditions attract a higher use. The abutting neighbors find this use compatible.

d) SM-1.3 Corridor Revitalization – This use will support the revitalization and prevent further deterioration and supports a use and improvements that will help some existing businesses and create a more aesthetic and vibrant appearance to help attract greater investment to the area compared to a vacant lot with a homeless encampment.

5. N/A as this is not a Comprehensive Sign Plan

Waiver of Standards

1. Request to allow continuation of commercial access from Happy Valley Avenue (30.04.06D).

The site is zoned for commercial (CG) and the prior development had its access from Happy Valley. NDOT does not want access to Nellis given the volumes of traffic on Nellis and location of a driveway so close to the signal and bus stop as well as the existing driveway to the south. Happy Valley is the sole means of access given this limitation. It also appears that the prior driveway with access on Nellis was closed in 2021 during NDOT's improvements to Nellis. This meets the basis for an exception under 30.04.06.D.2.

Summary

The proposed Commercial Truck parking Lot use will provide a location for truck drivers to park their vehicles outside of residential subdivisions and not on public roadways. This will also help minimize safety hazards, trash dumping, graffiti control, homeless encampments, and code citations. It will add to appearance with fencing and landscaping. It will enhance public safety by completing the road and sidewalk on Happy Valley. It will help with crime prevention.

The use is compatible with the surrounding commercial and residential development in the area as it is supported by the neighbors. It will not be detrimental to the surrounding properties; it will not overwhelm infrastructure and services; and will not negatively affect the public health, safety and welfare. We respectfully request your favorable consideration of this request.

Please do not hesitate to contact us if you have any questions or need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'George Garcia', with a stylized flourish at the end.

George Garcia
Founder

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

CC CURRENT PLANN
500 S GRAND CENTRAL PKWY
LAS VEGAS NV 89106

Account #
Order ID

104006
321086

IMAGE ON NEXT PAGE(S)

Leslie McCormick, being 1st duty sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal/Las Vegas Sun, daily newspaper regularly issued, published and circulated in the Clark County, Las Vegas, Nevada and that the advertisement, a true copy attached for, was continuously published in said Las Vegas Review-Journal/Las Vegas Sun, in 1 edition(s) of said newspaper issued from 08/24/2024 to 08/24/2024, on the following day(s):

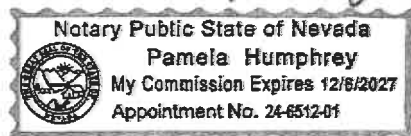
08/24/2024

Leslie McCormick

LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this August 24, 2024

Notary *Pamela Humphrey*



NOTICE IS HEREBY GIVEN

That the Board of County Commissioners of Clark County will hold a Public Hearing to consider the following applications:

**Date: Wednesday,
September 4, 2024
Place: Commission Chambers
Clark County
Government Center
500 South Grand
Central Parkway
Las Vegas, Nevada**

**NO ITEM ON THE BCC AGENDA
SHALL BE HEARD PRIOR TO 9:00
A.M.**

**To consider applications to
change zoning district
boundaries:**

1. ZC-24-0265-ZONE CHANGE to reclassify 1.25 acres from an RS20 (Residential Single-Family 20) Zone to a CG (Commercial General) Zone. Generally located on the northeast corner of Ullom Drive and Silverado Ranch Boulevard within Enterprise (description on file).

2. ZC-24-0304-ZONE CHANGE to reclassify 1.37 acres from a CC (Commercial Core) Zone to an RM32 (Residential Multi-Family 32) Zone. Generally located on the west side of Eastern Avenue and the south side of Rochelle Avenue within Paradise (description on file).

3. ZC-24-0324-ZONE CHANGE to reclassify 1.43 acres from an RS20 (Residential Single-Family 20) Zone to an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the east side of Randall Street and the north side of Tres Lobos Avenue within Moapa Valley (description on file).

4. ZC-24-0348-ZONE CHANGE to reclassify 68.10 acres from a CR (Commercial Resort) Zone to a PF (Public Facility) Zone within the Airport Environs (AE-60, AE-65, AE-70, & AE-RPZ) Overlay. Generally located on the south side of Sunset Road and the west side of Gilesple Street within Enterprise (description on file).

5. ZC-24-0349-ZONE CHANGE to reclassify 3.76 acres from an RS5.2 (Residential Single-Family 5.2) Zone to a PF (Public Facility) Zone within the Airport Environs (AE-60 & AE-65) and Maryland Parkway Overlays. Generally located on the east side of University Center Drive and the north side of Hacienda Avenue within Paradise (description on file).

6. ZC-24-0350-ZONE CHANGE to reclassify 7.97 acres from a CR (Commercial Resort) Zone to a PF (Public Facility) Zone within the Airport Environs (AE-60 & AE-65) Overlay. Generally located on the northwest corner of Four Seasons Drive and Haven Street within Paradise (description on file).

7. ZC-24-0351-ZONE CHANGE to reclassify 0.67 acres from a CR (Commercial Resort) Zone to a PF (Public Facility) Zone within the Airport Environs (AE-60) Overlay. Generally located on the east side of Las Vegas Boulevard South, 100 feet south of Four Seasons Drive within Paradise (description on file).

8. ZC-24-0352-ZONE CHANGE to reclassify 1.22 acres from a CR (Commercial Resort) Zone to a PF (Public Facility) Zone within the Airport Environs (AE-70 & AE-75) Overlay. Generally located on the west side of Las Vegas Boulevard South, 850 feet north of Sunset Road within Paradise (description on file).

9. ZC-24-0357-ZONE CHANGE to reclassify 0.25 acres from an RS80 (Residential Single-Family 80) Zone to an IL (Industrial Light) Zone within the Airport Environs (AE-75) Overlay. Generally located on the west side of Searchlight Street, 320 feet south of Washburn Road

within Sunrise Manor
(description on file).

10. ZC-24-0363-ZONE CHANGE to reclassify 0.50 acres from an H-2 (General Highway) Zone to a CG (Commercial General) Zone. Generally located on the south side of Oso Blanca Road, approximately 160 feet east of Grand Montecito Parkway within Lone Mountain (description on file).

11. ZC-24-0365-ZONE CHANGE to reclassify a portion of a 3.91 acre site from an H-2 (General Highway Frontage) Zone to an IL (Industrial Light) Zone within the Airport Environs (AE-75) Overlay for an existing commercial/industrial development. Generally located on the north side of Las Vegas Boulevard North, 150 feet east of Sandy Lane within Sunrise Manor (description on file).

12. ZC-24-0368-ZONE CHANGE to reclassify 21.38 acres from a CG (Commercial General) Zone to an IP (Industrial Park) Zone within the Airport Environs (AE-60) Overlay. Generally located on the southeast corner of Tenaya Way and Badura Avenue within Spring Valley (description on file).

To consider applications to Vacate and Abandon certain streets and/or easements:

13. VS-24-0267-VACATE AND ABANDON easements of interest to Clark County located between Gary Avenue and Silverado Ranch Boulevard and between Ullom Drive and Arville Street within Enterprise (description on file).

14. VS-24-0277-VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file).

15. VS-24-0306-VACATE AND ABANDON easements of interest to Clark County located between Channel 10 Drive and Eastern Avenue and between Rochelle Avenue and University Avenue (alignment) within Paradise (description on file).

16. VS-24-0369-VACATE AND ABANDON easements of interest to Clark County located between Montessori Street and Tenaya Way, and between Badura Avenue and Arby Avenue; a portion of right-of-way being Montessori Street located between Badura Avenue and Arby Avenue; and a portion of right-of-way being Arby Avenue located between Montessori Street and Tenaya Way within Spring Valley (description on file).

To consider Plan Amendment applications to amend the Clark County Master Plan:

17. PA-24-700011-PLAN AMENDMENT to redesignate the existing land use category from Business Employment (BE) to Corridor Mixed-Use (CM) on 1.25 acres. Generally located on the northeast corner of Ullom Drive and Silverado Ranch Boulevard within Enterprise.

18. PA-24-700014-PLAN AMENDMENT to redesignate the existing land use category from Public Use (PU) and Neighborhood Commercial (NC) to Urban Neighborhood (UN) on 5.21 acres. Generally located on the west side of Eastern Avenue and the south side of Rochelle Avenue within Paradise.

**7:00 p.m. September 3, 2024
Clark County Planning
Commission Meeting**

To consider applications to Vacate and Abandon certain streets and/or easements:

19. VS-24-0356-VACATE AND ABANDON easements of interest to Clark County located between Giles Street and Haven

Street, and between Frias Avenue and Jo Rae Avenue; a portion of the right-of-way being Pyle Avenue between Giles Street and Haven Street; a portion of the right-of-way being Haven Street between Pyle Avenue and Jo Rae Avenue; and a portion of the right-of-way being Giles Street between Pyle Avenue and Jo Rae Avenue within Enterprise (description on file).

Copies of the relevant material are available for review at www.clarkcountynv.gov/comp-planning for inspection by clicking "Services" and selecting "Land Use Documents", or by visiting the Department of Comprehensive Planning located at 500 S. Grand Central Parkway, Las Vegas, NV 89155, 7:30 a.m. to 5:30 p.m. Monday through Thursday.

Anyone wishing to comment on an item(s) may attend the public hearing at the above time and place, or prior to the hearing send comments, approvals, or objections via email to zoningmeeting@clarkcountynv.gov, mailing Clark County Current Planning, 500 S. Grand Central Parkway, Las Vegas Nevada 89155, or faxing to (702) 455-3271. All written correspondence received will be made available to the members of the governing body for their consideration prior to each meeting.

SAMI REAL
Director

Dated at Las Vegas, Nevada
August 22, 2024

PUB: Aug. 24, 2024
LV Review-Journal

(MA)

MAILING AMOUNTS

PC - Tuesday 9/3/2024			
Application	Amount	Date Mailed	
DR-24-0374	579		
ET-24-400082	812		
UC-24-0345	2088		
UC-24-0353	120		
VS-24-0356	243		
WS-24-0346	252		
WS-24-0347	267		
WS-24-0355	243		
	4604		

BCC - Wednesday 8/21/2024			
Application	Amount	Date Mailed	
PA-24-700008	353		
PA-24-700009	1464		
PA-24-700010	439		
PUD-24-0237	1464		
UC-23-0859	379		
VS-24-0238	1464		
WS-24-0218	353		
ZC-24-0217	353		
ZC-24-0236	1464		
ZC-24-0241	439		
	8172		

NT081924:55 8/20
ZS081924:10
Café 2

BCC - Wednesday 9/4/2024			
Application	Amount	Date Mailed	
AR-24-400079	2181		
ET-24-400083	415		
UC-24-0359	709		
UC-24-0367	1315		
VS-24-0277	1200		
VS-24-0369	122		
WS-24-0276	1200		
WS-24-0325	546		
WS-24-0354	351		
WS-24-0358	105		
WS-24-0364	256		
WS-24-0366	676		
WS-24-0370	122		
ZC-24-0324	546		
ZC-24-0348	107		
ZC-24-0349	507		
ZC-24-0350	104		
ZC-24-0351	101		
ZC-24-0352	107		
ZC-24-0357	105		
ZC-24-0363	256		
ZC-24-0365	746		
ZC-24-0368	122		
	11899		

jm 8/8/24

VS for Delivery Confirmation			
Application	Amount	Date Mailed	
AB-24-0356	X	20	
AB-24-0277	X	10	
AB-24-0369	X	14	
AB-24-0238	X	12	
		56	
Mobile Home Parks			
Park Name	Amount		
Casa Linda	107		
Pleasant Valley	300		
Fun n Sun	113		
Robbins Nest	151		
Silverado	289		
American	65		
Casa Linda	107		
AAA	54		
Sand Creek	324		
Miracle Mile	469		
Kings Row	199		
Sand Creek	324		
Miracle Mile	469		
Kings Row	199		
Sand Creek	324		
Miracle Mile	469		
Kings Row	199		
Casa Linda	107		
AAA	54		
Casa Linda	107		
AAA	54		
Sand Creek	324		
Miracle Mile	469		
Kings Row	199		
	5476		

MAILING AMOUNTS

PC - Tuesday 9/3/2024			
Application	Amount	Date Mailed	
DR-24-0305	X	609	
PA-24-700011	X	245	
PA-24-700014	X	609	
VS-24-0267	X	245	
VS-24-0306	X	609	
WS-24-0266	X	245	
• ZC-24-0265	X	245	
• ZC-24-0304	X	472	
			3279

VS for Delivery Confirmation			
Application	Amount	Date Mailed	
AB-24-0267	X	7	
AB-24-0306	X	122	
			129

Mobile Home Parks	
Park Name	Amount

Wilde 8/12

CPAdmin

From: CPAgendas
Sent: Monday, August 26, 2024 10:10 AM
To: CPAdmin
Subject: BCC Meeting Notification | September 4, 2024 at 9:00 a.m.

Correspondent Name: Records
Correspondent E-mail: cpadmin@clarkcountynv.gov

Application#:

Please be advised that your application will be presented to the Clark County Board of County Commissioners on **9/4/2024**, at the hour of **9:00 a.m.**, in the Commission Chambers, CLARK COUNTY GOVERNMENT CENTER, 500 S. Grand Central Parkway, Las Vegas, Nevada.

REPRESENTATION IS MANDATORY AT THE ABOVE MENTIONED MEETING.

To access your staff report, please click on the link below to be directed to the Clark County meeting agendas website.

DIRECT LINK:

<https://clark.legistar.com/Calendar.aspx>

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It is the applicant's responsibility to keep the application current and to provide a current contact name, address (including email address), and phone number to this department at the address listed above. This information must be submitted in writing with the application number referenced.

PERMIT INFORMATION:

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UPDATED PROCEDURE:

Please note that all Meeting Notification letters will now be e-mailed to the correspondent's e-mail address listed on file, these letters will no longer be mailed via the post office. There will be a link on the e-mail directing the correspondent to the Staff Report located on the Clark County webpage.

Hearing Date	Hearing Time	Application Number	Comm Dist	Correspondent Name	Correspondent Email	Town Board Meeting Dates
09/04/2024	9:00 a.m.			Records	cpadmin@clarkcountynv.gov	
09/04/2024	9:00 a.m.			Agenda Processing	cpagendas@clarkcountynv.gov	
09/04/2024	9:00 a.m.	AR-24-400079	E	Lora Dreja	lora@brownlawlv.com	Winchester 08/13/2024
09/04/2024	9:00 a.m.	DR-24-0305	E	Lucy Stewart	stewplan@gmail.com	Paradise 07/09/2024
09/04/2024	9:00 a.m.	ET-22-400017	E	Jay H. Brown	lohene@brownlawlv.com	Paradise 04/12/2022
09/04/2024	9:00 a.m.	ET-24-400057	F	Gwendolyn Fischer	gwen@landbaroninv.com	Red Rock 08/28/2024
09/04/2024	9:00 a.m.	ET-24-400083	E	Juan Lopez	lopeztruckparts@gmail.com	Sunrise Manor 8/15/2024
09/04/2024	9:00 a.m.	PA-24-700011	F	Taney Engineering	EmilyS@TaneyCorp.com	Enterprise 07/10/2024
09/04/2024	9:00 a.m.	PA-24-700014	E	Lucy Stewart	stewplan@gmail.com	Paradise 07/09/2024
09/04/2024	9:00 a.m.	TM-24-500064	B	Moapa Valley Builders	permits@moapavalleybuilders.com	Moapa Valley 08/14/2024
09/04/2024	9:00 a.m.	TM-24-500069	C	Jennifer Veras	JVERAS@GCWENGINEERING.COM	Lone Mountain 08/13/2024
09/04/2024	9:00 a.m.	TM-24-500072	A	JOHN VORNSAND	john@vornsandconsulting.com	Spring Valley 08/13/2024
09/04/2024	9:00 a.m.	UC-24-0268	A	Brown, Brown, & Premsrut	aharris@brownlawlv.com	Enterprise 08/28/2024
09/04/2024	9:00 a.m.	UC-24-0308	A	Cassandra Worrell	cworrell@brownlawlv.com	Enterprise 07/10/2024
09/04/2024	9:00 a.m.	UC-24-0359	A	Earleane Johnson	earleanej@firebirdllc.com	Enterprise 08/14/2024
09/04/2024	9:00 a.m.	UC-24-0367	E	David Brown	dbrown@brownlawlv.com	Winchester 08/13/2024
09/04/2024	9:00 a.m.	UC-24-0378	A	Cassandra Worrell	cworrell@brownlawlv.com	Paradise 08/27/2024
09/04/2024	9:00 a.m.	VS-24-0267	F	Taney Engineering	EmilyS@TaneyCorp.com	Enterprise 07/10/2024
09/04/2024	9:00 a.m.	VS-24-0277	E	G. C. GARCIA, INC.	ACOLE@GCGARCIINC.COM	Sunrise Manor 08/15/2024
09/04/2024	9:00 a.m.	VS-24-0306	E	Lucy Stewart	stewplan@gmail.com	Paradise 07/09/2024
09/04/2024	9:00 a.m.	VS-24-0309	A	Cassandra Worrell	cworrell@brownlawlv.com	Enterprise 07/10/2024
09/04/2024	9:00 a.m.	VS-24-0369	A	JOHN VORNSAND	john@vornsandconsulting.com	Spring Valley 08/13/2024
09/04/2024	9:00 a.m.	WC-24-400060	F	Lexa Green	lgreen@kcnvlaw.com	Enterprise 06/26/2024
09/04/2024	9:00 a.m.	WS-22-0147	E	Matthew Weinman	matthew.weinman@martinharris.com	Sunrise Manor 03/16/2023
09/04/2024	9:00 a.m.	WS-24-0266	F	Taney Engineering	EmilyS@TaneyCorp.com	Enterprise 07/10/2024
09/04/2024	9:00 a.m.	WS-24-0276	E	G. C. GARCIA, INC.	ACOLE@GCGARCIINC.COM	Sunrise Manor 08/15/2024
09/04/2024	9:00 a.m.	WS-24-0290	C	Tim Moreno	tim@morenopec.com	Lone Mountain 07/30/2024
09/04/2024	9:00 a.m.	WS-24-0312	B	Bulloch Brothers Engineering, Inc.	victor@bullochbrothers.com	Moapa Valley 07/31/2024
09/04/2024	9:00 a.m.	WS-24-0325	B	Moapa Valley Builders	permits@moapavalleybuilders.com	Moapa Valley 08/14/2024
09/04/2024	9:00 a.m.	WS-24-0354	C	Jennifer Veras	JVERAS@GCWENGINEERING.COM	Lone Mountain 08/13/2024
09/04/2024	9:00 a.m.	WS-24-0358	B	DLC Consulting	lchristopherson@novusvi.com	Sunrise Manor 08/15/2024
09/04/2024	9:00 a.m.	WS-24-0364	C	Tilson Technology Management	slusby@tilsontech.com	Lone Mountain 08/13/2024
09/04/2024	9:00 a.m.	WS-24-0366	E	David Brown	dbrown@brownlawlv.com	Paradise 08/13/2024
09/04/2024	9:00 a.m.	WS-24-0370	A	JOHN VORNSAND	john@vornsandconsulting.com	Spring Valley 08/13/2024
09/04/2024	9:00 a.m.	ZC-24-0265	F	Taney Engineering	EmilyS@TaneyCorp.com	Enterprise 07/10/2024
09/04/2024	9:00 a.m.	ZC-24-0304	E	Lucy Stewart	stewplan@gmail.com	Paradise 07/09/2024
09/04/2024	9:00 a.m.	ZC-24-0307	A	Cassandra Worrell	cworrell@brownlawlv.com	Enterprise 07/10/2024
09/04/2024	9:00 a.m.	ZC-24-0324	B	Moapa Valley Builders	permits@moapavalleybuilders.com	Moapa Valley 08/14/2024
09/04/2024	9:00 a.m.	ZC-24-0348	A	County of Clark (Aviation)	anthonyper@lasairport.com	Enterprise 08/14/2024
09/04/2024	9:00 a.m.	ZC-24-0349	G	County of Clark (Aviation)	anthonyper@lasairport.com	Paradise 08/13/2024
09/04/2024	9:00 a.m.	ZC-24-0350	G	County of Clark (Aviation)	anthonyper@lasairport.com	Paradise 08/13/2024
09/04/2024	9:00 a.m.	ZC-24-0351	G	County of Clark (Aviation)	anthonyper@lasairport.com	Paradise 08/13/2024
09/04/2024	9:00 a.m.	ZC-24-0352	A	County of Clark (Aviation)	anthonyper@lasairport.com	Paradise 08/13/2024
09/04/2024	9:00 a.m.	ZC-24-0357	B	DLC Consulting	lchristopherson@novusvi.com	Sunrise Manor 08/15/2024
09/04/2024	9:00 a.m.	ZC-24-0363	C	Tilson Technology Management	slusby@tilsontech.com	Lone Mountain 08/13/2024
09/04/2024	9:00 a.m.	ZC-24-0365	D	Dennis Rusk	denniserusk@gmail.com	Sunrise Manor 08/15/2024
09/04/2024	9:00 a.m.	ZC-24-0368	A	JOHN VORNSAND	john@vornsandconsulting.com	Spring Valley 08/13/2024

CPAdmin

From: CPAgendas
Sent: Tuesday, September 24, 2024 9:26 AM
To: CPAdmin
Subject: BCC Meeting Notification | October 2, 2024 at 9:00 a.m.

Correspondent Name: Records
Correspondent E-mail: cpadmin@clarkcountynv.gov

Application#:

Please be advised that your application will be presented to the Clark County Board of County Commissioners on **10/2/2024**, at the hour of **9:00 a.m.**, in the Commission Chambers, CLARK COUNTY GOVERNMENT CENTER, 500 S. Grand Central Parkway, Las Vegas, Nevada.

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Hearing Date	Hearing Time	Application Number	Comm Dist	Correspondent Name	Correspondent Email	Town Board Meeting Dates
10/02/2024	9:00 a.m.			Records	cpadmin@clarkcountynv.gov	
10/02/2024	9:00 a.m.			Agenda Processing	cpagendas@clarkcountynv.gov	
10/02/2024	9:00 a.m.	AR-24-400090	G	Kaempfer Crowell	lkaempfer@kcnvlaw.com	Paradise 10/29/2026
10/02/2024	9:00 a.m.	SC-24-0261	A	Ed Garcia	egarcia@edgarcialaw.com	Spring Valley 07/09/2024
10/02/2024	9:00 a.m.	TM-24-500076	E	Cassandra Worrell	cworrell@brownlawlv.com	Sunrise Manor 08/29/2024
10/02/2024	9:00 a.m.	TM-24-500078	A	The WLB Group	mbangan@wlbgroup.com	Enterprise 09/11/2024
10/02/2024	9:00 a.m.	UC-24-0387	E	Cassandra Worrell	cworrell@brownlawlv.com	Sunrise Manor 08/29/2024
10/02/2024	9:00 a.m.	UC-24-0399	A	Marissa Fehrman	mfehrman@kcnvlaw.com	Spring Valley 08/27/2024
10/02/2024	9:00 a.m.	VS-24-0277	E	G.C. GARCIA, INC.	ACOLE@GCGARCIAINC.COM	Sunrise Manor 08/15/2024
10/02/2024	9:00 a.m.	VS-24-0390	A	The WLB Group	mbangan@wlbgroup.com	Enterprise 09/11/2024
10/02/2024	9:00 a.m.	WS-24-0276	E	G.C. GARCIA, INC.	ACOLE@GCGARCIAINC.COM	Sunrise Manor 08/15/2024
10/02/2024	9:00 a.m.	WS-24-0362	A	Janet Goyer	jang@ovationco.com	Enterprise 09/11/2024
10/02/2024	9:00 a.m.	WS-24-0391	A	The WLB Group	mbangan@wlbgroup.com	Enterprise 09/11/2024
10/02/2024	9:00 a.m.	WS-24-0419		G. C. GARCIA, INC.	ACOLE@GCGARCIAINC.COM	Spring Valley 10/08/2024
10/02/2024	9:00 a.m.	WS-24-0437	F	JOHN VORNSAND	john@vornsandconsulting.com	Enterprise 09/11/2024
10/02/2024	9:00 a.m.	ZC-24-0394	A	Robert Messiana	robert@jawastudio.com	Searchlight 09/11/2024

Katherine Corrow

From: CPAgendas
Sent: Tuesday, October 29, 2024 9:29 AM
To: CPAdmin
Subject: BCC Meeting Notification | November 6, 2024 at 9:00 a.m.

Correspondent Name: Records
Correspondent E-mail: cpadmin@clarkcountynv.gov

Application#:

Please be advised that your application will be presented to the Clark County Board of County Commissioners on **11/6/2024**, at the hour of **9:00 a.m.**, in the Commission Chambers, CLARK COUNTY GOVERNMENT CENTER, 500 S. Grand Central Parkway, Las Vegas, Nevada.

REPRESENTATION IS MANDATORY AT THE ABOVE MENTIONED MEETING.

To access your staff report, please click on the link below to be directed to the Clark County meeting agendas website.

DIRECT LINK:

<https://clark.legistar.com/Calendar.aspx>

Once the link is opened, select **Meeting Details** from your assigned meeting body, then select your **Application Number** to access staff report documents.

The staff report contains your **"Project Description," "Staff Recommendation," and "Preliminary Staff Conditions."** Please review the document for accuracy and for your concurrence. If you have any questions regarding this information, please notify this department prior to the meeting date by emailing zoningmeeting@clarkcountynv.gov.

Items on the agenda under the "Routine" header may be approved in one hearing and in one motion. Items on the agenda under the "Non-Routine" header will be considered separately.

Audio visual equipment is available in the chambers for your use in presenting the agenda item. Please be advised that any presentation materials, for which there is no duplicate on file, must be retained for public records. If you plan to use slides or DVD(s) to present your item, please call (702) 455-4320 at least 24 hours prior to the meeting. Please do not submit any original slides, DVD(s), renderings, photographs, or other exhibits, unless you have a copy for your records. Any items you submit at the meeting must be retained for public record.

It is the applicant's responsibility to keep the application current and to provide a current contact name, address (including email address), and phone number to this department at the address listed above. This information must be submitted in writing with the application number referenced.

PERMIT INFORMATION:

Any plans for construction that have had, or will have commission action, will require permits approved through the Permit Application Center (PAC). All building permit applications must be submitted to PAC and all applicable plan check fees paid before building/grading permit applications will be reviewed. You may submit to PAC while waiting for your commission hearing.

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Hearing Date	Hearing Time	Application Number	Comm Dist	Correspondent Name	Correspondent Email	Town Board Meeting Dates
11/06/2024	9:00 a.m.			Records	cpadmin@clarkcountynv.gov	
11/06/2024	9:00 a.m.			Agenda Processing	cpagendas@clarkcountynv.gov	
11/06/2024	9:00 a.m.	AR-24-400090	G	Kaempfer Crowell	lkaempfer@kcnvlaw.com	Paradise 10/29/2024
11/06/2024	9:00 a.m.	AR-24-400106	E	GARY LAKE	gdlake1@aol.com	Winchester 10/08/2024
11/06/2024	9:00 a.m.	ET-24-400101	E	Dwyer Engineering	bsoule@dwycrcengineering.com	Sunrise Manor 10/10/2024
11/06/2024	9:00 a.m.	SC-24-0261	A,	Ed Garcia	egarcia@edgarcialaw.com	Spring Valley 07/09/2024
11/06/2024	9:00 a.m.	TM-24-500106	F	Jessica Walesa	jessicaw@taneycorp.com	Enterprise 10/09/2024
11/06/2024	9:00 a.m.	TM-24-500109	B	Kimley Horn	eric.hopkins@kimley-horn.com	Lone Mountain 10/08/2024
11/06/2024	9:00 a.m.	UC-24-0436	E	Chris Hart	cmhart5@gmail.com	Paradise 10/08/2024
11/06/2024	9:00 a.m.	UC-24-0491	B	Bush Construction	jasonrbush@yahoo.com	Sunrise Manor 10/10/2024
11/06/2024	9:00 a.m.	VS-24-0277	E	G. C. GARCIA, INC.	ACOLE@GCGARCIAINC.COM	Sunrise Manor 08/15/2024
11/06/2024	9:00 a.m.	VS-24-0494	F	Infinity Engineering, LLC	cseto@infinityengr.com	Spring Valley 10/08/2024
11/06/2024	9:00 a.m.	VS-24-0504	F	Jessica Walesa	jessicaw@taneycorp.com	Enterprise 10/09/2024
11/06/2024	9:00 a.m.	WC-24-400060	F	Lexa Green	lgreen@kcnvlaw.com	Enterprise 06/26/2024
11/06/2024	9:00 a.m.	WS-24-0276	E	G. C. GARCIA, INC.	ACOLE@GCGARCIAINC.COM	Sunrise Manor 08/15/2024
11/06/2024	9:00 a.m.	WS-24-0419		G. C. GARCIA, INC.	ACOLE@GCGARCIAINC.COM	Spring Valley 10/08/2024
11/06/2024	9:00 a.m.	WS-24-0473	A	JAVIER IBARRA	JAVIER@JJCONTRACTINGNV.CO M	Enterprise 10/09/2024
11/06/2024	9:00 a.m.	WS-24-0475	A	ACG Design	acgdesignpermits@gmail.com	Enterprise 10/09/2024
11/06/2024	9:00 a.m.	WS-24-0484	A	CivilWorks, Inc.	gjp@civilworksonline.com	Enterprise 10/09/2024
11/06/2024	9:00 a.m.	WS-24-0488	F	George Rivera	Georgeriverajr@gmail.com	Enterprise 10/9/2024
11/06/2024	9:00 a.m.	WS-24-0489	B	Bryce Hardy	brycehardy1336@gmail.com	Moapa Valley 10/09/2024
11/06/2024	9:00 a.m.	WS-24-0495	F	MK Architecture	mk_arch@outlook.com	Spring Valley 10/08/2024
11/06/2024	9:00 a.m.	WS-24-0505	F	Jessica Walesa	jessicaw@taneycorp.com	Enterprise 10/09/2024
11/06/2024	9:00 a.m.	WS-24-0511	B	Kimley Horn	eric.hopkins@kimley-horn.com	Lone Mountain 10/08/2024

Katherine Corrow

From: CPAgendas
Sent: Tuesday, November 12, 2024 11:15 AM
To: CPAdmin
Subject: BCC Meeting Notification | November 20, 2024 at 9:00 a.m.

Correspondent Name: Records
Correspondent E-mail: cpadmin@clarkcountynv.gov

Application#:

Please be advised that your application will be presented to the Clark County Board of County Commissioners on **11/20/2024**, at the hour of **9:00 a.m.**, in the Commission Chambers, CLARK COUNTY GOVERNMENT CENTER, 500 S. Grand Central Parkway, Las Vegas, Nevada.

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11/20/2024	9:00 a.m.			Agenda Processing	cpagendas@clarkcountynv.gov	
11/20/2024	9:00 a.m.	DR-24-0335	G	GMRA	pac@gmralv.com	Paradise 01/28/2025
11/20/2024	9:00 a.m.	ET-24-400107	A	Kaempfer Crowell	apierce@kcnvlaw.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	ET-24-400110	G	Kaempfer Crowell - Anthony Celeste	apierce@kcnvlaw.com	Paradise 10/29/2024
11/20/2024	9:00 a.m.	PA-24-700015	F	Cassandra Worrell	cworrell@brownlawlv.com	Spring Valley 07/09/2024
11/20/2024	9:00 a.m.	PA-24-700020	F	Kimley Horn	eric.hopkins@kimley-horn.com	Enterprise 09/25/2024
11/20/2024	9:00 a.m.	SDR-24-0334	G	GMRA	pac@gmralv.com	Paradise 01/28/2025
11/20/2024	9:00 a.m.	TM-24-500096	A	The WLB Group	mbangan@wlbgroup.com	Enterprise 09/25/2024
11/20/2024	9:00 a.m.	TM-24-500099	A	The WLB Group	mbangan@wlbgroup.com	Enterprise 09/25/2024
11/20/2024	9:00 a.m.	TM-24-500101	F	Kimley Horn	eric.hopkins@kimley-horn.com	Enterprise 09/25/2024
11/20/2024	9:00 a.m.	TM-24-500108	C	Taney Engineering	emilys@taneycorp.com	Lone Mountain 10/29/2024
11/20/2024	9:00 a.m.	TM-24-500114	F	Jessica Walesa	jessicaw@taneycorp.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	TM-24-500117	F	Jessica Walesa	jessicaw@taneycorp.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	UC-24-0311	F	Cassandra Worrell	cworrell@brownlawlv.com	Spring Valley 07/09/2024
11/20/2024	9:00 a.m.	UC-24-0319	E	Kat Van Diepen	katvandiepen@gmail.com	Paradise 10/29/2024
11/20/2024	9:00 a.m.	UC-24-0436	E	Chris Hart	cmhart5@gmail.com	Paradise 10/08/2024
11/20/2024	9:00 a.m.	UC-24-0460	D	Ruth Rios	Ruthrios78@gmail.com	Sunrise Manor 09/26/2024
11/20/2024	9:00 a.m.	UC-24-0521	A	Janet Goyer	jang@ovationco.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	UC-24-0536	C	Jeanalin Rehm	jeanalinhrehm@gmail.com	
11/20/2024	9:00 a.m.	VS-24-0277	E	G. C. GARCIA, INC	ACOLE@GCGARCIINC.COM	Sunrise Manor 08/15/2024
11/20/2024	9:00 a.m.	VS-24-0457	A	The WLB Group	mbangan@wlbgroup.com	Enterprise 09/25/2024
11/20/2024	9:00 a.m.	VS-24-0462	A	The WLB Group	mbangan@wlbgroup.com	Enterprise 09/25/2024
11/20/2024	9:00 a.m.	VS-24-0486	F	Kimley Horn	eric.hopkins@kimley-horn.com	Enterprise 09/25/2024
11/20/2024	9:00 a.m.	VS-24-0509	C	Taney Engineering	emilys@taneycorp.com	Lone Mountain 10/29/2024
11/20/2024	9:00 a.m.	VS-24-0520	A	Janet Goyer	jang@ovationco.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	VS-24-0539	F	Jessica Walesa	jessicaw@taneycorp.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	VS-24-0542	F	Jessica Walesa	jessicaw@taneycorp.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	WC-24-400111	A	Janet Goyer	jang@ovationco.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	WS-24-0276	E	G. C. GARCIA, INC	ACOLE@GCGARCIINC.COM	Sunrise Manor 08/15/2024
11/20/2024	9:00 a.m.	WS-24-0456	A	The WLB Group	mbangan@wlbgroup.com	Enterprise 09/25/2024
11/20/2024	9:00 a.m.	WS-24-0461	A	The WLB Group	mbangan@wlbgroup.com	Enterprise 09/25/2024
11/20/2024	9:00 a.m.	WS-24-0487	F	Kimley Horn	eric.hopkins@kimley-horn.com	Enterprise 09/25/2024
11/20/2024	9:00 a.m.	WS-24-0510	C	Taney Engineering	emilys@taneycorp.com	Lone Mountain 10/29/2024
11/20/2024	9:00 a.m.	WS-24-0522	C	Jamason Theodore	mktholdings@gmail.com	Lone Mountain 10/29/2024
11/20/2024	9:00 a.m.	WS-24-0523	A	carryn warren	carrynb@aol.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	WS-24-0525	A	G. C. GARCIA, INC	ACOLE@GCGARCIINC.COM	Paradise 10/29/2024
11/20/2024	9:00 a.m.	WS-24-0526	A	VTN-Nevada	jeffreya@vtnnv.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	WS-24-0527	F	Jessica Walesa	jessicaw@taneycorp.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	WS-24-0535	F	Sean Thueson	SThueson@SiegelCompanies.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	WS-24-0538	F	Jessica Walesa	jessicaw@taneycorp.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	WS-24-0543	F	Jessica Walesa	jessicaw@taneycorp.com	Enterprise 11/13/2024
11/20/2024	9:00 a.m.	ZC-24-0310	F	Cassandra Worrell	cworrell@brownlawlv.com	Spring Valley 07/09/2024
11/20/2024	9:00 a.m.	ZC-24-0518	B	Yvonne Hand	yvonne.hand@snwa.com	

lem
Notification Verified

m
Mailed

NOTIFICATION INFORMATION

Application Number: VS-24-0277

BCC Meeting Date: 09/04/2024

Is a sign required?

Notification Radius: 1500

Town Board Name: Sunrise Manor ; 08/15/2024

Mobile Home Parks To be notified? YES / NO

APN: 161-08-810-082
161-08-810-083

Valley Vista
River Oaks

Public Hearing Notice

Date Mailed: AUG 08 2024

Amount Mailed: 1200

Abutting: 10

APPLICATION INFORMATION

APPLICATION NUMBER: VS-24-0277

OWNER: PALM PROPERTIES, LLC:

VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file). (For possible action)

RELATED INFORMATION:

APN: 161-08-810-082; 161-08-810-083

APPLICATION LOCATION



MEETING INFORMATION

Sunrise Manor Town Board

August 15, 2024, 6:30 pm

Hollywood Neighborhood

Services Center

1650 S. Hollywood Blvd

Las Vegas, Nevada

Board of County Commissioners

September 4, 2024, 9:00 am

Clark County Government Center

500 S. Grand Central Parkway

Las Vegas, Nevada

This information is considered accurate; however, minor variations may occur. Application documents are available for viewing online under the Clark County Comprehensive Planning Department by selecting "Services" on the left and selecting "Land Use Documents" from the drop-down. All persons interested may submit written support or opposition by email to zoningmeeting@clarkcountynv.gov. Include the item and application numbers on all emails. We suggest that you inform your lessee(s) of the matter. For more information, visit www.clarkcountynv.gov or call (702) 455-4314 (option 2, option 1).

App Number	Cert	Owner	Owner2	Address1	Address2	Address3	City	State	Country	Zipcode	Meet Date
Intentionally Left Blank											
VS-24-0277	70223330000158494157	U S M F MEADOWS PROPCO L L C		6191 STATE HIGHWAY 161 STE 100			IRVING	TX		75038	090424
VS-24-0277	70223330000158494164	B M F IV NV 3055 LAS VEGAS L L C		111 E SEGO LILY DR STE 400			SANDY	UT		84070	090424
VS-24-0277	70223330000158494171	VASQUEZ ESTABAN TORRES JR		2045 WESTERN			LAS VEGAS	NV		89102-4608	090424
VS-24-0277	70223330000158494188	WOOD THOMAS F		4906 LINDA AVE			LAS VEGAS	NV		89121	090424
VS-24-0277	70223330000158494195	BLUE WAVE PROPERTIES INC		3085 S NELLIS BLVD			LAS VEGAS	NV		89121-2020	090424
VS-24-0277	70223330000158494201	NUNEZ LEY ANAYA ORALLIA		4925 HAPPY VALLEY AVE			LAS VEGAS	NV		89121-2038	090424
VS-24-0277	70223330000158494218	ESCALERA JUAN		4951 HAPPY VALLEY AVE			LAS VEGAS	NV		89121-2038	090424
VS-24-0277	70223330000158494225	PALM PROPERTIES L L C		6050 S FORT APACHE RD # 100			LAS VEGAS	NV		89148	090424
VS-24-0277	70223330000158494232	HAMPTON APTS INC		2016 RIVERSIDE DR			LOS ANGELES	CA		90039-3707	090424
VS-24-0277	70223330000158494249	DOUGLAS DOUGLAS MIKE & LISA TRS		490 MOORE RD			WOODSIDE	CA		94062	090424

Notification Radius Map

Department of Comprehensive Planning, Clark County Nevada

Application Number: VS-24-0277

Meeting Date: 090424

Notification Distance: 1500 feet

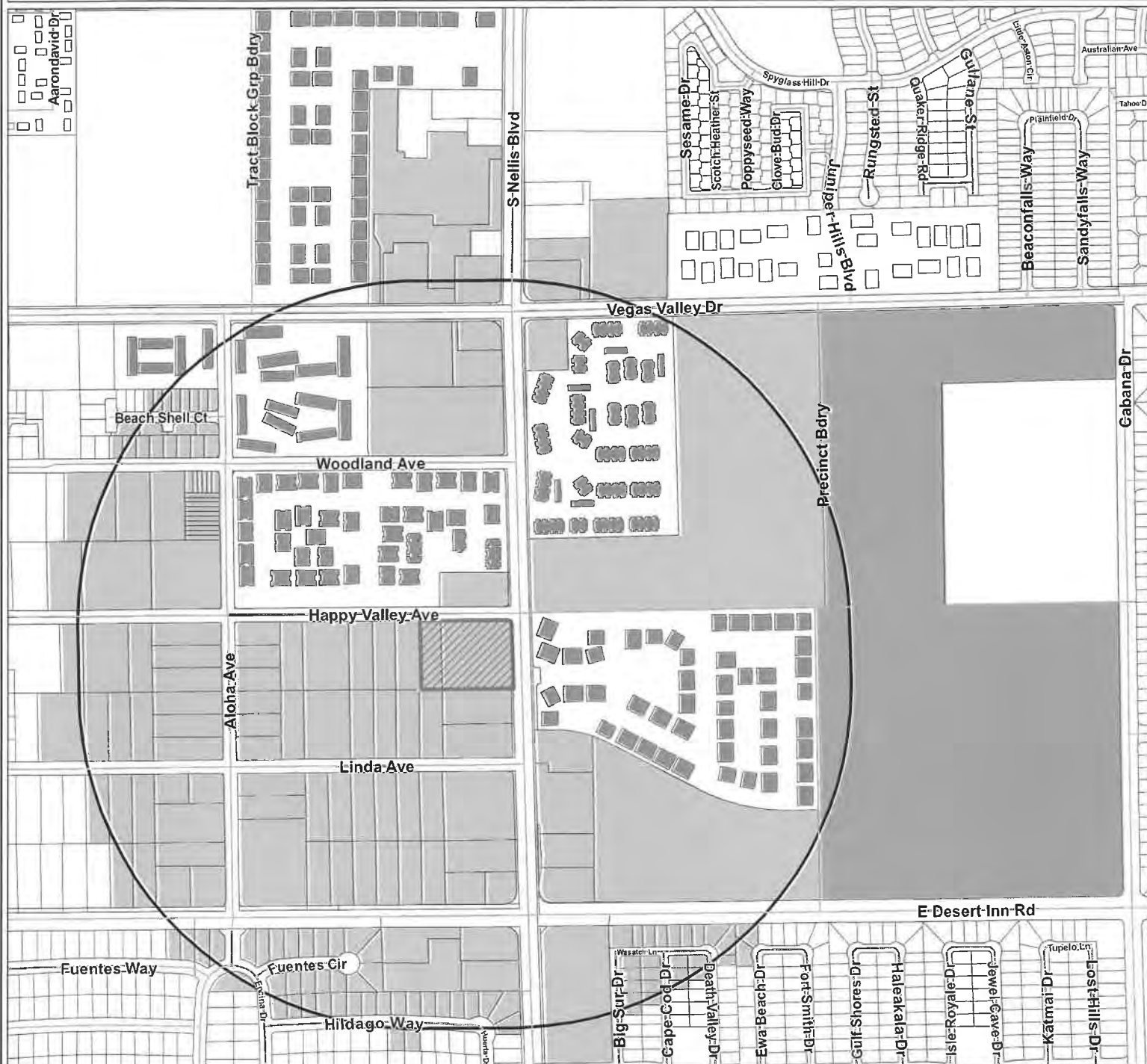
Subject Parcel(s): 2

Land Parcel(s) to be notified: 199





Condominiums to be notified: 412

Mobile Home Park(s) to be notified: 2

Owners to be notified: 588



Jurisdiction(s)
Paradise
Sunrise Manor

-  Subject Parcel(s)
-  Mobile Home Park Parcel(s)
-  Condominium Parcels
-  Land Parcel(s)



0 150 300 450 Feet

*This information is for display purposes only.
No liability is assumed as to the accuracy of
the data delineated hereon.*

Map created by PPLR on 09/30/2024

Notification list for Application: VS-24-0277
Commission Meeting Date: 090424
Notification Distance: 1500 feet
Created on 07/30/2024

Application Parcel Numbers: 2

16108810082 16108810083

Land Parcel Numbers: 199

16108603004	16108712026	16108810039	16108810081	16116110098	16117511010
16108603005	16108715001	16108810040	16108810082	16116110099	16117511011
16108603007	16108715002	16108810041	16108810083	16116110109	16117511012
16108603008	16108715003	16108810042	16108810084	16116110110	16117511013
16108710018	16108715004	16108810043	16108810085	16116110111	16117511014
16108710019	16108715005	16108810044	16108810086	16116110112	16117511015
16108710020	16108715006	16108810045	16108810087	16116110113	16117511016
16108710022	16108715007	16108810051	16108810088	16116110114	16117511017
16108710023	16108715008	16108810052	16108810089	16116110115	16117511018
16108710024	16108715009	16108810055	16108810090	16116110116	16117511019
16108710032	16108715010	16108810056	16108810094	16116110117	16117511020
16108710033	16108715011	16108810057	16108810098	16116110118	16117511021
16108710034	16108715012	16108810058	16108810099	16116110119	16117511022
16108710035	16108715013	16108810059	16109201004	16116110120	16117511089
16108710036	16108715014	16108810060	16109217003	16116110121	16117511090
16108712001	16108715015	16108810061	16109217004	16116110122	16117511091
16108712002	16108715016	16108810062	16109301004	16116110123	16117512010
16108712003	16108810010	16108810063	16109301005	16116110186	16117512011
16108712004	16108810011	16108810064	16109301007	16116110187	16117512012
16108712005	16108810012	16108810065	16109401002	16117501005	16117512013
16108712006	16108810013	16108810066	16109401007	16117501006	16117512014
16108712007	16108810014	16108810067	16109411003	16117501010	16117512015
16108712008	16108810015	16108810068	16109411004	16117501011	16117512016
16108712015	16108810016	16108810069	16109411005	16117510023	16117512017
16108712016	16108810017	16108810070	16109411006	16117510024	16117512018
16108712017	16108810018	16108810072	16109411007	16117511001	16117512019
16108712018	16108810019	16108810073	16116101001	16117511002	16117512020
16108712019	16108810020	16108810074	16116110083	16117511003	16117512022
16108712020	16108810021	16108810075	16116110084	16117511004	16117512023
16108712021	16108810022	16108810076	16116110093	16117511005	
16108712022	16108810035	16108810077	16116110094	16117511006	
16108712023	16108810036	16108810078	16116110095	16117511007	
16108712024	16108810037	16108810079	16116110096	16117511008	
16108712025	16108810038	16108810080	16116110097	16117511009	

Condominium Parcel Numbers: 412

16108611001	16108611070	16108611139	16108611208	16108611277	16108611346
16108611002	16108611071	16108611140	16108611209	16108611278	16108611347
16108611003	16108611072	16108611141	16108611210	16108611279	16108611348
16108611004	16108611073	16108611142	16108611211	16108611280	16108611349
16108611005	16108611074	16108611143	16108611212	16108611281	16108611350
16108611006	16108611075	16108611144	16108611213	16108611282	16108611351
16108611007	16108611076	16108611145	16108611214	16108611283	16108611352
16108611008	16108611077	16108611146	16108611215	16108611284	16108611353
16108611009	16108611078	16108611147	16108611216	16108611285	16108611354
16108611010	16108611079	16108611148	16108611217	16108611286	16108611355
16108611011	16108611080	16108611149	16108611218	16108611287	16108611356

Mobile Home Park Parcel Numbers and Names: 2

16109301005 Valley Vista Mobile Home Park 16109401002 River Oaks Mobile Home
Park

Homeowner / Neighborhood Associations: 0

Town Advisory Boards: 2

Paradise Sunrise Manor

Citizens Advisory Councils: 0

Cities: 0

Military Installations: 0

Notified Parcels list for Application: VS-24-0277
Commission Meeting Date: 090424
Notification Distance: 1500 feet
List created on: 07/30/2024

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	River Oaks Mobile Home Park	Resident	Space # 1	5300 E Desert Inn Rd		Las Vegas	NV		89122-4034
	River Oaks Mobile Home Park	Resident	Space # 2	5300 E Desert Inn Rd		Las Vegas	NV		89122-4034
	River Oaks Mobile Home Park	Resident	Space # 3	5300 E Desert Inn Rd		Las Vegas	NV		89122-4034
	River Oaks Mobile Home Park	Resident	Space # 4	5300 E Desert Inn Rd		Las Vegas	NV		89122-4034
	River Oaks Mobile Home Park	Resident	Space # 5	5300 E Desert Inn Rd		Las Vegas	NV		89122-4034
	River Oaks Mobile Home Park	Resident	Space # 6	5300 E Desert Inn Rd		Las Vegas	NV		89122-4034
	River Oaks Mobile Home Park	Resident	Space # 7	5300 E Desert Inn Rd		Las Vegas	NV		89122-4034
	River Oaks Mobile Home Park	Resident	Space # 8	5300 E Desert Inn Rd		Las Vegas	NV		89122-4034
	River Oaks Mobile Home Park	Resident	Space # 9	5300 E Desert Inn Rd		Las Vegas	NV		89122-4034
	River Oaks Mobile Home Park	Resident	Space # 10	5300 E Desert Inn Rd		Las Vegas	NV		89122-4034
	River Oaks Mobile Home Park	Resident	Space # 11	5300 E Desert Inn Rd		Las Vegas	NV		89122-4079
	River Oaks Mobile Home Park	Resident	Space # 12	5300 E Desert Inn Rd		Las Vegas	NV		89122-4079
	River Oaks Mobile Home Park	Resident	Space # 13	5300 E Desert Inn Rd		Las Vegas	NV		89122-4079
	River Oaks Mobile Home Park	Resident	Space # 14	5300 E Desert Inn Rd		Las Vegas	NV		89122-4079
	River Oaks Mobile Home Park	Resident	Space # 15	5300 E Desert Inn Rd		Las Vegas	NV		89122-4079
	River Oaks Mobile Home Park	Resident	Space # 16	5300 E Desert Inn Rd		Las Vegas	NV		89122-4079
	River Oaks Mobile Home Park	Resident	Space # 17	5300 E Desert Inn Rd		Las Vegas	NV		89122-4079
	River Oaks Mobile Home Park	Resident	Space # 18	5300 E Desert Inn Rd		Las Vegas	NV		89122-4079
	River Oaks Mobile Home Park	Resident	Space # 19	5300 E Desert Inn Rd		Las Vegas	NV		89122-4079
	River Oaks Mobile Home Park	Resident	Space # 20	5300 E Desert Inn Rd		Las Vegas	NV		89122-4079
	River Oaks Mobile Home Park	Resident	Space # 21	5300 E Desert Inn Rd		Las Vegas	NV		89122-4081
	River Oaks Mobile Home Park	Resident	Space # 22	5300 E Desert Inn Rd		Las Vegas	NV		89122-4081
	River Oaks Mobile Home Park	Resident	Space # 23	5300 E Desert Inn Rd		Las Vegas	NV		89122-4081

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	River Oaks Mobile Home Park	Resident	Space # 24	5300 E Desert Inn Rd		Las Vegas	NV		89122-4081
	River Oaks Mobile Home Park	Resident	Space # 25	5300 E Desert Inn Rd		Las Vegas	NV		89122-4081
	River Oaks Mobile Home Park	Resident	Space # 26	5300 E Desert Inn Rd		Las Vegas	NV		89122-4081
	River Oaks Mobile Home Park	Resident	Space # 27	5300 E Desert Inn Rd		Las Vegas	NV		89122-4081
	River Oaks Mobile Home Park	Resident	Space # 28	5300 E Desert Inn Rd		Las Vegas	NV		89122-4081
	River Oaks Mobile Home Park	Resident	Space # 29	5300 E Desert Inn Rd		Las Vegas	NV		89122-4081
	River Oaks Mobile Home Park	Resident	Space # 30	5300 E Desert Inn Rd		Las Vegas	NV		89122-4081
	River Oaks Mobile Home Park	Resident	Space # 31	5300 E Desert Inn Rd		Las Vegas	NV		89122-4082
	River Oaks Mobile Home Park	Resident	Space # 32	5300 E Desert Inn Rd		Las Vegas	NV		89122-4082
	River Oaks Mobile Home Park	Resident	Space # 33	5300 E Desert Inn Rd		Las Vegas	NV		89122-4082
	River Oaks Mobile Home Park	Resident	Space # 34	5300 E Desert Inn Rd		Las Vegas	NV		89122-4082
	River Oaks Mobile Home Park	Resident	Space # 35	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 36	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 37	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 38	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 39	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 40	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 41	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 42	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 43	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 44	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 45	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 46	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 47	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 48	5300 E Desert Inn Rd		Las Vegas	NV		89122-4035
	River Oaks Mobile Home Park	Resident	Space # 49	5300 E Desert Inn Rd		Las Vegas	NV		89122-4083
	River Oaks Mobile Home Park	Resident	Space # 50	5300 E Desert Inn Rd		Las Vegas	NV		89122-4083
	River Oaks Mobile Home Park	Resident	Space # 51	5300 E Desert Inn Rd		Las Vegas	NV		89122-4083

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	River Oaks Mobile Home Park	Resident	Space # 52	5300 E Desert Inn Rd		Las Vegas	NV		89122-4083
	River Oaks Mobile Home Park	Resident	Space # 53	5300 E Desert Inn Rd		Las Vegas	NV		89122-4083
	River Oaks Mobile Home Park	Resident	Space # 54	5300 E Desert Inn Rd		Las Vegas	NV		89122-4083
	River Oaks Mobile Home Park	Resident	Space # 55	5300 E Desert Inn Rd		Las Vegas	NV		89122-4083
	River Oaks Mobile Home Park	Resident	Space # 56	5300 E Desert Inn Rd		Las Vegas	NV		89122-4083
	River Oaks Mobile Home Park	Resident	Space # 57	5300 E Desert Inn Rd		Las Vegas	NV		89122-4083
	River Oaks Mobile Home Park	Resident	Space # 58	5300 E Desert Inn Rd		Las Vegas	NV		89122-4083
	River Oaks Mobile Home Park	Resident	Space # 59	5300 E Desert Inn Rd		Las Vegas	NV		89122-4084
	River Oaks Mobile Home Park	Resident	Space # 60	5300 E Desert Inn Rd		Las Vegas	NV		89122-4084
	River Oaks Mobile Home Park	Resident	Space # 61	5300 E Desert Inn Rd		Las Vegas	NV		89122-4084
	River Oaks Mobile Home Park	Resident	Space # 62	5300 E Desert Inn Rd		Las Vegas	NV		89122-4084
	River Oaks Mobile Home Park	Resident	Space # 63	5300 E Desert Inn Rd		Las Vegas	NV		89122-4084
	River Oaks Mobile Home Park	Resident	Space # 64	5300 E Desert Inn Rd		Las Vegas	NV		89122-4084
	River Oaks Mobile Home Park	Resident	Space # 65	5300 E Desert Inn Rd		Las Vegas	NV		89122-4084
	River Oaks Mobile Home Park	Resident	Space # 66	5300 E Desert Inn Rd		Las Vegas	NV		89122-4084
	River Oaks Mobile Home Park	Resident	Space # 67	5300 E Desert Inn Rd		Las Vegas	NV		89122-4084
	River Oaks Mobile Home Park	Resident	Space # 68	5300 E Desert Inn Rd		Las Vegas	NV		89122-4084
	River Oaks Mobile Home Park	Resident	Space # 69	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 70	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 71	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 72	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 73	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 74	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 75	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 76	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 77	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 78	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 79	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	River Oaks Mobile Home Park	Resident	Space # 80	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 81	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 82	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 83	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 84	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 85	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 86	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 87	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 88	5300 E Desert Inn Rd		Las Vegas	NV		89122-4076
	River Oaks Mobile Home Park	Resident	Space # 89	5300 E Desert Inn Rd		Las Vegas	NV		89122-4096
	River Oaks Mobile Home Park	Resident	Space # 90	5300 E Desert Inn Rd		Las Vegas	NV		89122-4096
	River Oaks Mobile Home Park	Resident	Space # 91	5300 E Desert Inn Rd		Las Vegas	NV		89122-4096
	River Oaks Mobile Home Park	Resident	Space # 92	5300 E Desert Inn Rd		Las Vegas	NV		89122-4096
	River Oaks Mobile Home Park	Resident	Space # 93	5300 E Desert Inn Rd		Las Vegas	NV		89122-4096
	River Oaks Mobile Home Park	Resident	Space # 94	5300 E Desert Inn Rd		Las Vegas	NV		89122-4096
	River Oaks Mobile Home Park	Resident	Space # 95	5300 E Desert Inn Rd		Las Vegas	NV		89122-4096
	River Oaks Mobile Home Park	Resident	Space # 96	5300 E Desert Inn Rd		Las Vegas	NV		89122-4096
	River Oaks Mobile Home Park	Resident	Space # 97	5300 E Desert Inn Rd		Las Vegas	NV		89122-4096
	River Oaks Mobile Home Park	Resident	Space # 98	5300 E Desert Inn Rd		Las Vegas	NV		89122-4096
	River Oaks Mobile Home Park	Resident	Space # 99	5300 E Desert Inn Rd		Las Vegas	NV		89122-4097
	River Oaks Mobile Home Park	Resident	Space # 100	5300 E Desert Inn Rd		Las Vegas	NV		89122-4097
	River Oaks Mobile Home Park	Resident	Space # 101	5300 E Desert Inn Rd		Las Vegas	NV		89122-4097
	River Oaks Mobile Home Park	Resident	Space # 102	5300 E Desert Inn Rd		Las Vegas	NV		89122-4097
	River Oaks Mobile Home Park	Resident	Space # 103	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident	Space # 104	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident	Space # 105	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident	Space # 106	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident	Space # 107	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	River Oaks Mobile Home Park	Resident	Space # 108	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident	Space # 109	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident	Space # 110	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident	Space # 111	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident	Space # 112	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident	Space # 113	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident	Space # 114	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident	Space # 115	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident	Space # 116	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident	Space # 117	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident	Space # 118	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident	Space # 119	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident	Space # 120	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident	Space # 121	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident	Space # 122	5300 E Desert Inn Rd		Las Vegas	NV		89122-4037
	River Oaks Mobile Home Park	Resident	Space # 123	5300 E Desert Inn Rd		Las Vegas	NV		89122-4085
	River Oaks Mobile Home Park	Resident	Space # 124	5300 E Desert Inn Rd		Las Vegas	NV		89122-4085
	River Oaks Mobile Home Park	Resident	Space # 125	5300 E Desert Inn Rd		Las Vegas	NV		89122-4250
	River Oaks Mobile Home Park	Resident	Space # 126	5300 E Desert Inn Rd		Las Vegas	NV		89122-4250
	River Oaks Mobile Home Park	Resident	Space # 127	5300 E Desert Inn Rd		Las Vegas	NV		89122-4221
	River Oaks Mobile Home Park	Resident	Space # 128	5300 E Desert Inn Rd		Las Vegas	NV		89122-4221
	River Oaks Mobile Home Park	Resident	Space # 129	5300 E Desert Inn Rd		Las Vegas	NV		89122-4221
	River Oaks Mobile Home Park	Resident	Space # 130	5300 E Desert Inn Rd		Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident	Space # 131	5300 E Desert Inn Rd		Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident	Space # 132	5300 E Desert Inn Rd		Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident	Space # 133	5300 E Desert Inn Rd		Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident	Space # 134	5300 E Desert Inn Rd		Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident	Space # 135	5300 E Desert Inn Rd		Las Vegas	NV		89122-4038

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	River Oaks Mobile Home Park	Resident	Space # 136	5300 E Desert Inn Rd		Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident	Space # 137	5300 E Desert Inn Rd		Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident	Space # 138	5300 E Desert Inn Rd		Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident	Space # 139	5300 E Desert Inn Rd		Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident	Space # 140	5300 E Desert Inn Rd		Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident	Space # 141	5300 E Desert Inn Rd		Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident	Space # 142	5300 E Desert Inn Rd		Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident	Space # 143	5300 E Desert Inn Rd		Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident	Space # 144	5300 E Desert Inn Rd		Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident	Space # 145	5300 E Desert Inn Rd		Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident	Space # 146	5300 E Desert Inn Rd		Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident	Space # 147	5300 E Desert Inn Rd		Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident	Space # 148	5300 E Desert Inn Rd		Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident	Space # 149	5300 E Desert Inn Rd		Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident	Space # 150	5300 E Desert Inn Rd		Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident	Space # 151	5300 E Desert Inn Rd		Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident	Space # 152	5300 E Desert Inn Rd		Las Vegas	NV		89122-4222
	River Oaks Mobile Home Park	Resident	Space # 153	5300 E Desert Inn Rd		Las Vegas	NV		89122-4222
	River Oaks Mobile Home Park	Resident	Space # 154	5300 E Desert Inn Rd		Las Vegas	NV		89122-4038
	River Oaks Mobile Home Park	Resident	Space # 155	5300 E Desert Inn Rd		Las Vegas	NV		89122-4039
	River Oaks Mobile Home Park	Resident	Space # 156	5300 E Desert Inn Rd		Las Vegas	NV		89122-4039
	River Oaks Mobile Home Park	Resident	Space # 157	5300 E Desert Inn Rd		Las Vegas	NV		89122-4039
	River Oaks Mobile Home Park	Resident	Space # 158	5300 E Desert Inn Rd		Las Vegas	NV		89122-4039
	River Oaks Mobile Home Park	Resident	Space # 159	5300 E Desert Inn Rd		Las Vegas	NV		89122-4039
	River Oaks Mobile Home Park	Resident	Space # 160	5300 E Desert Inn Rd		Las Vegas	NV		89122-4039
	River Oaks Mobile Home Park	Resident	Space # 161	5300 E Desert Inn Rd		Las Vegas	NV		89122-4039
	River Oaks Mobile Home Park	Resident	Space # 162	5300 E Desert Inn Rd		Las Vegas	NV		89122-4039
	River Oaks Mobile Home Park	Resident	Space # 163	5300 E Desert Inn Rd		Las Vegas	NV		89122-4039

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	River Oaks Mobile Home Park	Resident	Space # 164	5300 E Desert Inn Rd		Las Vegas	NV		89122-4039
	River Oaks Mobile Home Park	Resident	Space # 165	5300 E Desert Inn Rd		Las Vegas	NV		89122-4087
	River Oaks Mobile Home Park	Resident	Space # 166	5300 E Desert Inn Rd		Las Vegas	NV		89122-4087
	River Oaks Mobile Home Park	Resident	Space # 167	5300 E Desert Inn Rd		Las Vegas	NV		89122-4087
	River Oaks Mobile Home Park	Resident	Space # 168	5300 E Desert Inn Rd		Las Vegas	NV		89122-4087
	River Oaks Mobile Home Park	Resident	Space # 169	5300 E Desert Inn Rd		Las Vegas	NV		89122-4087
	River Oaks Mobile Home Park	Resident	Space # 170	5300 E Desert Inn Rd		Las Vegas	NV		89122-4087
	River Oaks Mobile Home Park	Resident	Space # 171	5300 E Desert Inn Rd		Las Vegas	NV		89122-4087
	River Oaks Mobile Home Park	Resident	Space # 172	5300 E Desert Inn Rd		Las Vegas	NV		89122-4087
	River Oaks Mobile Home Park	Resident	Space # 173	5300 E Desert Inn Rd		Las Vegas	NV		89122-4087
	River Oaks Mobile Home Park	Resident	Space # 174	5300 E Desert Inn Rd		Las Vegas	NV		89122-4087
	River Oaks Mobile Home Park	Resident	Space # 175	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 176	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 177	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 178	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 179	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 180	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 181	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 182	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 183	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 184	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 185	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 186	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 187	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 188	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 189	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 190	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 191	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	River Oaks Mobile Home Park	Resident	Space # 192	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 193	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 194	5300 E Desert Inn Rd		Las Vegas	NV		89122-4040
	River Oaks Mobile Home Park	Resident	Space # 195	5300 E Desert Inn Rd		Las Vegas	NV		89122-4088
	River Oaks Mobile Home Park	Resident	Space # 196	5300 E Desert Inn Rd		Las Vegas	NV		89122-4088
	River Oaks Mobile Home Park	Resident	Space # 197	5300 E Desert Inn Rd		Las Vegas	NV		89122-4088
	River Oaks Mobile Home Park	Resident	Space # 198	5300 E Desert Inn Rd		Las Vegas	NV		89122-4088
	River Oaks Mobile Home Park	Resident	Space # 199	5300 E Desert Inn Rd		Las Vegas	NV		89122-4088
	River Oaks Mobile Home Park	Resident	Space # 200	5300 E Desert Inn Rd		Las Vegas	NV		89122-4088
	River Oaks Mobile Home Park	Resident	Space # 201	5300 E Desert Inn Rd		Las Vegas	NV		89122-4088
	River Oaks Mobile Home Park	Resident	Space # 202	5300 E Desert Inn Rd		Las Vegas	NV		89122-4223
	River Oaks Mobile Home Park	Resident	Space # 203	5300 E Desert Inn Rd		Las Vegas	NV		89122-4223
	River Oaks Mobile Home Park	Resident	Space # 204	5300 E Desert Inn Rd		Las Vegas	NV		89122-4074
	River Oaks Mobile Home Park	Resident	Space # 205	5300 E Desert Inn Rd		Las Vegas	NV		89122-4074
	River Oaks Mobile Home Park	Resident	Space # 206	5300 E Desert Inn Rd		Las Vegas	NV		89122-4074
	River Oaks Mobile Home Park	Resident	Space # 207	5300 E Desert Inn Rd		Las Vegas	NV		89122-4074
	River Oaks Mobile Home Park	Resident	Space # 208	5300 E Desert Inn Rd		Las Vegas	NV		89122-4074
	River Oaks Mobile Home Park	Resident	Space # 209	5300 E Desert Inn Rd		Las Vegas	NV		89122-4074
	River Oaks Mobile Home Park	Resident	Space # 210	5300 E Desert Inn Rd		Las Vegas	NV		89122-4074
	River Oaks Mobile Home Park	Resident	Space # 211	5300 E Desert Inn Rd		Las Vegas	NV		89122-4074
	River Oaks Mobile Home Park	Resident	Space # 212	5300 E Desert Inn Rd		Las Vegas	NV		89122-4093
	River Oaks Mobile Home Park	Resident	Space # 213	5300 E Desert Inn Rd		Las Vegas	NV		89122-4093
	River Oaks Mobile Home Park	Resident	Space # 214	5300 E Desert Inn Rd		Las Vegas	NV		89122-4093
	River Oaks Mobile Home Park	Resident	Space # 215	5300 E Desert Inn Rd		Las Vegas	NV		89122-4093
	River Oaks Mobile Home Park	Resident	Space # 216	5300 E Desert Inn Rd		Las Vegas	NV		89122-4093
	River Oaks Mobile Home Park	Resident	Space # 217	5300 E Desert Inn Rd		Las Vegas	NV		89122-4093
	River Oaks Mobile Home Park	Resident	Space # 218	5300 E Desert Inn Rd		Las Vegas	NV		89122-4093
	River Oaks Mobile Home Park	Resident	Space # 219	5300 E Desert Inn Rd		Las Vegas	NV		89122-4093

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	River Oaks Mobile Home Park	Resident	Space # 220	5300 E Desert Inn Rd		Las Vegas	NV		89122-4093
	River Oaks Mobile Home Park	Resident	Space # 221	5300 E Desert Inn Rd		Las Vegas	NV		89122-4093
	River Oaks Mobile Home Park	Resident	Space # 222	5300 E Desert Inn Rd		Las Vegas	NV		89122-4094
	River Oaks Mobile Home Park	Resident	Space # 223	5300 E Desert Inn Rd		Las Vegas	NV		89122-4094
	River Oaks Mobile Home Park	Resident	Space # 224	5300 E Desert Inn Rd		Las Vegas	NV		89122-4094
	River Oaks Mobile Home Park	Resident	Space # 225	5300 E Desert Inn Rd		Las Vegas	NV		89122-4074
	River Oaks Mobile Home Park	Resident	Space # 226	5300 E Desert Inn Rd		Las Vegas	NV		89122-4074
	River Oaks Mobile Home Park	Resident	Space # 227	5300 E Desert Inn Rd		Las Vegas	NV		89122-4224
	River Oaks Mobile Home Park	Resident	Space # 228	5300 E Desert Inn Rd		Las Vegas	NV		89122-4224
	River Oaks Mobile Home Park	Resident	Space # 229	5300 E Desert Inn Rd		Las Vegas	NV		89122-4056
	River Oaks Mobile Home Park	Resident	Space # 230	5300 E Desert Inn Rd		Las Vegas	NV		89122-4056
	River Oaks Mobile Home Park	Resident	Space # 231	5300 E Desert Inn Rd		Las Vegas	NV		89122-4056
	River Oaks Mobile Home Park	Resident	Space # 232	5300 E Desert Inn Rd		Las Vegas	NV		89122-4056
	River Oaks Mobile Home Park	Resident	Space # 233	5300 E Desert Inn Rd		Las Vegas	NV		89122-4056
	River Oaks Mobile Home Park	Resident	Space # 234	5300 E Desert Inn Rd		Las Vegas	NV		89122-4056
	River Oaks Mobile Home Park	Resident	Space # 235	5300 E Desert Inn Rd		Las Vegas	NV		89122-4056
	River Oaks Mobile Home Park	Resident	Space # 236	5300 E Desert Inn Rd		Las Vegas	NV		89122-4056
	River Oaks Mobile Home Park	Resident	Space # 237	5300 E Desert Inn Rd		Las Vegas	NV		89122-4056
	River Oaks Mobile Home Park	Resident	Space # 238	5300 E Desert Inn Rd		Las Vegas	NV		89122-4056
	River Oaks Mobile Home Park	Resident	Space # 239	5300 E Desert Inn Rd		Las Vegas	NV		89122-4089
	River Oaks Mobile Home Park	Resident	Space # 240	5300 E Desert Inn Rd		Las Vegas	NV		89122-4089
	River Oaks Mobile Home Park	Resident	Space # 241	5300 E Desert Inn Rd		Las Vegas	NV		89122-4089
	River Oaks Mobile Home Park	Resident	Space # 242	5300 E Desert Inn Rd		Las Vegas	NV		89122-4089
	River Oaks Mobile Home Park	Resident	Space # 243	5300 E Desert Inn Rd		Las Vegas	NV		89122-4089
	River Oaks Mobile Home Park	Resident	Space # 244	5300 E Desert Inn Rd		Las Vegas	NV		89122-4089
	River Oaks Mobile Home Park	Resident	Space # 245	5300 E Desert Inn Rd		Las Vegas	NV		89122-4089
	River Oaks Mobile Home Park	Resident	Space # 246	5300 E Desert Inn Rd		Las Vegas	NV		89122-4089
	River Oaks Mobile Home Park	Resident	Space # 247	5300 E Desert Inn Rd		Las Vegas	NV		89122-4089

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	River Oaks Mobile Home Park	Resident	Space # 248	5300 E Desert Inn Rd		Las Vegas	NV		89122-4089
	River Oaks Mobile Home Park	Resident	Space # 249	5300 E Desert Inn Rd		Las Vegas	NV		89122-4090
	River Oaks Mobile Home Park	Resident	Space # 250	5300 E Desert Inn Rd		Las Vegas	NV		89122-4090
	River Oaks Mobile Home Park	Resident	Space # 251	5300 E Desert Inn Rd		Las Vegas	NV		89122-4090
	River Oaks Mobile Home Park	Resident	Space # 252	5300 E Desert Inn Rd		Las Vegas	NV		89122-4090
	River Oaks Mobile Home Park	Resident	Space # 253	5300 E Desert Inn Rd		Las Vegas	NV		89122-4090
	River Oaks Mobile Home Park	Resident	Space # 254	5300 E Desert Inn Rd		Las Vegas	NV		89122-4090
	River Oaks Mobile Home Park	Resident	Space # 255	5300 E Desert Inn Rd		Las Vegas	NV		89122-4090
	River Oaks Mobile Home Park	Resident	Space # 256	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 257	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 258	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 259	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 260	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 261	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 262	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 263	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 264	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 265	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 266	5300 E Desert Inn Rd		Las Vegas	NV		89122-4091
	River Oaks Mobile Home Park	Resident	Space # 267	5300 E Desert Inn Rd		Las Vegas	NV		89122-4091
	River Oaks Mobile Home Park	Resident	Space # 268	5300 E Desert Inn Rd		Las Vegas	NV		89122-4091
	River Oaks Mobile Home Park	Resident	Space # 269	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 270	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 271	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 272	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 273	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 274	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 275	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	River Oaks Mobile Home Park	Resident	Space # 276	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 277	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 278	5300 E Desert Inn Rd		Las Vegas	NV		89122-4073
	River Oaks Mobile Home Park	Resident	Space # 279	5300 E Desert Inn Rd		Las Vegas	NV		89122-4217
	River Oaks Mobile Home Park	Resident	Space # 280	5300 E Desert Inn Rd		Las Vegas	NV		89122-4217
	River Oaks Mobile Home Park	Resident	Space # 281	5300 E Desert Inn Rd		Las Vegas	NV		89122-4092
	River Oaks Mobile Home Park	Resident	Space # 282	5300 E Desert Inn Rd		Las Vegas	NV		89122-4092
	River Oaks Mobile Home Park	Resident	Space # 283	5300 E Desert Inn Rd		Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident	Space # 284	5300 E Desert Inn Rd		Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident	Space # 285	5300 E Desert Inn Rd		Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident	Space # 286	5300 E Desert Inn Rd		Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident	Space # 287	5300 E Desert Inn Rd		Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident	Space # 288	5300 E Desert Inn Rd		Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident	Space # 289	5300 E Desert Inn Rd		Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident	Space # 290	5300 E Desert Inn Rd		Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident	Space # 291	5300 E Desert Inn Rd		Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident	Space # 292	5300 E Desert Inn Rd		Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident	Space # 293	5300 E Desert Inn Rd		Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident	Space # 294	5300 E Desert Inn Rd		Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident	Space # 295	5300 E Desert Inn Rd		Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident	Space # 296	5300 E Desert Inn Rd		Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident	Space # 297	5300 E Desert Inn Rd		Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident	Space # 298	5300 E Desert Inn Rd		Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident	Space # 299	5300 E Desert Inn Rd		Las Vegas	NV		89122-4075
	River Oaks Mobile Home Park	Resident	Space # 300	5300 E Desert Inn Rd		Las Vegas	NV		89122-4095
	River Oaks Mobile Home Park	Resident	Space # 301	5300 E Desert Inn Rd		Las Vegas	NV		89122-4095
	River Oaks Mobile Home Park	Resident	Space # 302	5300 E Desert Inn Rd		Las Vegas	NV		89122-4095
	River Oaks Mobile Home Park	Resident	Space # 303	5300 E Desert Inn Rd		Las Vegas	NV		89122-4095

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	River Oaks Mobile Home Park	Resident	Space # 304	5300 E Desert Inn Rd		Las Vegas	NV		89122-4095
	River Oaks Mobile Home Park	Resident	Space # 305	5300 E Desert Inn Rd		Las Vegas	NV		89122-4095
	River Oaks Mobile Home Park	Resident	Space # 306	5300 E Desert Inn Rd		Las Vegas	NV		89122-4095
	Valley Vista Mobile Home Park	Resident	Space # 1	3001 Cabana Dr		Las Vegas	NV		89122-4062
	Valley Vista Mobile Home Park	Resident	Space # 2	3001 Cabana Dr		Las Vegas	NV		89122-4062
	Valley Vista Mobile Home Park	Resident	Space # 3	3001 Cabana Dr		Las Vegas	NV		89122-4062
	Valley Vista Mobile Home Park	Resident	Space # 4	3001 Cabana Dr		Las Vegas	NV		89122-4062
	Valley Vista Mobile Home Park	Resident	Space # 5	3001 Cabana Dr		Las Vegas	NV		89122-4062
	Valley Vista Mobile Home Park	Resident	Space # 6	3001 Cabana Dr		Las Vegas	NV		89122-4062
	Valley Vista Mobile Home Park	Resident	Space # 7	3001 Cabana Dr		Las Vegas	NV		89122-4062
	Valley Vista Mobile Home Park	Resident	Space # 8	3001 Cabana Dr		Las Vegas	NV		89122-4062
	Valley Vista Mobile Home Park	Resident	Space # 9	3001 Cabana Dr		Las Vegas	NV		89122-4062
	Valley Vista Mobile Home Park	Resident	Space # 10	3001 Cabana Dr		Las Vegas	NV		89122-4062
	Valley Vista Mobile Home Park	Resident	Space # 11	3001 Cabana Dr		Las Vegas	NV		89122-4098
	Valley Vista Mobile Home Park	Resident	Space # 12	3001 Cabana Dr		Las Vegas	NV		89122-4098
	Valley Vista Mobile Home Park	Resident	Space # 13	3001 Cabana Dr		Las Vegas	NV		89122-4098
	Valley Vista Mobile Home Park	Resident	Space # 14	3001 Cabana Dr		Las Vegas	NV		89122-4098
	Valley Vista Mobile Home Park	Resident	Space # 15	3001 Cabana Dr		Las Vegas	NV		89122-4098
	Valley Vista Mobile Home Park	Resident	Space # 16	3001 Cabana Dr		Las Vegas	NV		89122-4098
	Valley Vista Mobile Home Park	Resident	Space # 17	3001 Cabana Dr		Las Vegas	NV		89122-4098
	Valley Vista Mobile Home Park	Resident	Space # 18	3001 Cabana Dr		Las Vegas	NV		89122-4098
	Valley Vista Mobile Home Park	Resident	Space # 19	3001 Cabana Dr		Las Vegas	NV		89122-4098
	Valley Vista Mobile Home Park	Resident	Space # 20	3001 Cabana Dr		Las Vegas	NV		89122-4098
	Valley Vista Mobile Home Park	Resident	Space # 21	3001 Cabana Dr		Las Vegas	NV		89122-4099
	Valley Vista Mobile Home Park	Resident	Space # 22	3001 Cabana Dr		Las Vegas	NV		89122-4099
	Valley Vista Mobile Home Park	Resident	Space # 23	3001 Cabana Dr		Las Vegas	NV		89122-4099
	Valley Vista Mobile Home Park	Resident	Space # 24	3001 Cabana Dr		Las Vegas	NV		89122-4099
	Valley Vista Mobile Home Park	Resident	Space # 25	3001 Cabana Dr		Las Vegas	NV		89122-4099

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	Valley Vista Mobile Home Park	Resident	Space # 26	3001 Cabana Dr		Las Vegas	NV		89122-4099
	Valley Vista Mobile Home Park	Resident	Space # 27	3001 Cabana Dr		Las Vegas	NV		89122-4099
	Valley Vista Mobile Home Park	Resident	Space # 28	3001 Cabana Dr		Las Vegas	NV		89122-4099
	Valley Vista Mobile Home Park	Resident	Space # 29	3001 Cabana Dr		Las Vegas	NV		89122-4099
	Valley Vista Mobile Home Park	Resident	Space # 30	3001 Cabana Dr		Las Vegas	NV		89122-4099
	Valley Vista Mobile Home Park	Resident	Space # 31	3001 Cabana Dr		Las Vegas	NV		89122-4200
	Valley Vista Mobile Home Park	Resident	Space # 32	3001 Cabana Dr		Las Vegas	NV		89122-4200
	Valley Vista Mobile Home Park	Resident	Space # 33	3001 Cabana Dr		Las Vegas	NV		89122-4200
	Valley Vista Mobile Home Park	Resident	Space # 34	3001 Cabana Dr		Las Vegas	NV		89122-4200
	Valley Vista Mobile Home Park	Resident	Space # 35	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 36	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 37	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 38	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 39	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 40	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 41	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 42	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 43	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 44	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 45	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 46	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 47	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 48	3001 Cabana Dr		Las Vegas	NV		89122-4063
	Valley Vista Mobile Home Park	Resident	Space # 49	3001 Cabana Dr		Las Vegas	NV		89122-4201
	Valley Vista Mobile Home Park	Resident	Space # 50	3001 Cabana Dr		Las Vegas	NV		89122-4201
	Valley Vista Mobile Home Park	Resident	Space # 51	3001 Cabana Dr		Las Vegas	NV		89122-4201
	Valley Vista Mobile Home Park	Resident	Space # 52	3001 Cabana Dr		Las Vegas	NV		89122-4201
	Valley Vista Mobile Home Park	Resident	Space # 53	3001 Cabana Dr		Las Vegas	NV		89122-4201

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	Valley Vista Mobile Home Park	Resident	Space # 54	3001 Cabana Dr		Las Vegas	NV		89122-4201
	Valley Vista Mobile Home Park	Resident	Space # 55	3001 Cabana Dr		Las Vegas	NV		89122-4201
	Valley Vista Mobile Home Park	Resident	Space # 56	3001 Cabana Dr		Las Vegas	NV		89122-4201
	Valley Vista Mobile Home Park	Resident	Space # 57	3001 Cabana Dr		Las Vegas	NV		89122-4201
	Valley Vista Mobile Home Park	Resident	Space # 58	3001 Cabana Dr		Las Vegas	NV		89122-4201
	Valley Vista Mobile Home Park	Resident	Space # 59	3001 Cabana Dr		Las Vegas	NV		89122-4202
	Valley Vista Mobile Home Park	Resident	Space # 60	3001 Cabana Dr		Las Vegas	NV		89122-4202
	Valley Vista Mobile Home Park	Resident	Space # 61	3001 Cabana Dr		Las Vegas	NV		89122-4202
	Valley Vista Mobile Home Park	Resident	Space # 62	3001 Cabana Dr		Las Vegas	NV		89122-4202
	Valley Vista Mobile Home Park	Resident	Space # 63	3001 Cabana Dr		Las Vegas	NV		89122-4202
	Valley Vista Mobile Home Park	Resident	Space # 64	3001 Cabana Dr		Las Vegas	NV		89122-4202
	Valley Vista Mobile Home Park	Resident	Space # 65	3001 Cabana Dr		Las Vegas	NV		89122-4202
	Valley Vista Mobile Home Park	Resident	Space # 66	3001 Cabana Dr		Las Vegas	NV		89122-4202
	Valley Vista Mobile Home Park	Resident	Space # 67	3001 Cabana Dr		Las Vegas	NV		89122-4202
	Valley Vista Mobile Home Park	Resident	Space # 68	3001 Cabana Dr		Las Vegas	NV		89122-4202
	Valley Vista Mobile Home Park	Resident	Space # 69	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 70	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 71	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 72	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 73	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 74	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 75	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 76	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 77	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 78	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 79	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 80	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 81	3001 Cabana Dr		Las Vegas	NV		89122-4064

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	Valley Vista Mobile Home Park	Resident	Space # 82	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 83	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 84	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 85	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 86	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 87	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 88	3001 Cabana Dr		Las Vegas	NV		89122-4064
	Valley Vista Mobile Home Park	Resident	Space # 89	3001 Cabana Dr		Las Vegas	NV		89122-4203
	Valley Vista Mobile Home Park	Resident	Space # 90	3001 Cabana Dr		Las Vegas	NV		89122-4203
	Valley Vista Mobile Home Park	Resident	Space # 91	3001 Cabana Dr		Las Vegas	NV		89122-4203
	Valley Vista Mobile Home Park	Resident	Space # 92	3001 Cabana Dr		Las Vegas	NV		89122-4203
	Valley Vista Mobile Home Park	Resident	Space # 93	3001 Cabana Dr		Las Vegas	NV		89122-4203
	Valley Vista Mobile Home Park	Resident	Space # 94	3001 Cabana Dr		Las Vegas	NV		89122-4203
	Valley Vista Mobile Home Park	Resident	Space # 95	3001 Cabana Dr		Las Vegas	NV		89122-4203
	Valley Vista Mobile Home Park	Resident	Space # 96	3001 Cabana Dr		Las Vegas	NV		89122-4203
	Valley Vista Mobile Home Park	Resident	Space # 97	3001 Cabana Dr		Las Vegas	NV		89122-4203
	Valley Vista Mobile Home Park	Resident	Space # 98	3001 Cabana Dr		Las Vegas	NV		89122-4203
	Valley Vista Mobile Home Park	Resident	Space # 99	3001 Cabana Dr		Las Vegas	NV		89122-4204
	Valley Vista Mobile Home Park	Resident	Space # 100	3001 Cabana Dr		Las Vegas	NV		89122-4204
	Valley Vista Mobile Home Park	Resident	Space # 101	3001 Cabana Dr		Las Vegas	NV		89122-4204
	Valley Vista Mobile Home Park	Resident	Space # 102	3001 Cabana Dr		Las Vegas	NV		89122-4204
	Valley Vista Mobile Home Park	Resident	Space # 103	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 104	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 105	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 106	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 107	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 108	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 109	3001 Cabana Dr		Las Vegas	NV		89122-4065

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	Valley Vista Mobile Home Park	Resident	Space # 110	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 111	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 112	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 113	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 114	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 115	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 116	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 117	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 118	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 119	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 120	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 121	3001 Cabana Dr		Las Vegas	NV		89122-4065
	Valley Vista Mobile Home Park	Resident	Space # 122	3001 Cabana Dr		Las Vegas	NV		89122-4205
	Valley Vista Mobile Home Park	Resident	Space # 123	3001 Cabana Dr		Las Vegas	NV		89122-4205
	Valley Vista Mobile Home Park	Resident	Space # 124	3001 Cabana Dr		Las Vegas	NV		89122-4205
	Valley Vista Mobile Home Park	Resident	Space # 125	3001 Cabana Dr		Las Vegas	NV		89122-4251
	Valley Vista Mobile Home Park	Resident	Space # 126	3001 Cabana Dr		Las Vegas	NV		89122-4251
	Valley Vista Mobile Home Park	Resident	Space # 127	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 128	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 129	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 130	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 131	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 132	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 133	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 134	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 135	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 136	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 137	3001 Cabana Dr		Las Vegas	NV		89122-4206

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	Valley Vista Mobile Home Park	Resident	Space # 138	3001 Cabana Dr		Las Vegas	NV		89122-4206
	Valley Vista Mobile Home Park	Resident	Space # 139	3001 Cabana Dr		Las Vegas	NV		89122-4206
	Valley Vista Mobile Home Park	Resident	Space # 140	3001 Cabana Dr		Las Vegas	NV		89122-4206
	Valley Vista Mobile Home Park	Resident	Space # 141	3001 Cabana Dr		Las Vegas	NV		89122-4206
	Valley Vista Mobile Home Park	Resident	Space # 142	3001 Cabana Dr		Las Vegas	NV		89122-4206
	Valley Vista Mobile Home Park	Resident	Space # 143	3001 Cabana Dr		Las Vegas	NV		89122-4206
	Valley Vista Mobile Home Park	Resident	Space # 144	3001 Cabana Dr		Las Vegas	NV		89122-4206
	Valley Vista Mobile Home Park	Resident	Space # 145	3001 Cabana Dr		Las Vegas	NV		89122-4206
	Valley Vista Mobile Home Park	Resident	Space # 146	3001 Cabana Dr		Las Vegas	NV		89122-4206
	Valley Vista Mobile Home Park	Resident	Space # 147	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 148	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 149	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 150	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 151	3001 Cabana Dr		Las Vegas	NV		89122-4066
	Valley Vista Mobile Home Park	Resident	Space # 152	3001 Cabana Dr		Las Vegas	NV		89122-4225
	Valley Vista Mobile Home Park	Resident	Space # 153	3001 Cabana Dr		Las Vegas	NV		89122-4225
	Valley Vista Mobile Home Park	Resident	Space # 154	3001 Cabana Dr		Las Vegas	NV		89122-4225
	Valley Vista Mobile Home Park	Resident	Space # 155	3001 Cabana Dr		Las Vegas	NV		89122-4225
	Valley Vista Mobile Home Park	Resident	Space # 156	3001 Cabana Dr		Las Vegas	NV		89122-4225
	Valley Vista Mobile Home Park	Resident	Space # 157	3001 Cabana Dr		Las Vegas	NV		89122-4225
	Valley Vista Mobile Home Park	Resident	Space # 158	3001 Cabana Dr		Las Vegas	NV		89122-4225
	Valley Vista Mobile Home Park	Resident	Space # 159	3001 Cabana Dr		Las Vegas	NV		89122-4067
	Valley Vista Mobile Home Park	Resident	Space # 160	3001 Cabana Dr		Las Vegas	NV		89122-4067
	Valley Vista Mobile Home Park	Resident	Space # 161	3001 Cabana Dr		Las Vegas	NV		89122-4067
	Valley Vista Mobile Home Park	Resident	Space # 162	3001 Cabana Dr		Las Vegas	NV		89122-4067
	Valley Vista Mobile Home Park	Resident	Space # 163	3001 Cabana Dr		Las Vegas	NV		89122-4067
	Valley Vista Mobile Home Park	Resident	Space # 164	3001 Cabana Dr		Las Vegas	NV		89122-4067
	Valley Vista Mobile Home Park	Resident	Space # 165	3001 Cabana Dr		Las Vegas	NV		89122-4207

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	Valley Vista Mobile Home Park	Resident	Space # 166	3001 Cabana Dr		Las Vegas	NV		89122-4207
	Valley Vista Mobile Home Park	Resident	Space # 167	3001 Cabana Dr		Las Vegas	NV		89122-4207
	Valley Vista Mobile Home Park	Resident	Space # 168	3001 Cabana Dr		Las Vegas	NV		89122-4207
	Valley Vista Mobile Home Park	Resident	Space # 169	3001 Cabana Dr		Las Vegas	NV		89122-4207
	Valley Vista Mobile Home Park	Resident	Space # 170	3001 Cabana Dr		Las Vegas	NV		89122-4207
	Valley Vista Mobile Home Park	Resident	Space # 171	3001 Cabana Dr		Las Vegas	NV		89122-4207
	Valley Vista Mobile Home Park	Resident	Space # 172	3001 Cabana Dr		Las Vegas	NV		89122-4207
	Valley Vista Mobile Home Park	Resident	Space # 173	3001 Cabana Dr		Las Vegas	NV		89122-4207
	Valley Vista Mobile Home Park	Resident	Space # 174	3001 Cabana Dr		Las Vegas	NV		89122-4207
	Valley Vista Mobile Home Park	Resident	Space # 175	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 176	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 177	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 178	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 179	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 180	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 181	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 182	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 183	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 184	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 185	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 186	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 187	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 188	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 189	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 190	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 191	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 192	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 193	3001 Cabana Dr		Las Vegas	NV		89122-4068

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	Valley Vista Mobile Home Park	Resident	Space # 194	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 195	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 196	3001 Cabana Dr		Las Vegas	NV		89122-4068
	Valley Vista Mobile Home Park	Resident	Space # 197	3001 Cabana Dr		Las Vegas	NV		89122-4209
	Valley Vista Mobile Home Park	Resident	Space # 198	3001 Cabana Dr		Las Vegas	NV		89122-4209
	Valley Vista Mobile Home Park	Resident	Space # 199	3001 Cabana Dr		Las Vegas	NV		89122-4209
	Valley Vista Mobile Home Park	Resident	Space # 200	3001 Cabana Dr		Las Vegas	NV		89122-4209
	Valley Vista Mobile Home Park	Resident	Space # 201	3001 Cabana Dr		Las Vegas	NV		89122-4209
	Valley Vista Mobile Home Park	Resident	Space # 202	3001 Cabana Dr		Las Vegas	NV		89122-4226
	Valley Vista Mobile Home Park	Resident	Space # 203	3001 Cabana Dr		Las Vegas	NV		89122-4226
	Valley Vista Mobile Home Park	Resident	Space # 204	3001 Cabana Dr		Las Vegas	NV		89122-4069
	Valley Vista Mobile Home Park	Resident	Space # 205	3001 Cabana Dr		Las Vegas	NV		89122-4069
	Valley Vista Mobile Home Park	Resident	Space # 206	3001 Cabana Dr		Las Vegas	NV		89122-4069
	Valley Vista Mobile Home Park	Resident	Space # 207	3001 Cabana Dr		Las Vegas	NV		89122-4069
	Valley Vista Mobile Home Park	Resident	Space # 208	3001 Cabana Dr		Las Vegas	NV		89122-4069
	Valley Vista Mobile Home Park	Resident	Space # 209	3001 Cabana Dr		Las Vegas	NV		89122-4069
	Valley Vista Mobile Home Park	Resident	Space # 210	3001 Cabana Dr		Las Vegas	NV		89122-4069
	Valley Vista Mobile Home Park	Resident	Space # 211	3001 Cabana Dr		Las Vegas	NV		89122-4069
	Valley Vista Mobile Home Park	Resident	Space # 212	3001 Cabana Dr		Las Vegas	NV		89122-4210
	Valley Vista Mobile Home Park	Resident	Space # 213	3001 Cabana Dr		Las Vegas	NV		89122-4210
	Valley Vista Mobile Home Park	Resident	Space # 214	3001 Cabana Dr		Las Vegas	NV		89122-4210
	Valley Vista Mobile Home Park	Resident	Space # 215	3001 Cabana Dr		Las Vegas	NV		89122-4210
	Valley Vista Mobile Home Park	Resident	Space # 216	3001 Cabana Dr		Las Vegas	NV		89122-4210
	Valley Vista Mobile Home Park	Resident	Space # 217	3001 Cabana Dr		Las Vegas	NV		89122-4210
	Valley Vista Mobile Home Park	Resident	Space # 218	3001 Cabana Dr		Las Vegas	NV		89122-4210
	Valley Vista Mobile Home Park	Resident	Space # 219	3001 Cabana Dr		Las Vegas	NV		89122-4210
	Valley Vista Mobile Home Park	Resident	Space # 220	3001 Cabana Dr		Las Vegas	NV		89122-4210
	Valley Vista Mobile Home Park	Resident	Space # 221	3001 Cabana Dr		Las Vegas	NV		89122-4210

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	Valley Vista Mobile Home Park	Resident	Space # 222	3001 Cabana Dr		Las Vegas	NV		89122-4211
	Valley Vista Mobile Home Park	Resident	Space # 223	3001 Cabana Dr		Las Vegas	NV		89122-4211
	Valley Vista Mobile Home Park	Resident	Space # 224	3001 Cabana Dr		Las Vegas	NV		89122-4211
	Valley Vista Mobile Home Park	Resident	Space # 225	3001 Cabana Dr		Las Vegas	NV		89122-4211
	Valley Vista Mobile Home Park	Resident	Space # 226	3001 Cabana Dr		Las Vegas	NV		89122-4069
	Valley Vista Mobile Home Park	Resident	Space # 227	3001 Cabana Dr		Las Vegas	NV		89122-4069
	Valley Vista Mobile Home Park	Resident	Space # 228	3001 Cabana Dr		Las Vegas	NV		89122-4069
	Valley Vista Mobile Home Park	Resident	Space # 229	3001 Cabana Dr		Las Vegas	NV		89122-4070
	Valley Vista Mobile Home Park	Resident	Space # 230	3001 Cabana Dr		Las Vegas	NV		89122-4070
	Valley Vista Mobile Home Park	Resident	Space # 231	3001 Cabana Dr		Las Vegas	NV		89122-4070
	Valley Vista Mobile Home Park	Resident	Space # 232	3001 Cabana Dr		Las Vegas	NV		89122-4070
	Valley Vista Mobile Home Park	Resident	Space # 233	3001 Cabana Dr		Las Vegas	NV		89122-4070
	Valley Vista Mobile Home Park	Resident	Space # 234	3001 Cabana Dr		Las Vegas	NV		89122-4070
	Valley Vista Mobile Home Park	Resident	Space # 235	3001 Cabana Dr		Las Vegas	NV		89122-4070
	Valley Vista Mobile Home Park	Resident	Space # 236	3001 Cabana Dr		Las Vegas	NV		89122-4070
	Valley Vista Mobile Home Park	Resident	Space # 237	3001 Cabana Dr		Las Vegas	NV		89122-4070
	Valley Vista Mobile Home Park	Resident	Space # 238	3001 Cabana Dr		Las Vegas	NV		89122-4070
	Valley Vista Mobile Home Park	Resident	Space # 239	3001 Cabana Dr		Las Vegas	NV		89122-4212
	Valley Vista Mobile Home Park	Resident	Space # 240	3001 Cabana Dr		Las Vegas	NV		89122-4212
	Valley Vista Mobile Home Park	Resident	Space # 241	3001 Cabana Dr		Las Vegas	NV		89122-4212
	Valley Vista Mobile Home Park	Resident	Space # 242	3001 Cabana Dr		Las Vegas	NV		89122-4212
	Valley Vista Mobile Home Park	Resident	Space # 243	3001 Cabana Dr		Las Vegas	NV		89122-4212
	Valley Vista Mobile Home Park	Resident	Space # 244	3001 Cabana Dr		Las Vegas	NV		89122-4212
	Valley Vista Mobile Home Park	Resident	Space # 245	3001 Cabana Dr		Las Vegas	NV		89122-4212
	Valley Vista Mobile Home Park	Resident	Space # 246	3001 Cabana Dr		Las Vegas	NV		89122-4212
	Valley Vista Mobile Home Park	Resident	Space # 247	3001 Cabana Dr		Las Vegas	NV		89122-4212
	Valley Vista Mobile Home Park	Resident	Space # 248	3001 Cabana Dr		Las Vegas	NV		89122-4212
	Valley Vista Mobile Home Park	Resident	Space # 249	3001 Cabana Dr		Las Vegas	NV		89122-4213

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	Valley Vista Mobile Home Park	Resident	Space # 250	3001 Cabana Dr		Las Vegas	NV		89122-4213
	Valley Vista Mobile Home Park	Resident	Space # 251	3001 Cabana Dr		Las Vegas	NV		89122-4213
	Valley Vista Mobile Home Park	Resident	Space # 252	3001 Cabana Dr		Las Vegas	NV		89122-4213
	Valley Vista Mobile Home Park	Resident	Space # 253	3001 Cabana Dr		Las Vegas	NV		89122-4213
	Valley Vista Mobile Home Park	Resident	Space # 254	3001 Cabana Dr		Las Vegas	NV		89122-4213
	Valley Vista Mobile Home Park	Resident	Space # 255	3001 Cabana Dr		Las Vegas	NV		89122-4213
	Valley Vista Mobile Home Park	Resident	Space # 256	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 257	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 258	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 259	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 260	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 261	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 262	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 263	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 264	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 265	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 266	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 267	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 268	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 269	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 270	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 271	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 272	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 273	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 274	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 275	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 276	3001 Cabana Dr		Las Vegas	NV		89122-4071
	Valley Vista Mobile Home Park	Resident	Space # 277	3001 Cabana Dr		Las Vegas	NV		89122-4071

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	Valley Vista Mobile Home Park	Resident	Space # 278	3001 Cabana Dr		Las Vegas	NV		89122-4214
	Valley Vista Mobile Home Park	Resident	Space # 279	3001 Cabana Dr		Las Vegas	NV		89122-4214
	Valley Vista Mobile Home Park	Resident	Space # 280	3001 Cabana Dr		Las Vegas	NV		89122-4214
	Valley Vista Mobile Home Park	Resident	Space # 281	3001 Cabana Dr		Las Vegas	NV		89122-4214
	Valley Vista Mobile Home Park	Resident	Space # 282	3001 Cabana Dr		Las Vegas	NV		89122-4227
	Valley Vista Mobile Home Park	Resident	Space # 283	3001 Cabana Dr		Las Vegas	NV		89122-4072
	Valley Vista Mobile Home Park	Resident	Space # 284	3001 Cabana Dr		Las Vegas	NV		89122-4072
	Valley Vista Mobile Home Park	Resident	Space # 285	3001 Cabana Dr		Las Vegas	NV		89122-4072
	Valley Vista Mobile Home Park	Resident	Space # 286	3001 Cabana Dr		Las Vegas	NV		89122-4072
	Valley Vista Mobile Home Park	Resident	Space # 287	3001 Cabana Dr		Las Vegas	NV		89122-4072
	Valley Vista Mobile Home Park	Resident	Space # 288	3001 Cabana Dr		Las Vegas	NV		89122-4072
	Valley Vista Mobile Home Park	Resident	Space # 289	3001 Cabana Dr		Las Vegas	NV		89122-4072
	Valley Vista Mobile Home Park	Resident	Space # 290	3001 Cabana Dr		Las Vegas	NV		89122-4072
	Valley Vista Mobile Home Park	Resident	Space # 291	3001 Cabana Dr		Las Vegas	NV		89122-4072
	Valley Vista Mobile Home Park	Resident	Space # 292	3001 Cabana Dr		Las Vegas	NV		89122-4072
	Valley Vista Mobile Home Park	Resident	Space # 293	3001 Cabana Dr		Las Vegas	NV		89122-4215
	Valley Vista Mobile Home Park	Resident	Space # 294	3001 Cabana Dr		Las Vegas	NV		89122-4215
	Valley Vista Mobile Home Park	Resident	Space # 295	3001 Cabana Dr		Las Vegas	NV		89122-4215
	Valley Vista Mobile Home Park	Resident	Space # 296	3001 Cabana Dr		Las Vegas	NV		89122-4215
	Valley Vista Mobile Home Park	Resident	Space # 297	3001 Cabana Dr		Las Vegas	NV		89122-4215
	Valley Vista Mobile Home Park	Resident	Space # 298	3001 Cabana Dr		Las Vegas	NV		89122-4215
	Valley Vista Mobile Home Park	Resident	Space # 299	3001 Cabana Dr		Las Vegas	NV		89122-4215
	Valley Vista Mobile Home Park	Resident	Space # 300	3001 Cabana Dr		Las Vegas	NV		89122-4215
	Valley Vista Mobile Home Park	Resident	Space # 301	3001 Cabana Dr		Las Vegas	NV		89122-4215
	Valley Vista Mobile Home Park	Resident	Space # 302	3001 Cabana Dr		Las Vegas	NV		89122-4215
	Valley Vista Mobile Home Park	Resident	Space # 303	3001 Cabana Dr		Las Vegas	NV		89122-4216
	Paradise Town Advisory Board	Attn: Maureen Helm		4713 Canna Drive	<null>	Las Vegas	NV		89122
	Sunrise Manor Town Advisory Board	Attn: Jill Nikovis-Leiva		10741 New Boro Avenue	<null>	Las Vegas	NV		89144

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
16108603004	ALBERTSON'S STORES SUB L L C		C/O PARADIGM TAX GROUP PO BOX 800729			DALLAS	TX		75380-0729
16108603005	VISTA CONVOY REALTY LTD		PO BOX 1610			COCKEYSVILLE	MD		21030
16108603007	LD NELLIS L L C		PO BOX 97821			LAS VEGAS	NV		89193-7821
16108603008	CA C L L C		2231 E DESERT INN RD			LAS VEGAS	NV		89169
16108611001	ELATION PROPERTIES L L C		3475 E TOMPKINS AVE			LAS VEGAS	NV		89121
16108611002	BALBASTRO RUBEN C & AMELIA A		2725 S NELLIS BLVD # 1117			LAS VEGAS	NV		89121
16108611003	SPERO SHANE E		2725 S NELLIS BLVD # 1120			LAS VEGAS	NV		89121-2094
16108611004	BARTHMAX LIVING TRUST	BARTH TETSUKO TRS	2725 S NELLIS BLVD UNIT 1119			LAS VEGAS	NV		89121
16108611005	PEREIRA ANA LUCIA		2725 S NELLIS BLVD # 2118			LAS VEGAS	NV		89121-7500
16108611006	GUZMAN PAUL G & SHERIL		1861 NAPOLEON DR			LAS VEGAS	NV		89156
16108611007	DORFF KEVIN		4537 POLK ST NE			COLUMBIA HEIGHTS	MN		55421
16108611008	CRUZ MARIANA		2725 S NELLIS BLVD # 2119			LAS VEGAS	NV		89121
16108611009	ORTIZ ALBERTINA MARIA		2725 S NELLIS BLVD			LAS VEGAS	NV		89121-2093
16108611010	GARBE REINHOLD G ETAL	KARWACKI-GARBE THERESA A	3226 WOODY LN			SAN JOSE	CA		95132
16108611011	CASTILLO ALEX R & SONIA P		2725 S NELLIS BLVD # 1108			LAS VEGAS	NV		89121
16108611012	ALVAREZ GLADYS F		2725 S NELLIS BLVD # 1107			LAS VEGAS	NV		89121-2093
16108611013	IVALDY PHILLIP	PFUSTERER MARIA	2725 S NELLIS BLVD # 2106			LAS VEGAS	NV		89121
16108611014	SORIA HENRY G		2725 S NELLIS BLVD # 2105			LAS VEGAS	NV		89121-7500
16108611015	EVERETT PERRY		2725 S NELLIS BLVD # 2108			LAS VEGAS	NV		89121
16108611016	GILES EVA		2725 S NELLIS BLVD # 2107			LAS VEGAS	NV		89121
16108611017	DAYBREAK FAMILY TRUST		2922 SALTILLO LN			LAS VEGAS	NV		89121
16108611018	SALOMONS BRUCE & SANDRA	SALOMONS JESSE	46 KING CLOSE			RED DEER	AB	CANADA	T4P 3P5
16108611019	CLEMENTE FAMILY TRUST	CLEMENTE DOMINIC MICHAEL & KATHRYN MARIE TRS	2725 S NELLIS BLVD # 1104			LAS VEGAS	NV		89121
16108611020	CLEMENTE RALPH		2725 S NELLIS BLVD # 1103			LAS VEGAS	NV		89121-2093
16108611021	DEAN LAMBUS FREDERICK		2725 S NELLIS BLVD # 2102			LAS VEGAS	NV		89121
16108611022	WOODS BARBARA		2072 82ND AVENUE			OAKLAND	CA		94621-2225
16108611023	STRINGER JASON		2725 S NELLIS BLVD # 2104			LAS VEGAS	NV		89121

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16108611024	BOWENS BRYANT L & ALISHEA		2725 S NELLIS BLVD # 2103			LAS VEGAS	NV		89121-7500
16108611025	GILREATH UNTOK		2725 S NELLIS BLVD 1098			LAS VEGAS	NV		89121
16108611026	MOLINA ANDRES		6912 ADOBE VILLA			LAS VEGAS	NV		89142-3710
16108611027	GONZALEZ JORGAN		30338 LAPASSADE CT			MURRIETA	CA		92563
16108611028	COURTIER BRIAN L	BIXLER LINDA D	2725 S NELLIS BLVD # 1099			LAS VEGAS	NV		89121
16108611029	MERCADO MARK ANTHONY ORDONA & EVERLY		2725 S NELLIS BLVD # 2098			LAS VEGAS	NV		89121
16108611030	THAYER FAMILY TRUST	THAYER DENNIS & SHIRLEY TRS	UNIT 117	2020 MULDOON RD		ANCHORAGE	AK		99504-3665
16108611031	MILLER WILLIAM C		2725 S NELLIS BLVD # 2100			LAS VEGAS	NV		89121
16108611032	HENDERSON EMMITT JR & ELIBERTA R		PO BOX 473			LA MESA	CA		91944-0473
16108611033	BLOCHBERGER CHARLES		2490 OAKCREST DR			PALM SPRINGS	CA		92264
16108611034	GRAY GERALD & JOY FAMILY TRUST	GRAY GERALD R & JOY TRS	2187 VALLEY DR			IDAHO FALLS	ID		83401-3232
16108611035	ROSS LONNIE C & SONYA I		2725 S NELLIS BLVD # 1088			LAS VEGAS	NV		89121
16108611036	GRADY ANTHONY DARNEL	ALEX- GRADY MERDEC MARIA	2725 S NELLIS BLVD UNIT 1087			LAS VEGAS	NV		89121-2093
16108611037	BROWN JAMES L & ROZA PETRIVNA		2725 S NELLIS BLVD UNIT 2086			LAS VEGAS	NV		89121
16108611038	CASALE JOHN G TRUST	CASALE JOHN G TRS	4935 MONTELEONE AVE			LAS VEGAS	NV		89141
16108611039	HUNT ROSEMARIE		2725 S NELLIS BLVD # 2088			LAS VEGAS	NV		89121
16108611040	LOONEY ALBERT ROE III		2725 S NELLIS BLVD # 2087			LAS VEGAS	NV		89121
16108611041	HENRY ROBERT THRALLS & NANCY M		2725 S NELLIS BLVD # 1082			LAS VEGAS	NV		89121-7724
16108611042	WELLS ALASKA COMMUNITY PPTY TR	WELLS RICHARD B & P K TRS	34411 KEYSTONE DR			SOLDOTNA	AK		99669
16108611043	BROWN JAMES L & ROZA P		2725 S NELLIS BLVD # 1084			LAS VEGAS	NV		89121-2093
16108611044	RODRIGUEZ JULIO CESAR		2725 NELLIS BLVD # 1083			LAS VEGAS	NV		89121
16108611045	REINER BRUCE		2725 S NELLIS BLVD # 2082			LAS VEGAS	NV		89121
16108611046	JOVIC JELENA		2725 S NELLIS BLVD # 2081			LAS VEGAS	NV		89121-7729
16108611047	KRAWCZYK BOGDAN		2725 S NELLIS BLVD # 2084			LAS VEGAS	NV		89121
16108611048	O GRADY TARA		2725 S NELLIS BLVD # 2083			LAS VEGAS	NV		89121-7729
16108611049	BRILEY RUSSELL		2725 S NELLIS BLVD # 1078			LAS VEGAS	NV		89121

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16108611050	GARCIA LILLIAN & JOAQUIN		2725 S NELLIS BLVD # 1077			LAS VEGAS	NV		89121
16108611051	GALINDO JOSE		2725 S NELLIS BLVD # 1080			LAS VEGAS	NV		89121-7724
16108611052	IKEDA KENT J		2725 S NELLIS BLVD # 1079			LAS VEGAS	NV		89121
16108611053	SMITH SELENE		423 BROADWAY # 305			MILLBRAE	CA		94030
16108611054	DURHAM KEVIN		34 BELCHER ST APT 5			SAN FRANCISCO	CA		94114
16108611055	STERLING ROBERT & MARTHA TRUST	STERLING ROBERT L TRS	2725 S NELLIS BLVD # 2080			LAS VEGAS	NV		89121-7729
16108611056	GARCIA RICHARD TRUST	GARCIA RICHARD TRS	2725 S NELLIS BLVD # 2079			LAS VEGAS	NV		89121-2099
16108611057	BRYANT WILLIAM R		2725 S NELLIS BLVD # 1074			LAS VEGAS	NV		89121
16108611058	ALLEN LARRY BERNARD		2149 DALEY ST C			NORTH LAS VEGAS	NV		89030
16108611059	GAMA CHRISTIAN		2725 S NELLIS BLVD # 1076			LAS VEGAS	NV		89121
16108611060	VALDES ISABEL		2725 S NELLIS BLVD # 1075			LAS VEGAS	NV		89121-7724
16108611061	AL-TURKMANI & AYMAN		2725 S NELLIS BLVD # 2074			LAS VEGAS	NV		89121
16108611062	FERNANDEZ ISABEL MARIA		2725 S NELLIS BLVD # 2073			LAS VEGAS	NV		89121-2099
16108611063	FRAGAKIS JEAN		2725 NELLIS BLVD # 2076			LAS VEGAS	NV		89121-2099
16108611064	SMITH JEFFERY		2725 NELLIS BLVD 2075			LAS VEGAS	NV		89121
16108611065	BARRERA JESUS		1117 PLEASANT BROOK ST			LAS VEGAS	NV		89142
16108611066	BELLEROSE EDWARD J & JUANITA K		2725 S NELLIS BLVD # 1061			LAS VEGAS	NV		89121-2092
16108611067	BAKER RICHARD L		2725 S NELLIS BLVD # 1064			LAS VEGAS	NV		89121
16108611068	BRYAN-WHITE ANNISE		2725 S NELLIS BLVD # 1063			LAS VEGAS	NV		89121
16108611069	CASH LARRY DARNEL	CORBIN GLENDA LAGAR	2725 S NELLIS BLVD # 2062			LAS VEGAS	NV		89121-2099
16108611070	FELLER ANTHONY		2725 S NELLIS BLVD # 2061			LAS VEGAS	NV		89121-2099
16108611071	HURSH DALVANTE DUANE	HARPER BONNIE MAE	2725 S NELLIS BLVD # 2064			LAS VEGAS	NV		89121
16108611072	MARSHALL PHYLLIS J	SHIRKEY ANDREW W	2725 S NELLIS BLVD UNIT 2063			LAS VEGAS	NV		89121-2099
16108611073	IBARRA MAYLENIS PIEDRA		2725 S NELLIS BLVD # 1058			LAS VEGAS	NV		89121
16108611074	HERNANDEZ EVANGELINA		2725 S NELLIS BLVD UNIT 1057			LAS VEGAS	NV		89121
16108611075	MORALES GILBERT		2725 S NELLIS BLVD UNIT 1060			LAS VEGAS	NV		89121

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16108611076	PATTON SATONYA L ETAL	BELL LOUISE TRUST	2725 S NELLIS BLVD UNIT 1059			LAS VEGAS	NV		89121
16108611077	ZASADA ANTHONY	HOOK TIMOTHY TAI	2725 S NELLIS BLVD # 2058			LAS VEGAS	NV		89121-7502
16108611078	KOUNTZ DEBRA D		2725 S NELLIS BLVD UNIT 2057			LAS VEGAS	NV		89121
16108611079	VILLACARLOS ROMEO & GENEROSA		2725 S NELLIS BLVD # 2060			LAS VEGAS	NV		89121-2099
16108611080	SPROUL KRISTINA		2725 S NELLIS BLVD # 2059			LAS VEGAS	NV		89121
16108611081	VICUNA OSCAR		2725 S NELLIS BLVD # 1054			LAS VEGAS	NV		89121-2092
16108611082	REED PATTIE	DAVIS JAMES	2725 S NELLIS BLVD # 1053			LAS VEGAS	NV		89121-2092
16108611083	ELLIOTT RICHARD HARVEY		2725 S NELLIS BLVD UNIT 1056			LAS VEGAS	NV		89121
16108611084	LOTUS TRUST	NEHRU KUMUDA LOTUS TRS	2725 S NELLIS BLVD UNIT 1055			LAS VEGAS	NV		89121
16108611085	CRUZ NIKLWILLI L		2725 S NELLIS BLVD # 2054			LAS VEGAS	NV		89121
16108611086	RODRIGUEZ MARIBEL & LUIS		6159 HAYS COVE CT			LAS VEGAS	NV		89148
16108611087	SABEDRA DAVID		6518 PECAN GROVE CT			LAS VEGAS	NV		89142
16108611088	SACKS EMILIANO ADRIAN		2725 S NELLIS BLVD UNIT 2055			LAS VEGAS	NV		89121
16108611089	DANIGGELIS MONICA D REVOCABLE LIVING TRUST	DANIGGELIS MONICA D TRS	2725 S NELLIS BLVD # 1042			LAS VEGAS	NV		89121
16108611090	ALLEN LORIS		10620 VILLAGE RD			MORENO VALLEY	CA		92557-3959
16108611091	AZUCENA MARITZA L		7006 MURIETTA AVE			VAN NUYS	CA		91405-3316
16108611092	GUERRERO ERIKA R		2725 S NELLIS BLVD # 1043			LAS VEGAS	NV		89121
16108611093	SMITH ROBERT LEWIS & MARTHA ESTHER		2725 S NELLIS BLVD UNIT 2042			LAS VEGAS	NV		89121
16108611094	TROMP PAULA	JONES PAULETTE	4915 MAJOR DR			NEW ORLEANS	LA		70128
16108611095	SUMNER APRIL LEE & LEONARD ARTHUR JR		2725 S NELLIS BLVD # 2044			LAS VEGAS	NV		89121
16108611096	NEUSCHWANDER GERALD		2725 S NELLIS BLVD # 2043			LAS VEGAS	NV		89121
16108611097	MONTAGUE CAROLYN		2725 S NELLIS # 1038			LAS VEGAS	NV		89121
16108611098	KIPLING CHERYL A	DASCH ROBERT T	2725 S NELLIS BLVD # 1037			LAS VEGAS	NV		89121
16108611099	FAVORS YVETTE J	HARDIN LYNETTE	9323 S PEORIA ST			CHICAGO	IL		60620
16108611100	ASPEN SUMMIT VENTURES L L C		3137 E WARM SPRINGS RD # 100			LAS VEGAS	NV		89120

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16108611101	MAYNARD RONALD AUSTIN	FRASER LESLIE ANN	2725 S NELLIS BLVD # 2038			LAS VEGAS	NV		89121-2098
16108611102	CORBETT CHELSEA E		2725 S NELLIS BLVD # 2037			LAS VEGAS	NV		89121
16108611103	CALDERON SANDRA D FAMILY TRUST	CALDERON SANDRA D TRS	260 HALEY WAY UNIT 140			MESQUITE	NV		89027
16108611104	TURMAN FAMILY TRUST	TURMAN MARIA M TRS	3835 WAYNESVILL ST			LAS VEGAS	NV		89122-4732
16108611105	PATRICK JUDY KAY REVOCABLE LIVING TRUST	PATRICK JUDY KAY TRS	2725 S NELLIS BLVD # 1034			LAS VEGAS	NV		89121
16108611106	WOLFE DIANE N		2725 S NELLIS BLVD # 1033			LAS VEGAS	NV		89121
16108611107	ONUS EDWARD		2725 S NELLIS BLVD # 1036			LAS VEGAS	NV		89121-2091
16108611108	ANDERSON BRAD & JEANNIFER		2725 S NELLIS BLVD # 1035			LAS VEGAS	NV		89121
16108611109	GARUT FLORENCE		1304 OLIVIA PKWY			HENDERSON	NV		89011
16108611110	HALL MAYRA		4008 EL SEGUNDO AVE			LAS VEGAS	NV		89121
16108611111	THUNSTROM STEPHEN W		2725 S NELLIS BLVD # 2036			LAS VEGAS	NV		89121-2098
16108611112	GUTIERREZ HECTOR	ALVARADO MARIA DE REFUGIO	2725 S NELLIS BLVD # 2035			LAS VEGAS	NV		89121-2098
16108611113	LEE ERIN		5433 OVERLOOK VALLEY ST			NORTH LAS VEGAS	NV		89081
16108611114	GONZALEZ CARLOS RUIZ		2725 S NELLIS BLVD # 1029			LAS VEGAS	NV		89121
16108611115	MENOR GUY M Y	HAUMEA ELEANOR M	6231 OLOHENA RD			KAPAA	HI		96746
16108611116	FRANCIA CATHERINE		2725 S NELLIS BLVD # 1031			LAS VEGAS	NV		89121
16108611117	GUTIERREZ DIANA		2725 S NELLIS BLVD # 2030			LAS VEGAS	NV		89121-2098
16108611118	GOLDFARB RONALD I & RANDALL S		6 LARCH CIR			HOLLAND	PA		18966
16108611119	MUSTERED JOHN L & FLOR F		2725 S NELLIS BLVD # 2032			LAS VEGAS	NV		89121
16108611120	OWENS CRISTAL N		2725 S NELLIS BLVD # 2031			LAS VEGAS	NV		89121
16108611121	SULLIVAN BENJAMIN EDWARD		2725 S NELLIS BLVD # 1026			LAS VEGAS	NV		89121-2091
16108611122	HAYES THOMAS RAY & DANA MARIE		2725 S NELLIS BLVD # 1025			LAS VEGAS	NV		89121
16108611123	SCOTT TONI		2725 S NELLIS BLVD # 1028			LAS VEGAS	NV		89121
16108611124	GARCIA MARIA YSABEL SANCHEZ REVOCABLE LIVING TRUST	GARCIA MARIA YSABEL SANCHEZ TRS	1579 FALLING LEAF LANE			LAS VEGAS	NV		89142
16108611125	WILEY JOAN		2725 S NELLIS BLVD # 2026			LAS VEGAS	NV		89121-7727
16108611126	FISTER KATHRYN C		2725 S NELLIS BLVD # 2025			LAS VEGAS	NV		89121-2097

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16108611127	LEWIS SPENCER & LORCESA		2725 S NELLIS BLVD UT 2028			LAS VEGAS	NV		89121
16108611128	VANPOOL REVOCABLE FAMILY LIVING TRUST	VANPOOL ANNABELLE LEE TRS	3553 ATLANTIC AVE STE A 666			LONG BEACH	CA		90807
16108611129	DELAROSA CRISTIAN ROJAS		2725 S NELLIS BLVD # 1022			LAS VEGAS	NV		89121
16108611130	GONZALEZ HERIBERTO ETAL	LOPEZ MARIA OLGA GONZALEZ	4134 ORANGE MIST WAY			LAS VEGAS	NV		89122
16108611131	BAEZ JOSEPH		2725 S NELLIS BLVD UNIT 1024			LAS VEGAS	NV		89121
16108611132	LOWE TYNISHA TRUST	LOWE DENISE CO-TRS	2725 S NELLIS BLVD # 1023			LAS VEGAS	NV		89121
16108611133	VENA EMILY & WILLIAM		2725 S NELLIS BLVD # 2022			LAS VEGAS	NV		89121
16108611134	SHPRINTZ JASON MICHAEL LIVING TRUST	SHPRINTZ JASON MICHAEL TRS	2725 S NELLIS BLVD # 2021			LAS VEGAS	NV		89121
16108611135	VAZQUEZ JESUS		2725 S NELLIS BLVD 2024			LAS VEGAS	NV		89121
16108611136	BARROS RACHEL CHRISTINE		2725 S NELLIS BLVD # 2023			LAS VEGAS	NV		89121-2097
16108611137	JOHNSON FAMILY TRUST	JOHNSON ELIJAH M TRS	2323 PROMETHEUS CT			HENDERSON	NV		89074
16108611138	MERCIER ALFRED		2725 S NELLIS BLVD # 1017			LAS VEGAS	NV		89121
16108611139	VOGEL MARILYN FAMILY TRUST	VOGEL MARILYN TRS	2725 S NELLIS BLVD # 1020			LAS VEGAS	NV		89121-2090
16108611140	URBAN JEROME R & MARIA E		2725 S NELLIS BLVD # 1019			LAS VEGAS	NV		89121-2090
16108611141	FARMER STEVEN S		2725 S NELLIS # 2018			LAS VEGAS	NV		89121-2097
16108611142	NORIEGA FELIPE V JR & JULIANNA	NORIEGA JOANNA	2725 S NELLIS BLVD # 2017			LAS VEGAS	NV		89121
16108611143	BONIILLA JENNIFER		2725 S NELLIS BLVD # 2020			LAS VEGAS	NV		89121-2097
16108611144	DOLAN JOHN P		702 W THOMAS RD			WHEATON	IL		60187-3162
16108611145	GONZALEZ RODRIGO R JR & ERMALINDA S		3713 SHAVING SHADOWS AVE			NORTH LAS VEGAS	NV		89032
16108611146	GROTE DONALD J & BECKY J		4703 384TH ST			NORTH BRANCH	MN		55056
16108611147	KELLER MARK		2725 S NELLIS BLVD # 1016			LAS VEGAS	NV		89121
16108611148	ALEXANDER JOHNNY & HSIANG CHI		2725 S NELLIS BLVD # 1015			LAS VEGAS	NV		89121
16108611149	SALAZAR-DIAZ LIZBETT		2725 S NELLIS BLVD # 2014			LAS VEGAS	NV		89121
16108611150	TRENT ASSETS L L C		7310 SOUTHERN MAGNOLIA ST			LAS VEGAS	NV		89149
16108611151	MARKEE JEFFREY DAVID	BUSCH BARBARA J	2725 S NELLIS BLVD UNIT 2016			LAS VEGAS	NV		89121

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16108611152	STEWART SANDI J		14 CEDAR CLOSE			LACOMBE	AB	CANADA	T4L 1P5
16108611153	CARDENAS-MENDOZA VICTOR OMAR		2725 S NELLIS BLVD # 1010			LAS VEGAS	NV		89121
16108611154	BELIVEAU JOHN		2725 S NELLIS BLVD # 1009			LAS VEGAS	NV		89121-2090
16108611155	PEREYRA CRYSTAL VERONIQUE		2725 S NELLIS BLVD # 1012			LAS VEGAS	NV		89121
16108611156	WEST GINA LEE		2725 S NELLIS BLVD # 1011			LAS VEGAS	NV		89121
16108611157	KEEN TERESA		2725 S NELLIS BLVD # 2010			LAS VEGAS	NV		89121-2097
16108611158	KIRBY TERESA D		11859 SWILLY CT			ORLAND PARK	IL		60467
16108611159	HENRY SUSANNA M SEPARATE PPTY TR	HENRY SUSANNA M TRS	2725 S NELLIS BLVD # 2012			LAS VEGAS	NV		89121-2097
16108611160	MARTINEZ TAYMI RODRIGUEZ		2725 S NELLIS BLVD # 2011			LAS VEGAS	NV		89121
16108611161	SOUZA JESSICA R TRUST	SOUZA JESSICA R TRS	17305 SE 91ST LEE AVE			THE VILLAGES	FL		32162
16108611162	DOUGLAS MITCHELL LIVING TRUST	DOUGLAS MITCHELL TRS	2725 S NELLIS BLVD # 1005			LAS VEGAS	NV		89121-2090
16108611163	BELIVEAU JOHN		PO BOX 178			KAPAA	HI		96746
16108611164	WEDGE MARGARET A REVOCABLE TRUST	WEDGE MARGARET A TRS	PO BOX 152			CARPENTERSVILLE	IL		60110
16108611165	CORTEZ MIGUEL A SARMIENTO		2725 S NELLIS BLVD # 2006			LAS VEGAS	NV		89121-2097 /
16108611166	ROBERTS MERRISSA		2725 S NELLIS BLVD # 2005			LAS VEGAS	NV		89121
16108611167	RODRIGUEZ-GOMEZ ANTONIO		2725 S NELLIS BLVD # 2008			LAS VEGAS	NV		89121
16108611168	FERRER RENE & RENE JR		2725 S NELLIS BLVD # 2007			LAS VEGAS	NV		89121
16108611169	JOHNSON YRASHEMA		2725 S NELLIS BLVD # 1004			LAS VEGAS	NV		89121-2090
16108611170	FORESTAL ELDOUTE		2725 S NELLIS BLVD # 1003			LAS VEGAS	NV		89121
16108611171	KYLE JAMES MELVIN LIVING TRUST	KYLE JAMES MELVIN TRS	2725 S NELLIS BLVD # 1002			LAS VEGAS	NV		89121
16108611172	MORALES EDGAR E	MAYORGA ROSA E	2725 S NELLIS BLVD UNIT 1001			LAS VEGAS	NV		89121
16108611173	MILLS NORMA TRUST	MILLS NORMA TRS	2725 S NELLIS BLVD # 2004			LAS VEGAS	NV		89121-2097
16108611174	NIETO MARTHA E DIAZ		2725 S NELLIS BLVD # 2003			LAS VEGAS	NV		89121
16108611175	CRUZ EDGARDO C	DECRUZ FRANCISCA SANDOVAL	2725 S NELLIS BLVD # 2002			LAS VEGAS	NV		89121-2097
16108611176	MARINO THOMAS J		2725 S NELLIS BLVD # 2001			LAS VEGAS	NV		89121
16108611177	ESPINOZA ARMANDO		2725 S NELLIS BLVD # 1202			LAS VEGAS	NV		89121

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1610861178	ESCUDERO ARIES VICENCIO		1405 S NELLIS BLVD # 1021			LAS VEGAS	NV		89104
1610861179	RENTERIA ANNA MARIE		2725 S NELLIS BLVD # 1204			LAS VEGAS	NV		89121-2096
1610861180	GARCIA MARIA SOLEDAD PANTOJA		2725 S NELLIS BLVD # 1203			LAS VEGAS	NV		89121
1610861181	BELLOTTIO TANYA L		2725 S NELLIS BLVD # 2202			LAS VEGAS	NV		89121-7503
1610861182	RUBALCABA MARIA E LOPEZ		2725 S NELLIS BLVD # 2201			LAS VEGAS	NV		89121-7503
1610861183	WAGNER JOHN		626 CRESTWAY DR			SAN ANTONIO	TX		78239-2152
1610861184	ROMERO-GONZALEZ MANUEL ETAL	FREGOSO-GONZALEZ MARIBEL & YASAIRA	2725 S NELLIS BLVD 2203			LAS VEGAS	NV		89121
1610861185	JOHNSON MARIBEL & JAMES		2725 S NELLIS BLVD 1198			LAS VEGAS	NV		89121
1610861186	MCKAY JENNY L		2725 S NELLIS BLVD UNIT # 1197			LAS VEGAS	NV		89121
1610861187	VONG JODIE		9405 STONE SPRINGS DR			ELK GROVE	CA		95624
1610861188	TOMKO PATRICIA & MICHAEL		2725 S NELLIS BLVD # 1199			LAS VEGAS	NV		89121
1610861189	CANTRELL DANIEL & LINDA		2725 S NELLIS BLVD # 2198			LAS VEGAS	NV		89121-7503
1610861190	GEHRMAN ANN LIVING TRUST	GEHRMAN ANN TRS	9216 BLACK SLATE ST			LAS VEGAS	NV		89123
1610861191	BURDETTE JOHN L		2725 S NELLIS BLVD UT 2200			LAS VEGAS	NV		89121
1610861192	SCHNOCK-SOULEAU CLAIRA A		2725 S NELLIS BLVD # 2199			LAS VEGAS	NV		89121
1610861193	JAVINAR ANGEL JR & MARILYN N		2725 S NELLIS BLVD # 1196			LAS VEGAS	NV		89121
1610861194	HERIGSTAD BRETT & BRIAN		2725 S NELLIS BLVD # 1195			LAS VEGAS	NV		89121-2096
1610861195	PACELLI JANICE LYNNIE PARLIN		2725 S NELLIS BLVD # 1194			LAS VEGAS	NV		89121-2096
1610861196	MAGANA-RANGEL MARIA DOLORES		2725 S NELLIS BLVD # 1193			LAS VEGAS	NV		89121
1610861197	MARTIATU DANNA & DANIEL	MARTIATU DAVIS B	2725 S NELLIS BLVD # 2196			LAS VEGAS	NV		89121
1610861198	VONG BRITTANEY E		2725 S NELLIS BLVD UNIT 2195			LAS VEGAS	NV		89121
1610861199	OSTRANSKY MARVIN J		14002 S 108TH ST			SPRINGFIELD	NE		68059
1610861200	TRUJILLO DEIVIS BETANCOURT		2725 S NELLIS BLVD # 2193			LAS VEGAS	NV		89121
1610861201	DIAZ MAYBEL		2725 S NELLIS BLVD # 1184			LAS VEGAS	NV		89121-2096
1610861202	MATTIN JOSHUA ALAN & MONALISA TUTOR		2725 S NELLIS BLVD # 1183			LAS VEGAS	NV		89121
1610861203	MAROPULOS WILLIAM P &		4930 LEEDS ST			SIMI VALLEY	CA		93063-3054

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
	PATRICIA A								
16108611204	ARMANNINO TOMMASO LIVING TRUST	ARMANNINO TOMMASO TRS	2725 S NELLIS BLVD # 1181			LAS VEGAS	NV		89121-2096
16108611205	NEWMAN JOEL B & JOAN E		2725 S NELLIS BLVD # 2184			LAS VEGAS	NV		89121-7503
16108611206	SULLIVAN BERRIE & CELESTINE		2725 S NELLIS BLVD UNIT 2183			LAS VEGAS	NV		89121
16108611207	RODRIGUEZ DANAY VARELA	JIMENEZ-VARELA ARIEL	2725 S NELLIS BLVD # 2182			LAS VEGAS	NV		89121
16108611208	YURGA PAUL S & HICKEY VICTORIA A LIVING TRUST		10245 E THISTLE AVE			MESA	AZ		85212
16108611209	SORIA ALBERTO		2725 S NELLIS BLVD # 1180			LAS VEGAS	NV		89121
16108611210	MATURAN NATIVIDAD ARRIETA		2725 S NELLIS BLVD UNIT 1179			LAS VEGAS	NV		89121
16108611211	MARTORANA ANDREW	SCHENK-MARTORANA AUBREY	4954 JUPITER HILLS DR			IDAHO FALLS	ID		83401
16108611212	MEDLIN DEBRA ELAINE		2725 S NELLIS BLVD # 1177			LAS VEGAS	NV		89121
16108611213	LEON KEVIN JAIR		2725 S NELLIS BLVD # 2180			LAS VEGAS	NV		89121
16108611214	SANCHEZ MA DEL REFUGIO ALBA		2725 S NELLIS BLVD # 2179			LAS VEGAS	NV		89121
16108611215	CHAN ANTONY TIN LING		2725 S NELLIS BLVD # 2178			LAS VEGAS	NV		89121
16108611216	OHREN FAMILY TRUST	OHREN MICHAEL MARK & JOAN E TRS	PO BOX 1153			HELENDALE	CA		92342
16108611217	POTTS MARGARET N & GEOFFREY A		2725 S NELLIS BLVD # 1176			LAS VEGAS	NV		89121-7726
16108611218	KUMAR FAMILY REVOCABLE LIVING TR	KUMAR NARESH TRS	PO BOX 270361			LAS VEGAS	NV		89127-4361
16108611219	BAKER RICHARD F REVOCABLE TRUST	BRYANT ELIZABETH TRS	2573 EAGLE ST			LAS VEGAS	NV		89142-2544
16108611220	POPE ROBERT H	VAGER-POPE CHRISTINE	2725 S NELLIS BLVD # 1173			LAS VEGAS	NV		89121-2095
16108611221	SMITH RICHARD A & DONNA M		2725 S NELLIS BLVD # 2176			LAS VEGAS	NV		89121-7502
16108611222	SOOKRAI INDERA REVOCABLE LIV TR	SOOKRAI INDERA TRS	2725 S NELLIS BLVD # 2175			LAS VEGAS	NV		89121
16108611223	DOTSON ROSELA R		2725 S NELLIS BLVD # 2174			LAS VEGAS	NV		89121
16108611224	HIET JANICE A	HUMES JOHN W	2725 S NELLIS BLVD # 2173			LAS VEGAS	NV		89121-7502
16108611225	M & G HERNANDEZ REVOCABLE LIVING TRUST	HERNANDEZ MOISES & GLORIA E 3847 VENTURA WAY CO-TRS				LAS VEGAS	NV		89121-6154
16108611226	HENLEY CAROL ANN		2725 S NELLIS BLVD # 1163			LAS VEGAS	NV		89121
16108611227	BAILLE DAVID E		2725 S NELLIS BLVD # 1162			LAS VEGAS	NV		89121

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
16108611228	ROJAS LILIA		2725 S NELLIS BLVD UNIT 1161			LAS VEGAS	NV		89121
16108611229	CARPENTER SCOTT J & CYNTHIA S	CARPENTER MARK K & LINDA J	1306 CHASE AVE			CREIGHTON	NE		68729
16108611230	POSEY GLENN		6895 E LAKE MEAD BLVD # 167			LAS VEGAS	NV		89156
16108611231	BURTNICK ARLENE R		2725 S NELLIS BLVD # 2162			LAS VEGAS	NV		89121-7502
16108611232	MIRANDA MANUEL & AMANDA		2725 S NELLIS BLVD # 2161			LAS VEGAS	NV		89121
16108611233	NEDEAU FREDERICK D & ELIZABETH A		2725 S NELLIS BLVD # 1160			LAS VEGAS	NV		89121-2095
16108611234	KUETEMAN JODI M		2725 S NELLIS BLVD # 1159			LAS VEGAS	NV		89121
16108611235	SATICOY BAY LLC SERIES 2725		PO BOX 36208			LAS VEGAS	NV		89133
16108611236	ADANALIAN LENA GRACE		18 HAVENWOOD			IRVINE	CA		92614
16108611237	FISHER RYAN S		2725 S NELLIS BLVD # 2160			LAS VEGAS	NV		89121-7502
16108611238	PERALES CARLOS ALEANDRO		2725 S NELLIS BLVD # 2159			LAS VEGAS	NV		89121
16108611239	DIAZ CARMEN C		2725 S NELLIS BLVD # 2158			LAS VEGAS	NV		89121
16108611240	AGUILAR JOSE M GARCIA		5189 VARSITY AVE			LAS VEGAS	NV		89146-7051
16108611241	K & P LACY FAMILY TRUST		5145 ARVILLE ST STE C			LAS VEGAS	NV		89118
16108611242	GARCIA ARLEY PADRON		2725 S NELLIS BLVD 1155			LAS VEGAS	NV		89121-2099
16108611243	LOPEZ ANTONIO S		2725 S NELLIS # 1154			LAS VEGAS	NV		89121-2095
16108611244	GLOVER JAMES C & BONNIE L		910 ELMHUST DR			PAPILLION	NE		68046
16108611245	MICKEISEN LONEY B		2725 S NELLIS BLVD # 2156			LAS VEGAS	NV		89121-7730
16108611246	YEE FAMILY TRUST	YEE DAVID T & DORINA FAZ TRS	2534 TALISKER AVE			HENDERSON	NV		89044
16108611247	GRAY PAMELA C		2725 S NELLIS BLVD # 2154			LAS VEGAS	NV		89121-7730
16108611248	BRADY PAUL & MANDY		515 S JACKSON ST			PAPILLION	NE		68046
16108611249	ALCANTARA RICARDO	SHENSHEW MARY LOU	2725 S NELLIS BLVD # 1152			LAS VEGAS	NV		89121
16108611250	WILLIAMS SARAH ANN		2725 S NELLIS BLVD # 1151			LAS VEGAS	NV		89121
16108611251	BURRELL ANDREW JR		2725 S NELLIS BLVD UNIT 1150			LAS VEGAS	NV		89121
16108611252	M & G HERNANDEZ REVOCABLE LIVING TRUST	HERNANDEZ MOISES & GLORIA E 3847 VENTURA WAY CO-TRS				LAS VEGAS	NV		89121
16108611253	MIRANDA AMANDA M		2725 S NELLIS BLVD # 2152			LAS VEGAS	NV		89121

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16108611254	BALLESTEROS GABRIELA 2023 LIVING TRUST	BALLESTEROS GABRIELA TRS	968 W 11TH ST			POMONA	CA		91766
16108611255	WEST TERESA L		2725 S NELLIS BLVD # 2150			LAS VEGAS	NV		89121-7730
16108611256	NANA BABETTE ALEXANDRALE SEUMAN		2725 S NELLIS BLVD # 2149			LAS VEGAS	NV		89121
16108611257	NATIVIDAD AZUCENA P & ROMEO F		2725 S NELLIS BLVD # 1140			LAS VEGAS	NV		89121
16108611258	SPERANZA GEORGE & SUSAN		2725 S NELLIS BLVD # 1139			LAS VEGAS	NV		89124
16108611259	LEE KEELSEY LYNNE		2725 S NELLIS BLVD # 1138			LAS VEGAS	NV		89121
16108611260	KOSKI JANICE		2725 S NELLIS BLVD UNIT 1137			LAS VEGAS	NV		89121
16108611261	VENTURA ALEANDRO		2725 S NELLIS BLVD # 2140			LAS VEGAS	NV		89121
16108611262	CONTRERAS ROBERTO & ANA		2725 S NELLIS BLVD # 2139			LAS VEGAS	NV		89121
16108611263	HILL KILBY LYN	HILL PETER R & CHERYL L	2725 S NELLIS BLVD # 2138			LAS VEGAS	NV		89121-7501
16108611264	NELSON MICHAEL E & MICHAEL II		861 E 2620 N			PROVO	UT		84604
16108611265	HAMAN STANLEY S		2725 S NELLIS BLVD # 1136			LAS VEGAS	NV		89121-2094
16108611266	KOSKI DAVE & BARBARA		2725 S NELLIS BLVD # 1135			LAS VEGAS	NV		89121
16108611267	HARRIS LEROY		2725 S NELLIS BLVD # 1134			LAS VEGAS	NV		89121-2094
16108611268	OPHEIM KIM & VIRGINIA MARIE		232130 R 284			ROCKY VIEW	AB	CANADA	T1X 0K7
16108611269	EGAN ELENA		2725 S NELLIS BLVD # 2136			LAS VEGAS	NV		89121
16108611270	LINDO DAVID		2725 S NELLIS BLVD # 2135			LAS VEGAS	NV		89121
16108611271	SAPPHIRE TRUST	VILLA VIANCA TRS	3670 STARBRIGHT LN			LAS VEGAS	NV		89147
16108611272	BAEZ JULIE V		2725 S NELLIS BLVD UNIT 2133			LAS VEGAS	NV		89121
16108611273	MORALES DIANNE F & JOHN A		2725 S NELLIS BLVD # 1124			LAS VEGAS	NV		89121-2094
16108611274	NGUYEN THOI THI REVOCABLE LIVING TRUST	NGUYEN THOI THI TRS	2725 S NELLIS BLVD # 1123			LAS VEGAS	NV		89121-2094
16108611275	SMART JAMES R		2725 S NELLIS BLVD # 1122			LAS VEGAS	NV		89121-2094
16108611276	QUIJANO MICKYL ANTHONY RODRIGUEZ	AVILA JOANNA MARLEN MORA	2725 S NELLIS BLVD # 1121			LAS VEGAS	NV		89121
16108611277	PETTY BRENDA		2725 S NELLIS BLVD # 2124			LAS VEGAS	NV		89121-7501
16108611278	STCLAIR VICTORIA M		2725 S NELLIS BLVD # 2123			LAS VEGAS	NV		89121-7501

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16108611279	SHIRKEY ANDREW W		2725 S NELLIS BLVD # 2122			LAS VEGAS	NV		89121-7500
16108611280	VALENZUELA FAMILY TRUST ETAL	CASTRO RAUL VALENZUELA TRS	2725 S NELLIS BLVD # 2121			LAS VEGAS	NV		89121-7500
16108611281	MILLER EUNICE DARLENE TURNER		37114 CALLE REAL			PALMDALE	CA		93550
16108611282	MALIWAT ANTHONY & EILEEN		2725 S NELLIS BLVD 1125			LAS VEGAS	NV		89121
16108611283	CAREON LORENA AMBATALL & FRANCES		2725 S NELLIS BLVD UNIT 1128			LAS VEGAS	NV		89121
16108611284	CANNON MARK ALAN		2725 S NELLIS BLVD # 1127			LAS VEGAS	NV		89121
16108611285	BARREBA JESUS		6857 WISPY SKY CT			LAS VEGAS	NV		89142
16108611286	PERRY CHUN		2725 S NELLIS BLVD # 2125			LAS VEGAS	NV		89121
16108611287	GILBERT RALPH		33222 GERALD ST			WAYNE	MI		48184
16108611288	CRUZE TANYA R	CRUZ TANYA R	2725 S NELLIS BLVD # 1127			LAS VEGAS	NV		89120
16108611289	TOMKO MICHAEL	ALVAREZ-GARCIA NADIA	2725 S NELLIS BLVD # 1130			LAS VEGAS	NV		89121
16108611290	REBER CYNTHIA		2725 S NELLIS BLVD # 1129			LAS VEGAS	NV		89121-2094
16108611291	CORAL KEY L L C		3225 MCLEOD DR			LAS VEGAS	NV		89121
16108611292	TEETER KAY F		2725 S NELLIS BLVD # 1131			LAS VEGAS	NV		89121-2094
16108611293	VAZQUEZ-LOPEZ HECTOR	PACHECO-ROJAS EVA	10556 EL CERRITO CHICO ST			LAS VEGAS	NV		89179-1827
16108611294	HALE CASSANDRA L		2725 S NELLIS BLVD # 2129			LAS VEGAS	NV		89121
16108611295	JAIRAU SEEROJINI REVOCABLE TRUST	JAIRAU SEEROJINI TRS	2725 S NELLIS BLVD UNIT 2132			LAS VEGAS	NV		89121
16108611296	MILLER LANAYA		540 ELM DR UNIT 105			LAS VEGAS	NV		89169
16108611297	WAGNER JOHN OTTO & ENCARNACION M		626 CRESTWAY DR			SAN ANTONIO	TX		78239-2152
16108611298	GRUBE ARTHUR D & DONNA R		911 WICKLOW RD			PAPILLION	NE		68046-7050
16108611299	GRAHAM FAMILY TRUST		2725 S NELLIS BLVD # 2142			LAS VEGAS	NV		89121-7501
16108611300	LEE BRYAN J		PO BOX 660283			ARCADIA	CA		91066
16108611301	THOMAS LARONDAE		2725 S NELLIS BLVD # 2144			LAS VEGAS	NV		89121
16108611302	KINNEY AMELIA	KINNEY ROGER & MICHELLE	2725 S NELLIS BLVD # 2143			LAS VEGAS	NV		89121
16108611303	GRAHAM FAMILY TRUST		2725 S NELLIS BLVD # 2142			LAS VEGAS	NV		89121-7501
16108611304	MAGLIARDITI NICHOLAS J	FROSTAD JOANNIE	2725 S NELLIS BLVD # 2141			LAS VEGAS	NV		89121-7501

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16108611305	MONTAGUE CALVIN		2725 S NELLIS BLVD # 1146			LAS VEGAS	NV		89121
16108611306	CATES HEDY T		1050 W COOLIDGE ST			BITELY	MI		49309
16108611307	D R M P B A TRUST	MARSHALL CALVIN ALI TRS	2725 S NELLIS BLVD # 1148			LAS VEGAS	NV		89121
16108611308	THOMPSON RONNIE		2725 S NELLIS BLVD # 1147			LAS VEGAS	NV		89121
16108611309	DURANT JERRY JR		2725 S NELLIS BLVD UNIT 2146			LAS VEGAS	NV		89121
16108611310	PRANDECKI IGA E		2725 S NELLIS BLVD # 2145			LAS VEGAS	NV		89121-7501
16108611311	MAHESHWARI FAMILY TRUST	MAHESHWARI ANOOP KUMAR & MEENU TRS	1157 W GRAND BLVD			CORONA	CA		92882
16108611312	EDMUNDS DARIUS D		1433 LIME POINT ST			LAS VEGAS	NV		89110
16108611313	ASTORGA-RAMIREZ MARIA CONSUELO		2725 S NELLIS BLVD # 1166			LAS VEGAS	NV		89121
16108611314	POWELL ROBERT JR & ZILA		2725 S NELLIS BLVD # 1165			LAS VEGAS	NV		89121-2095
16108611315	GLASSMAN JOHN D & JENICE V		PO BOX 8521			TACOMA	WA		98419-0521
16108611316	SERNA GERARDO		2725 S NELLIS BLVD # 1167			LAS VEGAS	NV		89121
16108611317	QUINTERO CARLOS HUMBERTO		2725 S NELLIS BLVD # 2166			LAS VEGAS	NV		89121-7502
16108611318	REED DANIELLE S		2725 S NELLIS BLVD # 2165			LAS VEGAS	NV		89121
16108611319	VALENTINE IVESHIA C		2725 S NELLIS BLVD # 2168			LAS VEGAS	NV		89121
16108611320	POWELL PATRICK & NAOMI		4022 FOXGROVE DR			LAS VEGAS	NV		89147
16108611321	JOHNSON ROBERT L		2725 S NELLIS BLVD # 1170			LAS VEGAS	NV		89121-2095
16108611322	CHAFF ESTRELLITA LIVING TRUST	CHAFF ESTRELLITA L TRS	2725 S NELLIS BLVD # 1169			LAS VEGAS	NV		89121
16108611323	KNOX MONA L		2725 S NELLIS BLVD UNIT 1172			LAS VEGAS	NV		89121
16108611324	RIER MICHAEL		2725 S NELLIS BLVD # 1171			LAS VEGAS	NV		89121-2095
16108611325	COMPILOT ANDRE ABEL		2725 S NELLIS BLVD # 2170			LAS VEGAS	NV		89121-7502
16108611326	CADENA ISIDRO ARMANDO MEJIA	HERNANDEZ FATIMA MEJIA	2725 S NELLIS BLVD # 2169			LAS VEGAS	NV		89121
16108611327	DEELY KEVIN & NANCY	DEELY DAVID	2725 S NELLIS BLVD # 2172			LAS VEGAS	NV		89121
16108611328	QUIMSON RIZA C		2725 S NELLIS BLVD # 2171			LAS VEGAS	NV		89121-7502
16108611329	ROBBINS TOBY		2725 S NELLIS BLVD UNIT 1186			LAS VEGAS	NV		89121-2096
16108611330	GONZALEZ-KEELING MAGALY		2725 S NELLIS BLVD # 1185			LAS VEGAS	NV		89121

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16108611331	VELAZQUEZ JOEL TRUST	VELAZQUEZ JOEL MERAZ TRS	2725 S NELLIS BLVD UNIT 1188			LAS VEGAS	NV		89122
16108611332	HAYASE JAY S		2725 S NELLIS BLVD # 1187			LAS VEGAS	NV		89121-2096
16108611333	BILDERBACK KIMBERLY KAY	TSCHESTER DANIEL GILBERT	2725 S NELLIS BLVD # 2186			LAS VEGAS	NV		89121
16108611334	LONG SHADOW HOLDINGS L L C		2950 TIFFANY CIR			LOS ANGELES	CA		90077
16108611335	ROTH ROBERT		2725 S NELLIS BLVD # 2188			LAS VEGAS	NV		89121
16108611336	KEBLER JANICE		2725 S NELLIS BLVD # 2187			LAS VEGAS	NV		89121
16108611337	SMITH CRAIG A & JAYME L		2725 S NELLIS BLVD # 1190			LAS VEGAS	NV		89121-2096
16108611338	USAC FAMILY TRUST ETAL	USAC JOHN D TRS	2725 S NELLIS BLVD # 1189			LAS VEGAS	NV		89121
16108611339	PASQUINELLI JAMES TRUST	PASQUINELLI JAMES ALFRED TRS	2725 S NELLIS BLVD UNIT 1192			LAS VEGAS	NV		89121
16108611340	MITCHELL ANISSA		2725 S NELLIS BLVD 1191			LAS VEGAS	NV		89121
16108611341	YAMKA SAULINE REVOCABLE LIVING TRUST ETAL	KEISER DINA TRS	2725 S NELLIS BLVD UNIT 2190			LAS VEGAS	NV		89121
16108611342	PELONI DEBORAH J & JACALYN J		2725 S NELLIS # 2189			LAS VEGAS	NV		89121-7503
16108611343	CHEN ZHIQIANG		2725 S NELLIS BLVD # 43-2192			LAS VEGAS	NV		89121
16108611344	CAMPISI GARY T	ANIES-CAMPISI CATHERINE	PSC 517 BOX 5628R			FPO	AP		96517
16108611345	ANDRES ANGELA LUCINICIO		2725 S NELLIS BLVD UNIT 1046			LAS VEGAS	NV		89121
16108611346	DEATON DEBRA ANN		2725 S NELLIS BLVD # 1045			LAS VEGAS	NV		89121
16108611347	GAGNARD ARTHUR		2725 S NELLIS BLVD # 1048			LAS VEGAS	NV		89121
16108611348	WIERCYSKI JANE E		2725 S NELLIS BLVD # 1047			LAS VEGAS	NV		89121-7723
16108611349	CHON YONG SUK	WONG TA SUN	2725 SOUTH NELLIS BLVD # 2046			LAS VEGAS	NV		89121
16108611350	WILCOX NATHANIEL		2725 S NELLIS BLVD # 2045			LAS VEGAS	NV		89121
16108611351	A E CONCEPTS L L C		2510 W HORIZON RIDGE PKWY # 100			HENDERSON	NV		89052
16108611352	HASLEY MARTIN		2725 S NELLIS BLVD # 2047			LAS VEGAS	NV		89121
16108611353	MARTINEZ FAMILIA TRUST ETAL	MARTINEZ-RODRIGUEZ LORENA TRS	2725 S NELLIS BLVD UNIT 1052			LAS VEGAS	NV		89121
16108611354	PASTWA PAUL		2725 S NELLIS BLVD # 1051			LAS VEGAS	NV		89121-2092
16108611355	WARD ERIK GRANT		2725 S NELLIS BLVD # 1050			LAS VEGAS	NV		89121-2092

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16108611356	2002 NAKAMURA FAMILY REVOCABLE LIVING TRUST	NAKAMURA HERBERT M & ANITA K-O-K AKANA TRS	41-620 BELL ST			WAIMANALO	HI		96795
16108611357	PINKHAM ALEX ANN		2725 S NELLIS BLVD # 2052			LAS VEGAS	NV		89121-2098
16108611358	BAI DUOJIAO		2725 S NELLIS BLVD # 2051			LAS VEGAS	NV		89121
16108611359	YOUNG MICHAEL		3839 VENTURA WAY			LAS VEGAS	NV		89121
16108611360	BOREN RHONDA L		2725 S NELLIS BLVD # 2049			LAS VEGAS	NV		89121-2098
16108611361	LIPPE FRANCES L TESTAMENTARY TRUST ETAL	GILLIS CYNTHIA LYNETTE TRS	3680 UNDERBUSH AVE			PAHRUMP	NV		89048
16108611362	FERRARO THOMAS D & JOSEPHINE L		2725 S NELLIS BLVD # 1065			LAS VEGAS	NV		89121
16108611363	CARNERO MINERVA		2725 S NELLIS BLVD UNIT 1068			LAS VEGAS	NV		89121
16108611364	ROMERO JEFFREY V		2725 S NELLIS BLVD # 1067			LAS VEGAS	NV		89121-2092
16108611365	CHAVIANO-AGUIAR GUILLERMO	FERNANDEZ-RODRIGUEZ EMMA	2725 S NELLIS BLVD # 2066			LAS VEGAS	NV		89121
16108611366	LAUDON JOHN		2725 S NELLIS BLVD # 2065			LAS VEGAS	NV		89121-2099
16108611367	KIMES KAREN		4538 REGALO BELLO ST			LAS VEGAS	NV		89135
16108611368	CANTAVE ALEXANDRE & SHEVONIE		2725 S NELLIS BLVD # 2067			LAS VEGAS	NV		89121
16108611369	EARLY ELIZABETH		2725 S NELLIS BLVD # 1072			LAS VEGAS	NV		89121
16108611370	MATTEUCCI JOAN D		2725 S NELLIS BLVD UNIT 1177			LAS VEGAS	NV		89121
16108611371	GARCIA LETICIA		2725 S NELLIS BLVD # 1070			LAS VEGAS	NV		89121
16108611372	HERNANDEZ DIANNA		4537 TOADSTOOL LN			LAS VEGAS	NV		89110
16108611373	LEWIS GLENDA		215 SILVERCREEK C1 NW			CALGARY	AB	CANADA	T3B 4G4
16108611374	SHRYACK RODNEY O & CONNIE M		2725 S NELLIS BLVD # 2071			LAS VEGAS	NV		89121-2099
16108611375	GRABEL SHARON E		2725 S NELLIS BLVD # 2070			LAS VEGAS	NV		89121-2099
16108611376	FOLEY HAROLD C & SUSAN F		1150 S COLONY WAY # 3-246			PALMER	AK		99645
16108611377	QUIMSON LILIAN A		2725 S NELLIS BLVD # 1092			LAS VEGAS	NV		89121
16108611378	SUMMERS JEFFREY		8395 LOST LAKE CT			LAS VEGAS	NV		89147-6140
16108611379	WINNIK FILIP M & KRYSZYNA		2725 S NELLIS BLVD UNIT 1090			LAS VEGAS	NV		89121
16108611380	PRANDECKI IGA		9811 W CHARLESTON BLVD # 2			LAS VEGAS	NV		89117

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16108611381	CATAPANO ANTHONY J JR		2725 S NELLIS BLVD # 2092			LAS VEGAS	NV		89121-7500
16108611382	ALVAREZ JOSE		1323 BURNHAM AVE			LAS VEGAS	NV		89104
16108611383	CAMP WILLIAM R		2725 S NELLIS BLVD UNIT 2090			LAS VEGAS	NV		89121
16108611384	PANASIUK ROMANA		2725 S NELLIS BLVD # 2089			LAS VEGAS	NV		89121
16108611385	MAIONE JOANNE CONSTANCE REVOCABLE LIVING TRUST	MAIONE JOANNE CONSTANCE TRS	2725 S NELLIS BLVD # 1096			LAS VEGAS	NV		89121
16108611386	ZAVARELLA FAMILY REVOCABLE LIVING TRUST ETAL	ZAVARELLA NICHOLAS & SHIRLEY TRS	2725 S NELLIS # 1096			LAS VEGAS	NV		89121
16108611387	HAHNER CHARLES V		29162 WAGNER ST			WARREN	MI		48093-8627
16108611388	ZAVARELLA FAMILY REVOCABLE LIVING TRUST	ZAVARELLA NICHOLAS & SHIRLEY TRS	2836 SAN MARTIN CT			LAS VEGAS	NV		89121
16108611389	MAIONE JOANNE CONSTANCE REVOCABLE LIVING TRUST	MAIONE JOANNE CONSTANCE TRS	2725 S NELLIS BLVD # 1096			LAS VEGAS	NV		89121
16108611390	SYSIOC VIRGINIA		2725 S NELLIS BLVD # 2095			LAS VEGAS	NV		89121
16108611391	BROWN CATHERINE		2725 S NELLIS BLVD UNIT 2094			LAS VEGAS	NV		89121-7500
16108611392	PALESTINA JOSE J		1681 PENTECOST WAY # 1			SAN DIEGO	CA		92105-7714
16108611393	MARIN MARTA ARELY		6857 WISPY SKY CT			LAS VEGAS	NV		89142
16108611394	VALDES RODRIGUEZ JOSE	HERNANDEZ ANA ODELKYS GOMEZ	2725 S NELLIS BLVD # 1109			LAS VEGAS	NV		89121
16108611395	HARTMANN DMARIE G		2725 S NELLIS BLVD # 1112			LAS VEGAS	NV		89121
16108611396	JAUREGUI SAUL		4820 MONTEBELLO AVE			LAS VEGAS	NV		89110
16108611397	MASON DORLISA I		2725 S NELLIS BLVD # 2110			LAS VEGAS	NV		89121
16108611398	FOULK SCOTT B		2725 S NELLIS BLVD UNIT 2109			LAS VEGAS	NV		89121
16108611399	MCKELLIER DENISE		2725 S NELLIS BLVD # 2112			LAS VEGAS	NV		89121
16108611400	GONZALEZ MARCO ANTONIO		2725 S NELLIS BLVD # 2111			LAS VEGAS	NV		89121-7500
16108611401	FARNSWORTH KEVIN D		2725 S NELLIS BLVD # 1116			LAS VEGAS	NV		89121-2093
16108611402	TRAUFLEIR SUSAN DELORES		2725 S NELLIS BLVD # 1115			LAS VEGAS	NV		89121
16108611403	ALFECHIE NELSON	ABRAGAN RENA	3403 GREENWOOD SPRINGS DR			LAS VEGAS	NV		89122
16108611404	RODRIGUEZ SUSANA & HUGO HECTOR		18034 VENTURA BLVD # 476			ENCINO	CA		91316

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16108611405	HOLMES RODERICK W		2725 S NELLIS BLVD # 2116			LAS VEGAS	NV		89121
16108611406	DANIGELIS MONICA & ELIZABETH P		2725 S NELLIS BLVD # 2115			LAS VEGAS	NV		89121
16108611407	SNODGRASS BRANDON LEE & JENNIFER MARIE		4830 CAROUSEL CIR			ANCHORAGE	AK		99502
16108611408	HOMESTEAD INDUSTRIES L L C		2725 S NELLIS BLVD UNIT 2113			LAS VEGAS	NV		89121
16108710018	RUIZ BLANCA DEL ROCIO		4686 HAPPY VALLEY AVE			LAS VEGAS	NV		89121-7110
16108710019	BEAZER HOMES HOLDINGS L L C		2490 PASEO VERDE PKWY STE 120			HENDERSON	NV		89074
16108710020	APOSTOLIC ASSEMBLY FAITH CHRIST JESUS		10807 LAUREL ST			RANCHO CUCAMONGA	CA		91730
16108710022	MORALES JOSE R		2000 LAS VEGAS BLVD # C2			LAS VEGAS	NV		89104
16108710023	BEAZER HOMES HOLDINGS L L C		2490 PASEO VERDE PKWY STE 120			HENDERSON	NV		89074
16108710024	BEAZER HOMES HOLDINGS L L C		2490 PASEO VERDE PKWY STE 120			HENDERSON	NV		89074
16108710032	BLUE WAVE PROPERTIES INC		3085 S NELLIS BLVD			LAS VEGAS	NV		89121-2020
16108710033	BRISTOL SUNRISE L L C		PO BOX 800729			DALLAS	TX		75380
16108710034	AMIGO REALTY CORP		4186 TATTERSALL PL			LAS VEGAS	NV		89115
16108710035	TABORLAND L L C		2444 WILSHIRE BLVD STE 601			SANTA MONICA	CA		90403
16108710036	A S I VEGAS VALLEY L P		2550 UNIVERSITY AVE STE 330N			SAINT PAUL	MN		55114
16108711217	4855 VEGAS VALLEY OWNER L L C		2002 N TAMPA ST STE 110			TAMPA	FL		33602
16108712001	VALDES ADA	BAUTISTA-PEREZ YONNEY	4798 BEACH SHELL CT			LAS VEGAS	NV		89121
16108712002	CESPEDES-TRIANA GLADYS		4790 BEACH SHELL CT			LAS VEGAS	NV		89121-7160
16108712003	HERRNANDEZ LESLIE DENNIS MARTINEZ	HURTADO ROSMELYS CHACON	4782 BEACH SHELL CT			LAS VEGAS	NV		89121
16108712004	DEBLU TRUST	LUJAN DEBORAH TRS	4774 BEACH SHELL CT			LAS VEGAS	NV		89121
16108712005	IGNACIO LESLIE ANNE V		4766 BEACH SHELL CT			LAS VEGAS	NV		89121
16108712006	KAPUNO ROLANDO & CYNTHIA		4758 BEACH SHELL CT			LAS VEGAS	NV		89121-7159
16108712007	SEVEN POINTS BORROWER L L C		PO BOX 4090			SCOTTSDALE	AZ		85261
16108712008	DHILLON HARIT S		4742 BEACH SHELL CT			LAS VEGAS	NV		89121-7159
16108712015	VALDOVINOS BRENDA L		4715 BEACH SHELL CT			LAS VEGAS	NV		89121-7159

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
16108712016	SANDHU GURINDER KAUR REVOCABLE FAMILY TRUST		2933 CRYSTAL BAY DR			LAS VEGAS	NV		89117-2256
16108712017	MABALOT JASON D		1090 ALA NAPUNANI ST # 407			HONOLULU	HI		96818-1792
16108712018	PYRENEES INVESTMENT II L L C		209 S STEPHANIE ST # B251			HENDERSON	NV		89012
16108712019	ESPIRITU JESSIE		4796 WOODLAND AVE			LAS VEGAS	NV		89121
16108712020	VARGAS PAOLA	DELGADILLO-ALVAREZ ANTONIJO	4786 WOODLAND AVE			LAS VEGAS	NV		89121
16108712021	JEFFRIES JORMA T		4776 WOODLAND AVE			LAS VEGAS	NV		89121-7134
16108712022	ORELLANO-CIENFUEGOS IRIS ADALGIZA		4760 WOODLAND AVE			LAS VEGAS	NV		89121
16108712023	RODARTE JONATHAN & LAURA O ACOSTA		4748 WOODLAND AVE			LAS VEGAS	NV		89121
16108712024	MALAN RACHEL J		231 E STRAWBERRY DR			MILL VALLEY	CA		94941-2506
16108712025	CANDELARIO YOEL FRAGA & ADISLEY FRAGA		4724 WOODLAND AVE			LAS VEGAS	NV		89121
16108712026	PETERSMAN ROBERT C		1135 DEL ORO WAY			GILROY	CA		95020
16108714322	B M F IV NV 3055 LAS VEGAS L L C		111 E SEGO LILY DR STE 400			SANDY	UT		84070
16108715001	AVENDANO'S PPTY DEVELOPMENT INC		631 LOS FELIZ ST			LAS VEGAS	NV		89110
16108715002	BUSTAMANTE DANIEL HERNANDEZ	GUERRERO-RAMIREZ BRENDA JUDITH	4781 WOODLAND AVE			LAS VEGAS	NV		89121
16108715003	JAVIER RENATO		4787 WOODLAND AVE			LAS VEGAS	NV		89121
16108715004	SORIANO LOURDES Q	IBUAN GERARDO	4789 WOODLAND AVE			LAS VEGAS	NV		89121
16108715005	TORRALBA PRECY C & ROY CORTES		4793 WOODLAND AVE			LAS VEGAS	NV		89121
16108715006	CHAVARRO MICHAEL ANGELO	OLEJUA EDELIN BEATRIZ	4795 WOODLAND AVE			LAS VEGAS	NV		89147
16108715007	AVENDANO'S PROPERTY DEV INC		631 LOS FELIZ ST			LAS VEGAS	NV		89110
16108715008	AVENDANO'S PROPERTY DEV INC		631 LOS FELIZ ST			LAS VEGAS	NV		89110
16108715009	AVENDANO'S PROPERTY DEV INC		631 LOS FELIZ ST			LAS VEGAS	NV		89110
16108715010	AVENDANO'S PROPERTY DEV INC		631 LOS FELIZ ST			LAS VEGAS	NV		89110
16108715011	AVENDANO'S PROPERTY DEV INC		631 LOS FELIZ ST			LAS VEGAS	NV		89110
16108715012	AVENDANO'S PROPERTY DEV INC		631 LOS FELIZ ST			LAS VEGAS	NV		89110
16108715013	AVENDANO'S PROPERTY DEV INC		631 LOS FELIZ ST			LAS VEGAS	NV		89110

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16108715014	AVENDANO'S PROPERTY DEV INC		631 LOS FELIZ ST			LAS VEGAS	NV		89110
16108715015	AVENDANO'S PROPERTY DEV INC		631 LOS FELIZ ST			LAS VEGAS	NV		89110
16108715016	AVENDANO'S PROPERTY DEV INC		631 LOS FELIZ ST			LAS VEGAS	NV		89110
16108810010	REED RONALD G & ANGELA M		4674 LINDA AVE			LAS VEGAS	NV		89121-7114
16108810011	CARRASCO ARTURO & YESENIA		4710 LINDA LN			LAS VEGAS	NV		89121-7115
16108810012	HIGGINS GEORGE RICHARD & DARLA DEANNA TRUST AGTMT	HIGGINS GEORGE RICHARD & DARLA DEANNA TRS	4724 LINDA AVE			LAS VEGAS	NV		89121
16108810013	VASQUEZ JESUS T & BERTHA		4742 LINDA AVE			LAS VEGAS	NV		89121
16108810014	MCDONALD JAMES & CHARLEEN FAM TR	MCDONALD JAMES TRS	2301 PINTO RD			HENDERSON	NV		89002
16108810015	GERMAN JUAN L	GARCIA ANAY	5384 SILVERHEART AVE			LAS VEGAS	NV		89142-0187
16108810016	LEE RANCH TRUST		3137 ALOHA AVE			LAS VEGAS	NV		89121-7105
16108810017	LEE RANCH TRUST		3137 ALOHA AVE			LAS VEGAS	NV		89121-7105
16108810018	CARRERA FRANCISCO		2927 ALOHA AVE			LAS VEGAS	NV		89121-7101
16108810019	DE CRISTO REY DIOCCISIS		PO BOX 570201			LAS VEGAS	NV		89157
16108810020	STANFORD JERRY D & CYNTHIA A		4741 E HAPPY VALLEY AVE			LAS VEGAS	NV		89121-7121
16108810021	REED RONALD G & ANGELA M		4725 HAPPY VALLEY AVE			LAS VEGAS	NV		89121-7121
16108810022	REED SARA ELIZABETH & DEREK R	REED TREVER EDGAR	4674 LINDA AVE			LAS VEGAS	NV		89121-7114
16108810035	ISLAMIC SOCIETY NEVADA		4730 E DESERT INN RD			LAS VEGAS	NV		89121-2804
16108810036	ISLAMIC SOCIETY NEVADA		4730 E DESERT INN RD			LAS VEGAS	NV		89121-2804
16108810037	ISLAMIC SOCIETY NEVADA		4730 E DESERT INN RD			LAS VEGAS	NV		89121-2804
16108810038	YATES INN L L C		8102 S TELFORD WAY			SANDY	UT		84093-6309
16108810039	BASHIR A CHOWDHY FAMILY FOUNDATION		605 QUEENSRIDGE CT			LAS VEGAS	NV		89145
16108810040	GONZALEZ-RODRIGUEZ SALVADOR	PARGA-FLORES MONICA	3239 ALOHA AVE			LAS VEGAS	NV		89121-7107
16108810041	FUERTE IGLESIA APOSTOLICA TORRE		3701 BETHEL BAY ST			NORTH LAS VEGAS	NV		89032
16108810042	FUERTE IGLESIA APOSTOLICA TORRE		3701 BETHEL BAY ST			NORTH LAS VEGAS	NV		89032
16108810043	LOPEZ VIANEY		4741 LINDA AVE			LAS VEGAS	NV		89121-7116
16108810044	MARTINEZ FRANCISCO TRUST		4725 LINDA AVE			LAS VEGAS	NV		89121-7116

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16108810045	MARTINEZ FRANCISCO	ERIVES GUADALUPE	6715 FOX RD			LAS CRUCES	NM		86012
16108810051	GUERRERO JOSE L RINCON		4825 LINDA AVE			LAS VEGAS	NV		89121-2005
16108810052	SANTIAGO EMILY		3220 ALOHA AVE			LAS VEGAS	NV		89121
16108810055	IRLAS FERNANDO D SR & SAN J		4860 E DESERT INN RD			LAS VEGAS	NV		89121-2855
16108810056	MAGDALENO JAVIER		4874 E DESERT INN RD			LAS VEGAS	NV		89121
16108810057	PHILLIPS GORDON R & NANCY LIV TR	PHILLIPS GORDON R & NANCY S TRS	4906 E DESERT INN RD			LAS VEGAS	NV		89121-2808
16108810058	ARANA BOCHE TRUST ETAL	ARANA-ORELLANA CARLOS MANUEL TRS	4906 E DESERT INN RD			LAS VEGAS	NV		89121
16108810059	FELLER MICHAEL E TRUST	FELLER MICHAEL E TRS	4924 E DESERT INN RD			LAS VEGAS	NV		89121-2808
16108810060	STEVEN'S BARBARA J & SCOTT C		4934 E DESERT INN RD			LAS VEGAS	NV		89121-2808
16108810061	DESERT INN CAPITAL MANAGEMENT L L C		3755 BREAKTHROUGH WAY # 250			LAS VEGAS	NV		89135
16108810062	3285 S NELLIS L L C		PO BOX 100843			FORT WORTH	TX		76184
16108810063	GETTY LEASING INC		292 MADISON AVE 9TH FLR			NEW YORK	NV		10017-6318
16108810064	S G N V 3225 S NELLIS BLVD L L C		PO BOX 71870	6890 S 2300 E		SALT LAKE CITY	UT		84171
16108810065	HOLYOAK 1982 TRUST	HOLYOAK CHARLEEN TRS	4925 LINDA AVE			LAS VEGAS	NV		89121-2040
16108810066	GUTIERREZ LOZANO TRUST	GUTIERREZ CESARIO C & BRAULIA TRS	4915 LINDA AVE			LAS VEGAS	NV		89121
16108810067	ARANA BOCHE TRUST ETAL	ARANA-ORELLANA CARLOS MANUEL TRS	4906 E DESERT INN RD			LAS VEGAS	NV		89121
16108810068	LEGUEN RAUL IVAN GUERRA		4879 LINDA AVE			LAS VEGAS	NV		89121
16108810069	BARRIENTOS EMMANUEL	CAZARES BELEM	4940 EL CAPTAIN WAY			LAS VEGAS	NV		89149
16108810070	ALLEN EVA MARIE		4875 LINDA AVE			LAS VEGAS	NV		89121
16108810072	PARRALES OMAR IVAN	PIEDRA MARIA GUADALUPE ROBERTO	3180 ALOHA AVE			LAS VEGAS	NV		89121-7106
16108810073	GONZALEZ-HEREDIA MARINA		3160 ALOHA AVE			LAS VEGAS	NV		89121
16108810074	RODKOFF-YOSEF FAMILY TRUST		15455 SHERMAN WAY UNIT 28			VAN NUYS	CA		91406
16108810075	MURRAY GEORGE THOMAS JR TR	MURRAY GEORGE THOMAS JR TRS	3130 ALOHA			LAS VEGAS	NV		89121-7106
16108810076	HERMANSON DAVE		3120 ALOHA AVE			LAS VEGAS	NV		89121
16108810077	ARIAS HUGO & LETICIA		4754 FUENTES WAY			LAS VEGAS	NV		89121

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16108810078	CARVALAL BEVERLY REBECCA	MARTINEZ GUILLERMO A	7342 SUNRAY POINT ST			NORTH LAS VEGAS	NV		89084
16108810079	SIGRETTO MICHAEL P & ROBIN L REYNOLDS		4895 HAPPY VALLEY AVE			LAS VEGAS	NV		89121-2037
16108810080	ESCALERA JUAN		4951 HAPPY VALLEY AVE			LAS VEGAS	NV		89121-2038
16108810081	NUNEZ LEONEL ANAYA	ANAYA ORALIA	4925 HAPPY VALLEY AVE			LAS VEGAS	NV		89121-2038
16108810082	PALM PROPERTIES L L C		6050 S FORT APACHE RD # 100			LAS VEGAS	NV		89148
16108810083	PALM PROPERTIES L L C		6050 S FORT APACHE RD # 100			LAS VEGAS	NV		89148
16108810084	DOUGLAS FAMILY TRUST	DOUGLAS MIKE & LISA TRS	490 MOORE RD			WOODSIDE	CA		94062
16108810085	DOUGLAS FAMILY TRUST	DOUGLAS MIKE & LISA TRS	490 MOORE RD			WOODSIDE	CA		94062
16108810086	DOUGLAS FAMILY TRUST	DOUGLAS MIKE & LISA TRS	490 MOORE RD			WOODSIDE	CA		94062
16108810087	VASQUEZ ESTABAN TORRES JR		2045 WESTERN			LAS VEGAS	NV		89102-4608
16108810088	WOOD THOMAS F		4906 LINDA AVE			LAS VEGAS	NV		89121
16108810089	HEWES MARILYN & PATRICK		4878 LINDA AVE			LAS VEGAS	NV		89121
16108810090	AHUMADA JOSE R		4864 LINDA AVE			LAS VEGAS	NV		89121
16108810094	CHURCH UNIVERSAL INC		100 MULBERRY ST 14TH FL			NEWARK	NJ		07102
16108810098	LEE MICHELLE		8461 FARM RD # 120-277			LAS VEGAS	NV		89131
16108810099	880 E SAHARA L L C - SERIES 3		880 E SAHARA AVE			LAS VEGAS	NV		89104
16109201004	CHEVMAC T L L C		110 N CARPENTER ST			CHICAGO	IL		60607
16109217003	USA POSTAL SERVICE		8055 E TUFTS AVENUE PKWY # 400			DENVER	CO		80237-2881
16109217004	G S K I L L C		955 TEMPLE VIEW DR			LAS VEGAS	NV		89110-2900
16109301004	HAMPTON APTS INC		2016 RIVERSIDE DR			LOS ANGELES	CA		90039-3707
16109301005	VALLEY VISTA M H C L L C		31200 NORTHWESTERN HWY			FARMINGTON HILLS	MI		48334
16109301007	REBEL LAND AND DEVELOPMENT L L C		2424 RIDGE RD			ROCKWALL	TX		75087
16109310345	3050 S NELLS D B L L C		1880 CENTURY PARK E STE 300			LOS ANGELES	CA		90067
16109401002	VALLEY VISTA M H C L L C		31200 NORTHWESTERN HWY			FARMINGTON HILLS	MI		48334
16109401007	SCHOOL BOARD OF TRUSTEES		1180 MILITARY TRIBUTE PL			HENDERSON	NV		89074

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16109410385	U S M F MEADOWS PROPCO L L C		6191 STATE HIGHWAY 161 STE 100			IRVING	TX		75038
16109411003	S S B PROPCO L L C		465 FIRST ST WEST 2ND FL			SONOMA	CA		95476
16109411004	BECKMAN CHARLES & LOUING		1265 CASIANO RD			LOS ANGELES	CA		90049
16109411005	M D C COASTAL 20 L L C		11995 EL CAMINO REAL			SAN DIEGO	CA		92130
16109411006	CY HOMA L L C		3721 CANARY PALM			LAS VEGAS	NV		89121-7239
16109411007	S S B PROPCO L L C		465 FIRST ST W 2ND FLR			SONOMA	CA		95476
16116101001	KHARBANDA SANJEEV LIVING TRUST	KHARBANDA SANJEEV TRS	5469 SIGNAL HILL DR			DUBLIN	CA		94568
16116110083	SOTO-SUASTIGUI EDUARDO		5075 BROWNWOOD AVE			LAS VEGAS	NV		89122
16116110084	MAZZONNE ROSALIE		3311 DEATH VALLEY DR			LAS VEGAS	NV		89122
16116110093	ALCHEMY INVESTMENT L L C		8978 SPANISH RIDGE # 102			LAS VEGAS	NV		89148
16116110094	BOYLE MICHAEL		3312 CAPE COD DR			LAS VEGAS	NV		89122
16116110095	DEAMER 1993 TRUST	DEAMER FLORENCE L TRS	3306 CAPE COD DR			LAS VEGAS	NV		89122-3909
16116110096	3303 CAPE COD TRUST	CHRISTIE K L TRS	3225 MCLEOD DR			LAS VEGAS	NV		89121
16116110097	VARGAS MARIA		3309 CAPE COD DR			LAS VEGAS	NV		89122
16116110098	MORENO-FRAUSTO RAMON		3315 CAPE COD DR			LAS VEGAS	NV		89122-3950
16116110099	HILDENBRAND ALAN THOMAS	BROWN REGINA LEE	3323 CAPE COD DR			LAS VEGAS	NV		89122
16116110109	GUERRERO EDLIN		3332 BIG SUR DR			LAS VEGAS	NV		89122
16116110110	GIANINETTO STELLA M		3324 BIG SUR DR			LAS VEGAS	NV		89122-3905
16116110111	BROCKMAN JOSEPH & ADORA		3316 BIG SUR DR			LAS VEGAS	NV		89122-3905
16116110112	HOUSTON LARRY D & DEBORAH J		3310 BIG SUR DR			LAS VEGAS	NV		89122-3905
16116110113	SERPAS JUAN CARLOS		3304 BIG SUR DR			LAS VEGAS	NV		89122
16116110114	DESERT INN MOBILE FAM ESTS ASSN		5100 BLUE RIDGE PKWY			LAS VEGAS	NV		89122-3924
16116110115	YAMAGUCHI L L C		1723 FRANKLIN CHASE			HENDERSON	NV		89012
16116110116	DEWEGEL ELIZABETH RUTH	RUTH HARMONY	5150 SPYGLASS HILL DR # 177			LAS VEGAS	NV		89142
16116110117	GREEN BRENDA KAY		5068 WASATCH LN			LAS VEGAS	NV		89122
16116110118	SHUIT HEATHER N & DAVID V	HELMAN-SHUIT BERTHA L	5072 WASATCH LN			LAS VEGAS	NV		89122-4055

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
16116110119	MITCHELL ROBERT J		5110 WASATCH LN			LAS VEGAS	NV		89122-4055
16116110120	FISHER JASON H & ALLYSON S		14 DOVETAIL CIR			HENDERSON	NV		89014
16116110121	MACIEL-GIL ANGEL		5122 WASATCH LN			LAS VEGAS	NV		89122
16116110122	HADDAD MICHAEL		PO BOX 691960			STOCKTON	CA		95269
16116110123	EDWARDS RONALD T	ERLANO EULALIA C	6110 ORANGE HILL DR			LAS VEGAS	NV		89142-0604
16116110186	MARTINEZ ALFREDO		3305 EWA BEACH DR			LAS VEGAS	NV		89122
16116110187	BROCCOLINO JAMES J & SHIRLEY A		5130 TUPELO LN			LAS VEGAS	NV		89122-4054
16117501005	CHAN ALVIN B INC		PO BOX 4900			SCOTTSDALE	AZ		85261-4900
16117501006	RAINBOW MARKET #8 L L C		1281 TERMINAL WAY # 115			RENO	NV		89502
16117501010	WANG FAMILY LIVING TRUST	WANG SUNG-VUM TRS	PO BOX 17535			ANAHEIM	CA		92817
16117501011	SPACE PROVIDERS ASHEVILLE L L C	CAROLINA VEGAS L L C	1300 TUNNEL RD			ASHVILLE	NC		28805-1629
16117510023	ALVI KHIZAR		22 ABBEY RD			NEWARK	DE		19702
16117510024	ORTEGA PAUL	ZARATE YOLANDA	4802 FUENTES WAY			LAS VEGAS	NV		89121
16117511001	DESILVA MARIA A HERNANDEZ		4840 FUENTES CIR			LAS VEGAS	NV		89121-2816
16117511002	BACON JOANNE LIVING TRUST	BACON JOANNE TRS	2800 CONGRESS AVE			LAS VEGAS	NV		89121
16117511003	ROMERO GRACIELA FIGUEROA		4856 FUENTES CIR			LAS VEGAS	NV		89121-2816
16117511004	BARRETT KEVIN & LORINDA		4866 FUENTES CIR			LAS VEGAS	NV		89121
16117511005	PORTILLO DAVID O		4874 FUENTES CIR			LAS VEGAS	NV		89121
16117511006	GARCIA YOANDY LUIS CUETO		4882 FUENTES CIR			LAS VEGAS	NV		89121
16117511007	AGUIRRE JUVENIO A		4890 FUENTES CIR			LAS VEGAS	NV		89121
16117511008	CONTRERAS SARAI JACO	RODRIGUEZ DAVID SANTANA	4972 HIDALGO WAY			LAS VEGAS	NV		89121
16117511009	PADOVICH DAVID A		4906 FUENTES CIR			LAS VEGAS	NV		89121
16117511010	HALLEWELL MICHAEL H & NANCY L		5841 E CHARLESTON BLVD # 230-265			LAS VEGAS	NV		89142
16117511011	DISABATO DAVID		4897 FUENTES CIR			LAS VEGAS	NV		89121
16117511012	BELLA JULIE	LOPEZ CHASE	4889 FUENTES CIR			LAS VEGAS	NV		89121
16117511013	ALVEY LAWRENCE E & ROBERTA J		4881 FUENTES CIR			LAS VEGAS	NV		89121-2827
16117511014	MARTINEZ SYMONE	SALINAS PEDRO	4873 FUENTES CIR			LAS VEGAS	NV		89121-2827

APN	OWNER	OWNER2	ADDRESS1	ADDRESS2	ADDRESS3	CITY	STATE	COUNTRY	ZIPCODE
16117511015	J C L L C		4144 COMB CIR			LAS VEGAS	NV		89104
16117511016	SPINARD CYNTHIA		4855 FUENTES CIR			LAS VEGAS	NV		89121-2827
16117511017	AVILA JULIO CESAR VELASCO		4856 HILDAGO WAY			LAS VEGAS	NV		89121
16117511018	DUSENBERRY JOSEPH A & PATRICIA A		4866 HILDAGO WAY			LAS VEGAS	NV		89121-2847
16117511019	DOMINGUEZ DAMACIO PEREZ		913 S ROANNE ST			ANAHEIM	CA		92804
16117511020	ROSAS VICTOR MANUEL & ESMERALDA		6414 ENCHANTING CT			LAS VEGAS	NV		89156
16117511021	PINZON-GARCIA OMAR DAVID	PINZON FEDERICO GARCIA	3602 HUERTA DR			LAS VEGAS	NV		89121
16117511022	KELMAN DANIEL		4898 HILDAGO WAY			LAS VEGAS	NV		89121
16117511089	STICKNEY MICHAEL & DARLENE G		4814 FUENTES WAY			LAS VEGAS	NV		89121-2810
16117511090	JOVEL GLORIA ARACELY		3315 VISTA DEL MONTE DR			LAS VEGAS	NV		89121
16117511091	COUNTY OF CLARK(PK & COMM SERV)		500 S GRAND CENTRAL PKWY			LAS VEGAS	NV		89155
16117512010	OLIVARES-MURGUA LUIS	RODRIGUEZ ELIDA FLORES	3364 HUERTA DR			LAS VEGAS	NV		89121
16117512011	FLORES JOSE MANUEL OLIVARES	AGUILAR VANESSA HERNANDEZ	3350 HUERTA DR			LAS VEGAS	NV		89121
16117512012	PERDOMO SERGIO		4972 HILDAGO WAY			LAS VEGAS	NV		89121
16117512013	MC MILLIAN NANCY ANN		325 LEHMAN ST			LAS VEGAS	NV		89122
16117512014	VILLANUEVA ARMANDO & MARIA		4956 HILDAGO WAY			LAS VEGAS	NV		89121-2864
16117512015	CUELLAR-MORONES LUIS A		4948 HILDAGO WAY			LAS VEGAS	NV		89121
16117512016	FINLUO L L C		3255 LINDELL RD			LAS VEGAS	NV		89145
16117512017	RIPEL NICHOLAS S & DEBORAH L		4932 HILDAGO WAY			LAS VEGAS	NV		89121-2864
16117512018	BOBADILLA-GARCIA RUBEN	BOBADILLA BERTHA	4921 HILDAGO WAY			LAS VEGAS	NV		89121
16117512019	CUEVAS GABRIELA	LONA CIRIACO CUEVAS	4916 HILDAGO WAY			LAS VEGAS	NV		89121-2864
16117512020	FONGER KARLYLE B		4908 HILDAGO WAY			LAS VEGAS	NV		89121-2864
16117512022	BOBADILLA-GARCIA RUBEN	BOBADILLA BERTHA LETICIA	4924 HILDAGO WAY			LAS VEGAS	NV		89121
16117512023	HUPP FRED & JANICE E		4933 HILDAGO WAY			LAS VEGAS	NV		89121-2863

DEPARTMENT OF COMPREHENSIVE PLANNING
 LAND USE PLANNING
 (702) 455-4314
 CLARK COUNTY GOVERNMENT CENTER
 500 S. GRAND CENTRAL PARKWAY
 BOX 551741
 LAS VEGAS, NEVADA 89155-1741

OFFICIAL NOTICE OF PUBLIC HEARING



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☐ **SUPPORT** this request

☒ **OPPOSE** this request

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VS-24-0277 090424
 SIGRETTO MICHAEL P & ROBIN L REYNOLDS
 4895 HAPPY VALLEY AVE
 LAS VEGAS, NV 89121-2037

POSTAGE WILL BE PAID BY ADDRESSEE



APPLICATION INFORMATION

APPLICATION NUMBER: VS-24-0277
OWNER: PALM PROPERTIES, LLC;

VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file). (For possible action)

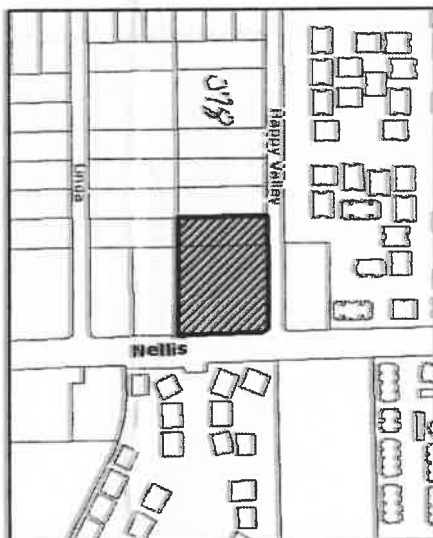
RELATED INFORMATION:

APN: 161-08-810-082; 161-08-810-083

IF WS-24-0276 & VS 24-0277 Pass, Next
They will say this is NOT 161-0810-078.

THIS 160781 is NOT
COMMERCIAL PROPERTY.

APPLICATION LOCATION



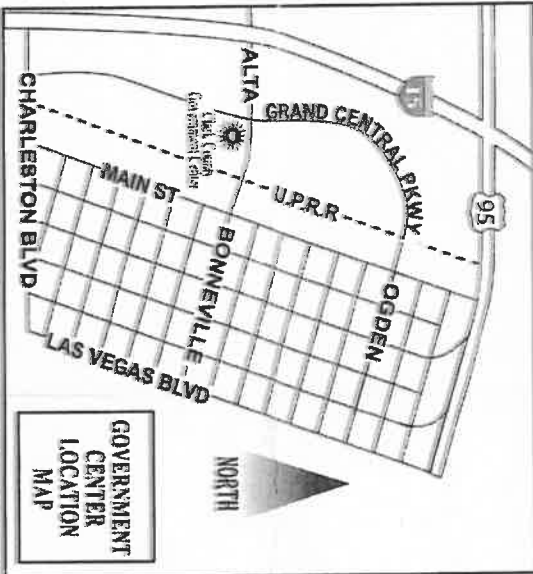
MEETING INFORMATION

Sunrise Manor Town Board	Board of County Commissioners
August 15, 2024, 6:30 pm	September 4, 2024, 9:00 am
Hollywood Neighborhood Services Center	Clark County Government Center
1650 S. Hollywood Blvd	500 S. Grand Central Parkway
Las Vegas, Nevada	Las Vegas, Nevada

This information is considered accurate; however, minor variations may occur. Application documents are available for viewing online under the Clark County Comprehensive Planning Department by selecting "Services" on the left and selecting "Land Use Documents" from the drop-down. All persons interested may submit written support or opposition by email to zoningrules@clarkcountynv.gov. Include the item and application numbers on all emails. We suggest that you inform your leasee(s) of the matter. For more information, visit www.clarkcountynv.gov or call (702) 455-4314 (option 2, option 1).

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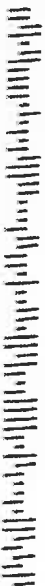
☐ **I SUPPORT**
 this request

☒ **I OPPOSE**
 this request

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VS-24-0277 090424
 GARBE REINHOLD G ETAL
 KARWACKI-GARBE THERESA A
 3226 WOODY LN
 SAN JOSE, CA 95132

APPLICATION INFORMATION

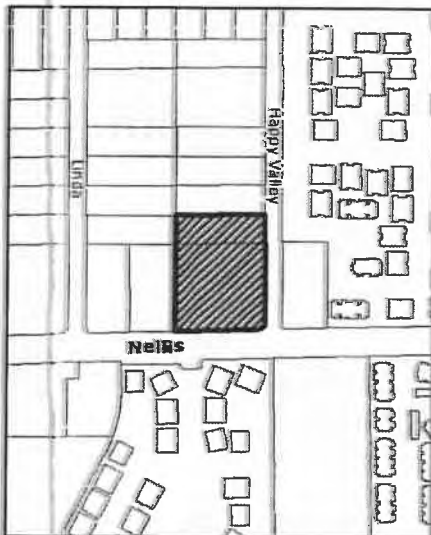
APPLICATION NUMBER: VS-24-0277
OWNER: PALM PROPERTIES, LLC;

VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file). (For possible action)

RELATED INFORMATION:

APN: 161-08-810-082; 161-08-810-083

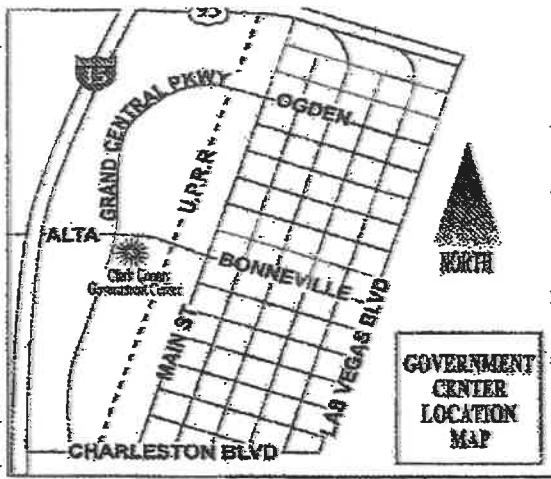
APPLICATION LOCATION



MEETING INFORMATION

Sunrise Manor Town Board	Board of County Commissioners
August 15, 2024, 6:30 pm	September 4, 2024, 9:00 am
Hollywood Neighborhood Services Center	Clark County Government Center
1650 S. Hollywood Blvd	500 S. Grand Central Parkway
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VS-24-0277 090424
DOUGLAS FAMILY TRUST
DOUGLAS MIKE & LISA TRS
490 MOORE RD
WOODSIDE, CA 94062

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☐ I SUPPORT this request

☒ I OPPOSE this request

126 FROM/MP 84062



13-Aug-2024 13:43 UFax

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APPLICATION INFORMATION

APPLICATION NUMBER: VS-24-0277

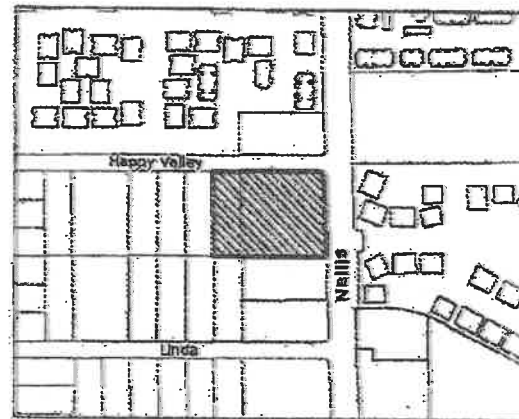
OWNER: PALM PROPERTIES, LLC;

VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file). (For possible action)

RELATED INFORMATION:

APN: 161-08-810-082; 161-08-810-083

APPLICATION LOCATION



MEETING INFORMATION

Sunrise Manor Town Board
August 15, 2024, 6:30 pm
Hollywood Neighborhood
Services Center
1650 S. Hollywood Blvd
Las Vegas, Nevada

Board of County Commissioners
September 4, 2024, 9:00 am
Clark County Government Center
500 S. Grand Central Parkway
Las Vegas, Nevada

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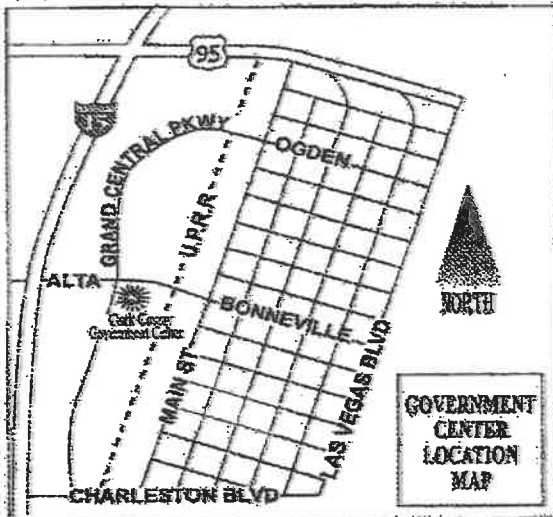
DEPARTMENT OF COMPREHENSIVE PLANNING
LAND USE PLANNING
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LAS VEGAS, NEVADA 89155-1741

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OFFICIAL NOTICE OF PUBLIC HEARING



VS-24-0277 090424
DOUGLAS FAMILY TRUST
DOUGLAS MIKE & LISA TRS
490 MOORE RD
WOODSIDE, CA 94063

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☐ I SUPPORT
this request

☒ I OPPOSE
this request

125 FROMHP 84062



APPLICATION INFORMATION

APPLICATION NUMBER: VS-24-0277
OWNER: PALM PROPERTIES, LLC;

VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file). (For possible action)

RELATED INFORMATION:

APN: 161-08-810-082; 161-08-810-083

APPLICATION LOCATION



MEETING INFORMATION

Sunrise Manor Town Board
August 15, 2024, 6:30 pm
Hollywood Neighborhood
Services Center
1650 S. Hollywood Blvd
Las Vegas, Nevada

Board of County Commissioners
September 4, 2024, 9:00 am
Clark County Government Center
500 S. Grand Central Parkway
Las Vegas, Nevada

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Aug. 14, 2024 12:13PM MD Investments
DEPARTMENT OF COMPREHENSIVE PLANNING
LAND USE PLANNING
(702) 455-4314
CLARK COUNTY GOVERNMENT CENTER
500 S. GRAND CENTRAL PARKWAY
BOX 551741
LAS VEGAS, NEVADA 89155-1741

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VS-24-0277 090424
DOUGLAS FAMILY TRUST
DOUGLAS MIKE & LISA TRS
490 MOORE RD
WOODSIDE, CA 94062



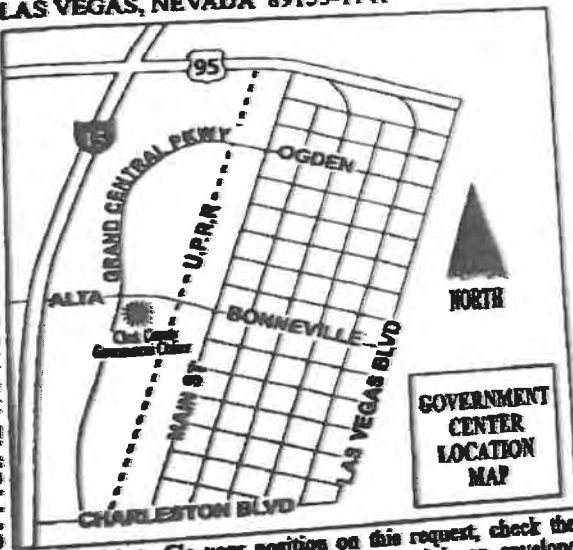
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☐ I SUPPORT this request

☒ I OPPOSE this request

VS-24-0277 090424 Den
 AL-TURKMANI & ASSOC
 2725 S NELLIS BLVD #700
 LAS VEGAS, NV 89121

59

FROFNMP

CPAdmin

Subject: FW: Application Number:VS-24-0277 and WS-24-0276 APN: 161-08-810-082:
161-08-810-083

From: ZoningMeeting <ZoningMeeting@ClarkCountyNV.gov>
Sent: Wednesday, August 14, 2024 1:42 PM
To: CPAdmin <CPAdmin@clarkcountynv.gov>
Subject: FW: Application Number:VS-24-0277 and WS-24-0276 APN: 161-08-810-082: 161-08-810-083

From: Nellis Storage <nellisstorage@gmail.com>
Sent: Wednesday, August 14, 2024 1:41:36 PM (UTC-08:00) Pacific Time (US & Canada)
To: ZoningMeeting <ZoningMeeting@ClarkCountyNV.gov>
Cc: Lisa Douglas <lisa@mdinvests.com>; Emma Santana <emma@mdinvests.com>
Subject: Application Number:VS-24-0277 and WS-24-0276 APN: 161-08-810-082: 161-08-810-083

To Whom This May Concern,

Our position is to oppose the development of a commercial truck parking lot located at 3125 S. Nellis Blvd, Las Vegas, NV 89121.

In the last 3 years, the address stated in this letter has had activity other than commercial parking.

The building of structures, spray painting the new buildings and vehicles with no cover to catch the paint spray particles or containing the fumes that have been placed in the air for hours, sometimes days. These types of fumes were heavy in the air and did affect my breathing on the days this would take place. I do offer parking next door at 3175 S. Nellis Blvd. Las Vegas, NV 89121. Not once were we notified of this activity or had a visit from Robert explaining when such building of structures or spraying would be taking place. We offer parking spots for monthly parking and we also have public parking for the laundry mat, the hair salon and for a law office. We also offer parking for the customers that rent Budget Truck Rental for the local day use.

Robert visited Nellis Self Storage asking if I would hand out flyers to people that were looking for parking. He explained to me that there would be a security officer there in the guard shack 24 hours a day, guard shack located at the entrance. The guard was to check people in and out and keep the vehicles safe and their contents. I have never seen a security guard over there in my passing on different occasions. I never handed out the flyers.

I have had several customers in the past few years come to Nellis Self Storage after storing with Robert. The customers have stated they never saw a security officer. They would call the number posted and Robert would meet them and take their money and sign a lease.

What I do know is vehicles that have been stored there have been broken into and their contents in the vehicle and their catalytic converters were stolen. This is when I would meet those customers due to trying to find safe parking.

My concern is the safety for Nellis Self Storage employees, our customers and our surrounding businesses connected to the facility and the community in the surrounding area. The reckless behavior of what Robert is allowing on the property located at 3125 S. Nellis BLVD is way more than just commercial parking.

My name is Rebecca Breckon, Property Manager of the Nellis Self Storage. I am standing in for the Owners Mike and Lisa Douglas. The Douglas Family Trust.

--

We appreciate you,
Rebecca Breckon,
Property Manager

Nellis Self Storage
3175 South Nellis Blvd.
Las Vegas, NV 89121
(702) 440-6440

CPAdmin

Subject: FW: APPLICATION NUMBER VS-24-0277: WS-24-0276 - APN:161-08-810-082: 161-08-810-083

From: ZoningMeeting <ZoningMeeting@ClarkCountyNV.gov>
Sent: Thursday, August 15, 2024 1:12 PM
To: CPAdmin <CPAdmin@clarkcountynv.gov>
Subject: FW: APPLICATION NUMBER VS-24-0277: WS-24-0276 - APN:161-08-810-082: 161-08-810-083

From: Nellis Storage <nellisstorage@gmail.com>
Sent: Thursday, August 15, 2024 1:12:04 PM (UTC-08:00) Pacific Time (US & Canada)
To: ZoningMeeting <ZoningMeeting@ClarkCountyNV.gov>
Cc: Lisa Douglas <lisa@mdinvests.com>; Emma Santana <emma@mdinvests.com>
Subject: APPLICATION NUMBER VS-24-0277: WS-24-0276 - APN:161-08-810-082: 161-08-810-083

To Whom It May Concern,

We strongly oppose the development of a commercial truck parking lot at 3125 S. Nellis Blvd, Las Vegas, NV 89121.

Over the past three years, the property at this address has been used for activities beyond commercial parking. Structures have been built, and spray painting of buildings and vehicles has occurred without proper containment of fumes or particles. These activities have negatively impacted air quality and, on several occasions, caused respiratory issues.

Despite numerous issues raised, the property owners have not demonstrated good neighbor practices. It appears that they are only now seeking compliance because they have been caught conducting business without adhering to city regulations. The neighborhood is already undergoing significant transition and has experienced a tremendous increase in homelessness and crime. The last thing we need is a business with a checkered past, which has contributed to the decline of the area.

There are additional concerns regarding the property at 3125 S. Nellis Blvd:

- The presence of chemicals and hazardous materials stored without proper oversight.
- Inadequate fencing, which fails to secure the property and allows unauthorized access.
- A lack of security, despite promises of a 24-hour guard.
- The type of trucks using the facility, with no clear information on what they are carrying, including the risk of transporting hazardous materials.
- No transparency around office hours or the management of the property.

- No inspections or regulation of out-of-state trucks, raising concerns about what is being transported into our community.
- The presence of “lot lizards,” which further degrades the safety and reputation of the neighborhood.

Most critically, the proximity of several schools poses a severe risk to children and families. The potential exposure to hazardous materials, increased traffic, and the associated dangers make this proposed development especially unsafe for the most vulnerable members of our community. The thought of hazardous materials being stored or transported so close to schools is alarming and unacceptable.

Additionally, there are serious concerns regarding fire safety and emergency preparedness. What measures are in place for fire prevention, especially concerning chemical fires? Are there adequate alarms for potential chemical explosions? Can emergency vehicles access the site in compliance with regulations? We also question whether the property has obtained all necessary permits for its operations, as these are crucial for ensuring safety and compliance.

We were hopeful that the planned new housing development would bring positive change and reassurance to the community. This business, however, has been a detractor, bringing down the neighborhood. With the new housing development on the horizon, we have an opportunity to revitalize this area, and allowing this business to continue would be a step in the wrong direction.

As the Property Manager of Nellis Self Storage, located next door at 3175 S. Nellis Blvd, Las Vegas, NV 89121, I am deeply concerned about the safety and well-being of our employees, customers, and surrounding businesses. Despite assurances from the property manager, Robert, about security measures, these have not been observed. Furthermore, several customers have reported thefts, including break-ins and catalytic converter thefts, after storing their vehicles at 3125 S. Nellis Blvd.

We are committed to ensuring the safety and security of our facility and the surrounding community. The activities taking place at 3125 S. Nellis Blvd go beyond the scope of commercial parking and raise significant concerns.

Thank you for your attention to this matter.

Sincerely,

*Rebecca Breckon
Property Manager
Nellis Self Storage
(702)440-6440
On behalf of the Douglas Family Trust*

Nellis Self Storage
3175 South Nellis Blvd.

Las Vegas, NV 89121
(702) 440-6440

DEPARTMENT OF COMPREHENSIVE PLANNING
 LAND USE PLANNING
 (702) 455-4314
 CLARK COUNTY GOVERNMENT CENTER
 500 S. GRAND CENTRAL PARKWAY
 BOX 551741
 LAS VEGAS, NEVADA 89155-1741



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☐ I SUPPORT this request

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VS-24-0277 090424
 SIGRETTO MICHAEL P & ROBIN L REYNOLDS
 4895 HAPPY VALLEY AVE
 LAS VEGAS, NV 89121-2037



APPLICATION INFORMATION

APPLICATION NUMBER: VS-24-0277
OWNER: PALM PROPERTIES, LLC;

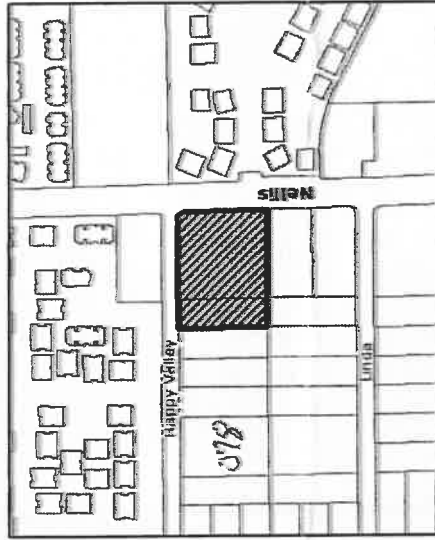
VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file). (For possible action)

RELATED INFORMATION:

APN: 161-08-810-082; 161-08-810-083

*IF VS-24-0276 + VS 24-0277 PASS, NEXT
THEY WILL TRY THIS ON LOT 161-0810-078.
THIS LOT IS NOT
COMMERCIAL PROPERTY.*

APPLICATION LOCATION



MEETING INFORMATION

Sunrise Manor Town Board
August 15, 2024, 6:30 pm
Hollywood Neighborhood
Services Center
1650 S. Hollywood Blvd
Las Vegas, Nevada

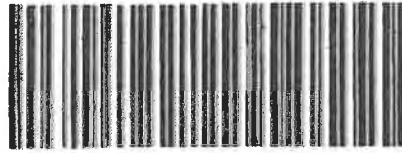
Board of County Commissioners
September 4, 2024, 9:00 am
Clark County Government Center
500 S. Grand Central Parkway
Las Vegas, Nevada

This information is considered accurate; however, minor variations may occur. Application documents are available for viewing online under the Clark County Comprehensive Planning Department by selecting "Services" on the left and selecting "Land Use Documents" from the drop-down. All persons interested may submit written support or opposition by email to continuemetings@clarkcountynv.gov. Include the item and application numbers on all emails. We suggest that you inform your lessee(s) of the matter. For more information, visit www.clarkcountynv.gov or call (702) 455-4314 (option 2, option 1).

Aug. 14, 2024 12:12PM

WD Investments

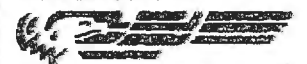
DEPARTMENT OF COMPREH
LAND USE PLANNING
(702) 455-4314
CLARK COUNTY GOVERNMENT
500 S. GRAND CENTRAL PARK
BOX 551741
LAS VEGAS, NEVADA 89155



PRESORTED
FIRST CLASS

No. 8135 P. 1/3

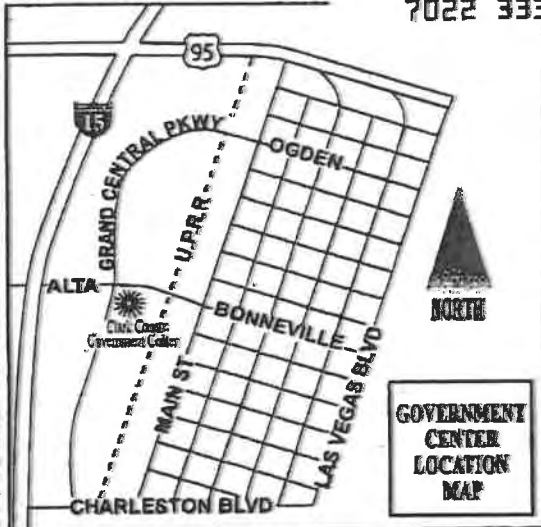
US POSTAGE



ZIP 89120 \$ 005.48⁶
02 4R
0000362048 AUG 07 2024

7022 3330 0001 5849 4249

OFFICIAL NOTICE OF PUBLIC HEARING



VS-24-0277 090424
DOUGLAS FAMILY TRUST
DOUGLAS MIKE & LISA TRS
490 MOORE RD
WOODSIDE, CA 94062

If you wish to file your position on this request, check the appropriate box below, and return this card in an envelope with postage to the Dept. of Comprehensive Planning or fax this side of the card to (702) 455-3271.

☐ I SUPPORT
this request

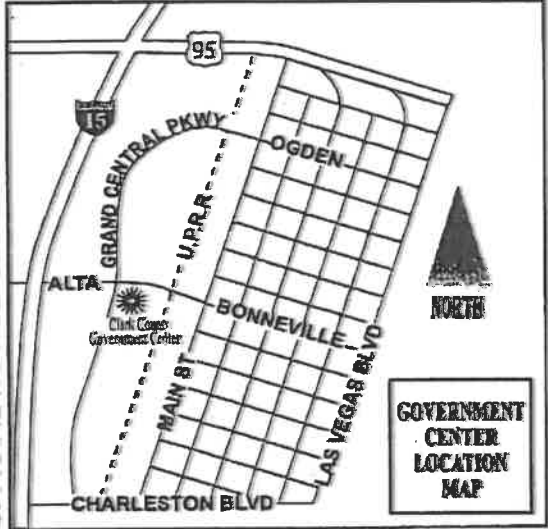
☒ I OPPOSE
this request

126 FRDNMP 94062



Aug. 14. 2024 12:13PM MD Investments
DEPARTMENT OF COMPREHENSIVE PLANNING
LAND USE PLANNING
(702) 455-4314
CLARK COUNTY GOVERNMENT CENTER
500 S. GRAND CENTRAL PARKWAY
BOX 551741
LAS VEGAS, NEVADA 89155-1741

OFFICIAL NOTICE OF PUBLIC HEARING



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☐ I SUPPORT this request

☒ I OPPOSE this request

126 FRDFHMP 94062

PRESORTED
FIRST CLASS

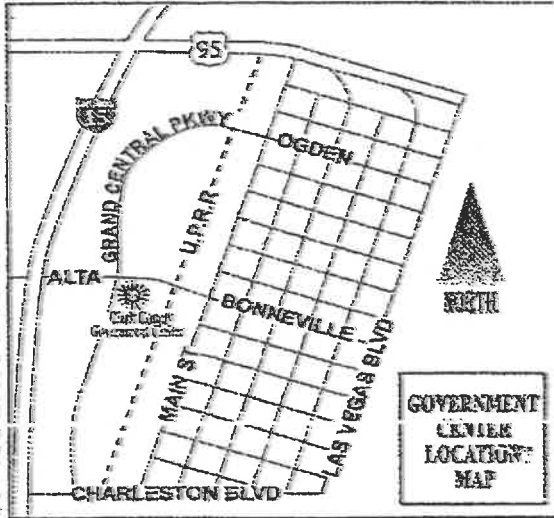
No. 8135 P. 2/3
US POSTAGE
ZIP 89120 \$ 000.43⁶
02 4M
0000362048 AUG 08 2024

VS-24-0277 090424
DOUGLAS FAMILY TRUST
DOUGLAS MIKE & LISA TRS
490 MOORE RD
WOODSIDE, CA 94062



DEPARTMENT OF COMPREHENSIVE PLANNING
LAND USE PLANNING
(702) 455-4314
CLARK COUNTY GOVERNMENT CENTER
500 S. GRAND CENTRAL PARKWAY
BOX 551741
LAS VEGAS, NEVADA 89155-1741

OFFICIAL NOTICE OF PUBLIC HEARING

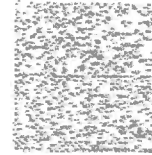


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☐ I SUPPORT
this request

☒ I OPPOSE
this request

125 FROFMP 94062

PRESORTED
FIRST CLASS

US POSTAGE
\$0.00
08/20/24

Application # VS-24-0277

WS-24-0276

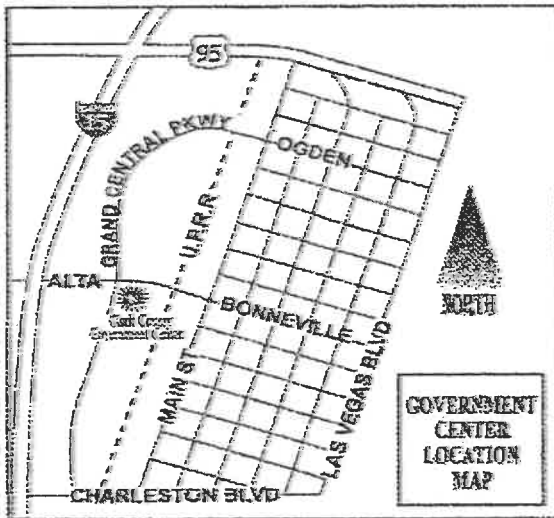
Item # AAL# 161-08-810-082

161-08-810-083

VS-24-0276 090424
DOUGLAS FAMILY TRUST
DOUGLAS MIKE & LISA TRS
490 MOORE RD
WOODSIDE, CA 94062

DEPARTMENT OF COMPREHENSIVE PLANNING
LAND USE PLANNING
(702) 455-4314
CLARK COUNTY GOVERNMENT CENTER
500 S. GRAND CENTRAL PARKWAY
BOX 551741
LAS VEGAS, NEVADA 89155-1741

OFFICIAL NOTICE OF PUBLIC HEARING

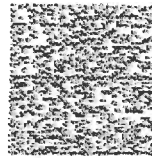


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☐ I SUPPORT
this request

☒ I OPPOSE
this request

125 FROFMP 94062

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FIRST CLASS

US POSTAGE
\$0.00
08/20/24

VS-24-0277 090424
DOUGLAS FAMILY TRUST
DOUGLAS MIKE & LISA TRS
490 MOORE RD
WOODSIDE, CA 94062

PPLRL_1758

APPLICATION INFORMATION

APPLICATION NUMBER: VS-24-0277

OWNER: PALM PROPERTIES, LLC:

VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file). (For possible action)

RELATED INFORMATION:

APN: 161-08-810-082; 161-08-810-083

APPLICATION LOCATION**MEETING INFORMATION**

Sunrise Manor Town Board
August 15, 2024, 6:30 pm
Hollywood Neighborhood
Services Center
1650 S. Hollywood Blvd
Las Vegas, Nevada

Board of County Commissioners
September 4, 2024, 9:00 am
Clark County Government Center
500 S. Grand Central Parkway
Las Vegas, Nevada

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APPLICATION INFORMATION**APPLICATION NUMBER:** WS-24-0276**OWNER:** PALM PROPERTIES, LLC:

WAIVER OF DEVELOPMENT STANDARDS to modify residential adjacency standards.

DESIGN REVIEW for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone. Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor. (For possible action)

RELATED INFORMATION:

APN: 161-08-810-082; 161-08-810-083

APPLICATION LOCATION**MEETING INFORMATION****Sunrise Manor Town Board**

August 15, 2024, 6:30 pm

Hollywood Neighborhood
Services Center1650 S. Hollywood Blvd
Las Vegas, Nevada**Board of County Commissioners**

September 4, 2024, 9:00 am

Clark County Government Center
500 S. Grand Central Parkway

Las Vegas, Nevada

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APPLICATION INFORMATION**APPLICATION NUMBER:** VS-24-0277**OWNER:** PALM PROPERTIES, LLC:

VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file). (For possible action)

RELATED INFORMATION:

APN: 161-08-810-082; 161-08-810-083

APPLICATION LOCATION**MEETING INFORMATION****Sunrise Manor Town Board**

August 15, 2024, 6:30 pm

Hollywood Neighborhood
Services Center1650 S. Hollywood Blvd
Las Vegas, Nevada**Board of County Commissioners**

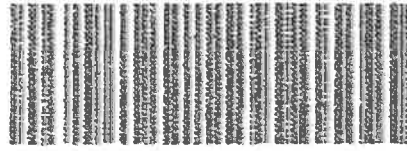
September 4, 2024, 9:00 am

Clark County Government Center
500 S. Grand Central Parkway

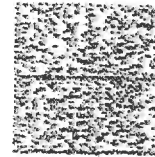
Las Vegas, Nevada

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DEPARTMENT OF COMPREHENSIVE
LAND USE PLANNING
(702) 455-4314
CLARK COUNTY GOVERNMENT
500 S. GRAND CENTRAL PARK
BOX 551741
LAS VEGAS, NEVADA 89155



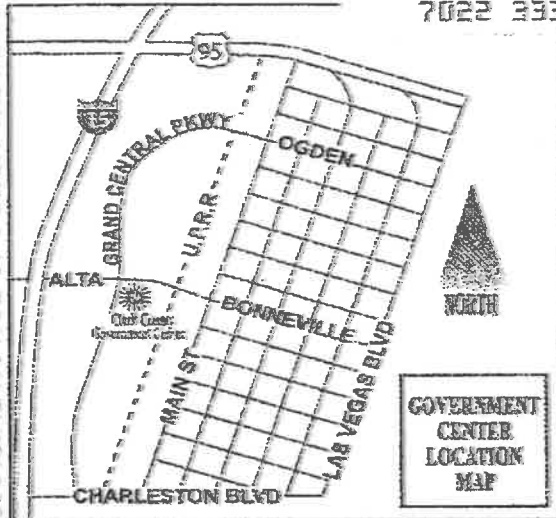
POSTED
FIRST CLASS



US POSTAGE - MONEY ORDER
\$0.0548
01 48
0000262048 AUG 07 2024

7022 3330 0001 5649 4249

OFFICIAL NOTICE OF PUBLIC HEARING



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☐ I SUPPORT
this request

☒ I OPPOSE
this request

VS-24-0277 090424
DOUGLAS FAMILY TRUST
DOUGLAS MIKE & LISA TRS
490 MOORE RD
WOODSIDE, CA 94062

126 FROFNMP 34062



Application # VS-24-0277

WS-24-0276

Item # APN 161-08-810-082;

161-08-810-083

DEPARTMENT OF COMPREHENSIVE PLANNING
 LAND USE PLANNING
 (702) 455-4314
 CLARK COUNTY GOVERNMENT CENTER
 500 S. GRAND CENTRAL PARKWAY
 BOX 551741
 LAS VEGAS, NEVADA 89155-1741

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☐ I SUPPORT
 this request

☒ I OPPOSE
 this request

VS-24-0277 090424 Doreen
 AL-TURKMANI & ASSOCIATES
 2725 S NELLIS BLVD #200
 LAS VEGAS, NV 89121

69 FRDFNMP 2024

WEDNESDAY
BOARD OF COUNTY COMMISSIONERS AGENDA
OCTOBER 02, 2024

RECOMMENDATIONS FROM: SOUTHERN NEVADA WATER AUTHORITY

Patrick Denison, Right-of-Way Agent
702-862-3474

ITEM #	APPLICATION NUMBER	COMMENTS	CONTACT NAME
4.	AR-24-400090 (UC-0849-14)	Not reviewed	P. Denison
5.	UC-24-0387 HOLDOVER	Not reviewed	P. Denison
6.	TM-24-500076 HOLDOVER	No objection	P. Denison
7.	UC-24-0399 HOLDOVER	Not reviewed	P. Denison
8.	VS-24-0277 HOLDOVER	No objection	P. Denison
9.	WS-24-0276 HOLDOVER	Not reviewed	P. Denison
10.	WS-24-0362	Not reviewed	P. Denison
11.	ZC-24-0394	Not reviewed	P. Denison
12.	ORD-24-900412	Not reviewed	P. Denison
13.	ORD-24-900463	Not reviewed	P. Denison
14.	ORD-24-900551	Not reviewed	P. Denison
15.	ORD-24-900578	Not reviewed	P. Denison
<u>NON-ROUTINE</u>			
16.	SC-24-0261 HOLDOVER	Not reviewed	P. Denison
17.	VS-24-0390	No objection	P. Denison
18.	WS-24-0391	Not reviewed	P. Denison
19.	TM-24-500078	No objection	P. Denison
20.	WS-24-0419	Not reviewed	P. Denison

WEDNESDAY
BOARD OF COUNTY COMMISSIONERS AGENDA
OCTOBER 02, 2024

RECOMMENDATIONS FROM: SOUTHERN NEVADA WATER AUTHORITY

Patrick Denison, Right-of-Way Agent

702-862-3474

ITEM #	APPLICATION NUMBER	COMMENTS	CONTACT NAME
21.	WS-24-0437	Not reviewed	P. Denison
<u>AGENDA ITEM</u>			
22.	AG-24-900634	Not reviewed	P. Denison
<u>ORDINANCES - INTRODUCTION</u>			
23.	ORD-24-900471	Not reviewed	P. Denison
24.	ORD-24-900591	Not reviewed	P. Denison

WEDNESDAY
BOARD OF COUNTY COMMISSIONERS AGENDA
NOVEMBER 6, 2024

RECOMMENDATIONS FROM: SOUTHERN NEVADA WATER AUTHORITY
Patrick Denison, Right-of-Way
702-862-3474

ITEM #	APPLICATION NUMBER	COMMENTS	CONTACT NAME
4.	AR-24-400090 (UC-0849-14) HOLDOVER	Not reviewed	P. Denison
5.	AR-24-400106 (UC-22-0498)	Not reviewed	P. Denison
6.	ET-24-400101 (UC-22-0403)	Not reviewed	P. Denison
7.	VS-24-0277 HOLDOVER	No objection	P. Denison
8.	WS-24-0276 HOLDOVER	Not reviewed	P. Denison
9.	WS-24-0419 HOLDOVER	Not reviewed	P. Denison
10.	WS-24-0473	Not reviewed	P. Denison
<u>NON-ROUTINE</u>			
11.	SC-24-0261 HOLDOVER	Not reviewed	P. Denison
12.	UC-24-0436	Not reviewed	P. Denison
13.	UC-24-0491	Not reviewed	P. Denison
14.	VS-24-0494	No objection	P. Denison
15.	WS-24-0495	Not reviewed	P. Denison
16.	VS-24-0504	No objection	P. Denison
17.	WS-24-0505	Not reviewed	P. Denison
18.	TM-24-500106	No objection	P. Denison
19.	WC-24-400060 (NZC-22-0028) HOLDOVER	Not reviewed	P. Denison

WEDNESDAY
BOARD OF COUNTY COMMISSIONERS AGENDA
NOVEMBER 6, 2024

RECOMMENDATIONS FROM: SOUTHERN NEVADA WATER AUTHORITY
Patrick Denison, Right-of-Way
702-862-3474

ITEM #	APPLICATION NUMBER	COMMENTS	CONTACT NAME
20.	WS-24-0475	Not reviewed	P. Denison
21.	WS-24-0484	Not reviewed	P. Denison
22.	WS-24-0488	Not reviewed	P. Denison
23.	WS-24-0489	Not reviewed	P. Denison
24.	WS-24-0511	Not reviewed	P. Denison
25.	TM-24-500109	No objection	P. Denison
<u>AGENDA ITEM</u>			
26.	AG-24-900729	Not reviewed	P. Denison
<u>ORDINANCES - INTRODUCTION</u>			
27.	ORD-24-900529	Not reviewed	P. Denison
28.	ORD-24-900546	Not reviewed	P. Denison
29.	ORD-24-900599	Not reviewed	P. Denison
30.	ORD-24-900699	Not reviewed	P. Denison
31.	ORD-24-900708	Not reviewed	P. Denison
32.	ORD-24-900710	Not reviewed	P. Denison
33.	ORD-24-900725	Not reviewed	P. Denison

10/29/2024 7:21 AM

BOARD OF COUNTY COMMISSIONERS
NOVEMBER 6, 2024, 9:00 A.M.

VS – VACATION AND ABANDONMENTS

RECOMMENDATIONS FROM: SOUTHERN NEVADA WATER AUTHORITY

Patrick Denison, Right-of-Way Agent

702-862-3474

APPLICATION	COMMENTS	CONTACT NAME
VS-24-0494	No objection	P. Denison
VS-24-0504	No objection	P. Denison

WEDNESDAY
BOARD OF COUNTY COMMISSIONERS AGENDA
NOVEMBER 20, 2024

RECOMMENDATIONS FROM: SOUTHERN NEVADA WATER AUTHORITY
Patrick Denison, Right-of-Way Agent
702-862-3474

ITEM #	APPLICATION NUMBER	COMMENTS	CONTACT NAME
4.	SDR-24-0334 HOLDOVER	Not reviewed	P. Denison
5.	DR-24-0335 HOLDOVER	Not reviewed	P. Denison
6.	ET-24-400107 (UC-20-0288)	Not reviewed	P. Denison
7.	WC-24-400111 (ZC-1965-04)	Not reviewed	P. Denison
8.	VS-24-0520	No objection	P. Denison
9.	UC-24-0521	Not reviewed	P. Denison
10.	ZC-24-0518	Not reviewed	P. Denison
11.	ORD-24-900529	Not reviewed	P. Denison
12.	ORD-24-900546	Not reviewed	P. Denison
13.	ORD-24-900599	Not reviewed	P. Denison
14.	ORD-24-900699	Not reviewed	P. Denison
15.	ORD-24-900708	Not reviewed	P. Denison
16.	ORD-24-900710	Not reviewed	P. Denison
17.	ORD-24-900725	Not reviewed	P. Denison
<u>NON-ROUTINE</u>			
18.	CP-24-900629	Not reviewed	P. Denison
19.	ET-24-400110 (UC-20-0493)	Not reviewed	P. Denison
20.	UC-24-0319	Not reviewed	P. Denison

WEDNESDAY
BOARD OF COUNTY COMMISSIONERS AGENDA
NOVEMBER 20, 2024

RECOMMENDATIONS FROM: SOUTHERN NEVADA WATER AUTHORITY
Patrick Denison, Right-of-Way Agent
702-862-3474

ITEM #	APPLICATION NUMBER	COMMENTS	CONTACT NAME
21.	UC-24-0436 HOLDOVER	Not reviewed	P. Denison
22.	UC-24-0460 HOLDOVER	Not reviewed	P. Denison
23.	UC-24-0536	Not reviewed	P. Denison
24.	VS-24-0277 HOLDOVER	No objection	P. Denison
25.	WS-24-0276 HOLDOVER	Not reviewed	P. Denison
26.	VS-24-0457 HOLDOVER	No objection	P. Denison
27.	WS-24-0456 HOLDOVER	Not reviewed	P. Denison
28.	TM-24-500096 HOLDOVER	No objection	P. Denison
29.	VS-24-0462 HOLDOVER	No objection	P. Denison
30.	WS-24-0461 HOLDOVER	Not reviewed	P. Denison
31.	TM-24-500099 HOLDOVER	No objection	P. Denison
32.	VS-24-0509	No objection	P. Denison
33.	WS-24-0510	Not reviewed	P. Denison
34.	TM-24-500108	No objection	P. Denison
35.	VS-24-0539	No objection	P. Denison
36.	WS-24-0538	Not reviewed	P. Denison
37.	VS-24-0542	No objection	P. Denison
38.	WS-24-0543	Not reviewed	P. Denison

WEDNESDAY
BOARD OF COUNTY COMMISSIONERS AGENDA
NOVEMBER 20, 2024

RECOMMENDATIONS FROM: SOUTHERN NEVADA WATER AUTHORITY

Patrick Denison, Right-of-Way Agent
702-862-3474

ITEM #	APPLICATION NUMBER	COMMENTS	CONTACT NAME
39.	TM-24-500117	No objection	P. Denison
40.	WS-24-0522	Not reviewed	P. Denison
41.	WS-24-0523	Not reviewed	P. Denison
42.	WS-24-0525	Not reviewed	P. Denison
43.	WS-24-0526	Not reviewed	P. Denison
44.	WS-24-0527	Not reviewed	P. Denison
45.	TM-24-500114	No objection	P. Denison
46.	WS-24-0535	Not reviewed	P. Denison
47.	PA-24-700015	Not reviewed	P. Denison
48.	ZC-24-0310	Not reviewed	P. Denison
49.	UC-24-0311	Not reviewed	P. Denison
50.	PA-24-700020	Not reviewed	P. Denison
51.	ZC-24-0485	Not reviewed	P. Denison
52.	VS-24-0486	No objection	P. Denison
53.	WS-24-0487	Not reviewed	P. Denison
54.	TM-24-500101	No objection	P. Denison
<u>AGENDA ITEM</u>			
55.	AG-24-900729 HOLDOVER	Not reviewed	P. Denison

WEDNESDAY
BOARD OF COUNTY COMMISSIONERS AGENDA
NOVEMBER 20, 2024

RECOMMENDATIONS FROM: SOUTHERN NEVADA WATER AUTHORITY

Patrick Denison, Right-of-Way Agent
702-862-3474

ITEM #	APPLICATION NUMBER	COMMENTS	CONTACT NAME
<u>ORDINANCES - INTRODUCTION</u>			
56.	ORD-24-900565	Not reviewed	P. Denison
57.	ORD-24-900572	Not reviewed	P. Denison
58.	ORD-24-900582	Not reviewed	P. Denison
59.	ORD-24-900734	Not reviewed	P. Denison
60.	ORD-24-900758	Not reviewed	P. Denison
61.	ORD-24-900766	Not reviewed	P. Denison

11/13/2024 8:01 AM

PW - ROW

<input type="checkbox"/> MANAGERS	<input type="checkbox"/> DONE
<input type="checkbox"/> ARTERIALS	<input type="checkbox"/> DONE
<input checked="" type="checkbox"/> VACATIONS	<input type="checkbox"/> DONE

APP #: VS-24-0277

DESCRIPTION: POW for detached
sidewalk

ZC UC WS DR VC

1161-08-810
1161-08-810-082-083

09/04/2024 BCC

08/15/2024 Sunrise Manor

S'

CONCURRENT APPS:

WS-24-0276

PREVIOUS APPS:

APP-24-100604 ^{NO ROW} _{emails}

APP-23-101485

UC-19-06030

UC/DR-18-0578

ADR-05-900333

WAIVERS/DRS:

NOTES:

☐ ANALYSIS: ☐ RECOMMENDATION: ☐ APPROVAL ☐ DENIAL ☐ OTHER _____

☐ CONDITIONS: ☐ D/S ☐ T/S ☐ O/S ☒ DET SW ^{this} ☐ LVBS ☐ L & M ☐ BUS STOP
☐ DR #2 ☐ NDOT ☐ NDOT/BUE DIAMOND ☐ RES. COVENANT
☒ VS LEGAL ☒ VS REC PERMIT/MAP ☐ VS REC O/S INSPECT
☐ ROW 30/90 FOR ALL ☐ ROW 30/90 FOR 80+

☐ ROW: _____

☐ OTHER: _____

☐ ADVISORY: _____

☐ ETS/ARS: ☐ ANALYSIS NEEDED? ☐ PREVIOUS ☐ NEW CONDITIONS?

☐ NO COMMENT

SCAN TO FILE

7/14 BCC

**CLARK COUNTY
COMPREHENSIVE PLANNING LAND USE APPLICATIONS
LAND USE APPLICATION ANALYSIS/CONDITIONS**

APPLICATION NUMBER OWNER
VS-24-0277/PALM PROPERTIES L L C

The following has been entered to Accela for the above referenced land use application for **Public Works
- Development Review.**

Analysis

Staff has no objection to the vacation of right-of-way for detached sidewalks.

Recommendation:

Approval.

Applied by: Sarah Mabry-Padovese

Date entered: 7/31/2024

Preliminary Conditions

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that Nevada Department of Transportation (NDOT) permits may be required. /syp

Applied by: Sarah Mabry-Padovese

Date entered: 7/22/2024

APN(s):

161-08-810-082 through 161-08-810-083

WS 24-0276

**CLARK COUNTY
COMPREHENSIVE PLANNING LAND USE APPLICATIONS
LAND USE APPLICATION ANALYSIS/CONDITIONS**

APPLICATION NUMBER OWNER
VS-24-0277/PALM PROPERTIES L L C

The following has been entered to Accela for the above referenced land use application for **Public Works**
- Development Review.

Analysis

~~NOT READY TO MERGE~~

Staff has no objection to the vacation of right-of-way for detached sidewalks.

Recommendation:
Approval.

Applied by: Sarah Mabry-Padovese
Date entered: 7/22/2024

Preliminary Conditions

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that Nevada Department of Transportation (NDOT) permits may be required. syp

Applied by: Sarah Mabry-Padovese
Date entered: 7/22/2024

APN(s):

161-08-810-082 through 161-08-810-083

Sarah Y. Mabry-Padovese

From: Clark County <Clarkcounty-accela@clarkcountynv.gov>
Sent: Tuesday, February 27, 2024 4:47 PM
To: centurywest1@hotmail.com; ACOLE@GCGARCIINC.COM
Cc: PWLanduse
Subject: New Submittal: APR-23-101485 - APN: 161-08-810-083 Public Works ok

Good afternoon,

Public Works has no further comments on this Application Pre-Review (APR). Please contact Comprehensive Planning at 702-455-4314 or zoning@ClarkCountyNV.gov for information on how to proceed.

Thank you
JaWaan Dodson

Important information:

Please note that although Public Works has no further comments on this APR, it does not mean that we will recommend approval.

Sarah Y. Mabry-Padovese

From: Andrea Cole <acole@gcgarciainc.com>
Sent: Tuesday, February 27, 2024 10:48 AM
To: PWLanduse
Subject: New Submittal: APR-23-101485 - APN: 161-02-810-083 Public Works comments
Attachments: site-6-SP1.pdf; Map that dedicated the ROW for Happy Valley MapPL0040001.pdf

Categories: JaWaan

See below responses and the attached.

From: Clark County Clarkcounty-accel@clarkcountynv.gov
Sent: Tuesday, February 27, 2024 8:46 AM
To: centurywest1@hotmail.com; Andrea Cole acole@gcgarciainc.com
Cc: PWlanduse@ClarkCountyNV.gov
Subject: New Submittal: APR-23-101485 - APN: 161-02-810-083 Public Works comments

Good morning,

Please see the Public Works comments below:

The comments from 2/15/2024 are in black. My original responses are in blue. PW's comments from 2/27/2024 are in red. Additional responses in Green.

Be advised that Nellis Boulevard is a Nevada Department of Transportation (NDOT) right-of-way.

Detached sidewalks are required, this application will need to include a vacation of the right-of-way. Application revised to include the vacation.

Site Plan:

- The minimum required throat is 100 feet per Uniform Standard Drawing 222.1. Site Plan revised to show 100'. It looks like the parking was reduced with this revision and 75 feet is now the minimum. Resolved.
- Provide and show the back of curb radius on the east side of the Happy Valley Avenue commercial driveway and at the intersection. Shown on revised site plan. Not provided (2nd request). Previously provided, attached for reference.
- Correct the right-of-way width for Happy Valley Avenue. ROW corrected on revised site plan. Resolved.

Vacation:

- Provide a the record information for the right-of-way being vacated. See attached recorded map that dedicated the ROW on Happy Valley.

Thank you

JaWaan Dodson

Directions for when you make the necessary changes

- Email the following to Public Works – Development Review at PWLandUse@ClarkCountyNV.gov:
 - o A detailed written response to each of our comments.
 - o Copies of revised plans and documents.
 - o If you make changes other than those that are specified in our comments, provide a detailed list of the changes and an explanation for why the changes were made.

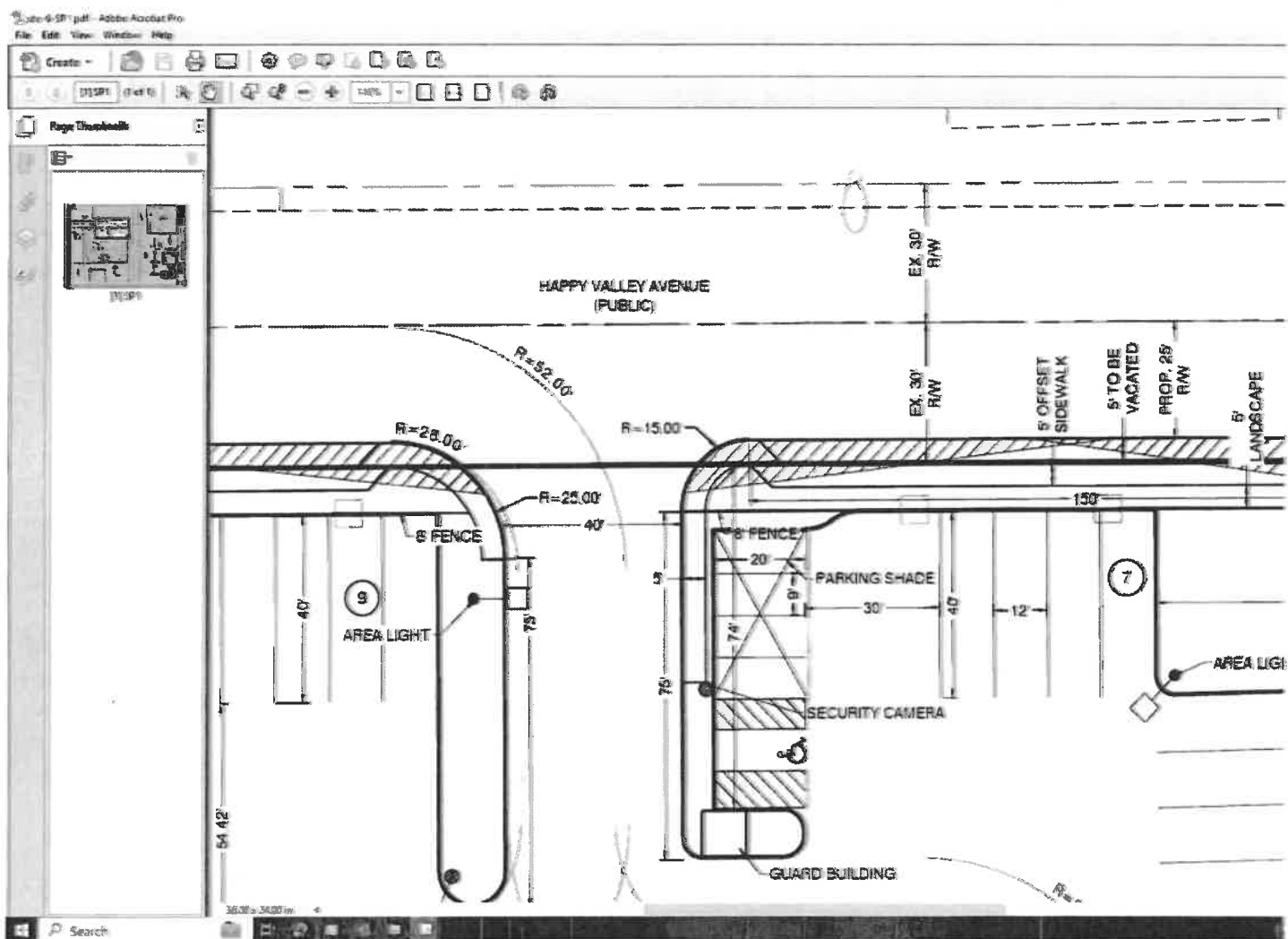
Contacts for the Public Works – Land Use Application Team

- Email:
 - o PWLandUse@ClarkCountyNV.gov
- Phone numbers:
 - o 702-455-4607 – Sarah Mabry-Padovese
 - o 702-455-6387 – JaWaan Dodson
 - o 702-455-6385 – Nick Goodman
 - o 702-455-4600 – Main number for Development Review

Sarah Y. Mabry-Padovese

From: Andrea Cole <acole@gcgarciainc.com>
Sent: Tuesday, February 27, 2024 10:09 AM
To: PWLanduse
Subject: New Submittal: APR-23-101485 - APN: 161-02-810-083 Public Works comments

I'm slightly confused by the comment asking for the back of curb radius on the plan. I re-reviewed the site plan provided and all of the radii's appear to be there (see below print screen). Is there something I am missing?



If you have any questions please feel free to contact me at the number listed below.

Thanks and Best Regards.

Andrea Cole, Project Coordination Manager
G.C. Garcia, Inc.

1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
(702) 435-9909 Phone
(702) 435-0457 Fax
acole@gcgarciainc.com E-mail
<https://gcgarciainc.com> Website

From: Clark County <Clarkcounty-accela@clarkcountynv.gov>
Sent: Tuesday, February 27, 2024 8:46 AM
To: centurywest1@hotmail.com; Andrea Cole <acole@gcgarciainc.com>
Cc: PWLanduse@ClarkCountyNV.gov
Subject: New Submittal: APR-23-101485 - APN: 161-02-810-083 Public Works comments

Good morning,

Please see the Public Works comments below:

The comments from 2/15/2024 are in black. Your responses are in blue. The new comments from 2/27/2024 are in red.

Be advised that Nellis Boulevard is a Nevada Department of Transportation (NDOT) right-of-way.

Detached sidewalks are required, this application will need to include a vacation of the right-of-way. Application revised to include the vacation.

Site Plan:

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- Provide and show the back of curb radius on the east side of the Happy Valley Avenue commercial driveway and at the intersection. Shown on revised site plan. Not provided (2nd request).
- Correct the right-of-way width for Happy Valley Avenue. ROW corrected on revised site plan. Resolved.

Vacation:

- Provide a the record information for the right-of-way being vacated.

Thank you

JaWaan Dodson

Directions for when you make the necessary changes

- Email the following to Public Works – Development Review at PWLandUse@ClarkCountyNV.gov:
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 - o Copies of revised plans and documents.
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 - o PWLandUse@ClarkCountyNV.gov
- Phone numbers:
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 - o 702-455-6387 – JaWaan Dodson
 - o 702-455-6385 – Nick Goodman
 - o 702-455-4600 – Main number for Development Review

Sarah Y. Mabry-Padovese

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Sent: Tuesday, February 27, 2024 8:46 AM
To: centurywest1@hotmail.com; ACOLE@GCGARCIAINC.COM
Cc: PWLanduse
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- Provide a the record information for the right-of-way being vacated.

Thank you

JaWaan Dodson

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- o If you make changes other than those that are specified in our comments, provide a detailed list of the changes and an explanation for why the changes were made.

Contacts for the Public Works - Land Use Application Team

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 - o 702-455-6387 – JaWaan Dodson
 - o 702-455-6385 – Nick Goodman
 - o 702-455-4600 – Main number for Development Review

Sarah Y. Mabry-Padovese

From: Andrea Cole <acole@gcgarciainc.com>
Sent: Tuesday, February 20, 2024 4:01 PM
To: PWLanduse
Subject: New Submittal: APR-23-101485 - APN: 161-02-810-093 Public Works comments
Categories: JaWaan

Apologize, I replied incorrectly in my original email to the below.

- The minimum required throat is 100 feet per Uniform Standard Drawing 222.1. Site Plan revised to show 100'

Should have stated:

- The minimum required throat is 100 feet per Uniform Standard Drawing 222.1. Parking was reduced to 99 stalls, and depth of throat for driveway is 75' as required per uniform standard drawing 222.1.

If you have any questions please feel free to contact me at the number listed below.

Thanks and Best Regards.

Andrea Cole, Project Coordination Manager

G.C. Garcia, Inc.

1055 Whitney Ranch Dr., Suite 210

Henderson, NV 89014

(702) 435-9909 Phone

(702) 435-0457 Fax

acole@gcgarciainc.com E-mail

<https://gcgarciainc.com> Website

From: Andrea Cole
Sent: Tuesday, February 20, 2024 1:07 PM
To: PWLanduse@ClarkCountyNV.gov
Subject: New Submittal: APR-23-101485 - APN: 161-02-810-093 Public Works comments

Please see attached revised drawings, added Vacation application, and responses below.

If you have any questions please feel free to contact me at the number listed below.

Thanks and Best Regards.

Andrea Cole, Project Coordination Manager

G.C. Garcia, Inc.

1055 Whitney Ranch Dr., Suite 210

Henderson, NV 89014

(702) 435-9909 Phone

(702) 435-0457 Fax

acole@gcgarciainc.com E-mail

<https://gcgarciainc.com> Website

From: Clark County <Clarkcounty-accela@clarkcountynv.gov>

Sent: Thursday, February 15, 2024 2:32 PM

To: centurywest1@hotmail.com; Andrea Cole <acole@gcgarciainc.com>

Cc: PWLanduse@ClarkCountyNV.gov

Subject: New Submittal: APR-23-101485 - APN: 161-02-810-093 Public Works comments

Good afternoon,

Please see the Public Works comments below:

Be advised that Nellis Boulevard is a Nevada Department of Transportation (NDOT) right-of-way.

Detached sidewalks are required, this application will need to include a vacation of the right-of-way. Application revised to include the vacation.

Site Plan:

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- Correct the right-of-way width for Happy Valley Avenue. ROW corrected on revised site plan

Thank you

JaWaan Dodson

Directions for when you make the necessary changes

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 - o A detailed written response to each of our comments.
 - o Copies of revised plans and documents.

- o If you make changes other than those that are specified in our comments, provide a detailed list of the changes and an explanation for why the changes were made.

Contacts for the Public Works - Land Use Application Team

- **Email:**
 - o PWLandUse@ClarkCountyNV.gov
- **Phone numbers:**
 - o 702-455-4607 – Sarah Mabry-Padovese
 - o 702-455-6387 – JaWaan Dodson
 - o 702-455-6385 – Nick Goodman
 - o 702-455-4600 – Main number for Development Review

Sarah Y. Mabry-Padovese

From: Andrea Cole <acole@gcgarciainc.com>
Sent: Tuesday, February 20, 2024 1:07 PM
To: PWLanduse
Subject: New Submittal: APR-23-101485 - APN: 161-02-810-093 Public Works comments
Attachments: 18-0578_Cell Tower Plans (Sprint)_59419011_2.pdf; Carport w Solar.pdf; Cross Sections_Happy Valley Nellis_20240219.pdf; Elevation - Guard Building.pdf; Ltr-Just ADR 2-20-24.pdf; Ltr-Response to 2nd round of Planning Comments 02-01-24.pdf; Ltr-Just VAC 02-19-24.pdf; Vacation Legal ROW_20240219.pdf; Vacation Site Plan_20240219.pdf; site-6-SP1.pdf

Categories: JaWaan

Please see attached revised drawings, added Vacation application, and responses below.

If you have any questions please feel free to contact me at the number listed below.

Thanks and Best Regards.

Andrea Cole, Project Coordination Manager
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
(702) 435-9909 Phone
(702) 435-0457 Fax
acole@gcgarciainc.com E-mail
<https://gcgarciainc.com> Website

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Sent: Thursday, February 15, 2024 2:32 PM
To: centurywest1@hotmail.com; Andrea Cole <acole@gcgarciainc.com>
Cc: PWLanduse@ClarkCountyNV.gov
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 - o 702-455-6387 – JaWaan Dodson
 - o 702-455-6385 – Nick Goodman
 - o 702-455-4600 – Main number for Development Review

Sarah Y. Mabry-Padovese

From: Diane Scarcelli
Sent: Tuesday, February 20, 2024 7:26 AM
To: Al Laird; Brady Bernhart; Dane Detommaso; Danielle Weible; Diane Scarcelli; Dominique Williams; Greg Cerven; Hunter White; Jason Allswang; Jazmine Harris; Jennifer Ammerman; Jillee Opiniano-Rowland; Jonathan Marenfeld; Judith M. Rodriguez; Katherine Corrow; Loren Graham; Lorna Phegley; Mara Weber; Mark Donohue; Martin Gies; Matt Young; Michael Huling; Nairee Agulian; Negar Masoomi; PWLanduse; Richard Ruggles; Robert Kaminski; Roxy Pais-Evia; Steven De Merritt; Tyler Delorenzo
Subject: Appointments for today 2/20/24
Attachments: Appointments 2-20-24 (2).xlsx

Please find these attached. Thank you.

Sincerely,

Diane Scarcelli
Senior Office Specialist
Department of Comprehensive Planning
T: 702-455-1599
dzwa@ClarkCountyNV.gov



From: Clark County <Clarkcounty-accela@clarkcountynv.gov>
Sent: Thursday, February 15, 2024 2:32 PM
To: centurywest1@hotmail.com; ACOLE@GCGARCIAINC.COM
Cc: PWLanduse
Subject: New Submittal: APR-23-101485 - APN: 161-02-810-093 Public Works comments

Good afternoon,

Please see the Public Works comments below:

Be advised that Nellis Boulevard is a Nevada Department of Transportation (NDOT) right-of-way.

Detached sidewalks are required, this application will need to include a vacation of the right-of-way.

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- Correct the right-of-way width for Happy Valley Avenue.

Thank you

JaWaan Dodson

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 - o If you make changes other than those that are specified in our comments, provide a detailed list of the changes and an explanation for why the changes were made.

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- o 702-455-6387 – JaWaan Dodson
- o 702-455-6385 – Nick Goodman
- o 702-455-4600 – Main number for Development Review

Sarah Y. Mabry-Padovese

From: Diane Scarcelli
Sent: Wednesday, February 14, 2024 4:48 PM
To: Al Laird; Brady Bernhart; Dane Detommaso; Danielle Weible; Diane Scarcelli; Dominique Williams; Greg Cerven; Hunter White; Jason Allswang; Jazmine Harris; Jennifer Ammerman; Jillee Opiniano-Rowland; Jonathan Marenfeld; Judith M. Rodriguez; Katherine Corrow; Loren Graham; Lorna Phegley; Mara Weber; Mark Donohue; Martin Gies; Matt Young; Michael Huling; Nairee Agulian; Negar Masoomi; PWLanduse; Richard Ruggles; Robert Kaminski; Roxy Pais-Evia; Steven De Merritt; Tyler Delorenzo
Subject: Appointment list for Tuesday 2/20/24
Attachments: Appointments 2-20-24 (1).xlsx

With Monday 2/19 being a holiday, I am sending out the list for Tuesday 2/20/24 today. Please find the upcoming appointments attached, and thank you.

Sincerely,

Diane Scarcelli
Senior Office Specialist
Department of Comprehensive Planning
T: 702-455-1599
dzwa@ClarkCountyNV.gov



Sarah Y. Mabry-Padovese

From: PWLanduse
Sent: Wednesday, February 14, 2024 10:32 AM
To: Andrea Cole; PWLanduse
Cc: Melissa Eure; George Garcia
Subject: RE: APR-23-101485 LEDGE Nellis & Happy Valley: Submittal Pckg

Please note that we have 10 business days (2.5 weeks) to review your application. There are currently 8 head of you in the queue at this time.

Thanks

Sarah Y. Mabry-Padovese

Plan Checker

Public Works – Development Review

(702)455-4607

From: Andrea Cole <acole@gcgarciainc.com>
Sent: Wednesday, February 14, 2024 10:24 AM
To: PWLanduse <PWLanduse@ClarkCountyNV.gov>
Cc: Melissa Eure <meure@gcgarciainc.com>; George Garcia <ggarcia@gcgarciainc.com>
Subject: APR-23-101485 LEDGE Nellis & Happy Valley: Submittal Pckg

I just wanted to follow up on the below that was submitted on 02/06/24. Do we know where it is in the pile of items to be reviewed? Please advise.

If you have any questions please feel free to contact me at the number listed below.

Thanks and Best Regards.

Andrea Cole, Project Coordination Manager

G.C. Garcia, Inc.

1055 Whitney Ranch Dr., Suite 210

Henderson, NV 89014

(702) 435-9909 Phone

(702) 435-0457 Fax

acole@gcgarciainc.com E-mail

<https://gcgarciainc.com> Website

From: Andrea Cole
Sent: Tuesday, February 6, 2024 3:49 PM
To: 'PWlanduse@clarkcountynv.gov' <PWlanduse@clarkcountynv.gov>
Cc: Melissa Eure <meure@gcgarciainc.com>; George Garcia <ggarcia@gcgarciainc.com>
Subject: APR-23-101485 LEDGE Nellis & Happy Valley: Submittal Pckg

Please see attached proposed application for APR-23-101485 for your review and comment. The proposed use is a Commercial Truck Parking Lot at 3125 Nellis APN#s: 161-08-810-082 & -083.

If you have any questions please feel free to contact me at the number listed below.

Thanks and Best Regards.

Andrea Cole, Project Coordination Manager

G.C. Garcia, Inc.

1055 Whitney Ranch Dr., Suite 210

Henderson, NV 89014

(702) 435-9909 Phone

(702) 435-0457 Fax

acole@gcgarciainc.com E-mail

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Sarah Y. Mabry-Padovese

From: Andrea Cole <acole@gcgarciainc.com>
Sent: Wednesday, February 14, 2024 10:24 AM
To: PWLanduse
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(702) 435-9909 Phone
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acole@gcgarciainc.com E-mail
<https://gcgarciainc.com> Website

From: Andrea Cole
Sent: Tuesday, February 6, 2024 3:49 PM
To: 'Pwlanduse@clarkcountynv.gov' <Pwlanduse@clarkcountynv.gov>
Cc: Melissa Eure <meure@gcgarciainc.com>; George Garcia <ggarcia@gcgarciainc.com>
Subject: APR-23-101485 LEDGE Nellis & Happy Valley: Submittal Pckg

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Sarah Y. Mabry-Padovese

From: Andrea Cole <acole@gcgarciainc.com>
Sent: Tuesday, February 6, 2024 3:49 PM
To: PWLanduse
Cc: Melissa Eure; George Garcia
Subject: APR-23-101485 LEDGE Nellis & Happy Valley: Submittal Pckg
Attachments: site-5-SP1-rev-carport.pdf; site-5-CS.pdf; Ledge Planning 1 Plans.pdf; Ltr-Just ADR 2-1-24.pdf; SSI-Palm Properties LLC as of 01-09-24.pdf; APN map as of 10-25-23.pdf; Application & Ownership forms from property owner - ADR Signed.pdf; Deed as of 04-04-23.pdf; Ownership form (Leading Edge Ventures) (signed).jpeg; Ownership form (Leading Edge Ventures) (signed).pdf; SSI for Leading Edge Ventures, LLC.pdf

Categories: NEW PROCESS

Please see attached proposed application for APR-23-101485 for your review and comment. The proposed use is a Commercial Truck Parking Lot at 3125 Nellis APN#s: 161-08-810-082 & -083.

If you have any questions please feel free to contact me at the number listed below.

Thanks and Best Regards.

Andrea Cole, Project Coordination Manager
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
(702) 435-9909 Phone
(702) 435-0457 Fax
acole@gcgarciainc.com E-mail
<https://gcgarciainc.com> Website

February 19, 2024

VS-24-0277

Nancy Amundsen, Director
Clark County Current Planning
500 S. Grand Central Pkwy
Las Vegas, NV 89155

RE: Request: Partial Vacation of Happy Valley ROW
APN(s): 161-08-810-082 & -083

Dear Nancy:

On behalf of our client, Leading Edge Ventures, LLC, please accept this letter and the attached exhibit as an application to vacate 5FT ROW on Happy Valley.

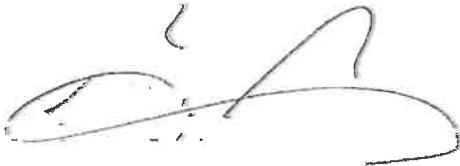
As directed by Planning and Public Works, we request that portions of the existing unbuilt 60 foot-wide ROW parcel be reduced by 5FT feet as it no longer serves a public need or necessity for the local road. The remaining portion of this parcel combined with the abutting parcel to the east, APN# 161-08-810-082 & -083, will satisfy the necessary required landscaping straddling a sidewalk to accompany the curb, gutter, landscape and sidewalk on the southside of Happy Valley.

Exhibit "A" attached provides the necessary legal description and Exhibit "B" provides the accompanying depiction for the requested Vacation of ROW.

The Vacation of the ROW will allow for the sidewalk abutting the detached sidewalk as required by the County to bring the property into full compliance with the statutes, codes and regulations.

Based on the provisions stated above, we request the approval of the vacation and abandonment of the ROW. If you have any questions regarding this request, please feel free to reach out to me at (702) 435-9909.

Sincerely,



George Garcia,
Founder



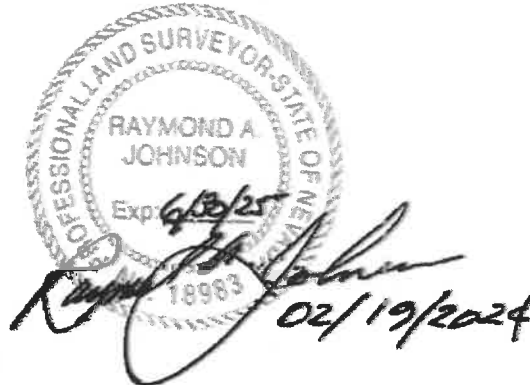
2727 SOUTH RAINBOW BOULEVARD * LAS VEGAS, NEVADA 89146-5148
PHONE 702-873-7550 * FAX 702-362-2597

EXHIBIT "A"
VS-

W.O. 8322
February 19, 2024
PAGE 1 OF 2
APN: 161-08-899-001
☒ Public right-of-way

☐ Easements:

☐ Other:



Legally described as follows:

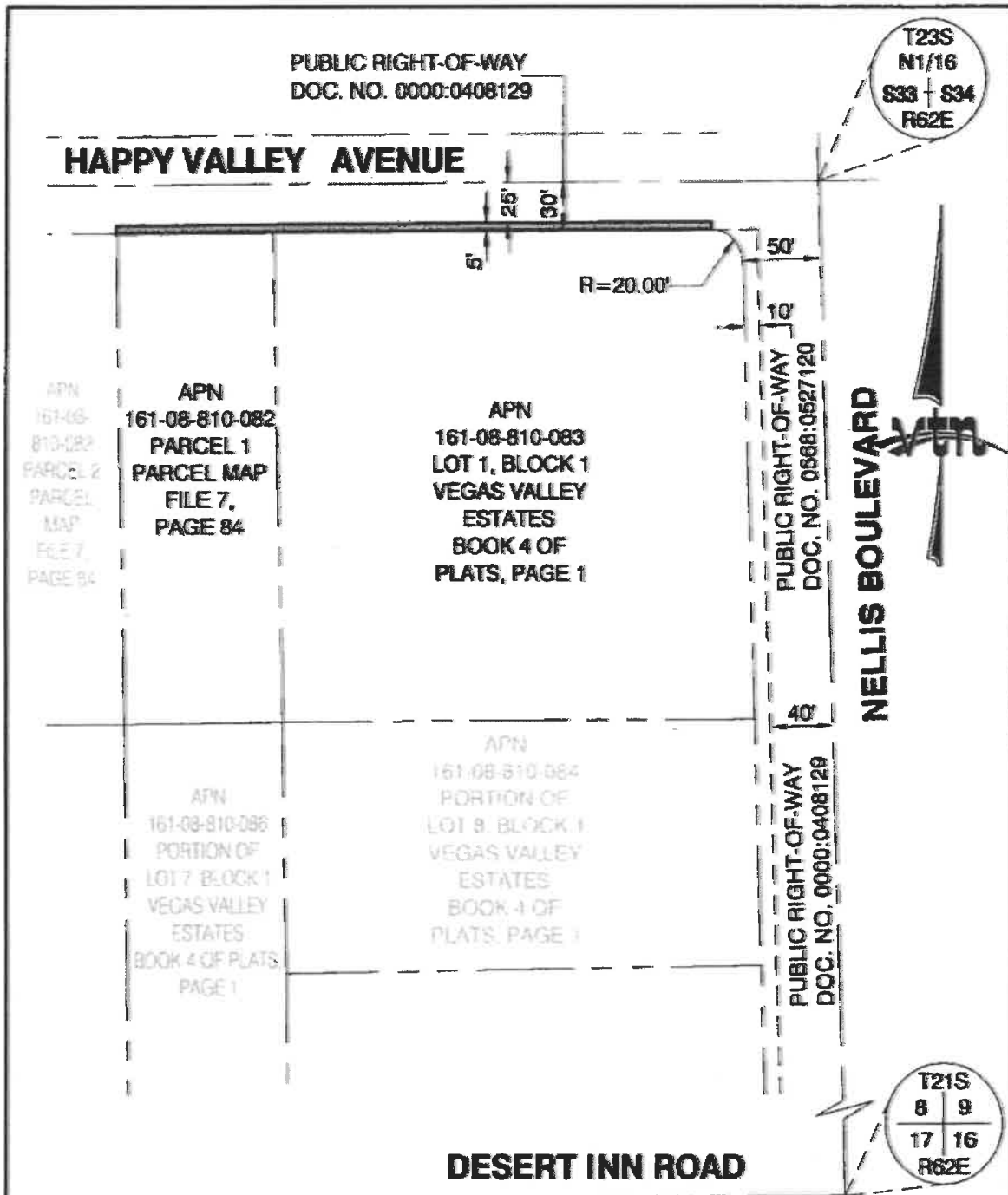
PUBLIC RIGHT-OF-WAY DOCUMENT NUMBER 0000:0408129

BEING THE SOUTHERLY 5.00 FEET OF THAT PUBLIC RIGHT-OF-WAY KNOWN AS HAPPY VALLEY AVENUE DEDICATED BY THAT CERTAIN DOCUMENT ON FILE IN THE OFFICE OF THE COUNTY RECORDER, CLARK COUNTY, NEVADA IN DOCUMENT NUMBER 0000:0408129 FRONTING LOT 1, BLOCK 1 OF THAT CERTAIN FINAL MAP KNOWN AS "VEGAS VALLEY ESTATES" ON FILE IN THE OFFICE OF SAID COUNTY RECORDER IN BOOK 4 OF PLATS, AT PAGE 1 FROM THE PROLONGATION OF THE WESTERLY BOUNDARY OF SAID LOT 1 TO THE POINT OF CURVATURE OF A 20.00 FOOT SPANDREL AREA CONCAVE SOUTHWESTERLY IN THE NORTHEAST CORNER OF SAID LOT 1 AND FRONTING PARCEL 1 OF THAT CERTAIN PARCEL MAP ON FILE IN THE OFFICE OF SAID COUNTY RECORDER, IN FILE 7, PAGE 84 ALL LOCATED WITHIN THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 08, TOWNSHIP 21 SOUTH, RANGE 62 EAST, CLARK COUNTY, NEVADA.

EXCEPTING ANY PORTION RIGHT-OF-WAY HEREBY BEING VACATED, FRONTING THAT DEDICATED RIGHT-OF-WAY DOCUMENT NUMBER 0568:0527120 THEREOF.

SEE EXHIBIT "B" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

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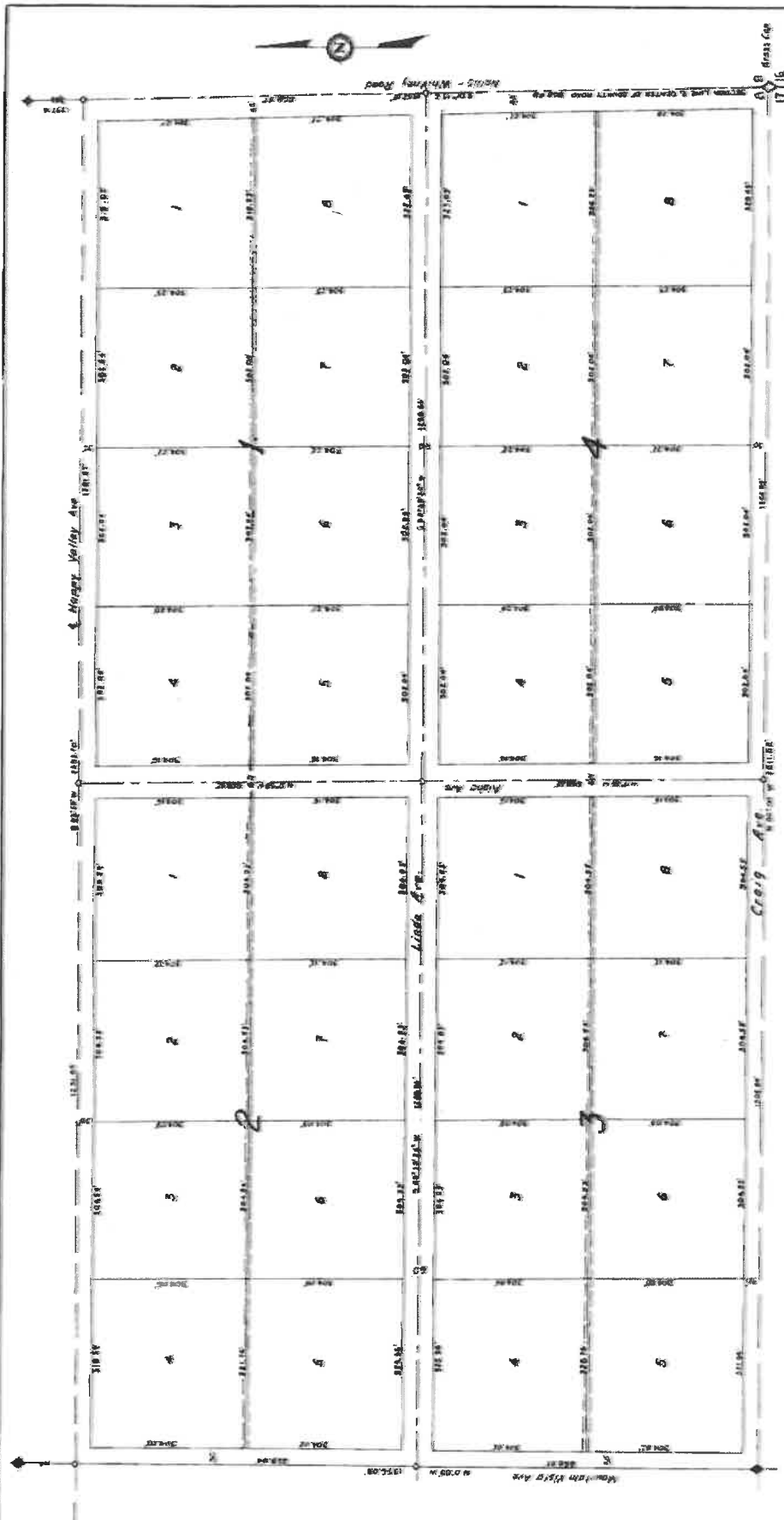
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**EXHIBIT "B" TO ACCOMPANY
LEGAL DESCRIPTION**

**RIGHT-OF-WAY
VACATION**

SCALE	HORZ. 1" = 100'
	VERT.
W.O. NO.	8322
DRAWN BY:	TJ
DATE:	02/2024
SHEET	2 OF 2



VEGAS VALLEY ESTATES

5046-1-79

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W. JONICO
1414 N. Vermont St.
EDWARD G. MOFFE
JAN 11 1953 9:50 AM

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only 2000-3000 people

Don't forget to get the 1984 500 mg
pills. They're the best.

—L.F. 38.49—

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OFFICE OF THE ATTORNEY GENERAL
JANUARY 10 1968

THE STATE OF NEW YORK
DEPARTMENT OF TAXATION AND FINANCE
ALBANY, N.Y.

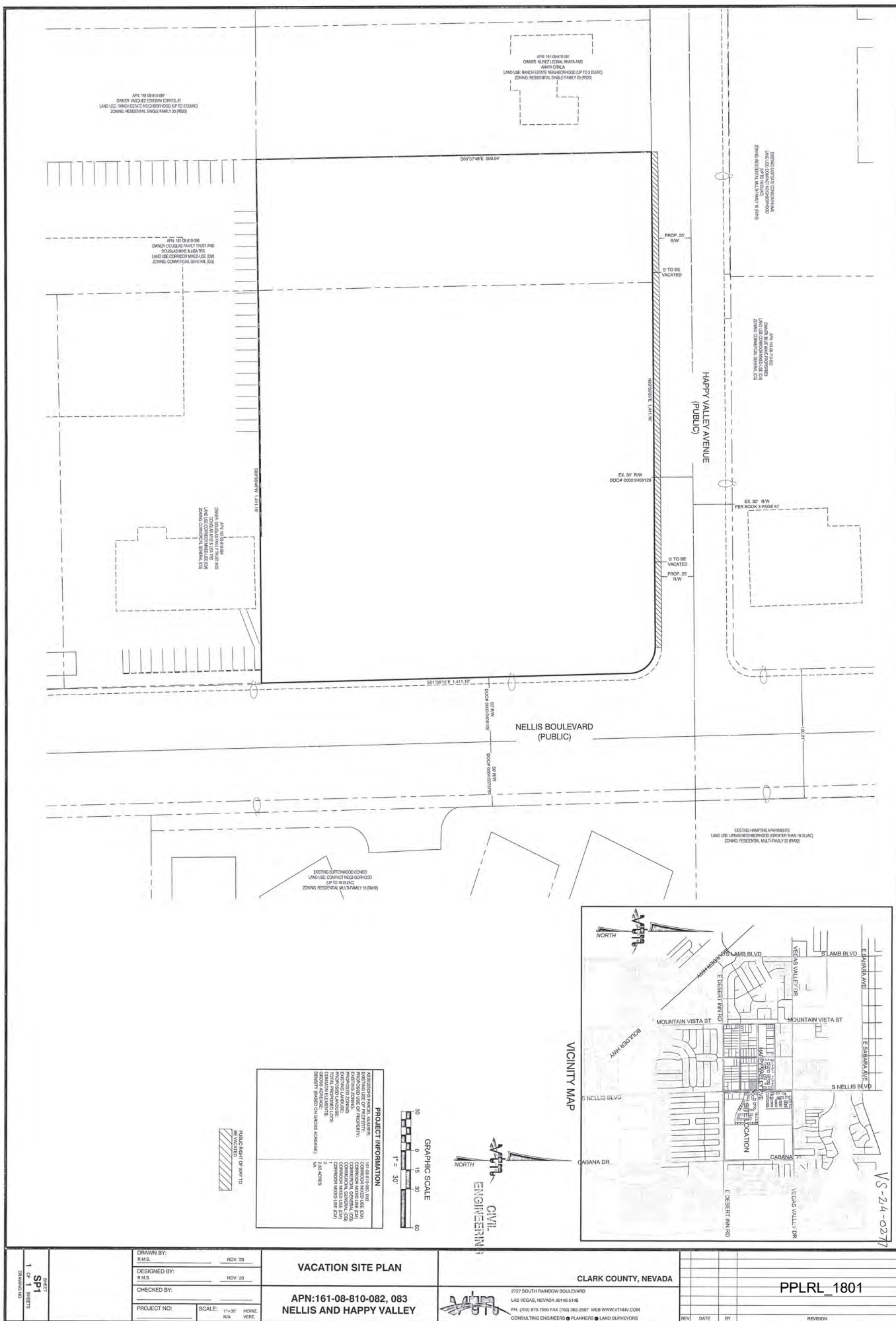
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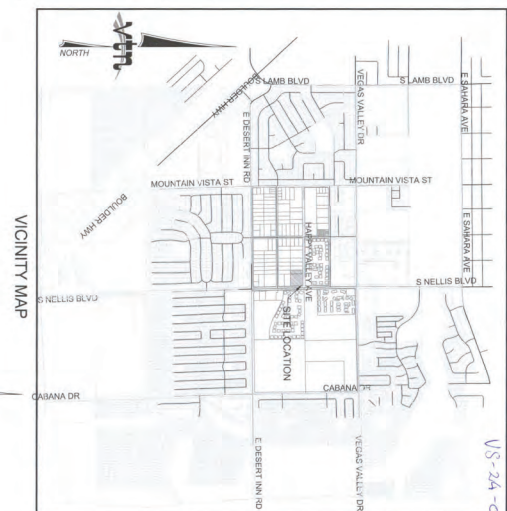
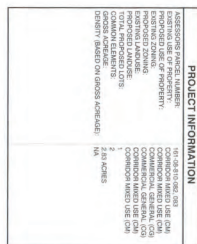
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Continued from page 6

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US-24-0277

[illegible]

**CLARK COUNTY
TOWN ADVISORY BOARD/CITIZEN ADVISORY COUNCIL
RECOMMENDATION**

Application Number: **VS-24-0277**

PC/BCC Meeting Date: **09-04-2024**

Commission District: **E**

TAB/CAC: **SUNRISE MANOR**

TAB/CAC Meeting Date: **08-15-2024**

Project Type: Nonresidential Development/Use (with construction or site modifications)

Property Owner: **PALM PROPERTIES L L C**

- ☐ Text Amendment
- ☐ Rezone
- ☐ Planned Unit Development
- ☐ Use Permit
- ☐ Variance
- ☐ Waiver of Development Standards
- ☐ Waiver of Title

- ☐ Design Review
- ☐ Sign Design Review
- ☐ Street Name Change
- ☐ Street Numbering Change
- ☐ Annexation Request
- ☒ Vacation and Abandonment
- ☐ Tentative Map
- ☐ Application Review

- ☐ Clarification of Conditions
- ☐ Extension of Time
- ☐ Revocation
- ☐ Waiver of Conditions
- ☐ Ordinance
- ☐ Agenda Item
- ☐ Other _____

Motion By: Earl Barbeau Vote: 4-0 Approval: Denial No Comment

Hold (including To Date and Reason) _____

of Neighbors Present 2 # of Neighbors For _____ # of Neighbors Against 2 # of Neighbors Undecided _____

Brief synopsis of COMMENTS, DISCUSSION, REASONING: _____

don't like idea of truck parking - eye sore
inadequate fencing, safety
chemicals (truck fumes)

Semi trucks should be in an industrial area

Conditions of Approval: _____

Name of Applicant/Representative George Garcia

Applicant agreed to conditions _____ Yes _____ No

Neighborhood meeting held? _____ Yes _____ No

M. Leiva
Signature

8/15/24
Date

Secretary
Title (Secretary of Chair)

Email to Comprehensive Planning: CPAgendas@ClarkCountyNV.gov & Email to Applicable Commission District: DistrictE@ClarkCountyNV.gov



February 19, 2024

VS-24-0277

Nancy Amundsen, Director
Clark County Current Planning
500 S. Grand Central Pkwy
Las Vegas, NV 89155

RE: Request: Partial Vacation of Happy Valley ROW
APN(s): 161-08-810-082 & -083

Dear Nancy:

On behalf of our client, Leading Edge Ventures, LLC, please accept this letter and the attached exhibit as an application to vacate 5FT ROW on Happy Valley.

As directed by Planning and Public Works, we request that portions of the existing unbuilt 60 foot-wide ROW parcel be reduced by 5FT feet as it no longer serves a public need or necessity for the local road. The remaining portion of this parcel combined with the abutting parcel to the east, APN# 161-08-810-082 & -083, will satisfy the necessary required landscaping straddling a sidewalk to accompany the curb, gutter, landscape and sidewalk on the southside of Happy Valley.

Exhibit "A" attached provides the necessary legal description and Exhibit "B" provides the accompanying depiction for the requested Vacation of ROW.

The Vacation of the ROW will allow for the sidewalk abutting the detached sidewalk as required by the County to bring the property into full compliance with the statutes, codes and regulations.

Based on the provisions stated above, we request the approval of the vacation and abandonment of the ROW. If you have any questions regarding this request, please feel free to reach out to me at (702) 435-9909.

Sincerely,

George Garcia,
Founder



A Planning & Development Services Corporation

PPLRL_1806

1055 Whitney Ranch Dr., Suite 210, Henderson, NV 89014
Telephone: (702) 435-9909 Facsimile: (702) 435-0457 E-Mail: ggc@cgarcia.com

VJL



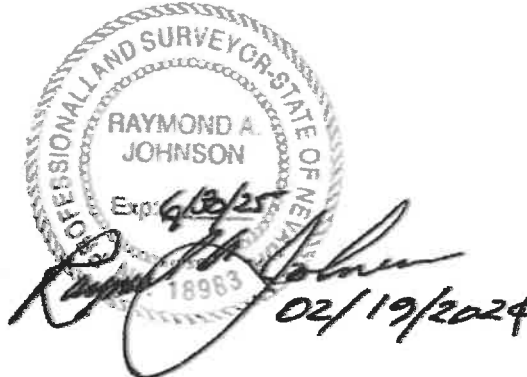
2727 SOUTH RAINBOW BOULEVARD * LAS VEGAS, NEVADA 89146-5148
PHONE 702-873-7550 * FAX 702-362-2597

EXHIBIT "A"
VS-

W.O. 8322
February 19, 2024
PAGE 1 OF 2
APN: 161-08-899-001
X Public right-of-way

___ Easements:

___ Other:



Legally described as follows:

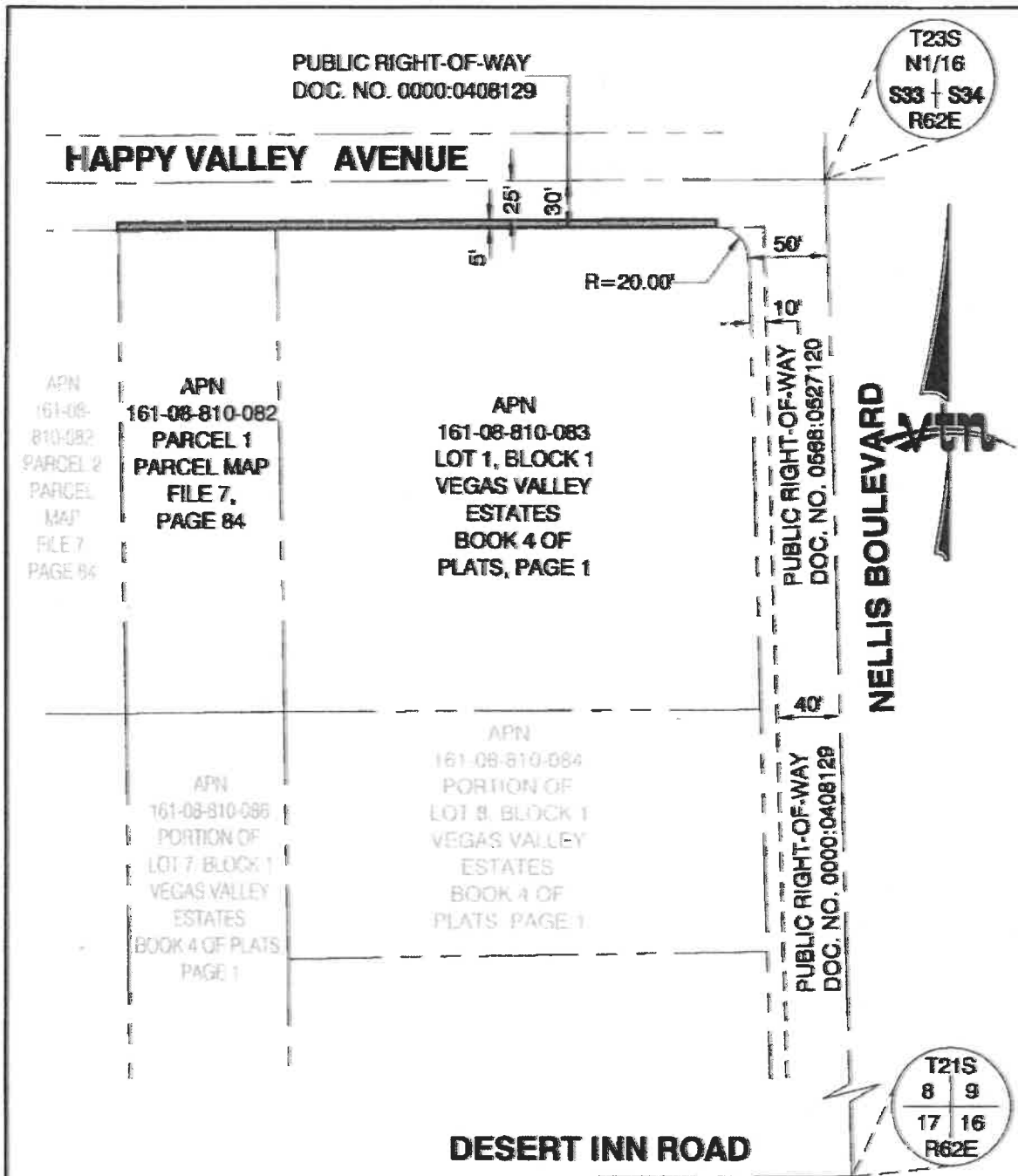
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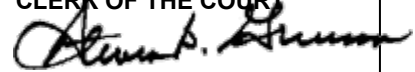
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 2727 SOUTH RAINBOW BOULEVARD LAS VEGAS, NV 89146-5148	EXHIBIT "B" TO ACCOMPANY LEGAL DESCRIPTION	SCALE	HORZ. 1"= 100'
			VERT.
	RIGHT-OF-WAY VACATION	W.O. NO.	8322
		DRAWN BY:	TJ
		DATE:	02/2024
	SHEET	2 OF 2	



ROP

STEVEN B. WOLFSON

District Attorney

CIVIL DIVISION

State Bar No. 001565

By: ROBERT T. WARHOLA

Chief Deputy District Attorney

State Bar No. 4410

500 South Grand Central Pkwy., Suite 5075

Las Vegas, Nevada 89155-2215

(702) 455-4761

Fax (702) 382-5178

E-Mail: Robert.Warhola@ClarkCountyDANV.gov

Attorneys for Respondent

Clark County

DISTRICT COURT

CLARK COUNTY, NEVADA

PALM PROPERTIES, LLC, a Nevada limited
liability company; LEADING EDGE
VENTURES, LLC, a Nevada limited liability
company; ROBERT LAUER, an individually.)

Case No: A-24-907944-J
Dept No: 18

Petitioners,

vs.

COUNTY OF CLARK, a political
subdivision of the State of Nevada, et al.,

Respondent.

RECORD OF THE PROCEEDINGS, VOLUME IV

Respondent hereby files with the Court the Record of the Proceedings pursuant to Eighth Judicial District Court Rule 2.15 consisting of documents from the Clark County Clerk, Commission Division, and the Clark County Current Planning Division numbered ROP 000569 through ROP 000711.

DATED this 24th day of March, 2025.

STEVEN B. WOLFSON
DISTRICT ATTORNEY

By: /s/ Robert T. Warhola

ROBERT T. WARHOLA

Chief Deputy District Attorney

State Bar No. 4410

500 South Grand Central Pkwy., Suite 5075

Las Vegas, Nevada 89155-2215

Attorney for Respondent

CERTIFICATE OF ELECTRONIC SERVICE

I hereby certify that I am an employee of the Office of the Clark County District Attorney and that on this this 24th day of March, 2025 I served a true and correct copy of the foregoing **RECORD OF THE PROCEEDINGS, VOLUME IV** (United States District Court Pacer System or the Eighth Judicial District Court Wiznet), by e-mailing the same to the following recipients. Service of the foregoing document by e-mail is in place of service via the United States Postal Service.

Amy L. Sugden, Esq.
SUGDEN LAW
375 E. Warm Springs, Ste. 104
Las Vegas, Nevada 89119
Attorney for Petitioners
amy@sugdenlaw.com

/s/Patricia C. Villa

An Employee of the Clark County District
Attorney's Office – Civil Division

COVER SHEET FOR MINUTES

MEETING CODE: Board of County Commissioners Zoning Meeting

MEETING DATE: September 04, 2024

SECRETARY: Susan Wohlbrandt

TYPED/PROOFED/COMPLETED: September 24, 2024

DISTRIBUTED:

SECRETARY: Susan Wohlbrandt

DATE: September 24, 2024

APPROVED BY BOARD:

DATE:

October 2, 2024



togetherforbetter

Board of County Commissioners
Clark County, Nevada

Tick Segerblom, Chair
William McCurdy II, Vice Chair
Jim Gibson
Justin Jones
Marilyn K. Kirkpatrick
Ross Miller
Michael Naft

The Board of County Commissioners of Clark County, Nevada met in recessed regular session in full conformity with law and bylaws of said Board at the regular place of meeting in Clark County, Nevada, on Wednesday, September 4, 2024:

CLARK COUNTY GOVERNMENT CENTER
COMMISSION CHAMBERS
500 S GRAND CENTRAL PKWY
LAS VEGAS, NEVADA 89106

This document is an uncertified copy of the approved meeting minutes prepared by the Clark County Clerk, Lynn Marie Goya, for the above referenced meeting.

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SEC. 1. OPENING CEREMONIES

CALL TO ORDER

The meeting was called to order at 9:03 a.m. by Chair Segerblom with the following members present:

Commissioners Present:

Tick Segerblom, Chair
Jim Gibson
Justin Jones
Marilyn K. Kirkpatrick
Ross Miller
Michael Naft

Absent:

William McCurdy II, Vice Chair

Also Present:

Robert Warhola, Deputy District Attorney
Sami Real, Director, Comprehensive Planning
Antonio Papazian, Manager, Development Review
JaWaan Dodson, Assistant Manager, Development Review
Lynn Marie Goya, County Clerk
Michelle Hinkson, Deputy Clerk
Susan Wohlbrandt, Deputy Clerk
Robin Delaney, Deputy Clerk

SEC. 2. PUBLIC FORUM

1. Public Comment

TICK SEGERBLOM

Good morning. Welcome to the County Commission's Zoning hearing. First item – well, first item Ms. Real.

SAMI REAL

Commissioners, good morning. The first item on the agenda is public comment.

TICK SEGERBLOM

This is the first period for public comment. Anyone wishing to speak about an item on the agenda may come forward. Just so you know, we are going to take a couple items off of the Consent Agenda and so that if you want to speak when that item is heard, you're welcome to. Sami, which item was that?

SAMI REAL

So, there's been a request to pull Items 7 and 11 to be heard separately, and then I also saw that we have a card for somebody who wants to speak on Items 9 and 10 and I'm about to read in a request to hold Items 9 and 10 with the next agenda.

TICK SEGERBLOM

Yeah, so 9 and 10 will be – continue for 30 days. The Sphere item, it will be heard separately, not on the Consent Agenda if anyone want here to speak on that item. And what was the other item?

SAMI REAL

Item 7 will be pulled to be heard separately, as well.

TICK SEGERBLOM

Okay, and which item is that? Is that The Sphere?

SAMI REAL

Item 11 is The Sphere, yes.

TICK SEGERBLOM

Okay, that's Commissioner Naft. Okay. All right. With that said, anyone wishing to speak on public comment on an item on the agenda, please feel free to come forward now. You can speak for three minutes.

BRETT LARSON

My name is Brett Larson, my address is 3505 East Harmon Avenue, Suite B. I'm speaking on Agenda Item 21. I represent the Oasis Apartments that is adjoining this property. We don't oppose this. I just want to make it clear on the record that we've been told that the Airport will not be renewing the existing lease beyond September 30, when it expires, and with the expiration of lease there will be no further application for a use permit. I just wanted to put that on the record.

TICK SEGERBLOM

Thank you. Good morning.

NICK SCHNEIDER

Good morning, Chair Segerblom and Members of the Commission. For the record, my name is Nick Schneider representing the Vegas Chamber located at 575 Symphony Park Ave. Suite 100 89106 here today to speak on Item Number 11.

The Vegas Chamber is one of the largest and broadest business-based organizations in the state and we've long been advocates for economic development. This Strip representing one of the largest economic engines in the state. We believe it's absolutely essential to continue to keep the strip as fresh and current and The Sphere is a great example of how we do that. The Exosphere in particular, has generated millions of social media views, since it's opening, and we're here in support of the waiver for sound and we believe that the agreement that was reached with the 85-decibel sound limit between the local residents is a great example of how The Sphere is mindful of the community around them. Thank you.

TICK SEGERBLOM

Are you speaking for The Grateful Dead too? Anyone else wishing to speak on public comment to begin the items? See no one else will close the first period of public comment.

SEC. 3. AGENDA

2. Approval of the Agenda After Considering Requests to Add, Hold, or Delete Items. (For possible action)

SAMI REAL

The second item is the approval of the agenda. After considering any additions or deletions of items, staff has the following requests, which may require re-notification fees in accordance with Title 30.

- Hold to the September 18, 2024, Zoning Meeting; Item 33, UC-24-0268.
- Hold to the October 2, 2024, Zoning Meeting; Item 9, VS-24-0277 and Item 10, WS-24-0276.
- Hold to the November 6, 2024, Zoning Meeting; Item 35, WC-24-400060 for (NZC 22-0028),
- and then hold no date Item 46 ZC-24-0357, and Item 47 WS-024-0358.

The above public hearing items are going to be opened as a public hearing and immediately recessed until the dates as previously stated. With these deletions, which are Items 9, 10, 33, 35, 46 and 47, the agenda stands ready for your approval.

MOTION

MICHAEL NAFT

Mr. Chairman, I move for approval of the agenda with the requests to add or hold or delete the items as noted by Ms. Real.

TICK SEGERBLOM

There's a motion, cast your vote. Oh, and Commissioner McCurdy is absent but excused.

VOTE

VOTING AYE:	Tick Segerblom, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft
VOTING NAY:	None
ABSENT:	William McCurdy II
ABSTAIN:	None

TICK SEGERBLOM

That motion passes.

3. Approval of minutes. (For possible action)

SAMI REAL

The third item on the agenda is the approval of the minutes. The minutes of the August 7, 2024, Zoning Meeting are ready for approval.

MOTION

MICHAEL NAFT

Mr. Chairman, I move the approval of the minutes.

TICK SEGERBLOM

There's a motion, cast your vote.

VOTE

VOTING AYE: Tick Segerblom, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None

ABSENT: William McCurdy II

ABSTAIN: None

TICK SEGERBLOM

That motion passes.

SEC. 4. ROUTINE ACTION ITEMS 4 THROUGH 31

SAMI REAL

Next are the Routine Action Items which consist of Items 4 through 31 except items previously deleted and Item 7 and 11, which will be heard separately. These items may be considered together in one motion and are subject to the conditions listed with each agenda item. If there are no objections, the public hearing is now open, and the routine action portion of the agenda stands ready for approval.

MOTION

MICHAEL NAFT

Mr. Chairman, I move approval of the Routine Action Items, reflecting Item 7 and 11 will be heard separately.

TICK SEGERBLOM

There's a motion on Routine Action Items, cast your vote.

VOTE

VOTING AYE: Tick Segerblom, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None

ABSENT: William McCurdy II

ABSTAIN: None

TICK SEGERBLOM

That motion passes.

4. AR-24-400079 (UC-22-0190)-CIRCUS CIRCUS LV, LLC:

USE PERMITS SECOND APPLICATION FOR REVIEW for the following: 1) recreational facility (concerts/events); 2) live entertainment; 3) fairground; and 4) on-premises consumption of alcohol with accessory uses including food, beverage, and retail sales.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce separation from live entertainment to a residential use; 2) reduce parking; 3) reduce setback from the future right-of-way (Las Vegas Boulevard South); 4) allow alternative street landscaping and screening; 5) allow landscaping and structures within the future right-of-way (Las Vegas Boulevard South); and 6) allow non-standard improvements (landscaping and fences) within the right-of-way (Las Vegas Boulevard South).

DESIGN REVIEW for a recreational facility (concert/event/fairground/live entertainment) and all accessory buildings and structures on a portion of 77.4 acres in a CR (Commercial Resort) Zone. Generally located on the south side of Sahara Avenue, west side of Las Vegas Boulevard South, north side of Circus Circus Drive, and the east side of Sammy Davis Jr. Drive within Winchester. TS/tpd/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Remove the time limit.

Public Works - Development Review

- Compliance with previous conditions.

5. ET-24-400057 (NZC-21-0747)-RED ROCK RV PARK, LLC:

HOLDOVER ZONE CHANGE FIRST EXTENSION OF TIME to reclassify a 21.4 acre portion of a 23.6 acre site from an R-U (Rural Open Land) Zone and an H-2 (General Highway Frontage) Zone to an R-V-P (Recreational Vehicle Park) Zone.

USE PERMITS for the following: 1) management offices for a recreational vehicle park not within a centrally located service building; 2) convenience store; 3) gasoline station; 4) reduce the setback from a gasoline station to a residential use; 5) restaurant; 6) retail sales and services; 7) alcohol sales, beer and wine – packaged only; and 8) alcohol sales, liquor – packaged only.

WAIVER OF DEVELOPMENT STANDARDS for alternative landscaping.

DESIGN REVIEWS for the following: 1) recreational vehicle park; 2) convenience store; 3) gasoline station; 4) restaurant; and 5) retail sales and service on 23.6 acres in an R-V-P (Recreational Vehicle Park) Zone and an H-2 (General Highway Frontage) Zone in the Red Rock Overlay. Generally located on the north side of SR 160 and the west and south sides of SR 159 within Red Rock (description on file). JJ/jor/ng (For possible action)

ACTION: APPROVED WITH CONDITIONS

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Until March 16, 2027 to complete or the application will expire unless extended with approval of an extension of time.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a new application for a Master Plan Amendment may be required in the event

the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and that the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Compliance with previous conditions. Southern Nevada Health District (SNHD) - Engineering
- Applicant is advised to contact the SNHD Environmental Health Division at septics@snhd.org or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

6. ET-24-400083 (DR-21-0400)-ALL TRUCK PARTS, LLC:

DESIGN REVIEWS FIRST EXTENSION OF TIME for the following: 1) retail/office and industrial buildings; 2) finished grade; and 3) lighting plan on 0.89 acres in an IP (Industrial Park) Zone within the Airport Environs (AE-65) Overlay. Generally located on the south side of Holt Avenue, 500 feet west of Nellis Boulevard within Sunrise Manor. TS/nai/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Until September 21, 2025 to commence or the application will expire unless extended with approval of an extension of time.
- Applicant is advised a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Compliance with previous conditions.

7. UC-24-0359-DAVENPORT, NATHAN L.:

USE PERMIT for a transitional living facility for released offenders in conjunction with an existing single family residence on 0.5 acres in an RS20 (Residential Single-Family 20) Zone. Generally located on the south side of Robindale Road, 300 feet east of Ullom Drive within Enterprise. MN/mh/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- 24/7 on-site host manager;
- Full camera coverage of property, meaning front yard, side yards, and rear yard;
- 24/7 point of contact to be provided to the Commissioner's office with a copy to the Comprehensive Planning project file;
- No visitors;

- Maximum 6 residents;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Southern Nevada Health District (SNHD) - Engineering

- Applicant is advised to contact the SNHD Environmental Health Division at septics@snhd.org or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

SAMI REAL

Next on the agenda is Item 7, UC-24-0359; use permit for a transitional living facility for released offenders in conjunction with an existing single-family residence on 0.5 acres and an RS20 (Residential Single-Family 20) Zone. Generally located on the south side of Robindale Road, 300 feet east of Ullom Drive within Enterprise.

FUNG JEFFERSON

First time hearing. This one?

TICK SEGERBLOM

Yes.

FUNG JEFFERSON

Thank you. Good morning, Commissioners. My name is Fung Jefferson. I am here as a representative for the Firebird, LLC, who is submitting this application, and I have a picture.

TICK SEGERBLOM

If you'd like to have something, put it in the middle there.

FUNG JEFFERSON

It's right here? Thank you.

TICK SEGERBLOM

Let's make sure it's –

FUNG JEFFERSON

Okay.

TICK SEGERBLOM

Yeah. Can you flip it around?

FUNG JEFFERSON

This? Like this?

TICK SEGERBLOM

No, keep going.

FUNG JEFFERSON

That better?

TICK SEGERBLOM

Keep going.

FUNG JEFFERSON

Okay. Thank you, Commissioners. So, this petition is requested to allow Firebird, LLC, to utilize this residential property which is right here. This is Robindale Road. This is Decatur Boulevard, and this is Arville. We were asking to allow us to use as a transitional living home. The home under the permit indicates it's for released offenders. I wanted to clarify that the offenders are actually juveniles who are under the juvenile courts. So, they are 18 to 21, but the juvenile courts have jurisdiction over them and so they are placed in transitional living because they have no other option to return home once they have been released from any juvenile facility. We have submitted our applications, and I'll submit for questions.

TICK SEGERBLOM

Okay, this is a public hearing. Anyone here wishing to speak on this item, please come forward.

FUNG JEFFERSON

Do I sit down?

TICK SEGERBLOM

Yeah, just step to the side or sit down.

BRANDY

Do I speaking to here? Can you hear me?

TICK SEGERBLOM

Yes.

BRANDY

Yes. Hello, my name is Brandy. I'm in a residence. My property is right across the street from this house. My questions and my concerns is who is observing these men living in this house? I've heard that they're able to stay in the backyard. The backyard, I can see them from chest up. They can view my property from half of the home, from the windows, from the whole backyard. They can observe my living patterns. They can see that my husband works graveyards and leaves every night at 10:40. They can see that I have a 14-year-old daughter that leaves for the bus at 6:10 in the morning. Sorry, I'm very nervous and this is very important to me. Again, with curious of who's observing the behavior of these young men in this house.

Last Thursday at 8:11 p.m. in my office, I hear noise, I hear music, I come out and from my front door I can see them with lights and music in the backyard. They proceeded to shoot fireworks over a wall of trees into my neighbor's yard. I just want to know, what are these young men convicted of? There's an elementary school less than a mile away. I don't know what my rights are or how to know who's there and who's observing them at what times. I'm just very concerned.

TICK SEGERBLOM

All right, thank you so much. Hopefully we'll be able to answer your questions. Anyone else here wishing to speak on this item? See no one will close the public hearing, then. Ms. Jefferson if you want to come back up, I'll turn over to Commissioner Naft.

MICHAEL NAFT

Thank you, Mr. Chairman. Ms. Jefferson, if you could just directly answer some of the questions that were raised in public comment and then I'll add in myself.

FUNG JEFFERSON

Okay. There is 24/7 staff, so their staff is there. There's three shifts. So, they work eight-hour shifts. So, there's an adult – when I say adult, there's an older adult who's over 30, generally, who's at the house. We can't lock them down. It's not a lock down facility. With regards to the incident, we do have cameras all around the house and inside the house. It is our intent if this is passed, and we have been permissioned to proceed forward to add at least one more camera to assist.

MICHAEL NAFT

Were you aware of that incident?

FUNG JEFFERSON

No. We do look at the cameras and if it was fire – I don't, no, just no –

MICHAEL NAFT

Yeah. Okay. A couple of things that I just want to respond to, and ma'am, thank you very much for being here and for being part of this process. I do want to make clear, you've already said it, but I'll reiterate it. These are juveniles that are in the juvenile system. They've been released from our custody, but they truly have nowhere else to go. The reason this is an option is because there is 24/7 on-site management. So, that would be a condition of your approval. I know you already do that, but that would carry with this application.

FUNG JEFFERSON

Yes.

MICHAEL NAFT

You understand that?

FUNG JEFFERSON

Yes.

MICHAEL NAFT

A couple other things, in response to the question that was raised in public comment, it's the – well, maybe I should let you add this. Who is the oversight? If you want to put that into the record of your operation but also of those in your custody.

FUNG JEFFERSON

Okay. Nevada Youth Parole and the judge. So, any incidents that occur, we have to report to Nevada Youth Parole because they're the law enforcement agency.

MICHAEL NAFT

Okay. These are all nonviolent offenders?

FUNG JEFFERSON

As far as we know, yes. To clarify, if they're in the juvenile system, there is a certain category under Nevada statute that keeps them in the juvenile system for a purpose. So, if they, for any reason, pick up any adult criminal charges, they are removed from our custody, or our placement because they no longer qualify because they're now outside of the juvenile system.

MICHAEL NAFT

Okay. So, in addition to the 24/7 on-site hostmanager, I just want to add a couple additional conditions. A condition of the application would be that there's full camera coverage of the property. So, your property front and back and side. So, you might need to add more than the one camera to the front.

FUNG JEFFERSON

Actually, there's already – yeah, we'll comply, but we do have that the camera's already in place.

MICHAEL NAFT

Okay. But just to make the record clear, I'm asking for full coverage of the property within your property line?

FUNG JEFFERSON

Correct.

MICHAEL NAFT

Okay. Then we're going to need a 24/7 point of contact. So, if anyone in the neighborhood wants to call, if I want to call to report something, I need a 24/7 individual who's going to be responsible. That can be the on-site host manager. It can be you. It can be someone else who has the ability to gain access to the property, but there needs to be a number that's made available, as a condition of the application.

FUNG JEFFERSON

We will have that, yes.

MICHAEL NAFT

Then also just to clarify, from my understanding, there are no visitors permitted?

FUNG JEFFERSON

Correct.

MICHAEL NAFT

There shouldn't be people coming and going other than the individuals who are residing on property and the host manager.

FUNG JEFFERSON

Visitors, correct. We do have people who come pick people up. Sometimes, the authorized people allowed to come pick them up, they're supposed to come to door, or they leave immediately. They do not hang out at the house.

MICHAEL NAFT

Okay, and then the last condition, the application calls for 10 individuals on property?

FUNG JEFFERSON

Yes.

MICHAEL NAFT

I've reviewed the site. I know the Town Board is asked for five, I'm going to allow six. You've got three bedrooms; I would allow two per bedroom. That seems reasonable to me. So, if there is nothing else, Sami, do I need to repeat any of that or is it clear in the record?

SAMI REAL

It's clear in the record. I have;

- 24/7 on-site host manager, full camera coverage and property that includes front back and sides. I have;
- 24/7 point of contact to be provided to the Commissioner's Office and then I'll add;
- with a copy to Comprehensive Planning, no visitors and then maximum of six residents.

MICHAEL NAFT

Thank you. Then ma'am who spoke, if you just wait, I'd like to come over and make sure you have my phone number as well, so that you can get me and talk to me about any concerns you have on site.

JIM GIBSON

Commissioner, could I just ask one question? So, you've heard those conditions, do you agree with those conditions?

FUNG JEFFERSON

The only condition I have concerns about is the six –

JIM GIBSON

He's not going to agree more. So, do you agree with six then?

FUNG JEFFERSON

No, I agree with it, but you asked me if I had any concerns and so I agree, but –

JIM GIBSON

Okay, I asked the question wrong.

FUNG JEFFERSON

Okay.

JIM GIBSON

Then the federal law is what preempts us so the neighbor can understand, it's a group home, essentially. I'm not sure the effect that this may have on it. So, it may not be one of those that is protected by federal law. Rob, what is the answer to that?

ROBERT WARHOLA

No, this is not a community residence or group home. So, it's not, doesn't fall under the federal law protection.

JIM GIBSON

So, what'll be important is for you and your neighbors to understand that there is – the reason I'm sensitive to this is that when I was Mayor in Henderson, we had a couple of these come up and it had never happened before and we ended up on the wrong side of it, and it was difficult for us, but the home worked just fine. What we learned was that you can actually coexist, and it can work. These are kids that

have paid the price and as the Commissioner says, there's a concern for kids that are either aged out or they're out now, but there is nowhere for them to go.

We appreciate your being here. It really means a lot to hear from neighbors because it's something that'll require, a communication and a real understanding of what's going on in the neighborhood, which is difficult. I appreciate the leadership that Commissioner Naft has shown on this item because I think that it shows that we do understand both needs, neighborhood needs for peace and quiet and the experience they want to have in their home, and neighborhood, and for these kids that don't have any other options. So, thank you and I support that.

MICHAEL NAFT

Thank you, Commissioner and exactly for those reasons are why I was able to place conditions on the application. So –

TICK SEGERBLOM

Can I just add, I assume it's intuitive, but the cameras are both monitored well not monitored, but they're taped so we can go back a week or two and see what happened?

FUNG JEFFERSON

We use a commercial from ADT. Or is it ADT or ADP, whichever one – ADT one.

TICK SEGERBLOM

Okay.

FUNG JEFFERSON

So, yes.

MOTION

MICHAEL NAFT

That's in the form of a motion of approval of Item 7.

TICK SEGERBLOM

All right. So, anything happens, you can call in, we can go back and see what happened and if things are not appropriate then obviously, this is conditional. All right, there's a motion, cast your vote.

VOTE

VOTING AYE:	Tick Segerblom, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft
VOTING NAY:	None
ABSENT:	William McCurdy II
ABSTAIN:	None

TICK SEGERBLOM

That motion passes, thank you so much.

FUNG JEFFERSON

Thank you, Commissioners.

8. UC-24-0378-TROCAM HOLDINGS, LLC:

USE PERMIT for a hotel with a mixture of transient and non-transient uses.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase retaining wall height; 2) eliminate loading spaces; and 3) reduce and eliminate parking lot landscaping.

DESIGN REVIEW for a hotel on 3.06 acres in a CR (Commercial Resort) Zone. Generally located on the west side of Cameron Street, 330 feet north of Tropicana Avenue within Paradise. MN/bb/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence, or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0346- 2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

9. VS-24-0277-PALM PROPERTIES, LLC:

VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file). TS/jor/syp (For possible action)

ACTION: HELD TO OCTOBER 2, 2024, PER THE APPLICANT.

10. WS-24-0276-PALM PROPERTIES, LLC:

WAIVER OF DEVELOPMENT STANDARDS to modify residential adjacency standards.

DESIGN REVIEW for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone. Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor. TS/jor/syp (For possible action)

ACTION: HELD TO OCTOBER 2, 2024, PER THE APPLICANT.

11. WS-24-0366-VENETIAN VENUE PROPCO, LLC:

WAIVER OF DEVELOPMENT STANDARDS to exceed the maximum permissible sound levels in conjunction with an existing recreational facility, fairground, and music venue (Sphere Las Vegas) on 18.51 acres in a CR (Commercial Resort) Zone. Generally located on the south side of Sands Avenue and the east side of Koval Lane within Paradise. TS/jor/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- 1 year to review;
- Allowance for greater noise will be limited to no more than 12 days a year;
- Increase in noise level on those dates will be limited to a frequency no greater than 85 decibels, measured at The Sphere's property line;
- Park Towers and Meridian management will be notified no less than 14 days prior to each waiver event;
- Increase in noise shall be permitted to occur only between 9:00 a.m. and 11:30 p.m. on waiver days, except New Year's Eve which will be 1:00 a.m.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Remove boulders in right-of-way on Sands Avenue.

SAMI REAL

The next item is Item 11, WS-24-0366, waiver of development standards to exceed the maximum permissible sound levels in conjunction with an existing recreational facility, fairground, and music venue, The Sphere Las Vegas, on 18.51 acres in a CR (Commercial Resort) Zone, generally located on the south side of Sands Avenue and the east side of Koval Lane within Paradise.

Commissioners, I have some conditions to read in at the request of the applicant and then also an added condition from Public Works. So, if you'll just bear with me for a second.

TICK SEGERBLOM

Sami let's go ahead and let Mr. Brown read those conditions in and then we'll just verify that that's what we have.

SAMI REAL

Okay, sounds good.

TICK SEGERBLOM

Thank you.

DAVID BROWN

Good morning. David Brown, 520 South Fourth Street on behalf of the applicant. Also with me today is Rich Constable, Executive Vice President at Sphere, in case you have any questions. We're happy to be in front of you today with both the staff's recommendation for approval and Town Board's recommendation of approval.

We tried to work with all the neighbors before the Town Board to reach a resolution. We were not able to do so. However, I'm happy to say as we sit here today after the Town Board, we met again with Mr. Garcia who represents Park Towers, which were the neighbors that had objections. We were able to get the approval of the HOA. I do think there might be a neighbor or two that wants to speak against it, but we did reach an agreement and with your permission I'll read those conditions in the record now. These are additional compromises that were made. Some of them were made at the Town Board and some of them after, but that we're all in agreement with;

- One, allowance for greater noise will be limited to no more than 12 days a year.
- Two, the increase in noise level on those dates will be limited to a frequency no greater than 85 decibels measured at Spheres property line.
- Three, Park Towers management will be notified no less than 14 days prior to each waiver event.
- Four, the increase in noise shall be permitted to occur only between 9 a.m. and 11:30 p.m. on waiver days except for New Year's, which will be 1 a.m.

In addition to those four requirements, we also know we'll be back here in one year for a review. Happy to hear from the neighbors and answer any questions if you have them.

TICK SEGERBLOM

All right. Mr. Garcia, can you come forward and indicate who you represent and verify that?

ED GARCIA

Yes, Mr. Chair. Ed Garcia 9555 Hillwood, here on behalf of the Park Towers Homeowners Association. Also with me is Larry May with General Manager of the Park Towers Homeowners Associations. We're in agreement with all of those conditions. Thank you. Happy we're able to get to resolution on this.

TICK SEGERBLOM

Thank you so much and thank you Mr. May.

All right, this is a public hearing. Anyone here wishing to speak on this item, please come forward.

SAGAR RAICH

Good morning, Commissioners.

TICK SEGERBLOM

Wait. Speak into the microphone, please.

SAGAR RAICH

Good morning, Commissioners, Sagar Raich, 2280 Poma Lane on behalf of James K., one of the unit owners at Park Towers.

TICK SEGERBLOM

Okay, can you spell your last name for the record?

SAGAR RAICH

Yes, R-A-I-C-H.

TICK SEGERBLOM

Okay.

SAGAR RAICH

I'm an attorney for Mr. K. As was mentioned to the Board here this morning, not all the property owners were in agreement with the conditions that were placed. Mr. K's main issues are Park Tower faces right spaces of Sphere, head-on. One of the issues has been that there should not have been any sound from the beginning and that's Mr. K's position, that the permits that were needed to obtain for any sound weren't obtained. So, all the conditions and everything we're talking about today should really be reviewed in more detail. The sound has violated my client's constitutional rights, as well as his ability to quietly use his property. There are issues of accountability as well. All the conditions that are placed, the number of days, decibel levels, etc., don't really have any measures for accountability. So, what happens if The Sphere violates those? Are there penalties?

Is there some discussion after? What happens if the conditions today, if the vote goes through are violated? Because of that, there are certain issues that we believe should be pushed out to give the homeowners that are not in agreement a more wholesome opportunity to work something out with The Sphere. We understand The Sphere is commercially very important to the area, but we do want to make sure that all the homeowners rights are protected. The other issue, there's some minor issues. For example, The Sphere's speakers are facing outward instead of inward and a few other things. Hopefully, we would like to request that the Board either vote no, or if not no, at least give the homeowners 60 to 90 days to work out these details with The Sphere. We understand that the HOA has reached an agreement or at least agrees to the conditions, but as this Board knows, the HOA doesn't represent each unit owner individually. So, with that, I'd like to see if you have any questions for me.

TICK SEGERBLOM

There doesn't appear to be any questions. Thank you so much.

SAGAR RAICH:

Thank you.

TICK SEGERBLOM

Next speaker.

CRYSTAL JUAREZ

My name is Crystal Juarez, work at Tacos and Beers, near The Sphere on Paradise.

TICK SEGERBLOM

Please speak up. Your voice is very soft.

CRYSTAL JUAREZ

Okay. My name is Crystal Juarez. I work at Tacos and Beers on Paradise, near The Sphere. I just want to say that I think The Sphere is a great addition to the Vegas experience, to tourists, locals, to kids growing up here. As you know, there's a lot of Vegas attractions that we have fond memories of, growing up. So, I think that adding an audio aspect to The Sphere is a great immersive experience. I've been by it recently, actually, and I've heard it, and it doesn't sound too loud. It sounds pretty decent when you're next to it. I even hear customers say all the time that they love The Sphere nearby, they ask questions about it. A lot of people even say that they come to Vegas just for The Sphere. I just want to say that it's a pretty amazing experience.

TICK SEGERBLOM

Great, thank you.

ROBERT COLLAZO

Hi. My name is Robert Collazo. I'm born and raised out here in Las Vegas, Nevada.

TICK SEGERBLOM

Can you spell your last name, please?

ROBERT COLLAZO

C-O-L-L-A-Z-O.

TICK SEGERBLOM

Great. Thank you.

ROBERT COLLAZO

I just want to say that I enjoy The Sphere, as well. My family does. My kids love to ask, "Oh, can we drive down the Strip so we can see The Sphere, hear the music?" It's good experience. So, I just want to put that out there. Thank you.

TICK SEGERBLOM

Thank you.

CHRISTINA FLORES

Hi everyone. My name is Cristina Flores. I'm actually a small-business owner here in Las Vegas. A lot of my exhibitors and attendees love to come to Vegas for The Sphere. They say that it's an incredible experience. They're excited, and being born and raised here in Las Vegas, I love when there's new experiences, especially with the music that I can drive by, I can listen to, and I have my attendees and family super excited for. Thank you.

TICK SEGERBLOM

Thank you.

ANN MCCORY

Hi, my name is Ann McCrory and I'm a resident in The Meridian, which is between Koval and Flamingo. We own a condo; my husband and I purchased three years ago and our balcony to our bedroom and our living room area oversees The Sphere. I open my blackout curtains in the morning to the emoji smiling at me. I love the visual that it's added to the area. We're so excited about The Sphere that we purchased another condo, in The Meridian to rent, but we're concerned about it bringing sound because it is a residential area in The Meridian. Which I didn't hear you include us as another participant in being informed, whether you're going to have outdoor sound.

Twelve sounds like a lot in the year, if they could at least reduce it. I appreciate that they're going to cut it off at 11. I know the lights don't ever end. So, we can handle that, but the sound we can't turn off. So, I appreciate they have a cutoff time, but if they could reduce the number of outdoor events to maybe one a year or two a year, that would be appreciated by the residents of Meridian, as well as if we could also be informed of the dates that are coming. We'd appreciate that, too. I wasn't aware of this through our HOA, we weren't notified. So, just here on my own.

TICK SEGERBLOM

Thank you.

ANN MCCORY

Thank you.

TICK SEGERBLOM

Seeing no one else, we'll close the public hearing and ask Mr. Brown to come back up. So, this is the first I've heard from The Meridian, are you willing to notify The Meridian residents also?

DAVID BROWN

We are. I just told the nice woman that we'd be happy to get her contact information. The condition was to notify any residents within 800 feet of the property line. We'll do that and we'll certainly be happy to notify her. It'll be an email, and we will work it out.

TICK SEGERBLOM

All right, thank you. Anyone else have any questions? This is my item. So, let me just say that we've worked with the Towers, that we worked with the Madison Square Garden. I think we've come up with a reasonable solution, but it also is subject to a one-year review. So, there's going to be 12 events in the year from now. If there's a problem, we can come forward and they won't get another 12 months, but we will also try to work on it. I've been out there; they have a sound machine so they can test it. We're going to be able to monitor this stuff.

It's all recorded. So, if someone complains and says, "Oh, on that Saturday night it was too loud," we can go back and actually look at the recording data to see if that's true. So, we've done a lot of work here, but as a couple of the people testified, The Sphere is fantastic. So, we don't want to unfairly inhibit them as long as it doesn't impact the residents, which I think this agreement doesn't. Make sure that the residents are protected.

MOTION

TICK SEGERBLOM

So, with that, I make a motion to approve, subject to the conditions.

SAMI REAL

Commissioner Segerblom. Sorry. We also got a request from Public Works to add a condition to remove –

TICK SEGERBLOM

Is this the rocks? The rock man wants you to remove the rocks that are on Twain.

SAMI REAL

Correct. So, the added conditional would be remove boulders in the right of way on Sands Avenue. Okay. The boulders, I'm sorry. And I think that's okay too.

DAVID BROWN

We're unaware of it, but of course, if –

TICK SEGERBLOM

Okay. All right. I talked to your boss. All right. All right. With that motion and those conditions, we move for approval.

VOTE

VOTING AYE:	Tick Segerblom, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft
VOTING NAY:	None
ABSENT:	William McCurdy II
ABSTAIN:	None

TICK SEGERBLOM

That motion passes.

DAVID BROWN

Thank you very much.

TICK SEGERBLOM

And again, for the people that came here, if any of these conditions are violated, come to my office or call my office. And if even with the conditions, in a year from now, you don't like it, we'll try to revisit it. But thank you so much for coming out. Okay.

12. PA-24-700014-SUNRISE 96C, LLC:

PLAN AMENDMENT to redesignate the existing land use category from Public Use (PU) and Neighborhood Commercial (NC) to Urban Neighborhood (UN) on 5.21 acres. Generally located on the west side of Eastern Avenue and the south side of Rochelle Avenue within Paradise. TS/rk (For possible action)

ACTION: ADOPTED (RESOLUTION NO. R-9-4-24-1).

13. ZC-24-0304-SUNRISE 96C, LLC:

ZONE CHANGE to reclassify 1.37 acres from a CC (Commercial Core) Zone to an RM32 (Residential Multi Family 32) Zone. Generally located on the west side of Eastern Avenue and the south side of Rochelle Avenue within Paradise (description on file). TS/hw (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Fire Prevention Bureau

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0275-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

14. VS-24-0306-SUNRISE 96C, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Channel 10 Drive and Eastern Avenue and between Rochelle Avenue and University Avenue (alignment) within Paradise (description on file). TS/hw/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be

denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

Fire Prevention Bureau

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions.

15. DR-24-0305-SUNRISE 96C, LLC:

DESIGN REVIEW for modifications to and an expansion of an approved multi-family residential development on 5.21 acres in an RM32 (Residential Multi-Family 32) Zone. Generally located on the west side of Eastern Avenue and the south side of Rochelle Avenue within Paradise. TS/hw/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised that all applications related to the proposed development, including ZC-22-0060, must remain active or additional land use applications may be required; that within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Comply with approved drainage study PW21-19925;
- Traffic study and compliance.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Fire Prevention Bureau

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions.

16. ZC-24-0307-MOUNTAIN VIEW DRS, LLC:

HOLDOVER ZONE CHANGE to reclassify 2.06 acres from an RS20 (Residential Single-Family) Zone to an IP (Industrial Park) Zone within the Airport Environs (AE-65 & AE-70) Overlay. Generally located on the south side of Sunset Road and the west side of Ullom Drive within Enterprise (description on file). MN/bb (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation;
- Applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation Noise Office at landuse@lasairport.com;
- Applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Department of Aviation Noise Office at landuse@lasairport.com;
- Applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation Noise Office when property sales/leases commence;
- Incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be

available in the future should the residents wish to have their buildings purchased or soundproofed.

17. VS-24-0309-MOUNTAIN VIEW DRS, LLC:

HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Decatur Boulevard and Ullom Drive, and between Sunset Road and CC 215 within Enterprise (description on file). MN/bb/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include 30 feet for Ullom Drive;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

18. UC-24-0308-MOUNTAIN VIEW DRS, LLC:

HOLDOVER USE PERMITS for the following: 1) hotel; and 2) transient and non-transient hotel with kitchens.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; 2) eliminate loading spaces; 3) modify buffering and screening standards; and 4) modified driveway geometrics.

DESIGN REVIEWS for the following: 1) hotel; and 2) alternative parking lot landscaping on 2.06 acres in an IP (Industrial Park) Zone within the Airport Environs (AE-60 & AE-65) Overlay. Generally located on the south side of Sunset Road and the west side of Ullom Drive within Enterprise. MN/bb/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Right-of-way dedication to include 30 feet for Ullom Drive.
- Applicant is advised that off-site improvement permits may be required.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation;
- Applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation Noise Office at landuse@lasairport.com;
- Applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Department of Aviation Noise Office at landuse@lasairport.com;
- Applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation Noise Office when property sales/leases commence;
- Incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

19. ZC-24-0348-COUNTY OF CLARK (AVIATION):

ZONE CHANGE to reclassify 88.10 acres from a CR (Commercial Resort) Zone to a PF (Public Facility) Zone within the Airport Environs (AE-60, AE-65, AE-70, & AE-RPZ) Overlay. Generally located on the south side of Sunset Road and the west side of Gilespe Street within Enterprise (description on file). MN/gc (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

20. ZC-24-0349-COUNTY OF CLARK (AVIATION):

ZONE CHANGE to reclassify 3.76 acres from an RS5.2 (Residential Single-Family 5.2) Zone to a PF (Public Facility) Zone within the Airport Environs (AE-60 & AE-65) and Maryland Parkway Overlays. Generally located on the east side of University Center Drive and the north side of Hacienda Avenue within Paradise (description on file). JG/gc (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

21. ZC-24-0350-COUNTY OF CLARK (AVIATION):

ZONE CHANGE to reclassify 7.97 acres from a CR (Commercial Resort) Zone to a PF (Public Facility) Zone within the Airport Environs (AE-60 & AE-65) Overlay. Generally located on the northwest corner of Four Seasons Drive and Haven Street within Paradise (description on file). JG/gc (For possible action)

ACTION: APPROVED.

22. ZC-24-0351-COUNTY OF CLARK (AVIATION):

ZONE CHANGE to reclassify 0.67 acres from a CR (Commercial Resort) Zone to a PF (Public Facility) Zone within the Airport Environs (AE-60) Overlay. Generally located on the east side of Las Vegas Boulevard South, 100 feet south of Four Seasons Drive within Paradise (description on file). JG/gc (For possible action)

ACTION: APPROVED.

23. ZC-24-0352-COUNTY OF CLARK (AVIATION):

ZONE CHANGE to reclassify 1.22 acres from a CR (Commercial Resort) Zone to a PF (Public Facility) Zone within the Airport Environs (AE-70 & AE-75) Overlay. Generally located on the west side of Las Vegas Boulevard South, 850 feet north of Sunset Road within Paradise (description on file). MN/gc (For possible action)

ACTION: APPROVED.

24. ZC-24-0363-WYKOFF NEWBERG CORP:

ZONE CHANGE to reclassify 0.50 acres from an H-2 (General Highway) Zone to a CG (Commercial General) Zone. Generally located on the south side of Oso Blanca Road, approximately 160 feet east of Grand Montecito Parkway within Lone Mountain (description on file). RM/lm (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Fire Prevention Bureau

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; and that for any sanitary sewer needs, applicant is to contact the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

25. WS-24-0364-WYKOFF NEWBERG CORP:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) street landscaping; and 2) reduce gate setback.

DESIGN REVIEW for a communication utility building on 0.50 acres in a CG (Commercial General) Zone. Generally located on the south side of Oso Blanca Road, approximately 160 feet east of Grand Montecito Parkway within Lone Mountain. RM/lm/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance.
- Applicant is advised that Nevada Department of Transportation (NDOT) permits may be required.

Fire Prevention Bureau

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; and that for any sanitary sewer needs, to contact the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

26. ZC-24-0365-JAMESON K RICHARD FAMILY TRUST & VARGAS KIMBERLEE TRS:

ZONE CHANGE to reclassify a portion of a 3.91 acre site from an H-2 (General Highway Frontage) Zone to an IL (Industrial Light) Zone within the Airport Environs (AE-75) Overlay for an existing commercial/industrial development. Generally located on the north side of Las Vegas Boulevard North, 150 feet east of Sandy Lane within Sunrise Manor (description on file). WM/gc (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

27. ZC-24-0368-COUNTY OF CLARK (AVIATION) & MAJESTIC EJM ARROYO III, LLC (LEASE):

ZONE CHANGE to reclassify 21.38 acres from a CG (Commercial General) Zone to an IP (Industrial Park) Zone within the Airport Environs (AE-60) Overlay. Generally located on the southeast corner of Tenaya Way and Badura Avenue within Spring Valley (description on file). MN/sd (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0324-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

28. VS-24-0369-COUNTY OF CLARK (AVIATION) & MAJESTIC EJM ARROYO III, LLC (LEASE):

VACATE AND ABANDON easements of interest to Clark County located between Montessori Street and Tenaya Way, and between Badura Avenue and Arby Avenue; a portion of right-of-way being Montessori Street located between Badura Avenue and Arby Avenue; and a portion of right-of-way being Arby Avenue located between Montessori Street and Tenaya Way within Spring Valley (description on file). MN/sd/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 4 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended

with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording;
- The installation of detached sidewalks will require the vacation of excess right-of-way together with a subdivision map granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or the execution of a License and Maintenance Agreement for non-standard improvements in the right-of-way.

29. WS-24-0370-COUNTY OF CLARK (AVIATION) & MAJESTIC EJM ARROYO III, LLC (LEASE):

WAIVER OF DEVELOPMENT STANDARDS for modified driveway design standards.

DESIGN REVIEW for a warehouse/distribution center on 21.38 acres in an IP (Industrial Park) Zone within the Airport Environs (AE-60) Overlay. Generally located on the southeast corner of Tenaya Way and Badura Avenue within Spring Valley. MN/sd/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- The installation of detached sidewalks will require the vacation of excess right-of-way together with a subdivision map granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or the execution of a License and Maintenance Agreement for non-standard improvements in the right-of-way.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0324-2024

to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

30. TM-24-500072-COUNTY OF CLARK(AVIATION) & MAJESTIC EJM ARROYO III, LLC (LEASE):

TENTATIVE MAP consisting of 1 commercial lot on 21.38 acres in an IP (Industrial Park) Zone within the Airport Environs (AE-60) Overlay. Generally located on the southeast corner of Tenaya Way and Badura Avenue within Spring Valley. MN/sd/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- The installation of detached sidewalks will require the vacation of excess right-of-way together with a subdivision map granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or the execution of a License and Maintenance Agreement for non-standard improvements in the right-of-way.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0324-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

31. ORD-24-900325 Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with LLC Properties, LLC for a single-family residential development on 4.90 acres, generally located on the east of Buffalo Drive and north of Torino Avenue within Enterprise. JJ/dw (For possible action)

ACTION: ADOPTED (ORDINANCE 5174).

SEC. 5. NON-ROUTINE ACTION ITEMS 32 THROUGH 52

32. ET-22-400017 (UC-1721-06)-PALAZZO CONDO TOWER, LLC:

HOLDOVER USE PERMITS SIXTH EXTENSION OF TIME to commence the following: 1) resort condominiums in conjunction with an existing resort hotel (The Venetian); 2) increase building height; 3) associated accessory and incidental commercial uses, buildings, and structures; and 4) deviations from development standards.

DEVIATIONS for the following: 1) reduce on-site parking requirements; 2) reduce the height setback ratio from an arterial street; 3) encroachment into airspace; and 4) all other deviations as shown per plans on file.

DESIGN REVIEWS for the following: 1) a 632 foot high, high-rise resort condominium tower including kitchens in rooms; 2) all associated accessory uses, retail areas, and amenity areas (The Venetian/Palazzo); and 3) revisions to an already approved retail component associated with the Venetian/Palazzo (Walgreens) on a portion of 63.0 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the east side of Las Vegas Boulevard South and the south side of Sands Avenue within paradise. TS/jor/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Until September 4, 2026 to commence.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77;
- Applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 PART B of the Clark County Unified Development Code;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA and is still valid.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction \\\

SAMI REAL

Motion passed? Okay, so next is Item 32, ET-22-400017 for (UC-1721-06), Holdover use permit, sixth extension of time to commence the following: Resort condominiums in conjunction with an existing resort hotel (The Venetian); increased building height; associated accessory and incidental commercial uses, buildings, and structures; and deviations from development standards deviations for the following: reduce on-site parking requirements, reduce the height setback ratio from an arterial street, encroachment into airspace, and all other deviations as shown per plans on file.

And then, design reviews for the following: a 632-foot-high high-rise resort condominium tower including kitchens in rooms, all accessory uses, retail areas, and amenity areas, (The Venetian/Palazzo), and revisions to an already approved retail component associated with The Venetian/Palazzo (Walgreens) on a portion of 63 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the east side of Las Vegas. Boulevard South in the south side of Sands Avenue within Paradise.

Commissioners, due to the length of time that this application has been in process, we recommend changing the first bullet point under Current Planning Conditions to commence from two years from today's date. So, we would change the commence date to September 4, 2026.

TICK SEGERBLOM

Good morning.

LEBENE OHENE

Good morning, Commissioners. Lebene Ohene, 520 South 4th Street, representing the applicant for the sixth extension of time for the Palazzo Towers, which is located within the Venetian and Palazzo complex. This sixth extension of time, really, it's because our new client just took over, and there were issues over the two years that the application was in process with the FAA determination, which has been finalized. We appreciate staff changing the conditions to allow us two extra years to commence the project. And with that, we appreciate it, and I conclude my presentation.

TICK SEGERBLOM

Okay.

LEBENE OHENE

Thank you.

MOTION

TICK SEGERBLOM

This is a public hearing. Anyone here wishing to speak on this item? Seeing no one, will close the public hearing. And honestly, six years, six conditions is a long time, but the reality is you do have explanation, and we would love to see those things built. So, with that, I'd make a motion to approve.

VOTE

VOTING AYE:	Tick Segerblom, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft
VOTING NAY:	None
ABSENT:	William McCurdy II
ABSTAIN:	None

LEBENE OHENE

Thank you.

TICK SEGERBLOM

That motion passes.

LEBENE OHENE

Thank you, Commissioners.

33. UC-24-0268-LEXILAND, LLC ET AL & ROOHANI KHUSROW FAMILY TRUST:

USE PERMIT for outdoor storage and display.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) residential adjacency standards;) street landscaping; 3) buffering and screening; 4) off-site improvements (curb, gutter, sidewalk, streetlights and partial paving); 5) driveway geometrics; and 6) access gate.

DESIGN REVIEW for outdoor storage on a portion of 37.14 acres in a CG (Commercial General) Zone.

Generally located on the west side of Las Vegas Boulevard South and the north side of Pebble Road within Enterprise. MN/lm/syp (For possible action)

ACTION: HELD TO SEPTEMBER 18, 2024, PER THE APPLICANT.

34. UC-24-0367-COUNTY OF CLARK (LV CONV AUTH):

USE PERMITS for the following: 1) multi-family dwelling; 2) allow a mixture of transient and nontransient uses in conjunction with a hotel; and 3) allow outdoor dining, drinking, and cooking not in conjunction with a primary eating and drinking establishment.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; 2) reduced parking; 3) reduced EV capable and EV installed parking spaces; 4) reduced loading spaces; 5) eliminate open space; 6) street landscaping; 7) buffering and screening; and 8) allow modified driveway design standards.

DESIGN REVIEWS for the following: 1) multi-family dwelling (tower); 2) hotel; 3) shopping center; 4) entertainment or recreational facilities (theater, amusement ride, and outdoor pool area); 5) outdoor dining, drinking, and cooking areas; 6) event plaza; 7) parking garage; and 8) all associated and accessory uses, structures, and incidental buildings and structures on 10.0 acres in a CR (Commercial Resort) Zone. Generally located on the east side of Las Vegas Boulevard South and the south side of Elvis Presley Boulevard within Winchester. TS/md/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Prior to the issuance of building and grading permits, or subdivision mapping, mitigate the impacts of the project including, but not limited to, issues identified by the technical reports and studies, and issues identified by the Board of County Commissioners or commit to mitigating the impacts of the project by entering into a Development Agreement with Clark County;
- Prior to the issuance of building and grading permits, enter into a Performance Agreement with Clark County which includes a Decommissioning Plan specifying the actions to be taken by the Developer or County in the event construction of the project is stopped or abandoned;

- Bond or other form of financial security, acceptable to Clark County, shall be provided with the Performance Agreement as security of the full and complete fulfillment of the decommissioning actions identified in the Decommissioning Plan;
- Administrative design review is required for the remainder of the LVCVA parcel (APN 162-09-703-025);
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised that a tree-fee in lieu shall be paid to the County for each street tree waived; approval of this application does not constitute or imply approval of a liquor license or any other County issued permit, license or approval; within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Coordinate with Public Works for the pedestrian bridge and if required execute an agreement;
- No advertising on pedestrian bridge;
- Allow the following permits prior to approval of off-site permits: all demolition, grading, including underground utilities, dewatering, foundation, and structural first lift with foundation;
- Coordinate with Public Works - Directors Office for any improvements on Las Vegas Boulevard South;
- Maintain the required width of all public access walkway segments so that a minimum Level of Service "C" is achieved under peak pedestrian volumes.
- Applicant is advised that off-site improvement permits may be required.

Department of Aviation

- Applicant may be required to file Federal Aviation Administration (FAA) Form 7480-1, "Notice of Landing Area Proposal" with the FAA, per 14 CFR Part 157;
- Applicant must comply with heliport conditions described in 30.03.06B5. "Heliport" of the Code, and any applicable conditions resulting from FAA approval;
- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that all helicopter noise complaints and inquiries regarding operations from this facility will be forwarded to the operator of this heliport; the FAA's determination is

advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0109-2024 to obtain your POC exhibit; that flow contributions exceeding CCWRD estimates may require another POC analysis; and that the proposed development is anticipated to generate significant wastewater flows, which would require the following: the Developer is to install a wastewater meter to monitor the flows; the Developer is to ensure that all wastewater flows are routed to one discharge location from the site to flow through the wastewater meter under desirable hydraulic conditions (i.e., minimize bends from the upstream manhole); and wastewater meter monthly fees shall be billed to the facility.

TICK SEGERBLOM

So now, we're ready for the Nancy show.

SAMI REAL

Next is Item 34, UC-24-0367, use permits for the following: Multi-family dwelling; allow a mixture of transient non-transient uses in conjunction with the hotel; and allow outdoor dining, drinking, and cooking not in conjunction with a primary eating and drinking establishment. Waivers of development standards for the following: increased building height, reduce parking, reduce EV capable and EV installed parking spaces, reduced loading spaces, eliminate open space, street landscaping, buffering and screening, and allow modified driveway design standards.

Design reviews for the following: multi-family dwelling; a tower; a hotel; a shopping center; entertainment or recreational facilities consisting of a theater, amusement ride, and outdoor pool area; outdoor dining, drinking, and cooking areas; an event plaza; parking garage; and all associated and accessory uses, structures, and incidental buildings and structures on 10 acres in a CR (Commercial Resort) Zone. Generally located on the east side of Las Vegas, Boulevard South, and the south side of Elvis Presley Boulevard within Winchester.

TICK SEGERBLOM

Good morning. Welcome back.

NANCY AMUNDSEN

Good morning. My name is Nancy Amundsen. 520 South 4th Street in Las, Vegas. And I wasn't expecting to come back like this. I kind of was going to stay behind the scenes, but I have to say that I think this is an exciting project. Our firm has been working on it since March of this year, and we finally got it before you. The staff has recommended approval, as has the Winchester Town Board. And I want to thank Mark Donahue, who is the planner on it. I want to thank all of Antonio Papazian's, and I'm sorry, Antonio, if I

said that wrong. His staff, Sammy Real's staff. Everyone has worked very hard on this project, and I'm proud to bring it to you. We are thankful for the recommendation of approval. We concur with all of the conditions.

There's a couple of things that I would like to say. The Department of Aviation had mentioned a couple of times in the staff report about heliports. There are no heliports at this time being requested. If they are requested, of course, we do know that we have to come back. But that was a question that had come up. We're not asking for any heliports. This is a mixed-use development. It has FAA's approval for the 600 foot for both the hotel tower and the multi-family tower. The reason we're asking for the waiver for height has to do with the multi-family, which has a limitation of height in the CR district.

We're looking at 425 multi-family units, 750 hotel units. We have 3,310 seat theater in the back. And although all of the renderings that you will see in the file look like it's going to be a sphere, we're not proposing it to be a sphere. We're proposing it to be an entertainment venue. We have – and again, I'm nervous. Isn't it weird? I sat in Sammy's seat for so long. And now, I'm here on the other side and it's a little more nerve wracking I have to say. And I give every everybody credit who has ever been here.

TICK SEGERBLOM

It's weird for us too.

NANCY AMUNDSEN

Well, I guess that's kind of makes me feel better. There are a couple of things that we would like to point out, and I showed you the beautiful rendering. This is looking east from Las Vegas Boulevard. But I wanted to show you the site plan. We are not proposing any modifications to Las Vegas Boulevard. So, the improvements the Public Work has put in, the bollards, the sidewalks, the entrance way on the south side of the project will remain the same.

Our main entrance is going to be off of Elvis Presley. That's where the waiver is for the throat width or the entrance width is, and that's on our main entrance, and Public Works has been nice enough to recommend approval of that. You will see on this plan, and you'll see throughout the files that it shows connections across to Fontainebleau. Again, that would have to come back for approval through the Board for any – we'd have to work with Public Works for any connections, any bridges. They're just showing you possibilities of the future. They're not being requested today. I could go through every floor, but I'd like to open it up to you to ask questions. We have a representative of the owner, and we have the architect here, if you have any technical questions. And with that, I again thank you for recommendation of approval from Winchester and the staff, and we request approval. Thank you.

TICK SEGERBLOM

Thank you. This is a public hearing. Anyone here wishing to speak on this item? Looks like you've done your homework. Seeing no one, will close the public hearing, and turn it over to the Commissioners for comments?

MARILYN K. KIRKPATRICK

Commissioner Segerblom, and I just want to reiterate this. So, I did bring it up during my briefing that there is no evaporated cooling allowed per our Water District Service Rules. And I want to make sure that that's clear that it doesn't matter who you are, the rules are the rules. So, I just wanted to be clear with that.

NANCY AMUNDSEN

And Commissioner, we did speak with the developer, and he knew that all along.

MARILYN K. KIRKPATRICK

I know y'all got to talk to your engineers and architects and those companies.

NANCY AMUNDSEN

I will acknowledge that. But we do know that, and the owner does know that.

MARILYN K. KIRKPATRICK

Okay, thank you.

TICK SEGERBLOM

All right. With that, I would just say this is fantastic news for the north end of this Strip, so, very excited. Look forward to working with you and the architects in the coming years.

MOTION

TICK SEGERBLOM

I make a motion to approve.

VOTE

VOTING AYE: Tick Segerblom, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None

ABSENT: William McCurdy II

ABSTAIN: None

TICK SEGERBLOM

That motion passes. Congratulations, you won your first one, but don't expect to win all of them.

NANCY AMUNDSEN

I don't. And thank you very much. As I said, this was a project that I was excited about, so you got stuck seeing me. Thank you.

35. WC-24-400060 (NZN-22-0028)-AMH NV10 DEVELOPMENT, LLC:

HOLDOVER WAIVER OF CONDITIONS of a nonconforming zone change requiring no certificate of occupancy can be issued for any structure within this project unless and until a certificate of occupancy has been issued for the clubhouse (adjacent project to the north) for a previously approved single family residential development on 4.90 acres in an RS2 (Residential Single-Family 2) Zone. Generally located on the northwest corner of Oleta Avenue and Conquistador Street within Enterprise. JJ/rg/ng (For possible action)

ACTION: HELD TO NOVEMBER 6, 2024, PER THE APPLICANT.

36. WS-24-0312-STUSSY DIETER REVOCABLE TRUST & STUSSY DIETER TRS:

HOLDOVER WAIVER OF DEVELOPMENT STANDARDS to eliminate full off-site improvements in conjunction with a minor subdivision map on 4.72 acres in an RS80 (Residential Single-Family 80) Zone. Generally located on the southeast corner of Tami Street and Ron Avenue within Moapa Valley. MK/jud/syp (For possible action)

ACTION: HELD TO SEPTEMBER 18, 2024, PER THE BOARD OF COUNTY COMMISSIONERS.

SAMI REAL

Next is Item 36, WS-24-0312, holdover waiver of development standards to eliminate full off-site improvements in conjunction with a minor subdivision map on 4.72 acres and an RS80 (Residential Single-Family 80) Zone. Generally located on the southeast corner of Tami Street and Ron Avenue within Moapa Valley.

DIETER STUSSY

Good morning, Dieter Stussy, applicant and effective owner. Last name is spelled S-T-U-S-S-Y. Address, 775 Ron Avenue, Logandale. I'm doing an Assessor's recombination. I have a residence lot and an empty lot, which I basically use as an extended backyard. The empty lot is not really buildable, and I am objecting to the Public Works requirement and seeking a waiver of the off sites. Public Works, in their staff report, or I should say in the staff report, I noted you've already agreed to or at least have no objection to waiving the sidewalks, street lighting, curbs, but you still want to pave the road.

Their position is based on Ron Avenue being paved east of Yamashita Street. I am west of Yamashita Street and not adjacent to it. And therefore, if I were to be required to pave the area, there would still be a dirt segment between the two paved areas. I'm also required, let me pick up this one. This one, required to pave Tami Street, and my property is the only property that would be served by paving that site of Tami Street. This is the line here that I wish to remove on the Assessor's map, to make the two properties one like they were before 1981.

TICK SEGERBLOM

All right, does that complete your presentation?

DIETER STUSSY

Unless you have further questions for me, yes.

TICK SEGERBLOM

All right. This is a public hearing. Anyone here wishing to speak on this item? Seeing no one, will turn it over to Commissioner Kirkpatrick.

MARILYN K. KIRKPATRICK

Thank you, Mr. Chairman, appreciate that. So, Mr. Stussy, you held it last time, and we were hoping that you would reach out with us, but I want to explain how they paving works out there in that valley.

So, the gas tax is collected, and it is a very small amount, and then Clark County subsidizes the rest of the paving. So, I've been to the Town Board myself in the last year, and asked people to stop waving the paving requirements because at the end of the day, it takes us a long time, and we get tons of complaints on the paving, so we are asking everybody to do their part on the paving. And so, we are more than willing, in our office, to waive the sidewalks, the curbs and gutter. But we do ask that you pave or that you contribute to the cost, which is the same way that it's done in town. But like it or not, at the end of the day, we get so many complaints about the paving that's not done after people move out there, and then the dirt kicks up, or a flood happens, or something. And so, we just are trying to be consistent, and have been consistent for the last few years.

So, what I would tell you, it's more expensive. If the County gives you a cost, it's probably way cheaper for you to do, but we're willing to work with you. But we just have been consistent the last year and a half on the paving out there.

DIETER STUSSY

And I would understand that argument better if I were actually adjacent to the paved area.

MARILYN K. KIRKPATRICK

And I understand that, Mr. Stussy, but I can agree to disagree with you. It's my choice. I can deny the whole project, or we can put something in there that allows you to go forward. I understand that. But at the end of the day, the way that it works out there is – I'll give you an example. Rice Street. Portions of it were paved, portions of it weren't paved, and Clark County was expected to go in and do that. And we were browbeat for years until it got done. At the end of the day, we want connectivity ourselves so if anybody else comes in, they'll be expected to do the same thing. So, Antonio, what did you have?

ANTONIO PAPAZIAN

Thank you, Commissioner. We're okay with not paving Tami, as it doesn't go anywhere to the south. It ends in a drainage facility. Our main concern was Ron Avenue. And just for clarification, he's not in with an assessor's combination. That has not allowed. The Assessor's Office doesn't do an assessor's combination. He's in to do a parcel map to combine the parcels, and that's what triggered the offsite condition.

MARILYN K. KIRKPATRICK

So, Mr. Stussy, which way do you want to go?

DIETER STUSSY

I just want to combine the two properties for property tax purposes.

MARILYN K. KIRKPATRICK

Okay. And in order to combine both of the properties, you'll be responsible, and the condition will read to put some type of paving on Ron Avenue or to put some costs towards that for future.

DIETER STUSSY

Even though it would be isolated, and not –

MARILYN K. KIRKPATRICK

Yep. Even though.

DIETER STUSSY

Okay. So, I would have to pave it eventually, you're saying?

MARILYN K. KIRKPATRICK

Antonio, how do we do that? Is it towards the end of the process?

ANTONIO PAPAZIAN

Actually, before the process or else – that's our hammer. We will not have a hammer if we allow him to move forward without the paving, then the possibility of him never paving is can happen.

MARILYN K. KIRKPATRICK

Okay.

DIETER STUSSY

I really don't like that. Until my neighbor paves, I'm not connecting to other pavement.

MARILYN K. KIRKPATRICK

So, Mr. Stussy, I can deny the whole thing, and we can not do that. But we have to be consistent out there. Until you walk a day in my shoes on roads across the valley, there's only a small amount of money. And I can tell you, the amount of calls that we get every single week about paving, especially out there, whether it be Moapa, whether it be Logandale, Overton. We're being consistent, and I consistently, I went to the town board and asked them to please stop waving the paving because we now have a good map, we now have a good process, to where back in the day, there was 5, 6, 7 different lists. Some roads were not paved at all. And so, we would spend all of our money paving the whole rocky thing. And now, we have a process to where we don't wave the paving, we put roads on there so they're connecting to other roads. We also then, if one road gets paved this time, we were able to pave seven roads because they had all been maintained for some time. So, we just want to be consistent.

DIETER STUSSY

I understand that, but without my neighbors on either sides having their sections paved, I see this as isolated. Plus, the Town Board did waive it.

MARILYN K. KIRKPATRICK

And I'm not – they're advisory to me, and I take the phone calls. So, I'm happy to deny it, or you can hold it, but I'm not going to change my position, because at the end of the day, we have to be consistent out there.

DIETER STUSSY

Well, I do want to combine the properties, so I'm not saying I'm agreeing to it, I'm saying we need to discuss what costs are, because I mean, I'm not doing any improvements to the properties. I'm just erasing a line on a map.

MARILYN K. KIRKPATRICK

Let's try this one more time. So, if I make a motion to say that I approve it, but you either have to give a cost allocation or paving it, you don't agree to that? Because that's what the motion would be.

DIETER STUSSY

I'm saying I haven't explored the cost allocation, so I don't know what I'm agreeing to.

MARILYN K. KIRKPATRICK

Okay, then here's what I'm going to do. Here's what I'm going to do is I'm going to hold it for only two weeks. When in two weeks, it'll be a denial if you don't come to some resolution with paving the road.

DIETER STUSSY

Okay, are you asking me to return on September 18 then, for your next hearing?

MARILYN K. KIRKPATRICK

Sure, but I'm not changing my position. I want you to understand it. And listen, you've lived there a short time but the roads is a big deal out there, and I only have a small amount of money. And honestly, with the fuel tax not being extended, there is no money for the next four to five years on paving any roads. So, we are consistent.

DIETER STUSSY

All right, I'll take this up with my survey company.

MOTION

MARILYN K. KIRKPATRICK

Okay, perfect. Mr. Chairman. I'll make a motion to hold this for two weeks.

TICK SEGERBLOM

All right, there's a motion, cast your vote.

VOTE

VOTING AYE: Tick Segerblom, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None

ABSENT: William McCurdy II

ABSTAIN: None

TICK SEGERBLOM

That motion passes.

(Companion Items 37 and 38)

37. WS-24-0354-USA:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce lot area; 2) reduce setbacks; 3) increase fill height; 4) reduce number of access drives; 5) increase retaining wall height; and 6) full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving).

DESIGN REVIEW for a single-family residential subdivision on 5.02 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Azure Drive, the north side of Bright Angel Way, and the east side of Park Street (alignment) within Lone Mountain. RM/bb/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEM 38).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Provide a 5 foot wide asphalt path along Bright Angle Way and Park Street;
- Drainage study and compliance;
- Right-of-way dedication to include 30 feet for Azure Drive, 30 feet for Bright Angel Way, 30 feet for Park Street, and associated spandrel(s);

- Execute a Restrictive Covenant Agreement (deed restrictions).

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; and for any sanitary sewer needs to contact the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

SAMI REAL

Next are companion Items 37 and 38.

- Item 37, WS-24-0354. Waiver of development standards for the following: reduced lot area, reduced setbacks, increased fill height, reduced number of access drives, increased retaining wall height, and full off-site improvements, curb, gutter, sidewalk, streetlights, and partial paving. Design review for a single-family residential subdivision on 5.02 acres and an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Azure Drive and the north side of Bright Angel Way and the east side of Park Street alignment within Lone Mountain.
- Item 38, TM-24-500069. Tentative map consisting of nine single-family lots on 5.02 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Azure Drive and the north side of Bright Angel Way and the east side of Park Street alignment within Lone Mountain.

TICK SEGERBLOM

Good morning.

JENNIFER LAZOVICH

Good morning. Jennifer Lazovich, 1980 Festival Plaza Drive here today on behalf of the applicant. The site is this portion of the site. It is not the entire portion that was shown on the screen right before. On our west boundary is Park Street, and on our south boundary is Bright Angel Way. The site plan will look like this, which is nine single-family home lots. There's essentially four lots on the east and west, and then one triangle shape lot at the top. The design of the subdivision matches the design of the two subdivisions that are located to the east of us. The site that we're talking about for this application would be sitting right in this area. And as you can see, the subdivision to the east has nine lots here. And then, if you keep moving east, has an additional subdivision with another nine lots in that location.

The waivers that we're asking for, essentially allow for us to have this subdivision. I can go through it in individual order, but suffice to say, it really describes what the site plan layout is today, which is again, similar to what's built immediately next to us, and in the general area.

We will be putting in our dedication of Park Street and as well our dedication of Bright Angel way on the south. Both this street, Bright Angel Way, separates the site from the school, which is located just to the south. So, while we do have a waiver for off sites as part of our application, if the commission was amenable to it, we could put in an asphalt pathway. Again, we'd still be asking for the waiver of offsites because of the rural area, but because we're so close to a school we could put in an asphalt pathway

along Park Street and our portion of Bright Angel, if that would make kids walking to school have a little bit easier time. And then, in terms of the elevation, this gives you an idea of the elevation for the subdivision. It would not be gated, it would be an open street coming off of Bright Angel. And with that, I'd be happy to answer any questions.

TICK SEGERBLOM

All right, this is a public hearing. Anyone here wishing to speak on this item? Yes, we have a neighbor. Good morning.

JANICE BIRD

Hi, my name is Janice Bird. I live at 6165 North Grand Canyon, a block just up the street. But my question is this, we just built a house three years ago, and we had to be eight feet above the street level because of the flooding. And the flooding, generally, we're on the downhill side of an alluvial fan, so east to west is where the flooding comes from. And so, I just want to make sure, because they show the corner, I just want to make sure that the flooding has a place to go. And I'm not sure why they need to increase the fill height, so that would just make the retaining walls that much higher. So, I'm concerned about the flooding, I want to know if that's addressed, and I want to know if the pavement is going to be such that the water has a place to go. That's all.

TICK SEGERBLOM

Thank you. Anyone else here wishing to speak?

JENNIFER WOOLEY

My name's Jennifer Woolley. I live at 6160 North Grand Canyon Drive.

TICK SEGERBLOM

I apologize, can you spell your last name, please?

JENNIFER WOOLEY

Sure. It's W-O-O-L-E-Y.

TICK SEGERBLOM

Great, thank you.

JENNIFER WOOLEY

And I wanted to speak to a couple specific requests from the waiver regarding only paving half a street, is my understanding, connecting Azure to Bright Angel, extending Park, which is a very busy area at least twice a day, as it backs up to Darnell Elementary School. And the land immediately opposite of their proposed development is currently owned by the Bureau of Land Management still. So, my understanding is if they only pave half the street, that that could be left there indefinitely unpaved. And also, if there's no sidewalk there, there's concerns for children walking to and from school there. The other issue with the waiver is reiterating my neighbor's concerns regarding flooding and increasing the fill height, increasing the retaining wall, which could impact views of homes, neighbors that have lived there 15 to 20 years. Some of those homes have been there for these new homes. And looking at comps in the neighborhood, it doesn't seem to add any value to the homes in the proposed development.

TICK SEGERBLOM

All right, thank you. Anyone else here wishing to speak on this item? Seeing no one, we'll close the public hearing and turn it over Commissioner Miller.

ROSS MILLER

If we could have Ms. Lazovich, please respond to some of the comments regarding flooding, paving, and comps?

JENNIFER LAZOVICH

Sure. So, as it relates to drainage, first of all, which goes hand-in-hand with the drainage study, we are required to do a drainage study as a condition of approval. But preliminarily, our engineers are saying that the flow will come somewhat down Park Street, but also split. So, some of the water will go down Azure, some of it will continue down Park, and then go Bright Angel Way. Again, that's our preliminary analysis, but a condition of approval requires us to do a drainage study, which we'll submit to the County for review and approval to make sure that those preliminary analysis is correct. That drainage issue also drives the need for the retaining walls.

In terms of the pavement of the street, the lady who just spoke is correct, this land right here is still owned by the BLM. We will have to work with them on a little bit of an over-pave situation, so that when we do our half-street improvement for Park Street, which doesn't exist today, so when you come down Park Street here, and I understand the circulation around the school, which is why Public Works was very adamant in their requirement, to have Park Street put in, because of the need for circulation around that school. So, we're required, just like any other development, to do our half-street improvements. If and when the BLM site either sells in some way and it gets developed, then the other half-street improvement for Park Street would come in.

And then, in terms of kids walking to school, we have offered if it's acceptable to put in an asphalt path. We wouldn't do it a sidewalk; that would be unusual out here. But an asphalt path would at least create a pathway that's more defined for anybody who wants to walk out here.

And then, finally, in terms of the value, the developer of these sites is Toll Brothers. I think they do a great job with homes anywhere, but also in the rural areas. And so, I think that their homes will bring value to the overall area.

ROSS MILLER

Great. Could you just please pull up the map with the two adjacent parcels to the East? I think that's illustrative.

JENNIFER LAZOVICH

This is the site, right here.

ROSS MILLER

It's my understanding that there are no offsites on either of these other two developments there essentially identical, what we're trying to do. The dedication of Park Street, when Toll Brothers acquired the land wasn't immediately apparent, at least through the BLM disclosures. It's something Public Works added to put in. And Toll brothers has agreed to put in asphalt walkway in line with some of the concerns so that we've got access, for pedestrians and kids walking the school. Is that all accurate?

JENNIFER LAZOVICH

Yes, it is.

ROSS MILLER

Okay. I don't have anything else. Does Public Works have anything to add?

ANTONIO PAPAZIAN

Thank you. Commissioner. I just want to add there is 18 feet of drop from the west side of this property to the east. So that's what they're going to need some fill and retaining wall. We do have drainage easements. Someone said something about some drainage. We do have drainage easements to the parcel to the west and we have drainage easements to the parcel to the east. So, when this subdivision goes in, there will be somewhere for the water to go, as we already have the easements in place for that water. And if you're so inclined to approve the waiver of offsites, I would like to add a condition that says, "Provide a five-foot-wide asphalt path along Park Street and Bright Angel Way."

ROSS MILLER

Both sides then?

ANTONIO PAPAZIAN

Correct.

ROSS MILLER

Okay.

MOTION

ROSS MILLER

Great. I appreciate the neighbors coming out for this one and being engaged through this process. I think it's a great project. Toll Brothers, obviously a great builder. The drainage is something we always have to work through in this area. And in this instance, they've made additional accommodations beyond which were done in the other two identical developments immediately to the East. So that said, I'd move for approval of the waivers as outlined in the agenda, with the caveat and explanation that Antonio from Public Works provided.

TICK SEGERBLOM

There's a motion. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None

ABSENT: William McCurdy II

ABSTAIN: None

TICK SEGERBLOM

That motion passes.

JENNIFER LAZOVICH

Thank you.

TICK SEGERBLOM

Thank you.

38. TM-24-500069-USA:

TENTATIVE MAP consisting of 9 single-family lots on 5.02 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Azure Drive, the north side of Bright Angel Way, and the east side of Park Street (alignment) within Lone Mountain. RM/bb/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEM 37).

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Provide a 5 foot wide asphalt path along Bright Angle Way and Park Street;
- Drainage study and compliance;
- Right-of-way dedication to include 30 feet for Azure Drive, 30 feet for Bright Angel Way, 30 feet for Park Street, and associated spandrel(s);
- Execute a Restrictive Covenant Agreement (deed restrictions).

Building Department - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; and that for any sanitary sewer needs, to contact the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

(Companion Items 39-42)

39. PA-24-700011-TCB ENTERPRISES NV, LLC SERIES SILVERADO & RAINY DAY INVESTMENTS, LLC:

PLAN AMENDMENT to redesignate the existing land use category from Business Employment (BE) to Corridor Mixed-Use (CM) on 1.25 acres. Generally located on the northeast corner of Ullom Drive and Silverado Ranch Boulevard within Enterprise. JJ/gc (For possible action)

ACTION: ADOPTED (RESOLUTION NO. 9-4-24-2, COMPANION ITEMS 40, 41 AND 42).

SAMI REAL

Next are companion Items 39 through 42.

- Item 39, PA-24-700011. Plan amendment to redesignate the existing land use category from business employment to corridor mixed-use on 1.25 acres. Generally located on the northeast corner of Ullom Drive and Silverado Ranch Boulevard within Enterprise.
- Item 40, ZC-24-0265. Zone change to reclassify 1.25 acres from an RS-20 (Residential Single-Family 20) Zone to a CG (Commercial General Z). Generally located on the northeast corner of Ullom Drive and Silverado Ranch Boulevard within Enterprise.
- Item 41, VS-24-0267. Vacate and abandon easements of interest to Clark County located between Gary Avenue and Silverado Ranch Boulevard in between Ullom Drive and Arville Street within Enterprise.
- Item 42, WS-24-0266. Waiver of development standards for the following, increased retaining wall height and modified driveway design standards. Design review for a restaurant with drive-thru on 1.25 acres in a CG (Commercial General) Zone, and the Airport Environs AE-60 Overlay. Generally located on the northeast corner of Ilan Drive and Silverado Ranch Boulevard within Enterprise.

TICK SEGERBLOM

Good morning.

SUSAN FLORIAN

Good morning commissioners. My name is Susan Florian from Taney Engineering, 6030 South Jones Boulevard, here on behalf of the applicant. What we have here is a 1.25 gross acres located north of Silverado Ranch Boulevard and east of Ullom Drive. It is a one lot commercial development with a 3,700 square foot building. The proposed tenant improvement will be provided under separate submittal. We are proposing a drive-thru.

The first application is for a plan amendment. We are requesting to change it from a BE, business employment, to CM, corridor mixed use. We're also asking for another application for the zoning to change it from RS 20 to CG, commercial general. The third application is for a vacation along the north and the east for a three-foot path easement and eight foot along the west. And our fourth application is waivers of development standards to increase the retaining wall from three feet to four feet. This is necessary to maintain adequate drainage and matching to the existing grade. We also have a waiver for modified driveway design standards. The departure distance is not where it's supposed to be, but we have pushed the entrance all the way as far as it can possibly go. I also do have some renderings of the landscape and how the building is going to look. With that, I conclude my presentation and I'm here to answer any questions that you may have.

TICK SEGERBLOM

This is a public hearing. Anyone here wishing to speak on this item? Seeing no one, we'll turn over to Commissioner Jones.

MOTION

JUSTIN JONES

Thank you, Mr. Chair, and thank you for presentation. I appreciate this as a tight site, so appreciate that you've done the best you can to adjust to the requirements from Public Works, et cetera. So, with that I'll go ahead and move for approval of agenda items 39, 40 and 41. No, 39 and 40. 41. 39, 40 and 41.

SAMI REAL

And 42

JUSTIN JONES

And 42, sorry.

TICK SEGERBLOM

You got it. All right, there's a motion. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None

ABSENT: William McCurdy II

ABSTAIN: None

TICK SEGERBLOM

Motion passes. Thank you.

SUSAN FLORIAN

Thank you, Commissioners.

40. ZC-24-0265-TCB ENTERPRISES NV, LLC SERIES SILVERADO & RAINY DAY INVESTMENTS, LLC:

ZONE CHANGE to reclassify 1.25 acres from an RS20 (Residential Single-Family 20) Zone to a CG (Commercial General) Zone. Generally located on the northeast corner of Ullom Drive and Silverado Ranch Boulevard within Enterprise (description on file). JJ/rr (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 39, 41 AND 42).

CONDITIONS OF APPROVAL –

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0274 2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

41. VS-24-0267-TCB ENTERPRISES NV, LLC SERIES SILVERADO & RAINY DAY INVESTMENTS, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Gary Avenue and Silverado Ranch Boulevard and between Ullom Drive and Arville Street within Enterprise (description on file). JJ/rr/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 39, 40 AND 42).

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended

with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include 25 feet to the back of curb for Ullom Drive, 45 feet to the back of curb for Silverado Ranch Boulevard and associated spandrel;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

42. WS-24-0266-TCB ENTERPRISES NV, LLC SERIES SILVERADO & RAINY DAY INVESTMENTS, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase retaining wall height; and 2) modified driveway design standards.

DESIGN REVIEW for a restaurant with drive-thru on 1.25 acres in a CG (Commercial General) Zone in the Airport Environs (AE-60) Overlay. Generally located on the northeast corner of Ullom Drive and Silverado Ranch Boulevard within Enterprise. JJ/rr/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 39, 40 AND 41).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Ullom Drive, 45 feet to the back of curb for Silverado Ranch Boulevard and associated spandrel;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger.

- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0274-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

(Companion Items 43-45)

43. ZC-24-0324-LANDHOLDING SERIES OF SOPHINVEST, LLC:

ZONE CHANGE to reclassify 1.43 acres from an RS20 (Residential Single-Family 20) Zone to an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the east side of Randall Street and the north side of Tres Lobos Avenue within Moapa Valley (description on file). MK/hw (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 44 AND 45).

CONDITIONS OF APPROVAL –

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0131-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

SAMI REAL

Next are companion Items 43 through 45.

- Item 43, ZC-24-0324. Zone change to reclassify 1.43 acres from an RS20 (Residential Single-Family 20) Zone to an RS3.3 (Residential single-family 3.3) Zone. Generally located on the east side of Randall Street and the north side of Tres Lobos Avenue within Moapa Valley.
- Item 44 WS-24-0325. Waivers and development standards for the following: reduced street landscaping, increased driveway width, eliminate streetlights and allow an attached sidewalk. Design review for a single-family attached duplex residential development on 1.43 acres in an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the east side of Randall Street and the north side of Tres Lobos Avenue within Moapa Valley. And then;
- Item 45, TM-24-500064. Tentative map consisting of five residential lots on 1.43 acres in an RS3.3 (Residential Single-Family) Zone. Generally located on the east side of Randall Street on the north side of Tres Lobos Avenue within Moapa Valley.

GENE GOTTSCHALK

I'm Gene Gottschalk, that's G-O-T-T-S-C-H-A-L-K from Moapa Valley Builders. We are the applicant for this project. So, for those who know Moapa Valley, this project is located immediately north of Lynn's Supermarket and east of the McDonald's. And what we're proposing to do there is to divide the site into five parcels. On these parcels we will build duplexes that look more or less like this. So, there will be five buildings with a total of 10 units, and these will be kept and operated as long-term rentals, which are

much needed in the area. We don't have enough rentals for young people that graduate from school there and want to stay in the area and can't quite afford to buy a house yet. So, should I just go through the different items here?

So, the first item is a zone change request from RS-20 to RS3.3 That's a conforming zone change request, and we need that for being able to build these duplexes because the RS3.3 allows for that. Then we're asking for some waivers. One is to reduce the width of the street landscaping from 10 feet to six feet along the street here on the west. This is so that we can have more backyard space for the resident of this unit here, because on each residence there will be a fence through the middle here that separates two backyards for the people that live there. The next waiver is to increase the driveway width. This is because these duplexes are built in the way that we have, there is a two-car garage for each resident. Those are located in the middle. This helps us mitigate noise from one side to the other from the residents. And because of how this is set up, it makes the driveway wider there in the middle than what is allowed in Title 30.

The next waiver is to eliminate the requirement for streetlights. We are not asking to waive the sidewalks because sidewalks unfortunately in that particular area are common and also, we have sidewalks on the other side of the street. So, we are not asking to waive that. We are asking to waive the streetlights, which I believe public works is recommending approval for that because there is sufficient light on other sides of the street already. And the last item is to ask for being able to build an attached sidewalk though instead of a detached sidewalk. And the attached sidewalk is what's common in this area and also located immediately across the street.

And then the last item is to approve the tentative map here that shows how we are proposing to cut this up into five lots.

TICK SEGERBLOM

Does that complete your presentation?

GENE GOTTSCHALK

Yes, I believe so.

TICK SEGERBLOM

All right, this is a public hearing. Anyone here wishing to speak? See no one here from Moapa Valley, we'll go ahead and close the hearing and turn it over to Commissioner Kirkpatrick.

MARILYN K. KIRKPATRICK

Thank you, Mr. Chairman. Antonio, you want to clarify. You said some contradicting information, so we just want to clarify what you're trying to do.

ANTONIO PAPZIAN

Thank you, Commissioner. We have contradicting conditions. So, if I can clarify, if you're so inclined to approve waiver standard number three, which is eliminate off-site streetlights. I have a condition for them to install all the off-sites so it's a little bit contradicting. So, if you are so inclined to approve that, I would like to clarify ours to say full off-site except for streetlights and install the conduit and pull boxes. So, if at a future date that we decide we need those streetlights, it would be nice that the conduit and the pull boxes are installed under the sidewalk.

MARILYN K. KIRKPATRICK

Okay, thank you. Mr. Gottschalk, do you understand that? We just want the infrastructure.

GENE GOTTSCHALK

Yes, and we'll have it all dug up so that should not be a huge problem to do. We will just need to know how far spaced these slides should-

MARILYN K. KIRKPATRICK

They're happy to share that information with you because it helps for the long run, so we appreciate that.

So, I am not opposed to this project. Thank you for doing some infill project. As you know we've just spent a lot of dollars out there trying to really modernize it.

GENE GOTTSCHALK

Thank you for that. It looks very nice. I drive personally down it every day.

MARILYN K. KIRKPATRICK

Well, I appreciate that. But I would ask that what I'd like you to do, and your word is good as far as the things that you've been part of out there. So, I don't mind eliminating the four feet of landscaping, but I still want it nice plush landscaping so that, you know that's a heat island out there, so we like to make sure that it stays cool.

GENE GOTTSCHALK

Yes. So, we are not planning on doing any grass for example because that requires more-

MARILYN K. KIRKPATRICK

I'm not asking for grass.

GENE GOTTSCHALK

So, do you want trees?

MARILYN K. KIRKPATRICK

I want to do what you do best. Make it nice and modern and plush because at the end of the day the more greenery that we have, the better it is for that entire area out there. And I'll take you on your word, so I don't have to put a condition, but I know how to get a hold of you, okay?

GENE GOTTSCHALK

Plush. Okay.

MOTION

MARILYN K. KIRKPATRICK

All right, so with that I'd make a motion to approve Items 42, 43, 44 and 45 (43, 44 and 45) and to amend to allow for the waiver development standards.

And do you want me, Antonio, so if I waive the development standards of reduced street landscaping, increased driveway, eliminate streetlights, and you also want me to clarify that on item number three as well? Okay, is that clear for the record? Right, that would be my motion, Mr. Chair.

TICK SEGERBLOM

There's a motion, cast your vote.

VOTE

VOTING AYE: Tick Segerblom, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None

ABSENT: William McCurdy II

ABSTAIN: None

TICK SEGERBLOM

That motion passes. Thank you.

GENE GOTTSCHALK

Thank you.

44. WS-24-0325-LANDHOLDING SERIES OF SOPHINVEST, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce street landscaping; 2) increase driveway width; 3) eliminate streetlights; and 4) allow an attached sidewalk.

DESIGN REVIEW for a single-family attached (duplex) residential development on 1.43 acres in an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the east side of Randall Street and the north side of Tres Lobos Avenue within Moapa Valley. MK/hw/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 43 AND 45).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised that the California Pepper Tree is not permitted per the SNRPC Regional Plant and that a large tree, as defined by Title 30, permitted by the SNRPC Regional Plant List will need to be provided in its place; that within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Install conduit and pull boxes;
- Comply with approved drainage study PW24-11701;
- Full off-site improvements except streetlights.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this

project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0131-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

45. TM-24-500064-LANDHOLDING SERIES OF SOPHINVEST, LLC:

TENTATIVE MAP consisting of 5 residential lots on 1.43 acres in an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the east side of Randall Street and the north side of Tres Lobos Avenue within Moapa Valley. MK/hw/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 43 AND 44).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Install conduit and pull boxes;
- Comply with approved drainage study PW24-11701;
- Full off-site improvements except streetlights.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0131-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

46. ZC-24-0357-MILES AHEAD TRUCKING, LLC:

ZONE CHANGE to reclassify 0.25 acres from an RS80 (Residential Single-Family 80) Zone to an IL (Industrial Light) Zone within the Airport Environs (AE-75) Overlay. Generally located on the west side of Searchlight Street, 320 feet south of Washburn Road within Sunrise Manor (description on file). MK/rr (For possible action)

ACTION: HELD NO DATE, PER COMMISSIONER KIRKPATRICK.

47. WS-24-0358-MILES AHEAD TRUCKING, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) street landscaping; 2) fence; 3) off-site improvements (curb/gutter, sidewalks, streetlights and partial paving); and 4) detached sidewalks.

DESIGN REVIEW for a parking lot for commercial vehicles (trucks) on 0.25 acres in an IL (Industrial Light) Zone within the Airport Environs (AE-75) Overlay. Generally located on the west side of Searchlight Street, 320 feet south of Washburn Road within Sunrise Manor. MK/rr/syp (For possible action)

ACTION: HELD NO DATE, PER COMMISSIONER KIRKPATRICK.

(Companion Items 48 and 49)

48. AG-24-900562: Approve the Settlement Agreement in the case LV Judson LP v. Clark County, District Court Case No. A-23-869800-J and Supreme Court Case No. 88450, authorize the Chair to sign the Agreement; and consider other matters properly related thereto. TS/sr (For possible action)
APPROVED.

ACTION: APPROVED (COMPANION ITEM 49).

SAMI REAL

Commissioners. Next are Items 48 and 49, which are companion and will be heard together.

- Item 48, AG-24-900562. Approve the settlement agreement in the case of L.B Hudson L.P versus Clark County District Court Case Number A-23-869800J and Supreme Court Case Number 88450. Authorize the Chair to sign the agreement and consider other matters properly related thereto.
- Item 49, WS-22-0147. Waivers of development standards for the following, reduced throat depth, reduced departure distance and off-site improvements, curb gutter, sidewalk streetlights and partial paving. Design reviews for the following office, warehouse facility and finished grade on a 6.2-acre portion of a 9.3-acre site and an MD (Design Manufacturing AE-65 and APZ-2) Zone. Generally located on the northwest corner of Lamb Boulevard in Judson Avenue within Sunrise Manor.

TICK SEGERBLOM

Good morning.

STEPHANIE ALLEN

Good morning, Mr. Chairman, Commissioners. Stephanie Allen, 1980 Festival Plaza Drive here on behalf of the applicant. We very much appreciate your staff working with us on this. I know my team as well as Rob and Lisa worked hard on this settlement agreement. We very much appreciate their efforts and would ask for your approval today.

TICK SEGERBLOM

All right, this is a public hearing. Anyone wishing to speak on this item, please come forward. And just line up and come on up and let us have it.

NORMA REICHENBACH

Norma Reichenbach, 2245 Moonlight Drive. I live on the west hand side of this property. Thank you for the opportunity to speak but beware this is not going to be a nice and politically correct speech so I'm going to apologize in advance, but this is honest and from me. The right to build on this land has never been in question. What is in question is the style and use of this colossal building. It is astonishing how someone who not only doesn't live in the city for the state or even a country from what I hear, with the financial means to override our existing elected officials, whose objective is to protect our local way of life, can be given the right to build a massive albatross in the middle of our rural preservation neighborhood with a complete lack of integrity, morals, scruples, and just plain blatant disregard for the surrounding lifelong hardworking blue collar property owners as proven by the history of the number of opposing signatures on file.

An elementary school and small business owners surrounding this land, the property sits in the middle, not on any outskirts, but in the middle of a vast majority of single story custom homes which homeowners built, and businesses which have been invested in and constructed by working class owners and their families over the last 30 to 60 years so that they could create a lifestyle and legacy not surrounded by environmental blocking and concrete buildings.

This particular style of building would bring down our property values and increase our interior street traffic by both individuals and major diesels emanating delivery vehicles in order to stay off the block long backed up traffic from the area of Lake Mead and Lamb. This is already happening now and will only increase by the building of this type of facility. Putting up a sign that says no big trucks allowed is only as good as the police officer sitting underneath that. The neighborhood has been in these chambers numerous times. This property was originally owned by the Catholic Church, then it was sold to an individual, then it was up for sale to be subdivided, rezoned and redesigned for a mini storage. Needless to say, it never got built on or ground broke. And we, the neighborhood, who don't have degrees in law or enough money to hire people to follow up on it daily, find out over seven years later it did not revert back to its original zoning as it should have.

It was underhandedly hard zoned with subdivided property lines not even close to what was promised. This was done corruptly and under the table by an unmentionable someone who thought he could run for governor, that stood in our homes and unashamedly lied to us, but who abused the power to do so based on deep pockets. One of the next potential buyers of this property held a neighborhood meeting with a local representative and turned down purchasing of this property due to the issues he would run into with blending into the neighborhood.

TICK SEGERBLOM

How much more time?

NORMA REICHENBACH

I'm almost done.

TICK SEGERBLOM

Okay, please.

NORMA REICHENBACH

It is believed that because the same local representative is involved in this issue that this present owner knew of the overwhelming amount and neighborhood involvement, he faced in protecting their way of life, and he felt he had enough money and time and didn't care about the neighborhood and he would not have to be concerned about it. This is not his neighborhood, his city, his state, or even the country he lives in. He would never allow this to be built in front of his house. Why do we have to allow it to be built in front of ours? These standards should not have been and should never have been overridden by the depth of a pocketbook. If this comes to fruition, it will only prove that the want of the one with money can far outweigh the hard work and wants of the many without.

TICK SEGERBLOM

Thank you.

NORMA REICHENBACH

And I have a (inaudible) report if I did it, in case anybody needs to fill it out and send it into their (inaudible)

TICK SEGERBLOM

Okay, thank you. Anyone here wishing to speak, please come forward.

JANIE WILDER

So, I apologize, I'm shaking because I'm freezing, but my name is Janie Wilder.

TICK SEGERBLOM

I need you to turn your map a little bit.

JANIE WILDER

I'm sorry?

TICK SEGERBLOM

Turn the map. I'm not sure which direction you're going to turn. There you go. Perfect.

JANIE WILDER

My name is Janie Wilder W-I-L-D-E-R. I live at 4165 Judson Avenue, three houses down from this place. First of all, I'd like to thank you. I know you're Democrats, Republicans sitting up there, but you all came together and not only did you listen to the lawyer, which when I was sitting there, I would've totally agreed to put one too, but you listened to the people out there and you made a wise choice. But then we get a card a week ago stating that they went to court and sued and won. We were never notified, and I guess as you can see, we're not rich. So, they probably figured it wasn't worthy to even let us know that this was happening. And it's been okay'd. I realize the City of Las Vegas here really doesn't care about us little people out here when it comes to big money. We showed you how this is all places for them and the streets are wide for the semi-trucks and they stay over there.

But when you get into our neighborhood, the streets are smaller, houses lined. A lot of people in their areas, they have to go out on Lamb. We have an elementary school which they've already built. You approved and they built a warehouse a block behind them in the middle of that neighborhood. Now it's going to be a block in front of this school, the elementary school. We explained to you that we have horses out there with all ages riding, we have all ages.

Our houses, the value will go down because this warehouse is going to be coming with semis, with the noise that they bring, the commotion that they bring. And like she pointed out; we don't care there's a sign. They will not abide by it because one of the ways, if they want to go one way, they're going to have to go through our neighborhood to get to a light, to get to that direction. Our Democrat City of Las Vegas let their people down when they decided to take money over the people that live here. But I do appreciate you guys because you are willing to hear it from both sides, which I guess our city isn't. Thank you very much. You all have a good day.

TICK SEGERBLOM

Thank you.

TOM ANDERSON

Good morning. My name is Tom Anderson. I live at 2265 Moonlight, which is right across the street from where this is being built. My card has the square shows, the whole property. Is this whole thing being developed commercial, because it's to have half acre lots on the backside on Moonlight. Is that still correct? Because it doesn't really specify.

TICK SEGERBLOM

Mister, this settlement allows them or requires them to have half acre lots on the other side, right?

ROBERT WARHOLA

Yes, it does.

TICK SEGERBLOM

Yeah. So, there will be a buffer on Moonlight.

TOM ANDERSON

Okay. Just like my neighbor, I didn't get a card, or I didn't know anything until four days ago. So, is this true, the owner took the county to court and beat them and that's why we're here? Because I'm just kind of curious. We didn't get any pre-meetings, nothing with Sunrise Manor, anything. And with me being here, does it even matter that I complain if this is a lost cause? I mean is there anything that can be done or can I be more informed with what exactly that they're planning on doing?

TICK SEGERBLOM

After you're done speaking, we'll address all those issues.

TOM ANDERSON

Okay, thank you. And then I pretty much believe that's about it. As far as, the building's supposed to be like 35 feet tall, but there's not going to be pumping stations for these trucks. So the foundation has to be elevated like 11 more feet, making the building probably 46 feet tall. And is the water going to be designed to run off toward Lamb? I'm sure you guys may know that or not because with us having rural properties, we don't have sidewalks and curbs to keep the water from coming in on our property. So this is just concerns of being a homeowner. And I don't know if you guys have answers to that at all. And that's it. I'll listen to what you guys have to say. And is there going to be any more meetings about this or this is just us complaining that we lost? Because last time I was in here we won.

TICK SEGERBLOM

Anyway, I apologize. Once you sit down, we'll go through, explain it all, what's happening. Thank you.

TOM ANDERSON

Thank you.

VAL HARDY

Hi, my name is Val Hardy. I live at 2334 Moonlight Drive where this developments may be made. I guess what I'm concerned with, I've never been against this development. Well, the only thing I'm against is the way that they position their property and what they're doing is yes, they give us four housing lots where if you look at the property lines, the rest of us exist back almost 150 feet back and they're encroaching in our neighborhood. And that's where I have my issues, is if they would put their development back to the east 150 feet, match it up with our property lines, then to me that's commercial. But when they encroach in our neighborhoods, that's when I have my issues because that's what they're doing.

These little dinky lots that they're doing aren't even comparable with what we're dealing with. And me as a homeowner, what you're doing is you're decreasing my value because you're going down sizing my lots. Because I have a 0.77 acres, and when you're going down to less than a quarter to a half, then guess what? That's have my issues. Because like I said, if they're taking, let me put it this way, we won the issue last time, they took it to court, we lost. Now we have to lick our wounds and say, "Okay, you guys get

whatever you want." Well, I don't like that approach. I'm a homeowner. Respect me as a homeowner, and at the same time respect me as a resident of that area because I raised my family there. I have my grandchildren come down and it doesn't seem like they're respecting any of us. They don't respect you and they don't respect us as homeowners. And that's all I have to say. Thank you.

MOTION

TICK SEGERBLOM

Thank you. Anyone else here wishing to speak? Seeing no one, will close to the public hearing and have the applicant come forward. So let me just go ahead and vent for a second. So just so you understand, you're right. When you were here last time we won, we defeated this project. It was totally inappropriate for that neighborhood and for that piece of property. Unfortunately, the developer went to court, we fought. I was sitting in the court when the judge ruled against us, but the judge ruled against us. And, as a lawyer, I'm ashamed to say that that's the way the legal process works, but that's what the judge says this is how it is, then you have to follow the law. Having said that, what's happened now is they've gone back because the judge ruled against us and said, here's our plan. We submitted it before and before us. We have really no choice because we're just voting to approve what the judge said.

But just know that going forward they still have to build this thing. And so, there's lots of hurdles that will come up and we're going to hold their feet to the fire and make sure that they do everything they've asked. There was a question about where the water's going to go. A drainage study has to be done appropriately, so we'll make sure that doesn't impact the neighborhood. They're not going to be allowed to, the trucks at least would come out on Judson. That doesn't mean they won't go down to Judson and come back through. So, we're going to have to really monitor that and make sure that trucks do not drive on Moonlight or Judson, that is not appropriate for that neighborhood. That neighborhood deserves to be protected and I will fight forever to protect it. But I apologize. I did the best I could do, but the truth is we're kind of between a rock and a hard place and so, today we're just affirming what the judge said we had to do. So having said that, I would make a motion to approve even though it kills me.

VOTE

VOTING AYE: Tick Segerblom, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft
VOTING NAY: None
ABSENT: William McCurdy II
ABSTAIN: None

TICK SEGERBLOM

All right, thank you. That motion passes. But again, neighbors, I will work with you forever. So, let's stay in touch. And thank you for coming down and expressing your opinions and concerns.

STEPHANIE ALLEN

Thank you very much. Appreciate it.

49. WS-22-0147-LV JUDSON, LP:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce throat depth; 2) reduce departure distance; and 3) off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving).

DESIGN REVIEWS for the following: 1) office/warehouse facility; and 2) finished grade on a 6.2 acre portion of a 9.3 acre site in an M-D (Design Manufacturing) (AE-65 & APZ-2) Zone. Generally located on the northwest corner of Lamb Boulevard and Judson Avenue within Sunrise Manor. TS/sr/jo (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEM 48).

CONDITIONS OF APPROVAL --

Current Planning

- The buildings shall be one story only with a maximum height of 35 feet;
- The building faces shall be constructed with enhanced articulation;
- The top of any windows facing west on the buildings shall not be placed above 12 feet in height;
- Lighting on the buildings shall not be placed more than 10 feet in height;
- Wall signs on the buildings shall not be illuminated;
- Monument signage only on N. Lamb Boulevard and Judson Avenue with a maximum height of 8 feet;
- No large truck access onto Judson Avenue whereas a large truck is defined as a truck having a gross vehicle weight rating (GVWR) of over 10,000 pounds - customer and employee vehicle access only;
- Add signage to prohibit large truck access onto Judson Avenue;
- No large truck access onto Moonlite Drive;
- A 10 foot high wall shall be constructed on the north and west sides of the property where it is zoned Industrial Park (IP);
- Intense landscaping shall be installed along the west property line inside the 10 foot high wall of the development where it is zoned IP with 24 inch box trees spaced 30 feet apart;
- Enhance the landscaping along N. Lamb Boulevard by adding 24 inch box trees spaced 30 feet apart;
- A double row of evergreen trees 24 inch box staggered/offset from one another planted 20 feet apart on center (per Clark County Code §30.04.02C2) shall be installed on the northwest corner of the property where it is zoned IP adjacent to APN 140-19-504-009;
- The residential lots shown on Exhibit Plan 1, included within the Settlement Agreement as Exhibit A, located on the west side of the property adjacent to Moonlite Drive shall be deed restricted as, and maintained as, Residential Single-Family 20 (RS20) lots and single-story homes to serve as a buffer to the RNP homes to the west;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;

- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements for Lamb Boulevard and Judson Avenue;
- Right-of-way dedication to include 30 feet for Moonlite Drive and associated spandrel;
- Execute a Restrictive Covenant Agreement (deed restrictions).
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

SEC. 6. APPEALS

50. WS-24-0290-COSMIC DEVELOPMENT, LLC:

APPEAL WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow a gated community; 2) increase wall height; and 3) eliminate street landscaping in conjunction with a proposed single-family residential subdivision on 2.11 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the north side of Ann Road, 585 feet west of Grand Canyon Drive within Lone Mountain. RM/rp/syp (For possible action)

ACTION: APPROVED. APPEAL – DENIED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Applicant is advised a tree-fee in lieu shall be paid to the County for each street tree waived; within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Comply with approved drainage study PW23-17751;
- Traffic study and compliance.
- Applicant is advised that off-site improvement permits may be required.

Fire Prevention Bureau

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated County; and to inquire with the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

SAMI REAL

Next on the agenda is Item 50, WS-24-0290. Appeal Waivers of development standards for the following: allow a gated community, increase wall height and eliminate street landscaping in conjunction with a proposed single-family residential subdivision on 2.11 acres and an RS-20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the north side of Ann Road, 585 feet West Grand Canyon Drive within Lone Mountain.

Commissioners, this is an appeal. The Planning Commission had approved the application, and it was appealed by an interested party who does not agree with the Planning Commission's decision to waive landscaping along and road and allow an eight-foot-tall perimeter wall.

TICK SEGERBLOM

Good morning.

PATRICIA LEE

Good morning.

TICK SEGERBLOM

Good morning.

PATRICIA LEE

My name is Patricia Lee, last name L-E-E.

TICK SEGERBLOM

Welcome to the other side of the bench.

PATRICIA LEE

I know. It's awkward.

DR. JOE JESSE OWENS III

All right, good morning. My name is Dr. Joe Jesse Owens III, last name O-W-E-N-S.

DR. JONATHAN LAMAR SNEAD

My name is Dr. Jonathan Lamar Snead. Last name S-N-E-A-D.

RONNIE LEE

My name is Ronnie Lee, last name L-E-E. I am the manager of the LLC Cosmic Development. We are working on Snowley Court, which is at 9748 West End Road. Parcel number 125-30-402-020. As a preliminary matter, I would like to make a record with respect to the issue of the appellants outstanding or rather the lack thereof. NRS 278.3195 only allows parties who have been aggrieved the right to initiate an appeal. To be aggrieved, the would-be appellant needs to have appeared either in person or in writing at the planning commission meeting. Here, the appellant neither appeared in person, nor did she submit anything in writing with respect to our request for a waiver.

The appellant who triggered this appeal hearing is therefore statutorily prohibited from bringing this appeal now. The legislature's logic in implementing this statute makes sense because it allows petitioners a pathway to finality. And if we had any notice of this appellant's grievances, we could have presented counterarguments and evidence to persuade the planning commission to grant the waiver notwithstanding the opposition. To allow this appeal to essentially interject, excuse me, to allow this appellant to essentially interject belated objections at the appellate stage is tantamount to sandbagging

the procedure in a post-hoc fashion, clearly frustrating the purpose of the statute. Having made my record of the procedural deficiencies of the appellant's claim, I will nonetheless move forward on the substance of addressing our initial waiver request, which was unanimously approved by the commission if the Commissioners so desire.

TICK SEGERBLOM

Commissioner Miller.

ROSS MILLER

Go ahead. If you could just, I think, briefly go through your presentation, which I've watched at the Planning Commission. You're correct. I didn't have the benefit of watching any objections, though I do understand that there were representatives at the town board. I understand that a particular concern is just the waiver of landscaping. I believe your presentation does have some slideshowing that landscaping throughout that area has been waived and is more imposing landscaping is more the exception than the rule and also the adjusted wall of length. I don't think we need a lengthy presentation, however.

RONNIE LEE

Yes, sir. I'll try to go through quickly. The three waivers that we were looking for was an entrance gate, waiving the landscaping requirement, and the height of the wall. I understand that the opposition is based on trying to keep this area rural and we understand what that looks like, but there's already language that indicates that there's an understanding that when you're on a major arterial that things are going to be slightly different.

We are on Ann Road. The property is located on Ann Road and Major four-lane arterial connected to the 215. The County has already completed urban improvements including six-foot sidewalks, streetlights, and curbs. Typically, not associated with the rural areas. Sewer, water, gas, and power utilities are all available directly in front of the property.

Currently, there are numerous developments in the area featuring high walls, no landscaping and gated entrances. Given the significant traffic, this area is no longer ideal for standard rural use. The installation of walls and gates would be necessary due to the traffic volume and there's no notable equestrian or horse activity along the portion of Ann Road.

Coming soon, there's a new development consisting of five communities built as estates that are under construction just east of our location. There's no agriculture here and there's no livestock. Directly across the street from us, there's a residence with over 150 half-acre estate homes. It's a gated community. Once again, there's no agriculture and there's no livestock.

Currently, this is what the parcel looks like. It's kind of an eyesore when you see the dilapidated wooden, probably non-permitted fence and the vehicles just sitting in the backyard. This is what we're trying to do, and I understand we're not Toll Brothers, it's just us trying to make our forever homes. We're just constituents in the community, citizens that are trying to do this. To be clear, there's two veterinarian doctors, a first responder, a real estate agent that's also a military veteran, a group of kids ranging from the ages of two to 16, including a child with special needs, a Nevada Supreme Court justice, and myself, who's also a military veteran.

Sorry about that. Jumped one. The homes will be two-story custom homes, and our plan is to have them fully move and ready with complete landscaping. I point out the landscaping because we're also doing the backyard landscaping, so they're going to be turnkey and the trees that are on the back wall of those yards will grow and also be visible from the street side and create shade, and we're planning on putting

40 trees instead of the nine that were requested. The estimated value of each property will be approximately \$4 million. I point this out because we're going to be increasing the overall value of our community right around us.

Again, this is the gate in question that's across the street from us. We didn't think this would be an issue. It was actually approved by all parties. We were going to put the gate, our own gate, across the street. Some of the reasons for the gate: the granted waiver would allow us to safeguard our families, increase privacy, and provide additional security. Located on a major four-lane roadway and road, we want to prevent people from mistakenly entering the cul-de-sac for safety reasons and ensure that our children, some of whom are younger, do not venture into the main street.

One of the residents is a special needs child making safety even more critical. Additionally, in Nevada Supreme Court justice resides in the cul-de-sac making the added sense of security paramount. Again, we're meeting all the specifications that are required for the building of the gate. We've also had approval from the fire department, the community board, which most of them are here, had also approved the gate portion of this and the Planning Commission approved it.

In regards to the landscaping, the granted waiver allows us to retain the use of 2,700 square feet that would have otherwise been lost to street-side landscaping. It also enables us to conserve water and maintain neighborhood continuity without diminishing the characteristics of the area in any way. According to the code, a detached sidewalk requires only a five-foot landscape strip, a five-foot sidewalk and five feet between the sidewalk and the property wall totaling 15 feet. For an attached sidewalk, the requirement is 10 feet from the back of sidewalk to the property line plus five feet sidewalk also totaling 15 feet. Therefore, it is unreasonable to require a ten-foot landscaping strip from the property line, as this would create a twenty-two-foot space from the street to our wall, the requirement would significantly increase project cost, reduce the size of two of the yards by approximately 2,700 square feet and cause unnecessary water waste without providing any real benefit to the community.

The wall height, the subdivision is adjacent to a major roadway. The configuration of the homes in approximately 14 feet grade from one side of the parcel to the other lends itself to higher perimeter walls on the southeast and north side. The higher walls will also reduce traffic noise reaching the homes and allow for greater privacy for the residents. This kind of shows you how the parcel will be divided.

Precedent. These parcels are all within walking distance of our future home. The properties have elevated walls along the property line without any landscaping, and this is up and down Ann Road. If I go off of Ann Road, I can find more. This was directly in walking distance. In summary, we hope you will agree with the Planning Commission's unanimous decision to approve our waivers and reject this appeal. It's important to note that our project will not harm the neighborhood area in any way and will benefit the community. The waivers allow us to avoid increased development costs, reduce water waste, and retain 2,700 square feet of usable space within our subdivision. Our project is located on a major four lane thoroughfare, and we are focused on addressing safety concerns, increasing security, reducing traffic noise, and enhancing privacy while still adding value and improving the community's appearance. Thank you for your time. Sorry if that was long.

TICK SEGERBLOM

Thank you. Is the appellant, the individual who appealed, here? Yes. Please come forward.

BRIGITTE SOLVIE

I think it's still morning. Good morning, commissioners. Yeah, I'm the appellant, Brigitte Solvie. 7030 North Conquistador Street. This parcel came to my attention. Yes, during both the Lone Mountain CAC

and I was unable to attend the Planning Commission because of family issues. However, I did file the appeal. I am not unopposed to the gate. I understand the gate on a main road, but what I am opposed to is the fact that we are still in a rural neighborhood preservation. It's an overlay and as long as we keep giving away our landscape strips, when we know that Las Vegas Valley Water District, Southern Nevada or SNWA have given us a plethora of trees that are both evergreen or deciduous that are water acceptable in their usage, that to deny just even nine trees on the outside of this property, if indeed it's going to be a white wall that's going to be very noticeable and stark.

Not to say that somewhere down the line it might get painted in another color, but that's still just, we're only talking nine trees. They have this property has unique benefit of having vacated a portion of road on the east perimeter, so they gained 30 feet back along that whole east line and have incorporated it into their lot design. We're only asking that they give back on Ann Road for the appropriate landscaping that should keep this area. Directly across the street is lush and beautiful. Yes, some of the homes up and down are without landscaping. They're much older. Long before complete streets came in and put in all the improvements on Ann Road--street lights, curb, gutter--which many meetings were held, and we had hoped that there would be some provisions for horse equestrian even if it was on the interior streets and those have been bypassed.

My appeal is asking for the RNP and the NPO, the low overlay, give back the landscaping along Ann Road because this is not a hard encumbrance for a very wealthy planned project, to just plant nine trees and give a little, the amount of water will be nominal to install some watering devices and water clocks and valves is nominal for this scale of a project. As to the height of the walls, we have coyotes. Coyotes will jump an eight-foot wall just as easily as they will six. I would personally suggest go back to a six-foot wall or maybe six and a half and top the perimeter outsides with some wrought iron, something that truly deters coyote activity, still gives plenty of potential for privacy.

They're going to have immense landscaping on the interior. Fine. That'll also deter a coyote jump, but an eight-foot around the whole perimeter is unacceptable for this neighborhood and if they're looking at security, each home will have its own security cameras, its own visuals, its own alarms. I'm just asking, let's try to keep this back in what the NPO, what the RNP area looks like. Let's dial it back a little bit. Stay within the ordinances and not give away and keep giving away and keep giving away. That's my appeal. Thank you for listening.

TICK SEGERBLOM

Thank you.

ROBERT WARHOLA

Commissioner Segerblom, can you open up the public hearing?

TICK SEGERBLOM

This is a public hearing. Anyone else here wishing to speak?

DON CAPE

Good morning, Commissioners. Don Cape, 4965 North Raleigh Street, also Chairman of the Lone Mountain CAC. It's unfortunate that the applicant has had to endure this additional step in their process. Know the CAC takes pride in working with the neighborhood to keep consistent with the rules and regulations that staff has put in place and it's been adopted. We actually worked with the applicant. We thought we had a resolution for their path forward to stay within parameters that are set forth within the Title 30 and the solution we came up with was instead of 10 foot landscape strip, we suggested a six-foot landscape strip and to avoid setting a precedent for an eight-foot screen wall, which is highly opposed in

the RMP, suggested if they did a two-foot retaining wall on the landscape side with a six-foot screen wall above that and burned the landscape on the street side that they would still appear to be an eight-foot wall on their property side. That was the compromise that we suggested to the applicant.

The upsetting part for me personally is that Planning Commission disregarded the notes that the CAC put forward for the applicant, which burdened them to have to come back here. That's our perspective as the CAC is not trying to set a precedent for an eight-foot screen wall and a compromise, which is a little bit of a trick to get the eight-foot wall for the applicant would be a two-foot retaining wall on the street side, burning the landscape up behind it, and a six-foot landscape because it is consistent with Ann Road with the additional landscaping that's been put on Ann Road. It's unfortunate they bought this property and didn't do it 10 years ago before Ann Road just put in, it wouldn't have mattered, but now we live in that current space, so we didn't feel it was too big of a hardship for the applicant based on what they're trying to accomplish here. Thank you.

TICK SEGERBLOM

Thank you.

CHRIS DARLING

Good morning, Commissioners. Chris Darling, 4785 Grand Canyon, Las Vegas, Nevada 89129. I'm part of the Low Mountain Community Advisory board as well. We thought we had a good meeting. We gave a couple of good suggestions and unfortunately, we're in the situation where we're at today. We're hoping that when it went to the Planning Commission, they would've helped enforce it, but I wanted to go over a couple details. They talked about high walls in the area. Yes, there's high walls in the area, but those high walls have a retaining wall in front of it, a small one and then a screen wall behind it with landscaping in front of them. That's one of the things we suggested. I personally own land on Ann Road. It's about, I don't know, 700 feet from this property and I have a small two-foot retaining wall. I stepped it back; I have landscaping there and then I went up with a six-foot wall.

It's not obnoxious. It's not eight foot tall, it's not bright and I try to keep in what the community has with the landscaping. Yes, there's some areas that are not going to go into it, but that don't happen because they're older. We're all neighbors in the area. We try to sit on the board. We want everything to look copacetic in the area and we live next to them. Some of us are doctors, some of us are lawyers, some of us are blue collar workers and we all want to try to live together in an area that is not full of walls where everybody just drives by a barren block wall. Thank you very much.

TICK SEGERBLOM

Thank you.

ALLISON BONANNO

Good morning Allison Bonanno 6950 Rome Boulevard. Bonanno, B-O-N-A-N-N-O. Ms. Kirkpatrick just spoke about earlier regarding paved road, about having consistency, and how important it is to be consistent and having standards. Also talking about reducing the heat islands. Landscaping is very important, and the standards were put in place to provide the uniformity. You guys worked tirelessly on Title 30 and everybody in the county had the opportunity to speak up and put their 2 cents in if they had a problem with it. And it's hard to make everybody agree on it and hard to make everyone happy, but the standards are put in place for that specific reason, and we should be abiding by that unless there are extenuating circumstances that are beyond normal. Everybody wants safety, everybody wants security. They want noise reduction. That is not something that is unique to this particular item. Ann road is an arterial and especially with an arterial, it is to keep it consistent.

When people are driving down Ann Road that they see that it's not one thing here, one thing there. A lot of money was put into this to make the aesthetics look good. Let's not go backwards. And when we allow those deviations, especially in those highly visible areas, we erode all of those efforts that we put forth into that area and we kind of thumb our nose at the Title 30 that we all worked so hard on. Another issue, and of course your phone went on lock mode, but I believe that these parcels are currently up for sale on Zillow and if that is the case, I don't know how we can already determine that the folks that are going to be living there need to have an extra level of security because of their profession or any children that have special needs. I could be wrong.

Just one property. Okay. One is at least one. Right? That's my plea to you and I'm also on the Lone Mountain Citizens Council. We deal with the folks there not just every two weeks, but we are in touch with them through social media. These are good people and we wouldn't be here if the folks in the Lone Mountain and the rural preservation areas didn't feel this way. We took time out of our day to come here to say that we speak with the people and for the people and they appreciate your leadership. Thank you very much.

TICK SEGERBLOM

Thank you. Anyone else here wishing to speak? Seeing no one. We'll close the public hearing. It's a public hearing, right? And turn it over to Commissioner Miller.

ROSS MILLER

Thank you. I think Mrs. Sully acknowledged that she was not present at the Planning Commission. Do we have any record of any written objections being filed at the Planning Commission?

SAMI REAL

We received some cards in protest, but none from the appellant.

ROSS MILLER

Okay. What's the legal implication of not having the appellant fail to appear at the Planning Commission and not submit written objections?

ROBERT WARHOLA

Right. In order to be agreed, the applicant's correct. In order to be agreed, the appellant has to appear in person or in writing at the Planning Commission meeting and since the appellant did not appear in person or in writing, then the appeal is not properly before you.

ROSS MILLER

So, I could make a motion then just on the basis of those procedural grounds to have it deny the appeal because it wasn't properly filed. Is that correct?

ROBERT WARHOLA

That's correct. Yes.

MOTION

ROSS MILLER

Great. Well, turning to the merits, I first had this item pulled when it came before the Planning Commission for a street name change. I have not seen the project, both myself and my Planning Commissioner, Tim Costello, who I had appointed, reviewed the project. I think it's a beautiful project. Obviously \$4 million homes along Ann Road are going to be an incredible addition. I appreciate the

concerns of the CAC, along with the Rural Preservation Association, that would like to see landscaping here. The reality is, if you look up and down Ann Road, there is no landscaping that has been mandated. This doesn't deviate any way. It's not going to impose any kind of eyesore. There's legitimate reasons for a gated community with the two-foot wall here. Frankly, I can't believe that the objections have gone this far. I just don't see any basis for it. This Commission routinely approves waivers of this type on all kinds of projects through the valley. These waivers are appropriate. I think it should have been appropriately left at the Planning Commission, who voted unanimously in favor of this. I think that also should be given some weight. The Planning Commission, of late, has not been voting unanimously. But then I think they saw the project for what it was. It was a lengthier presentation of the Planning Commission as to the detail about what is planned here.

Again, I think it's an incredible project, happy to see it go forward. They're putting 50 trees in, correct me if I don't have that number right, but in lieu of the nine trees that's mandated that will just be behind their walls, that wouldn't compromise their property line.

On that basis, I would make a motion to deny the appeal based upon the fact that it was not properly filed by virtue of the fact the appellant did not appear in person or object in writing of the Planning Commission and also on the basis of an independent review and finding the waivers to be appropriate.

TICK SEGERBLOM

Just make it clear, voting yes means we deny the appeal.

ROBERT WARHOLA

Yes, that's correct.

MARILYN K. KIRKPATRICK

May I ask a question? And I appreciate your comments Commissioner Miller, but I just want to... I've been here a while and I never seen this invoked on us because she used to appeal everything before the Planning Commission, and we never heard this before. I've appealed things, so I just want to understand, and maybe I need an offline briefing on it because I want to understand, because I also was here when we did the Complete Streets on Ann Road and look, those neighbors out there didn't want complete streets to begin with and they're shoved down their throat.

And so, there was the medians. We had to accommodate a lot of things. There's a lot of history on that road. I understand today that I'm somewhat forced to vote for it, but I want to understand going forward because, as a Commissioner, then I need to do something different in my District because I just have never heard this done so –

Offline, I suppose. I understand today I have to vote for it, at your recommendation, but I've been here a long time, never heard this invoked ever. I'll be supporting it. But I just want to understand because I just never heard this before.

TICK SEGERBLOM

And I think the motion was alternatively, so denied based on lack of jurisdiction but also based on the merits.

ROBERT WARHOLA

Correct.

TICK SEGERBLOM

There's a motion, cast your vote.

VOTE

VOTING AYE: Tick Segerblom, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None.

ABSENT: William McCurdy II

ABSTAIN: None

TICK SEGERBLOM

That motion passes. Thank you so much.

ROSS MILLER

Thank you.

SEC. 7. ORDINANCES

51. ORD-24-900429: Conduct a public hearing on an ordinance to amend Title 30 to update various land use requirements and procedures and make corrections and clarifications as appropriate, and direct staff accordingly. (For possible action)

ACTION: ADOPTED AS AMENDED (ORDINANCE 5175).

SAMI REAL

Next is Item 51, ORD-24-900429. Conduct a public hearing on an ordinance to amend Title 30 to update various land use requirements and procedures and make corrections and clarifications as appropriate and direct staff accordingly. Commissioners this ordinance reflects changes as previously directed by the Board and those clarifications and corrections that we've been tracking since the effective date of the Title 30 rewrite.

Additionally, I have a clarification to read into the record related to a new exemption added under landscape standards Section 30.04.01D75. Staff requests a revision to the new exemption C to read as follows: street landscaping shall not apply to the front yards adjacent to a residential local street of a single-family residential development. This revision is intended to clarify that not all street landscaping in front yards is exempt from the standards and will align with Title 30, prior to the rewrite where landscaping was not required alongside walks of residential local streets, which are defined in part as public streets internal to residential subdivisions.

Moving forward, we would also like support from the Board to conduct a more focused analysis of the current landscaping standards to ensure that we're appropriately siting trees along streets within parking lots and in buffer areas. The goal here would be to improve upon current standards to create thriving landscape areas while balancing the ongoing efforts for water conservation and combating the effects of heat islands. So, with that staff requests that you conduct a public hearing.

TICK SEGERBLOM

This is the public hearing?

SAMI REAL

That is correct, yes.

TICK SEGERBLOM

Okay. It's a public hearing. Anyone wishing to speak? Don't shoot us. That was a joke. I guess they weren't here to testify. All right, seeing no one. We'll close the public hearing and vote.

SAMI REAL

We need a vote. Yes, vote please.

MARILYN K. KIRKPATRICK

May I ask a question? On this Title 30 updates, we are going to come back and address landscaping in the future and address some other things. This is just so we keep doing a little bit at a time?

SAMI REAL

Yes. Right now, it's mostly all the clarifications and corrections that we've been tracking since we've since the effective date. And then what we would like to do is a more focused effort on landscaping to make sure that we're appropriately citing street trees where they need to be, parking lot trees that we're appropriately designing these buffer areas, and work with the landscape architect to make sure that we're creating landscaped areas that will ensure the survival of trees. And also, that we will continue going with our efforts for water conservation and then reducing the heat island impact.

MARILYN K. KIRKPATRICK

Okay, thank you.

MOTION

MICHAEL NAFT

(inaudible)

TICK SEGERBLOM

All right, there's the motion. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft

VOTING NAY: None

ABSENT: William McCurdy II, Ross Miller

ABSTAIN: None

TICK SEGERBLOM

That motion passed.

52. ORD-24-900490: Introduce an ordinance to consider adoption of a Development Agreement with SYA Group, LLC for a daycare facility on 1.30 acres, generally located north of Le Baron Avenue and east of Decatur Boulevard within Enterprise. JJ/lg (For possible action)

ACTION: INTRODUCED AND SET FOR PUBLIC HEARING ON SEPTEMBER 18, 2024, AT 9 A.M. (BILL 9-4-24-1)

SAMI REAL

Next is Item 52, ORD-24-900490. Introduce an ordinance to consider adoption of a development agreement with SYA Group LLC for a daycare facility on 1.3 acres. Generally located north of LeBaron Avenue in east of Decatur Boulevard with an enterprise. Commissioner staff request the Board set a public hearing for September 18, 2024.

TICK SEGERBLOM

All right, I'll introduce the ordinance and set the public hearing for September –

SAMI REAL

September 18, 2024.

TICK SEGERBLOM

Thank you so much.

PUBLIC COMMENTS

SAMI REAL

And then with that, this is the last time for public comments.

TICK SEGERBLOM

All right. This is the last period for public comment. Anyone wishing to speak? Speak now or forever hold your peace. All right. There's no one here. Meeting is adjourned or not adjourned. It's over. Thank you.

END PUBLIC COMMENTS

There being no further business to come before the Board at this time, at the hour of 11:01 a.m., the meeting was adjourned.

PLEASE NOTE: THE COUNTY CLERK KEEPS THE OFFICIAL RECORD OF ALL PROCEEDINGS OF THE COUNTY COMMISSION, THE CCWRD BOARD OF TRUSTEES, THE UMC HOSPITAL BOARD OF TRUSTEES, THE CLARK COUNTY LIQUOR AND GAMING LICENSING BOARD, AND THE CLARK COUNTY REDEVELOPMENT AGENCY. TO OBTAIN A COMPLETE AND ACCURATE RECORD OF ALL PROCEEDINGS, ANY PHOTOGRAPH, MAP, CHART, OR ANY OTHER DOCUMENT USED IN ANY PRESENTATION TO THE BOARD/TRUSTEES, REQUESTS SHOULD BE SUBMITTED TO THE COUNTY CLERK.

TO REFERENCE AGENDA ITEM ATTACHMENTS ONLINE: REFER TO THE MEETING LINK BELOW, SELECT THE ITEM (FILE # COLUMN), AND CLICK THE LINK FOR THE DESIRED ATTACHMENT.

[ONLINE MEETING LINK](#)

APPROVED:


Tick Segerblom (Oct 3, 2024 16:18 PDT)

TICK SEGERBLOM, CHAIR

ATTEST:



LYNN MARIE GOYA, CLARK COUNTY CLERK





Zoning Minutes for 9/04/2024 was Approved on 10/02/2024

Final Audit Report

2024-10-04

Created:	2024-10-02 (Pacific Daylight Time)
By:	Ricky McColl (FYM@ClarkCountyNV.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAaw8FpQtPhkRePpydaeS3WfB3athiimajR

"Zoning Minutes for 9/04/2024 was Approved on 10/02/2024" History

-  Document created by Ricky McColl (FYM@ClarkCountyNV.gov)
2024-10-02 - 11:07:23 AM PDT - IP address: 198.200.132.41
-  Document emailed to tsegerblom@clarkcountynv.gov for signature
2024-10-02 - 11:54:16 AM PDT
-  Email viewed by tsegerblom@clarkcountynv.gov
2024-10-03 - 4:17:41 PM PDT - IP address: 213.188.94.172
-  Agreement viewed by tsegerblom@clarkcountynv.gov
2024-10-03 - 4:17:42 PM PDT - IP address: 213.188.94.172
-  Signer tsegerblom@clarkcountynv.gov entered name at signing as Tick Segerblom
2024-10-03 - 4:18:07 PM PDT - IP address: 198.200.132.41
-  Document e-signed by Tick Segerblom (tsegerblom@clarkcountynv.gov)
Signature Date: 2024-10-03 - 4:18:09 PM PDT - Time Source: server- IP address: 198.200.132.41
-  Document emailed to Lynn Goya (Lynn.Goya@ClarkCountyNV.gov) for signature
2024-10-03 - 4:18:10 PM PDT
-  Agreement viewed by Lynn Goya (Lynn.Goya@ClarkCountyNV.gov)
2024-10-04 - 2:23:32 PM PDT - IP address: 198.200.132.69
-  Document e-signed by Lynn Goya (Lynn.Goya@ClarkCountyNV.gov)
Signature Date: 2024-10-04 - 2:23:41 PM PDT - Time Source: server- IP address: 198.200.132.69
-  Agreement completed.
2024-10-04 - 2:23:41 PM PDT



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NOTICE OF FINAL ACTION
CLARK COUNTY ZONING COMMISSION
9:00 A.M., WEDNESDAY, SEPTEMBER 4, 2024

LEGAL NOTICE: Following the final approval or denial of every action before the Planning Commission and/or the Board of County Commissioners, a letter indicating the action taken and the conditions under which any approval is granted will be sent to the correspondent address on the application submitted. The information herein will be filed with the Clark County Clerk, Commission Division, and serve as notice of final action for the purposes of NRS 278.0235 which marks the commencement of the twenty-five (25) day limitation period specified.

1. Public Comments.
2. Approval of the Agenda After Considering Requests to Add, Hold, or Delete Items. (For possible action)
3. Approval of minutes. (For possible action)

Board of County Commissioners' Zoning Meeting minutes for 08/07/24.

ROUTINE ACTION ITEMS (4 – 31): These items may be considered in one hearing and in one motion. Any person who does not agree with the recommendations by staff should request that the item be removed from this portion of the agenda and be heard separately when directed by the Board of County Commissioners.

4. AR-24-400079 (UC-22-0190)-CIRCUS CIRCUS LV, LLC:
 USE PERMITS SECOND APPLICATION FOR REVIEW for the following: 1) recreational facility (concerts/events); 2) live entertainment; 3) fairground; and 4) on-premises consumption of alcohol with accessory uses including food, beverage, and retail sales.
 WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce separation from live entertainment to a residential use; 2) reduce parking; 3) reduce setback from the future right-of-way (Las Vegas Boulevard South); 4) allow alternative street landscaping and screening; 5) allow landscaping and structures within the future right-of-way (Las Vegas Boulevard South); and 6) allow non-standard improvements (landscaping and fences) within the right-of-way (Las Vegas Boulevard South).
 DESIGN REVIEW for a recreational facility (concert/event/fairground/live entertainment) and all accessory buildings and structures on a portion of 77.4 acres in a CR (Commercial Resort) Zone. Generally located on the south side of Sahara Avenue, west side of Las Vegas Boulevard South, north side of Circus Circus Drive, and the east side of Sammy Davis Jr. Drive within Winchester. TS/tpd/syp
 (For possible action)

APPROVED.

**CONDITIONS OF APPROVAL -
 Comprehensive Planning**

- Remove the time limit.

Public Works - Development Review

- Compliance with previous conditions.

5. ET-24-400057 (NZN-21-0747)-RED ROCK RV PARK, LLC:
HOLDOVER ZONE CHANGE FIRST EXTENSION OF TIME to reclassify a 21.4 acre portion of a 23.6 acre site from an R-U (Rural Open Land) Zone and an H-2 (General Highway Frontage) Zone to an R-V-P (Recreational Vehicle Park) Zone.
USE PERMITS for the following: 1) management offices for a recreational vehicle park not within a centrally located service building; 2) convenience store; 3) gasoline station; 4) reduce the setback from a gasoline station to a residential use; 5) restaurant; 6) retail sales and services; 7) alcohol sales, beer and wine - packaged only; and 8) alcohol sales, liquor - packaged only.
WAIVER OF DEVELOPMENT STANDARDS for alternative landscaping.
DESIGN REVIEWS for the following: 1) recreational vehicle park; 2) convenience store; 3) gasoline station; 4) restaurant; and 5) retail sales and service on 23.6 acres in an R-V-P (Recreational Vehicle Park) Zone and an H-2 (General Highway Frontage) Zone in the Red Rock Overlay. Generally located on the north side of SR 160 and the west and south sides of SR 159 within Red Rock (description on file). JJ/jor/ng (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Until March 16, 2027 to complete or the application will expire unless extended with approval of an extension of time.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a new application for a Master Plan Amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and that the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Compliance with previous conditions.

Southern Nevada Health District (SNHD) - Engineering

- Applicant is advised to contact the SNHD Environmental Health Division at septics@snhd.org or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

6. ET-24-400083 (DR-21-0400)-ALL TRUCK PARTS, LLC:
DESIGN REVIEWS FIRST EXTENSION OF TIME for the following: 1) retail/office and industrial buildings; 2) finished grade; and 3) lighting plan on 0.89 acres in an IP (Industrial Park) Zone within the Airport Environs (AE-65) Overlay. Generally located on the south side of Holt Avenue, 500 feet west of Nellis Boulevard within Sunrise Manor. TS/nai/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Until September 21, 2025 to commence or the application will expire unless extended with approval of an extension of time.

- Applicant is advised a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Compliance with previous conditions.

7. UC-24-0359-DAVENPORT, NATHAN L.:

USE PERMIT for a transitional living facility for released offenders in conjunction with an existing single-family residence on 0.5 acres in an RS20 (Residential Single-Family 20) Zone. Generally located on the south side of Robindale Road, 300 feet east of Ullom Drive within Enterprise. MN/mh/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- 24/7 on-site host manager;
- Full camera coverage of property, meaning front yard, side yards, and rear yard;
- 24/7 point of contact to be provided to the Commissioner's office with a copy to the Comprehensive Planning project file;
- No visitors;
- Maximum 6 residents;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Southern Nevada Health District (SNHD) - Engineering

- Applicant is advised to contact the SNHD Environmental Health Division at septics@snhd.org or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

8. UC-24-0378-TROCAM HOLDINGS, LLC:

USE PERMIT for a hotel with a mixture of transient and non-transient uses.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase retaining wall height; 2) eliminate loading spaces; and 3) reduce and eliminate parking lot landscaping.

DESIGN REVIEW for a hotel on 3.06 acres in a CR (Commercial Resort) Zone. Generally located on the west side of Cameron Street, 330 feet north of Tropicana Avenue within Paradise. MN/bb/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.

- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0346-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

9. VS-24-0277-PALM PROPERTIES, LLC:

VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file). TS/jor/syp (For possible action)

HELD - 10/02/24 - per the applicant.

10. WS-24-0276-PALM PROPERTIES, LLC:
WAIVER OF DEVELOPMENT STANDARDS to modify residential adjacency standards. DESIGN REVIEW for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone. Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor. TS/jor/syp (For possible action)

HELD - 10/02/24 - per the applicant.

11. WS-24-0366-VENETIAN VENUE PROPCO, LLC:
WAIVER OF DEVELOPMENT STANDARDS to exceed the maximum permissible sound levels in conjunction with an existing recreational facility, fairground, and music venue (Sphere Las Vegas) on 18.51 acres in a CR (Commercial Resort) Zone. Generally located on the south side of Sands Avenue and the east side of Koval Lane within Paradise. TS/jor/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- 1 year to review;
- Allowance for greater noise will be limited to no more than 12 days a year;
- Increase in noise level on those dates will be limited to a frequency no greater than 85 decibels, measured at the Sphere's property line;
- Park Towers and Meridian management will be notified no less than 14 days prior to each waiver event;
- Increase in noise shall be permitted to occur only between 9:00 a.m. and 11:30 p.m. on waiver days, except New Year's Eve which will be 1:00 a.m.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Remove boulders in right-of-way on Sands Avenue.

12. PA-24-700014-SUNRISE 96C, LLC:
PLAN AMENDMENT to redesignate the existing land use category from Public Use (PU) and Neighborhood Commercial (NC) to Urban Neighborhood (UN) on 5.21 acres. Generally located on the west side of Eastern Avenue and the south side of Rochelle Avenue within Paradise. TS/rk (For possible action)

ADOPTED.

13. ZC-24-0304-SUNRISE 96C, LLC:
ZONE CHANGE to reclassify 1.37 acres from a CC (Commercial Core) Zone to an RM32 (Residential Multi-Family 32) Zone. Generally located on the west side of Eastern Avenue and the south side of Rochelle Avenue within Paradise (description on file). TS/hw (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the

completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Fire Prevention Bureau

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0275-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

14. **VS-24-0306-SUNRISE 96C, LLC:**

VACATE AND ABANDON easements of interest to Clark County located between Channel 10 Drive and Eastern Avenue and between Rochelle Avenue and University Avenue (alignment) within Paradise (description on file). TS/hw/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

Fire Prevention Bureau

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions.

15. **DR-24-0305-SUNRISE 96C, LLC:**

DESIGN REVIEW for modifications to and an expansion of an approved multi-family residential development on 5.21 acres in an RM32 (Residential Multi-Family 32) Zone. Generally located on the west side of Eastern Avenue and the south side of Rochelle Avenue within Paradise. TS/hw/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.

- Applicant is advised that all applications related to the proposed development, including ZC-22-0060, must remain active or additional land use applications may be required; that within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Comply with approved drainage study PW21-19925;
- Traffic study and compliance.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Fire Prevention Bureau

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions.

16. ZC-24-0307-MOUNTAIN VIEW DRS, LLC:

HOLDOVER ZONE CHANGE to reclassify 2.06 acres from an RS20 (Residential Single-Family) Zone to an IP (Industrial Park) Zone within the Airport Environs (AE-65 & AE-70) Overlay. Generally located on the south side of Sunset Road and the west side of Ullom Drive within Enterprise (description on file). MN/bb (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation;

- Applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation Noise Office at landuse@lasairport.com;
- Applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Department of Aviation Noise Office at landuse@lasairport.com;
- Applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation Noise Office when property sales/leases commence;
- Incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

17. VS-24-0309-MOUNTAIN VIEW DRS, LLC:

HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Decatur Boulevard and Ullom Drive, and between Sunset Road and CC 215 within Enterprise (description on file). MN/bb/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include 30 feet for Ullom Drive;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

18. UC-24-0308-MOUNTAIN VIEW DRS, LLC:
HOLDOVER USE PERMITS for the following: 1) hotel; and 2) transient and non-transient hotel with kitchens.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; 2) eliminate loading spaces; 3) modify buffering and screening standards; and 4) modified driveway geometries.
DESIGN REVIEWS for the following: 1) hotel; and 2) alternative parking lot landscaping on 2.06 acres in an IP (Industrial Park) Zone within the Airport Environs (AE-60 & AE-65) Overlay. Generally located on the south side of Sunset Road and the west side of Ullom Drive within Enterprise. MN/bb/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- **Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.**
- **Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.**

Public Works - Development Review

- **Drainage study and compliance;**
- **Traffic study and compliance;**
- **Right-of-way dedication to include 30 feet for Ullom Drive.**
- **Applicant is advised that off-site improvement permits may be required.**

Department of Aviation

- **Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;**
- **If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;**
- **No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation;**
- **Applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation Noise Office at landuse@lasairport.com;**
- **Applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Department of Aviation Noise Office at landuse@lasairport.com;**

- Applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation Noise Office when property sales/leases commence;
- Incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

19. ZC-24-0348-COUNTY OF CLARK (AVIATION):

ZONE CHANGE to reclassify 88.10 acres from a CR (Commercial Resort) Zone to a PF (Public Facility) Zone within the Airport Environs (AE-60, AE-65, AE-70, & AE-RPZ) Overlay. Generally located on the south side of Sunset Road and the west side of Gilespe Street within Enterprise (description on file). MN/gc (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

20. ZC-24-0349-COUNTY OF CLARK (AVIATION):

ZONE CHANGE to reclassify 3.76 acres from an RS5.2 (Residential Single-Family 5.2) Zone to a PF (Public Facility) Zone within the Airport Environs (AE-60 & AE-65) and Maryland Parkway Overlays. Generally located on the east side of University Center Drive and the north side of Hacienda Avenue within Paradise (description on file). JG/gc (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

21. ZC-24-0350-COUNTY OF CLARK (AVIATION):

ZONE CHANGE to reclassify 7.97 acres from a CR (Commercial Resort) Zone to a PF (Public Facility) Zone within the Airport Environs (AE-60 & AE-65) Overlay. Generally located on the northwest corner of Four Seasons Drive and Haven Street within Paradise (description on file). JG/gc (For possible action)

APPROVED.

22. ZC-24-0351-COUNTY OF CLARK (AVIATION):
ZONE CHANGE to reclassify 0.67 acres from a CR (Commercial Resort) Zone to a PF (Public Facility) Zone within the Airport Environs (AE-60) Overlay. Generally located on the east side of Las Vegas Boulevard South, 100 feet south of Four Seasons Drive within Paradise (description on file). JG/gc (For possible action)
APPROVED.
23. ZC-24-0352-COUNTY OF CLARK (AVIATION):
ZONE CHANGE to reclassify 1.22 acres from a CR (Commercial Resort) Zone to a PF (Public Facility) Zone within the Airport Environs (AE-70 & AE-75) Overlay. Generally located on the west side of Las Vegas Boulevard South, 850 feet north of Sunset Road within Paradise (description on file). MN/gc (For possible action)
APPROVED.
24. ZC-24-0363-WYKOFF NEWBERG CORP:
ZONE CHANGE to reclassify 0.50 acres from an H-2 (General Highway) Zone to a CG (Commercial General) Zone. Generally located on the south side of Oso Blanca Road, approximately 160 feet east of Grand Montecito Parkway within Lone Mountain (description on file). RM/lm (For possible action)
APPROVED.
CONDITIONS OF APPROVAL -
Fire Prevention Bureau
- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions.
- Clark County Water Reclamation District (CCWRD)**
- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; and that for any sanitary sewer needs, applicant is to contact the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.
25. WS-24-0364-WYKOFF NEWBERG CORP:
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) street landscaping; and 2) reduce gate setback.
DESIGN REVIEW for a communication utility building on 0.50 acres in a CG (Commercial General) Zone. Generally located on the south side of Oso Blanca Road, approximately 160 feet east of Grand Montecito Parkway within Lone Mountain. RM/lm/syp (For possible action)
APPROVED.
CONDITIONS OF APPROVAL -
Comprehensive Planning
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.
- Public Works - Development Review**
- Drainage study and compliance.

- Applicant is advised that Nevada Department of Transportation (NDOT) permits may be required.

Fire Prevention Bureau

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; and that for any sanitary sewer needs, to contact the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

26. ZC-24-0365-JAMESON K RICHARD FAMILY TRUST & VARGAS KIMBERLEE TRS:
ZONE CHANGE to reclassify a portion of a 3.91 acre site from an H-2 (General Highway Frontage) Zone to an IL (Industrial Light) Zone within the Airport Environs (AE-75) Overlay for an existing commercial/industrial development. Generally located on the north side of Las Vegas Boulevard North, 150 feet east of Sandy Lane within Sunrise Manor (description on file). WM/gc (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

27. ZC-24-0368-COUNTY OF CLARK (AVIATION) & MAJESTIC EJM ARROYO III, LLC (LEASE):
ZONE CHANGE to reclassify 21.38 acres from a CG (Commercial General) Zone to an IP (Industrial Park) Zone within the Airport Environs (AE-60) Overlay. Generally located on the southeast corner of Tenaya Way and Badura Avenue within Spring Valley (description on file). MN/sd (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0324-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

28. VS-24-0369-COUNTY OF CLARK (AVIATION) & MAJESTIC EJM ARROYO III, LLC (LEASE):
VACATE AND ABANDON easements of interest to Clark County located between Montessori Street and Tenaya Way, and between Badura Avenue and Arby Avenue; a portion of right-of-way being Montessori Street located between Badura Avenue and Arby Avenue; and a portion of right-of-way being Arby Avenue located between Montessori Street and Tenaya Way within Spring Valley (description on file). MN/sd/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 4 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or

regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording;
- The installation of detached sidewalks will require the vacation of excess right-of-way together with a subdivision map granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or the execution of a License and Maintenance Agreement for non-standard improvements in the right-of-way.

29. WS-24-0370-COUNTY OF CLARK (AVIATION) & MAJESTIC EJM ARROYO III, LLC (LEASE):
WAIVER OF DEVELOPMENT STANDARDS for modified driveway design standards.
DESIGN REVIEW for a warehouse/distribution center on 21.38 acres in an IP (Industrial Park) Zone within the Airport Environs (AE-60) Overlay. Generally located on the southeast corner of Tenaya Way and Badura Avenue within Spring Valley. MN/sd/syp (For possible action)

APPROVED.

**CONDITIONS OF APPROVAL -
Comprehensive Planning**

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- The installation of detached sidewalks will require the vacation of excess right-of-way together with a subdivision map granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or the execution of a License and Maintenance Agreement for non-standard improvements in the right-of-way.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0324-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

30. TM-24-500072-COUNTY OF CLARK(AVIATION) & MAJESTIC EJM ARROYO III, LLC (LEASE): TENTATIVE MAP consisting of 1 commercial lot on 21.38 acres in an IP (Industrial Park) Zone within the Airport Environs (AE-60) Overlay. Generally located on the southeast corner of Tenaya Way and Badura Avenue within Spring Valley. MN/sd/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- The installation of detached sidewalks will require the vacation of excess right-of-way together with a subdivision map granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or the execution of a License and Maintenance Agreement for non-standard improvements in the right-of-way.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0324-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

31. ORD-24-900325 Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with LJC Properties, LLC for a single-family residential development on 4.90 acres, generally located on the east of Buffalo Drive and north of Torino Avenue within Enterprise. JJ/dw (For possible action)

ADOPTED.

NON-ROUTINE ACTION ITEMS (32 – 52): These items will be considered separately.

32. ET-22-400017 (UC-1721-06)-PALAZZO CONDO TOWER, LLC:
HOLDOVER USE PERMITS SIXTH EXTENSION OF TIME to commence the following: 1) resort condominiums in conjunction with an existing resort hotel (The Venetian); 2) increase building height; 3) associated accessory and incidental commercial uses, buildings, and structures; and 4) deviations from development standards.
DEVIATIONS for the following: 1) reduce on-site parking requirements; 2) reduce the height setback ratio from an arterial street; 3) encroachment into airspace; and 4) all other deviations as shown per plans on file.
DESIGN REVIEWS for the following: 1) a 632 foot high, high-rise resort condominium tower including kitchens in rooms; 2) all associated accessory uses, retail areas, and amenity areas (The Venetian/Palazzo); and 3) revisions to an already approved retail component associated with the Venetian/Palazzo (Walgreens) on a portion of 63.0 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the east side of Las Vegas Boulevard South and the south side of Sands Avenue within paradise. TS/jor/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Until September 4, 2026 to commence.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Compliance with previous conditions.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77;
- Applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 PART B of the Clark County Unified Development Code;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA and is still valid.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

33. UC-24-0268-LEXILAND, LLC ET AL & ROOHANI KHUSROW FAMILY TRUST:

USE PERMIT for outdoor storage and display.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) residential adjacency standards; 2) street landscaping; 3) buffering and screening; 4) off-site improvements (curb, gutter, sidewalk, streetlights and partial paving); 5) driveway geometrics; and 6) access gate.

DESIGN REVIEW for outdoor storage on a portion of 37.14 acres in a CG (Commercial General) Zone. Generally located on the west side of Las Vegas Boulevard South and the north side of Pebble Road within Enterprise. MN/lm/syp (For possible action)

HELD - 09/18/24 - per the applicant.

34. UC-24-0367-COUNTY OF CLARK (LV CONV AUTH):

USE PERMITS for the following: 1) multi-family dwelling; 2) allow a mixture of transient and non-transient uses in conjunction with a hotel; and 3) allow outdoor dining, drinking, and cooking not in conjunction with a primary eating and drinking establishment.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; 2) reduced parking; 3) reduced EV capable and EV installed parking spaces; 4) reduced loading spaces; 5) eliminate open space; 6) street landscaping; 7) buffering and screening; and 8) allow modified driveway design standards.

DESIGN REVIEWS for the following: 1) multi-family dwelling (tower); 2) hotel; 3) shopping center; 4) entertainment or recreational facilities (theater, amusement ride, and outdoor pool area); 5) outdoor dining, drinking, and cooking areas; 6) event plaza; 7) parking garage; and 8) all associated and accessory uses, structures, and incidental buildings and structures on 10.0 acres in a CR (Commercial Resort) Zone. Generally located on the east side of Las Vegas Boulevard South and the south side of Elvis Presley Boulevard within Winchester. TS/md/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Prior to the issuance of building and grading permits, or subdivision mapping, mitigate the impacts of the project including, but not limited to, issues identified by the technical reports and studies, and issues identified by the Board of County Commissioners or commit to mitigating the impacts of the project by entering into a Development Agreement with Clark County;
- Prior to the issuance of building and grading permits, enter into a Performance Agreement with Clark County which includes a Decommissioning Plan specifying the actions to be taken by the Developer or County in the event construction of the project is stopped or abandoned;
- Bond or other form of financial security, acceptable to Clark County, shall be provided with the Performance Agreement as security of the full and complete fulfillment of the decommissioning actions identified in the Decommissioning Plan;
- Administrative design review is required for the remainder of the LVCVA parcel (APN 162-09-703-025);
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised that a tree-fee in lieu shall be paid to the County for each street tree waived; approval of this application does not constitute or imply approval of a liquor license or any other County issued permit, license or approval; within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Coordinate with Public Works for the pedestrian bridge and if required execute an agreement;
- No advertising on pedestrian bridge;

- Allow the following permits prior to approval of off-site permits: all demolition, grading, including underground utilities, dewatering, foundation, and structural first lift with foundation;
- Coordinate with Public Works - Directors Office for any improvements on Las Vegas Boulevard South;
- Maintain the required width of all public access walkway segments so that a minimum Level of Service "C" is achieved under peak pedestrian volumes.
- Applicant is advised that off-site improvement permits may be required.

Department of Aviation

- Applicant may be required to file Federal Aviation Administration (FAA) Form 7480-1, "Notice of Landing Area Proposal" with the FAA, per 14 CFR Part 157;
- Applicant must comply with heliport conditions described in 30.03.06B5. "Heliport" of the Code, and any applicable conditions resulting from FAA approval;
- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that all helicopter noise complaints and inquiries regarding operations from this facility will be forwarded to the operator of this heliport; the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0109-2024 to obtain your POC exhibit; that flow contributions exceeding CCWRD estimates may require another POC analysis; and that the proposed development is anticipated to generate significant wastewater flows, which would require the following: the Developer is to install a wastewater meter to monitor the flows; the Developer is to ensure that all wastewater flows are routed to one discharge location from the site to flow through the

wastewater meter under desirable hydraulic conditions (i.e., minimize bends from the upstream manhole); and wastewater meter monthly fees shall be billed to the facility.

35. WC-24-400060 (NZC-22-0028)-AMH NV10 DEVELOPMENT, LLC:
HOLDOVER WAIVER OF CONDITIONS of a nonconforming zone change requiring no certificate of occupancy can be issued for any structure within this project unless and until a certificate of occupancy has been issued for the clubhouse (adjacent project to the north) for a previously approved single family residential development on 4.90 acres in an RS2 (Residential Single-Family 2) Zone. Generally located on the northwest corner of Oleta Avenue and Conquistador Street within Enterprise. JJ/rg/ng (For possible action)

HELD - 11/06/24 - per the applicant.

36. WS-24-0312-STUSSY DIETER REVOCABLE TRUST & STUSSY DIETER TRS:
HOLDOVER WAIVER OF DEVELOPMENT STANDARDS to eliminate full off-site improvements in conjunction with a minor subdivision map on 4.72 acres in an RS80 (Residential Single-Family 80) Zone. Generally located on the southeast corner of Tami Street and Ron Avenue within Moapa Valley. MK/jud/syp (For possible action)

HELD - 09/18/24 - per the Board of County Commissioners.

37. WS-24-0354-USA:
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce lot area; 2) reduce setbacks; 3) increase fill height; 4) reduce number of access drives; 5) increase retaining wall height; and 6) full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving).
DESIGN REVIEW for a single-family residential subdivision on 5.02 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Azure Drive, the north side of Bright Angel Way, and the east side of Park Street (alignment) within Lone Mountain. RM/bb/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- **Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.**
- **Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.**

Public Works - Development Review

- **Provide a 5 foot wide asphalt path along Bright Angle Way and Park Street;**
- **Drainage study and compliance;**
- **Right-of-way dedication to include 30 feet for Azure Drive, 30 feet for Bright Angel Way, 30 feet for Park Street, and associated spandrel(s);**
- **Execute a Restrictive Covenant Agreement (deed restrictions).**

Fire Prevention Bureau

- **Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.**

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; and for any sanitary sewer needs to contact the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

38. TM-24-500069-USA:

TENTATIVE MAP consisting of 9 single-family lots on 5.02 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Azure Drive, the north side of Bright Angel Way, and the east side of Park Street (alignment) within Lone Mountain. RM/bb/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Provide a 5 foot wide asphalt path along Bright Angel Way and Park Street;
- Drainage study and compliance;
- Right-of-way dedication to include 30 feet for Azure Drive, 30 feet for Bright Angel Way, 30 feet for Park Street, and associated spandrel(s);
- Execute a Restrictive Covenant Agreement (deed restrictions).

Building Department - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; and that for any sanitary sewer needs, to contact the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

39. PA-24-700011-TCB ENTERPRISES NV, LLC SERIES SILVERADO & RAINY DAY INVESTMENTS, LLC:

PLAN AMENDMENT to redesignate the existing land use category from Business Employment (BE) to Corridor Mixed-Use (CM) on 1.25 acres. Generally located on the northeast corner of Ullom Drive and Silverado Ranch Boulevard within Enterprise. JJ/gc (For possible action)

ADOPTED.

40. ZC-24-0265-TCB ENTERPRISES NV, LLC SERIES SILVERADO & RAINY DAY INVESTMENTS, LLC:
ZONE CHANGE to reclassify 1.25 acres from an RS20 (Residential Single-Family 20) Zone to a CG (Commercial General) Zone. Generally located on the northeast corner of Ullom Drive and Silverado Ranch Boulevard within Enterprise (description on file). JJ/rr (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0274-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

41. VS-24-0267-TCB ENTERPRISES NV, LLC SERIES SILVERADO & RAINY DAY INVESTMENTS, LLC:
VACATE AND ABANDON easements of interest to Clark County located between Gary Avenue and Silverado Ranch Boulevard and between Ullom Drive and Arville Street within Enterprise (description on file). JJ/rr/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include 25 feet to the back of curb for Ullom Drive, 45 feet to the back of curb for Silverado Ranch Boulevard and associated spandrel;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

42. WS-24-0266-TCB ENTERPRISES NV, LLC SERIES SILVERADO & RAINY DAY INVESTMENTS, LLC:
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase retaining wall height; and 2) modified driveway design standards.
DESIGN REVIEW for a restaurant with drive-thru on 1.25 acres in a CG (Commercial General) Zone in the Airport Environs (AE-60) Overlay. Generally located on the northeast corner of Ullom Drive and Silverado Ranch Boulevard within Enterprise. JJ/rr/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Ullom Drive, 45 feet to the back of curb for Silverado Ranch Boulevard and associated spandrel;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0274-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

43. ZC-24-0324-LANDHOLDING SERIES OF SOPHINVEST, LLC:
ZONE CHANGE to reclassify 1.43 acres from an RS20 (Residential Single-Family 20) Zone to an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the east side of Randall Street and the north side of Tres Lobos Avenue within Moapa Valley (description on file). MK/hw (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0131-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

44. WS-24-0325-LANDHOLDING SERIES OF SOPHINVEST, LLC:
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce street landscaping; 2) increase driveway width; 3) eliminate streetlights; and 4) allow an attached sidewalk.
DESIGN REVIEW for a single-family attached (duplex) residential development on 1.43 acres in an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the east side of Randall Street and the north side of Tres Lobos Avenue within Moapa Valley. MK/hw/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised that the California Pepper Tree is not permitted per the SNRPC Regional Plant and that a large tree, as defined by Title 30, permitted by the SNRPC Regional Plant List will need to be provided in its place; that within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Install conduit and pull boxes;
- Comply with approved drainage study PW24-11701;
- Full off-site improvements except streetlights.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0131-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

45. TM-24-500064-LANDHOLDING SERIES OF SOPHINVEST, LLC:
TENTATIVE MAP consisting of 5 residential lots on 1.43 acres in an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the east side of Randall Street and the north side of Tres Lobos Avenue within Moapa Valley. MK/hw/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- **Install conduit and pull boxes;**
- **Comply with approved drainage study PW24-11701;**
- **Full off-site improvements except streetlights.**

Clark County Water Reclamation District (CCWRD)

- **Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0131-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.**

46. ZC-24-0357-MILES AHEAD TRUCKING, LLC:
ZONE CHANGE to reclassify 0.25 acres from an RS80 (Residential Single-Family 80) Zone to an IL (Industrial Light) Zone within the Airport Environs (AE-75) Overlay. Generally located on the west side of Searchlight Street, 320 feet south of Washburn Road within Sunrise Manor (description on file). MK/rr (For possible action)

HELD - No Date - per Commissioner Kirkpatrick.

47. WS-24-0358-MILES AHEAD TRUCKING, LLC:
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) street landscaping; 2) fence; 3) off-site improvements (curb/gutter, sidewalks, streetlights and partial paving); and 4) detached sidewalks.
DESIGN REVIEW for a parking lot for commercial vehicles (trucks) on 0.25 acres in an IL (Industrial Light) Zone within the Airport Environs (AE-75) Overlay. Generally located on the west side of Searchlight Street, 320 feet south of Washburn Road within Sunrise Manor. MK/rr/syp (For possible action)

HELD - No Date - per Commissioner Kirkpatrick.

48. AG-24-900562: Approve the Settlement Agreement in the case LV Judson LP v. Clark County, District Court Case No. A-23-869800-J and Supreme Court Case No. 88450, authorize the Chair to sign the Agreement; and consider other matters properly related thereto. TS/sr (For possible action)

APPROVED.

49. WS-22-0147-LV JUDSON, LP:
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce throat depth; 2) reduce departure distance; and 3) off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving).
DESIGN REVIEWS for the following: 1) office/warehouse facility; and 2) finished grade on a 6.2 acre portion of a 9.3 acre site in an M-D (Design Manufacturing) (AE-65 & APZ-2) Zone. Generally located on the northwest corner of Lamb Boulevard and Judson Avenue within Sunrise Manor. TS/sr/jo (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Current Planning

- **The buildings shall be one story only with a maximum height of 35 feet;**
- **The building faces shall be constructed with enhanced articulation;**
- **The top of any windows facing west on the buildings shall not be placed above 12 feet in height;**
- **Lighting on the buildings shall not be placed more than 10 feet in height;**
- **Wall signs on the buildings shall not be illuminated;**

- Monument signage only on N. Lamb Boulevard and Judson Avenue with a maximum height of 8 feet;
- No large truck access onto Judson Avenue whereas a large truck is defined as a truck having a gross vehicle weight rating (GVWR) of over 10,000 pounds - customer and employee vehicle access only;
- Add signage to prohibit large truck access onto Judson Avenue;
- No large truck access onto Moonlite Drive;
- A 10 foot high wall shall be constructed on the north and west sides of the property where it is zoned Industrial Park (IP);
- Intense landscaping shall be installed along the west property line inside the 10 foot high wall of the development where it is zoned IP with 24 inch box trees spaced 30 feet apart;
- Enhance the landscaping along N. Lamb Boulevard by adding 24 inch box trees spaced 30 feet apart;
- A double row of evergreen trees 24 inch box staggered/offset from one another planted 20 feet apart on center (per Clark County Code §30.04.02C2) shall be installed on the northwest corner of the property where it is zoned IP adjacent to APN 140-19-504-009;
- The residential lots shown on Exhibit Plan 1, included within the Settlement Agreement as Exhibit A, located on the west side of the property adjacent to Moonlite Drive shall be deed restricted as, and maintained as, Residential Single-Family 20 (RS20) lots and single-story homes to serve as a buffer to the RNP homes to the west;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements for Lamb Boulevard and Judson Avenue;
- Right-of-way dedication to include 30 feet for Moonlite Drive and associated spandrel;
- Execute a Restrictive Covenant Agreement (deed restrictions).
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

APPEAL

50. WS-24-0290-COSMIC DEVELOPMENT, LLC:

APPEAL WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow a gated community; 2) increase wall height; and 3) eliminate street landscaping in conjunction with a proposed single-family residential subdivision on 2.11 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the north side of Ann Road, 585 feet west of Grand Canyon Drive within Lone Mountain. RM/rp/syp (For possible action)

APPROVED. APPEAL - DENIED
CONDITIONS OF APPROVAL -
Comprehensive Planning

- Applicant is advised a tree-fee in lieu shall be paid to the County for each street tree waived; within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Comply with approved drainage study PW23-17751;
- Traffic study and compliance.
- Applicant is advised that off-site improvement permits may be required.

Fire Prevention Bureau

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated County; and to inquire with the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

ORDINANCES

51. ORD-24-900429: Conduct a public hearing on an ordinance to amend Title 30 to update various land use requirements and procedures and make corrections and clarifications as appropriate, and direct staff accordingly. (For possible action)

ADOPTED - as amended.

52. ORD-24-900490: Introduce an ordinance to consider adoption of a Development Agreement with SYA Group, LLC for a daycare facility on 1.30 acres, generally located north of Le Baron Avenue and east of Decatur Boulevard within Enterprise. JJ/lg (For possible action)

INTRODUCED - public hearing 09/18/24.

PUBLIC COMMENTS

Comments by the General Public regarding any items not listed on the agenda as posted. No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on a future agenda.

COVER SHEET FOR MINUTES

MEETING CODE: Board of County Commissioners Zoning
MEETING DATE: October 2, 2024
SECRETARY: Susan Wohlbrandt
TYPED/PROOFED/COMPLETED: November 19, 2024

DISTRIBUTED:

SECRETARY: Susan Wohlbrandt
DATE: November 19, 2024

APPROVED BY BOARD:

DATE: November 6, 2024



togetherforbetter

Board of County Commissioners

Clark County, Nevada

Tick Segerblom, Chair
William McCurdy II, Vice Chair
Jim Gibson
Justin Jones
Marilyn K. Kirkpatrick
Ross Miller
Michael Naft

The Board of County Commissioners of Clark County, Nevada met in recessed regular session in full conformity with law and bylaws of said Boards, at the regular place of meeting in Clark County, Nevada, on Wednesday, October 2, 2024:

CLARK COUNTY GOVERNMENT CENTER
COMMISSION CHAMBERS
500 S GRAND CENTRAL PKWY
LAS VEGAS, NEVADA 89106

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SEC. 1. OPENING CEREMONIES

CALL TO ORDER

The meeting was called to order at 9:01 a.m. by Chair Segerblom with the following members present:

Commissioners Present:

Tick Segerblom, Chair
William McCurdy II, Vice Chair
Jim Gibson
Justin Jones
Marilyn K. Kirkpatrick
Ross Miller
Michael Naft

Absent:

None

Also Present:

Robert Warhola, Deputy District Attorney
Sami Real, Director, Comprehensive Planning
Antonio Papazian, Manager, Development Review
JaWaan Dodson, Assistant Manager, Development Review
Lynn Marie Goya, County Clerk
Jewel Gooden, Deputy Clerk
Susan Wohlbrandt, Deputy Clerk

SEC. 2. PUBLIC FORUM

1. Public Comments.

TICK SEGERBLOM

Good morning. This is the continuation of the Clark County Commission. Today we're dealing with Zoning issues. Well –

SAMI REAL

Commissioners –

TICK SEGERBLOM

Ms. Real, I'll turn it over to you now.

SAMI REAL

Commissioners, the first item on the agenda is public comment.

TICK SEGERBLOM

This is the first period of public comment. Anyone wishing to speak about an item on the agenda, you can come forward now and speak for three minutes. If you speak now, you can't speak when that item comes up. If it's on the consent agenda, there won't be a chance to speak, so that would be the time. But seeing no one wants to speak at this point, we'll close the public comment period, and turn it over to Ms. Real.

SEC. 3. AGENDA

2. Approval of the Agenda After Considering Requests to Add, Hold, or Delete Items. (For possible action)

SAMI REAL

The second item is the approval of the agenda. After considering any additions or deletions of items, staff has the following requests, which may require renotification fees in accordance with Title 30, hold to the November 6, 2024, Zoning Meeting:

- Item 4, AR-24-400-090 for WC-0174-16 and UC-0849-14,
- Item 8, BS-24-277,
- Item 9, WS-24-276,
- Item 16, SC-24-0261 and
- Item 20, WS-240-419.

The above public hearing items are going to be opened as a public hearing and immediately recessed until the dates as previously stated. With these deletions, which are Items 4, 8, 9, 16 and 20, the agenda stands ready for your approval.

MOTION

WILLIAM MCCURDY II

Mr. Chair, I move for approval with the recommended deletions read into the record by Ms. Real.

TICK SEGERBLOM

There is a motion, cast your vote.

VOTE

VOTING AYE:	Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft
VOTING NAY:	None
ABSENT:	None
ABSTAIN:	None

TICK SEGERBLOM

That motion passes.

3. Approval of minutes.

SAMI REAL

The third item on the agenda is the approval of the minutes. The minutes of the September 4, 2024, Zoning Meeting are ready for your approval.

MOTION

WILLIAM MCCURDY II

Mr. Chair, I move approval of the minutes.

TICK SEGERBLOM

There's a motion to approve the minutes, cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft
VOTING NAY: None
ABSENT: None
ABSTAIN: None

TICK SEGERBLOM

He made the motion, but he forgot to vote. It's okay. Motion passes.

SEC. 4. ROUTINE ACTION ITEMS 4 THROUGH 15

SAMI REAL

Next, are the Routine Action Items, which consist of Items 4 through 15 except items previously deleted. These items may be considered together in one motion and are subject to the conditions listed with each agenda item. In addition, staff has the following requests:

- Item 5, UC-24-0387, the applicant requests to withdraw without prejudice the motel portion of the application being used, permit number three, in design review number two.
- Item 7, UC-24-0399, staff requests to add current planning conditions from the applicant to read, "Developer agrees to plant ivy on the northern elevation of buildings. F-1 and D-1 which face the residential development to the north. Developer will ascertain whether the six-foot block wall, the existing six-foot block wall to the north of the site is engineered as to allow an additional two courses to be added to the overall height of the wall. If engineering allows, developer agrees to provide and install the two additional courses for residents who request an increase in height. Developer agrees to limit construction to Monday through Friday within normal daytime hours as defined by Title 30. And then lastly, developer agrees to secure the 10-foot-wide landscape area between buildings F-1 and D-1 by a locked gate."

If there are no objections, the public hearing is now open, and the routine action portion of the agenda stands ready for your approval.

MOTION

WILLIAM MCCURDY II

Mr. Chairman, approval of the routine action items.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft
VOTING NAY: None
ABSENT: None
ABSTAIN: None

TICK SEGERBLOM

There's a motion to approve the routine action. That motion passes.

4. AR-24-400090 (WC-0174-16 (UC-0849-14))-MGM GRAND PROPCO, LLC:

WAIVER OF CONDITIONS SIXTH APPLICATION FOR REVIEW of a use permit for live entertainment limited to daytime hours (6:00 a.m. to 10:00 p.m.) for a recreational facility (golf driving range) with accessory retail, eating and drinking facilities, live entertainment, and other accessory uses, and structures in conjunction with a resort hotel (MGM Grand) on a portion of 102.7 acres in a CR (Commercial Resort) Zone within the Airport Environs (AE-60 & AE-65) Overlay. Generally located on the southwest corner of Harmon Avenue and Koval Lane within Paradise. JG/bb/syp (For possible action)

ACTION: HELD TO NOVEMBER 6, 2024, PER THE APPLICANT.

5. UC-24-0387-SIENA 52 HOLDING LIMITED PARTNERSHIP & SIENA 53 HOLDING LIMITED PARTNERSHIP: HOLDOVER USE PERMITS for the following: 1) emergency/urgent care facility; 2) gas station; and 3) motel with transient and non-transient stays.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) alternative parking lot landscaping; 2) eliminate and reduce buffering and screening; 3) modify residential adjacency standards; and 4) reduce driveway departure distance.

DESIGN REVIEWS for the following: 1) shopping center; and 2) motel on 14.12 acres in a CG (Commercial General) Zone. Generally located on the south side of Charleston Boulevard and the west side of Broadalbin Drive within Sunrise Manor. TS/hw/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Provide screening on the egress gate along the western property line;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised that within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; a fee-in-lieu for reduced landscaping per Section 30.04.01E may apply; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way;
- Drainage study and compliance;
- Traffic study and compliance.
- Applicant is advised that off-site improvement permits may be required; and that Nevada Department of Transportation (NDOT) permits may be required.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0174-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

USE PERMIT #3 AND DESIGN REVIEW #2 WERE WITHDRAWN WITHOUT PREJUDICE.

6. TM-24-500076-SIENA 52 HOLDING LIMITED PARTNERSHIP & SIENA 53 HOLDING LIMITED PARTNERSHIP: HOLDOVER TENTATIVE MAP consisting of 1 commercial lot on 14.12 acres in a CG (General Commercial) Zone. Generally located on the south side of Charleston Boulevard and the west side of Broadalbin Drive within Sunrise Manor. TS/hw/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way.
- Applicant is advised that off-site improvement permits may be required; and that Nevada Department of Transportation (NDOT) permits may be required.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0174-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

7. UC-24-0399-TENAYA LOFTS, LLC:

HOLDOVER USE PERMIT for live-work dwellings.

WAIVER OF DEVELOPMENT STANDARDS to reduce buffering and screening.

DESIGN REVIEW for an office/warehouse complex with live-work dwelling units on 5.60 acres in an IP (Industrial Park) Zone in the Airport Environs (AE-60) Overlay. Generally located on the west side of Tenaya Way, 660 feet north of Sunset Road within Spring Valley. MN/rg/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Developer agrees to plant ivy on the northern elevation of Buildings F1 and D1, which face the residential development to the north;
- Developer will ascertain whether the existing 6 foot block wall to the north of the site is engineered as such to allow an additional 2 courses to be added to the overall height of the wall and if the engineering allows, developer agrees to provide and install the additional 2 courses for residents who request an increase in height;
- Developer agrees to limit construction to Monday through Friday within normal “Daytime Hours” as defined by Title 30;
- Developer agrees to secure the 10 foot wide landscaped area between Buildings F1 and D1 by a locked gate;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Department of Aviation

- Applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation Noise Office at landuse@lasairport.com;
- Applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Department of Aviation Noise Office at landuse@lasairport.com;
- Applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation Noise Office when property sales/leases commence;
- Incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height;
- Compliance with most recent recorded airport-related deed restrictions for APN's 163-34-411-011, 163-34-411-012.
- Applicant is advised that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0219-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

8. VS-24-0277-PALM PROPERTIES, LLC:

HOLDOVER VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file).

TS/jor/syp (For possible action)

ACTION: HELD TO NOVEMBER 6, 2024, PER THE APPLICANT.

9. WS-24-0276-PALM PROPERTIES, LLC:

HOLDOVER WAIVER OF DEVELOPMENT STANDARDS to modify residential adjacency standards.

DESIGN REVIEW for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone. Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor. TS/jor/syp (For possible action)

ACTION: HELD TO NOVEMBER 6, 2024, PER THE APPLICANT.

10. WS-24-0362-WIGWAM-PARVIN LIMITED PARTNERSHIP:

AMENDED WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; 2) reduce street landscaping (no longer needed); and 3) reduce parking lot landscaping (no longer needed). DESIGN REVIEW for modifications to a previously approved senior housing project on 5.0 acres in an RM32 (Residential Multi-family 32) Zone. Generally located on the north side of Arby Avenue and the west side of Torrey Pines Drive within Enterprise. MN/bb/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;

- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

11. ZC-24-0394-O'BRIEN, PATRICK T. TRUST & O'BRIEN, PATRICK T. TRS:

ZONE CHANGE to reclassify 11.73 acres from an RS80 (Residential Single-Family 80) Zone to a CG (Commercial General) Zone for a future commercial development. Generally located on the north side of Cottonwood Cove Road and the east side of Gasline Road within Searchlight (description on file). MN/rk/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Public Works - Development Review

- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements; and 90 days to record said separate document for the Cottonwood Cove improvement project.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD is unable to verify sewer capacity based on this zoning application; and may find instruction for submitting a Point of Connection (POC) request on the CCWRD's website; and that a CCWRD approved POC must be included when submitting civil improvement plans.

12. ORD-24-900412: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with MTL Trust for an industrial development on 4.3 acres, generally located west of Mann Street and north of Oleta Avenue within Enterprise. JJ/dw (For possible action)

ACTION: ADOPTED (ORDINANCE 5180).

13. ORD-24-900463: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with Diamond Cactus LLC for an industrial development on 3.8 acres, generally located west of Redwood Street and north of Cactus Avenue within Enterprise. JJ/dw (For possible action)

ACTION: ADOPTED (ORDINANCE 5181).

14. ORD-24-900551: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on July 17, 2024. (For possible action)

ACTION: ADOPTED (ORDINANCE 5182).

15. ORD-24-900578: Conduct a public hearing on an ordinance to amend the official zoning map reclassify certain properties as approved by the Board of County Commissioners on June 5, 2024, June 18, 2024, July 3, 2024, and Assessor's Books 125, 163, 176 and 177. (For possible action)

ACTION: ADOPTED (ORDINANCE 5183).

SEC. 5. NON-ROUTINE ACTION ITEMS 16 THROUGH 24

16. SC-24-0261-WESTERN IRA FUNDING LTD RTMT PL:

HOLDOVER STREET NAME CHANGE to change the name of Gagnier Boulevard to Dynamite Drive. Generally located on the south side of Roy Horn Way and the west side of Gagnier Boulevard within Spring Valley. MN/sd/syp (For possible action)

**ACTION: HELD TO NOVEMBER 6, 2024 - PER THE APPLICANT. APPLICANT IS ADVISED THAT RE-NOTIFICATION FEES ARE REQUIRED PRIOR TO THIS ITEM BEING PLACED ON THE AGENDA.
(COMPANION ITEMS 17-19)**

17. VS-24-0390-DBAC, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Eldorado Lane and Maulding Avenue and between Valley View Boulevard and Procyon Street within Enterprise (description on file). MN/jor/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 18 AND 19).

CONDITIONS OF APPROVAL --

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 4 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include 45 feet to the back-of-curb for Valley View Boulevard, 25 feet to the back-of-curb for Maulding Avenue, 25 feet to the back-of-curb for Procyon Street, 25 feet to the back-of-curb for Eldorado Lane and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;

- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require dedication to back-of-curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

SAMI REAL

Next are companion Items 17 through 19.

- Item 17, VS-24-0390, vacate and abandon easements of interest to Clark County located between El Dorado Lane and Maulding Avenue between Valley View Boulevard and Procyon Street within Enterprise.
- Item 18, WS-24-0391, waivers of development standards for the following: increased retaining wall height, reduced front setback, reduced net lot size, and eliminate off-site improvement streetlights. Design review for a proposed single-family residential subdivision on 10.06 acres in an RS-20 (Residential Single-Family 20) Zone located within the Airport Environs (AE-60) and the Neighborhood Protection (RNP) Overlays. Generally located on the east side of Valley View Boulevard and the south side of El Dorado Lane within Enterprise.
- Item 19, TM-24-500-078, tentative map consisting of 18 single-family lots on 10.06 acres in an RS-20 (Residential Single-Family) 20 Zone within the Airport Environs (AE-60) and Neighborhood Protection (RNP) overlays generally located on the east side of Valley View Boulevard and the south side of El Dorado Lane within Enterprise.

TICK SEGERBLOM

Good morning.

STEPHANIE ALLEN

Good morning, Mr. Chairman, Commissioners. Stephanie Allen, 1980 Festival Plaza Drive. Here on behalf of the applicant, Richmond American Homes. We're here for a site located at El Dorado and Valley View located down here on the bottom of the map. I want to show this larger map, just because there are three projects in this general area where Richmond is picking up the property and planning to do half-acre lots to conform with the current zoning on all three of these developments. We had a neighborhood meeting for all three developments, since they're all in the general area so I just wanted to orient you, mostly in case there's neighbors. We had a large meeting, there were about 50 - 40 to 50 people all on these three projects and all with one-story, half-acre lot developments. The one that's before you today is this El Dorado Valley View property, and here's a zoomed in aerial.

You can see it's about 10 acres on the southeast side of El Dorado and Valley View. And you can see there's half-acre homes on all three sides of the property. There's a significant history with the parcel to the north, and so the neighbors at the neighborhood meeting were ecstatic to hear that we're conforming with the RE zoning and doing half-acre lots. In addition, one-story homes as well.

We have an 18-lot development. This is the layout, with homes that will front on to Maulding to the south as well as on Procyon to the east. And then we have an 8-lot cul-de-sac that'll access off of El Dorado. At the meeting, the neighbors did ask if we would do a waiver for streetlights because we are proposing full

off sites right now on the plan. So, we did add a waiver for streetlights on Maulding and on Procyon they'd like to keep it dark, and so we added that as a request and would very much appreciate the commission's approval on that.

The other waivers were withdrawing waiver number one, which is the wall height waiver without prejudice. Waiver number two was with respect to just these internal eight lots for the front yard setback. You used to be able to measure your setback to the center line of the street, and so we'll have 20-foot setbacks on these eight homes. If you were able to measure to the center line of the street, we'd meet that 40 feet. All of the out exterior lots have the 40-foot front yard setbacks, so it's just on the eight internal lots and the Town Board recommended approval of that waiver, because it is internal to the project.

The last waiver is a couple of lot sizes. They all meet the gross size so they're all half-acre lots from a gross standpoint. However, there are a few corner lots that fall below the net lot size that's allowed, and we would very much appreciate this Commission's approval on those lots.

We do have detached sidewalk on the project which encroaches a little bit into that setback, and we think it's important to have those detached sidewalks for the safety of the kids in the area, but we would like a little flexibility on those lot sizes. I did bring an exhibit, just again, of the larger area, showing there are a number of communities here that have net lot sizes that are well below half acre lots. There's some pockets here. You can see several homes in the area that fall below that net lot size requirement that have previously been approved. So, it fits in with the area. It won't impact anyone adversely, and again, from the big picture perspective, the neighborhood is ecstatic that these are half-acre homes, all one stories. Richmond does a great job with their big one-story homes, expensive homes, and will be a nice addition to the area.

So, with that said, I'm happy to answer any questions and we'd very much appreciate your approval.

TICK SEGERBLOM

This is a public hearing. Anyone here wishing to speak on this item? I see no one. I will close the public hearing and turn it over to Commissioner Naft.

MICHAEL NAFT

Thank you, Mr. Chairman. Thanks, Ms. Allen for the presentation. I agree coming from the neighborhood meeting of 50-plus people to where we're at now demonstrates that people are pretty excited that this is going residential. I do just want to ask Mr. Papazian to clarify a condition related to Maulding and Procyon improvements.

ANTONIO PAPAZIAN

Thank you, Commissioner. We do have a contradicting condition to what they're asking for and if I could clarify, I would like to delete the full offsite improvements because they are asking for a waiver to not include streetlights on two of the streets. My condition is for them to construct all of the improvements that would include the streetlights. So, if I could add three conditions, the first one would be full offsite improvements on Valley View Boulevard and El Dorado Lane, which is where they're proposing to do the full improvements. And the second condition, full offsite improvements except for streetlights on Procyon Street and Maulding Avenue and install conduit and pull boxes for streetlights for Procyon Street and Maulding Avenue. And that's just in case in the future if we decide to put up those streetlights, that the conduits are in the ground, and we don't have to rip up anything to install those.

MICHAEL NAFT

Great. Thank you. Ms. Allen, the client understands that?

STEPHANIE ALLEN

Yes, we're fine with that.

MOTION

MICHAEL NAFT

Wonderful. And I move for the approval of Item 17, 18 and 19 reflecting the amended condition by Mr. Papazian.

TICK SEGERBLOM

There's a motion cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None

ABSENT: None

ABSTAIN: None

TICK SEGERBLOM

That motion passes. Thank you.

STEPHANIE ALLEN

Thank you very much.

18. WS-24-0391-DBAC, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase retaining wall height; 2) reduce front setback; 3) reduce net lot size; and 4) eliminate off-site improvements (streetlights).

DESIGN REVIEW for a proposed single-family residential subdivision on 10.06 acres in an RS20 (Residential Single-Family) Zone within the Airport Environs (AE-60) and Neighborhood Protection (RNP) Overlays. Generally located on the east side of Valley View Boulevard and the south side of Eldorado Lane within Enterprise. MN/jor/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 17 AND 19).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Full off-site improvements along Valley View Boulevard and Eldorado Lane;
- Full off-site improvements, except streetlights, on Maulding Avenue and Procyon Street;
- Install conduit and pull boxes for streetlights on Maulding Avenue and Procyon Street;
- Drainage study and compliance;
- Right-of-way dedication to include 45 feet to the back-of-curb for Valley View Boulevard, 25 feet to the back-of-curb for Maulding Avenue, 25 feet to the back-of-curb for Procyon Street, 25 feet to the back-of-curb for Eldorado Lane and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map.
- Applicant is advised that the installation of detached sidewalks will require dedication to back-of-curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation;
- For that portion that lies within the AE-60, the applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation Noise Office at landuse@lasairport.com;
- For that portion that lies within the AE-60, the applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Department of Aviation Noise Office at landuse@lasairport.com;
- For that portion that lies within the AE-60, the applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation Noise Office when property sales/leases commence;
- For that portion that lies within the AE-60 incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any

interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0134-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

WAIVER OF DEVELOPMENT STANDARDS #1 WAS WITHDRAWN WITHOUT PREJUDICE.

19. TM-24-500078-DBAC, LLC:

TENTATIVE MAP consisting of 18 single-family residential lots on 10.06 acres in an RS20 (Residential Single-Family) Zone within the Airport Environs (AE-60) and Neighborhood Protection (RNP) Overlays. Generally located on the east side of Valley View Boulevard and the south side of Eldorado Lane within Enterprise. MN/jor/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 17 AND 18).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Full off-site improvements along Valley View Boulevard and Eldorado Lane;
- Full off-site improvements, except streetlights, on Maulding Avenue and Procyon Street;
- Install conduit and pull boxes for streetlights on Maulding Avenue and Procyon Street;
- Drainage study and compliance;
- Right-of-way dedication to include 45 feet to the back-of-curb for Valley View Boulevard, 25 feet to the back-of-curb for Maulding Avenue, 25 feet to the back-of-curb for Procyon Street, 25 feet to the back-of-curb for Eldorado Lane and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map.
- Applicant is advised that the installation of detached sidewalks will require dedication to back-of-curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Building Department - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided.

Department of Aviation

- For that portion that lies within the AE-60 the applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation Noise Office at landuse@lasairport.com;
- For that portion that lies within the AE-60 the applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Department of Aviation Noise Office at landuse@lasairport.com;
- For that portion that lies within the AE-60 the applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation Noise Office when property sales/leases commence;
- For that portion that lies within the AE-60, incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height.
- Applicant is advised that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0134-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

20. WS-24-0419-MEEKRAT HOLDINGS, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) modify residential adjacency standards; and 2) reduce throat depth.

DESIGN REVIEW for restaurant buildings on 2.12 acres in a CG (General Commercial) Zone within the Airport Environs (AE-60) Overlay. Generally located on the north side of Quail Avenue and the east side of Jones Boulevard within Spring Valley. MN/sd/syp (For possible action)

ACTION: HELD TO NOVEMBER 6, 2024, PER THE APPLICANT.

21. WS-24-0437-MFE, INC.:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce street landscaping; 2) alternative parking lot landscaping; 3) reduce buffer landscaping; 4) modify residential adjacency standards; and 5) alternative driveway geometrics.

DESIGN REVIEWS for the following: 1) lighting; and 2) modifications and additions to a previously approved shopping center on a 2.75-acre portion of 3.79 acres in a CG (Commercial General) Zone. Generally located on the west side of Jones Boulevard and the south side of Cactus Avenue within Enterprise. JJ/hw/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL --

Comprehensive Planning

- All vacuum equipment to be located along Cactus Avenue only;
- Enter into a standard development agreement prior to any permits or subdivision mapping for the portion of the site currently being developed, in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance.
- Applicant is advised that off-site improvement permits may be required.

Fire Prevention Bureau

- Applicant to show fire hydrant locations on-site and within 750 feet.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; and that operational permits may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0373-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

WAIVER OF DEVELOPMENT STANDARDS #4C WAS WITHDRAWN.

SAMI REAL

Next on the agenda is Item 21, WS-24-0437, waivers of development standards for the following: reduced street landscaping, alternative parking lot landscaping, reduced buffer landscaping, modified residential adjacency standards and alternative driveway geometrics. Design reviews for the following: lighting and modifications and additions to a previously approved shopping center on a 2.75 acre portion of 3.79 acres in a CG (Commercial General) Zone. Generally located on the west side of Jones Boulevard in the south side of Cactus Avenue within Enterprise.

TICK SEGERBLOM

Good morning.

ROBERTO PIEDRA

Good morning. My name is Roberto Piedra with SCA Design, 2525 West Horizon Ridge.

TICK SEGERBLOM

Can you spell your last name, please?

ROBERTO PIEDRA

P-I-E-D-R-A.

TICK SEGERBLOM

Thank you.

ROBERTO PIEDRA

2525 West Horizon Ridge Parkway, Henderson, Nevada 89052. We're proposing to build two retail buildings and then two QSR buildings on the southwest corner of Jones and Cactus. During our town board meeting, one of the waivers that we were requesting was to have a trash enclosure within 10 feet of the residential. We have revised the trash enclosure to be well out of the 50-foot setback requirement, and we also added an additional landscape finger to remove the other waiver for reduced landscape fingers.

TICK SEGERBLOM

Did you complete your presentation?

ROBERTO PIEDRA

Yes.

TICK SEGERBLOM

All right, this is a public hearing. I have a card here. So, Mr. Allen, if you want to come forward, and anyone else.

MARK ALLEN

Good morning, Commissioners. My name is Mark Allen, last name A-L-L-E-N, 10544 Narssa Ridge Street, Las Vegas 89141.

I want to emphasize that I'm not against this development as a whole, however I must voice my concerns regarding the proposed placement of vacuum stalls directly behind my home. The proposed vacuum stalls on the south end of the car wash are another major concern. The noise generated by these machines running at all hours is too much for anyone living in the neighborhood. There needs to be some space between the residential neighborhood and the businesses. Please do not override these guidelines. I propose a condition be added to this plan so that they only have vacuum stalls on the north end of the car wash along West Cactus. Typically, a car wash this size has only three or four stalls and this area could accommodate those stalls. It's my understanding that they're requesting like 13, which would be like for a truck stop or something like that. I request that a condition be added to eliminate any vacuum stalls on the south end of the car wash.

Secondly, I propose that the trash dumpster be moved, which they've already recognized. By compromising in a small way. In making these changes, we can have a positive impact for the neighborhood while also maintaining development objectives. This condition of the vacuum stalls would foster a more harmonious relationship between corporate development and the residential environment.

By addressing these concerns proactively, we can ensure that our neighborhood remains peaceful and still create a positive outcome for the businesses, rather than only considering the corporation at the

expense of the neighborhood. I encourage you to consider a win-win for both the businesses in the neighborhood. Thank you for your consideration in this matter.

TICK SEGERBLOM

Thank you. Anyone here? Anyone else here?

YESENIA ALLEN

Yesenia Allen, 10544 Narssa Ridge Street.

TICK SEGERBLOM

Can you pull the microphone a little closer to your face, please?

YESENIA ALLEN

Oh, sorry. Yesenia Allen, 10544 Narssa Ridge Street. I just want to enter this into the record. The signatures we have from our neighbors are with us and recognize the issue that we're dealing with right now. Thank you.

TICK SEGERBLOM

Anyone else here wishing to speak? Seeing no one, I will close the public hearing and turn it over to Mr. Jones.

JUSTIN JONES

Thank you, Mr. Chair. Just to clarify, it's not my understanding that the car wash is part of this application; that was part of a prior application. Is that accurate?

ROBERTO PIEDRA

Correct.

JUSTIN JONES

Okay. So, I appreciate your concern. That is not part of this application. This is essentially a Phase II of this development, and the car wash part of it was approved quite some time ago, several years ago. So unfortunately, I can't really help you on that one here today, because it's not before us.

MARK ALLEN

It does state in the proposal that we read that the vacuum stalls are included in this, and it's stated 13 vacuum stalls, which I can't imagine in any development within five miles of our home there's 20 car washes and none of them have 13 car vacuum stalls. It would be very simple to be cooperative with the citizens in our community-

TICK SEGERBLOM

I apologize.

MARK ALLEN

-and just allow four stalls along the Cactus Street and not additional ones. Thank you.

JUSTIN JONES

Thank you. The time for public comment - if you can state your name though, we have to have record for it.

MARK ALLEN

Yes, sir. My name is Mark Allen, A-L-L-E-N.

MICHAEL NAFT

Thank you very much. Sami, can you clarify?

SAMI REAL

There are vacuum stalls shown on the plans, however the plans don't indicate whether or not they're existing or proposed vacuum stalls. So, maybe the applicant can clarify whether or not they're existing or proposed?

ROBERTO PIEDRA

The vacuum stalls are being proposed.

JUSTIN JONES

Okay, well then, I'm going to have to hold this. That was not part of my understanding of what was before us today, because the car wash was part of a prior application. Gurdev, if you want to clarify, that's fine, but that wasn't what we talked about.

GURDEV KULAR

Yeah, we're okay with doing the vacuums just along Cactus to appease their concerns, if that's okay to move forward with the rest of the application, then.

TICK SEGERBLOM

I apologize, you need to state your name for the record.

GURDEV KULAR

Sorry. Gurdev Kular, K-U-L-A-R.

JUSTIN JONES

Okay. Sami, does he need to submit new plans? Because that's different than what we have.

SAMI REAL

We can accept a condition to say that the vacuum stalls - because they are located along the residential, they're perpendicular to the residential on the south. So, we can add a condition saying that the vacuum stalls shall be placed along Cactus, and then they can accommodate that through subsequent plan revisions.

JUSTIN JONES

All right. And then to clarify with regards to waiver of development standard number two, I know that there was, in response to the Town Board, an effort to add additional landscape fingers. Is it correct to say that that does not result in the making waiver condition number two unnecessary? It's still necessary, although it addresses it in part.

SAMI REAL

Correct. So, the addition of the two landscape fingers is a positive attribute to the changes. However, it still requires the waiver of development standards. But the applicant was correct that the trash enclosure waiver, so that would be waiver 4-C, is no longer needed as a result of those revised plans.

MOTION

JUSTIN JONES

Okay. All right, well, then, with that clarification I will go ahead and move for approval of Agenda Item Number 21 with the withdrawal of waiver 4-C, and the additional condition that all vacuums be placed along Cactus Avenue.

TICK SEGERBLOM

All right, there's a motion. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None

ABSENT: None

ABSTAIN: None

TICK SEGERNLOM

That motion passes. Thank you, Mr. Allen, for coming and clarifying that.

SEC. 6. AGENDA ITEM

22. AG-24-900634: Discuss potential amendments to Title 30, and direct staff accordingly. (For possible action)

ACTION: STAFF DIRECTED.

SAMI REAL

Next is Item 22, AG-24-900-634, discuss potential amendments to Title 30 and direct staff accordingly. Commissioners, we have received two requests for discussion by the County Commissioners. The first request is to discuss possibly, in the non-urban areas, not requiring either street trees or having some additional flexibility, given that in the non-urban areas of the County there are large lots that may not be either appropriate or necessary to plant street trees.

And then the second request is related to our provision in Title 30 that allows for manufactured housing to be located on residential parcels if it's older than six years old when located in the RS-80 and RS-40 in the non-urban area. This exception is different than what NRS requires. NRS requires that the age of manufactured housing and on residential lots be no less than six years of age when it's being placed on a lot. So, those are the two items for discussion. And then I also welcome any other suggestions from the commissioners on other potential amendments that you would like us to look into.

MARILYN K. KIRKPATRICK

Thank you, Mr. Chairman. And so, I'm willing to - here's the issue that we have. So, in Logandale, Moapa and Overton they have existing one-acre farmland, and everybody is trying to combine their lots. It's like a \$7 savings, but the subdivision then requires them to put trees along the streets, and it doesn't allow for us - or the understanding was that they couldn't waive the fee. If it's already farmland, I'm willing to make it as narrow as possible, but it would be the same for Sandy Valley, Searchlight, but if it's already

farmland, those trees aren't going to really make a difference. But I do want to say if they're creating a subdivision map, they got to have trees. I don't want to waive that.

MICHAEL NAFT

Sure. I'll go next. That seems very reasonable to me. My item came to me from Searchlight, speaking of, which has just become basically a dumping ground for old manufacture homes. And so, we're trying to clean up the area and do better there. Discovered that in 2013 the Board at that time adopted a provision to navigate NRS. So, all I'm asking is that we close that up.

MARILYN K. KIRKPATRICK

I agree. I probably had the second most amount of manufactured homes. If they're there today, they're probably not licensed, and probably not permitted by the State.

SAMI REAL

So, can I ask a clarifying question? So then would the proposal for the manufactured homes then be to mirror what NRS states, and to no longer allow any manufactured homes regardless of what zoning district or where in the County so that they are all within six years of age when they're placed on the lot?

MICHAEL NAFT

Yeah, I'll let others speak to their district. I think it probably has to be Countywide, or else it gets more complicated. Really, I guess, for the Board's consideration would be whether or not there's a waiver process. My concern if we do that is that everyone's going to get a waiver and we're in the same position we are in now. So yes, my objective would be to mirror NRS.

SAMI REAL

I did research the other jurisdictions in Northern Nevada, and I know that Washoe County and also Reno, they require the age of manufactured homes to be no less than six years when they're placed. So, making these modifications would bring us in line with other jurisdictions in Nevada.

TICK SEGERBLOM

I'm not sure what my position would be, but I have some really old mobile homes and people come in and buy them and then they have to - the people that own the homes have to move them somewhere. But it sounds like they won't be able to move them anywhere.

MARILYN K. KIRKPATRICK

Well, you're not allowed by State today, anyways. That's why I was kind of shocked. So, State law - and this goes back to - Mr. Carpenter changed it, and Mark Menendo. So, the law - because at the time we were seeing a lot of sixties and seventies manufactured homes and they were filled with asbestos, so they were trying to take them down and they were not energy efficient and so many other things. So, today what I was saying to Commissioner Naft is if they're moving them today, they're probably not licensed by the State. The State requires a State manufacturer licensed person to come work on them. So, at least what I'm seeing in my district is, in many cases people are just stuccoing them, and people are - you can't even get a loan for them, an FHA loan. So, I don't know where they would move them to that they would actually be licensed by the State like they're supposed to. And I have tons of - some from the 50s, over by Nellis.

SAMI REAL

And I do want to clarify, this provision in NRS that's reflected in our Title 30, is it just applies to single-family residential lots. It doesn't apply to manufactured homes within manufactured home parks.

TICK SEGERBLOM

Oh.

SAMI REAL

So, I wanted to make that was clear.

TICK SEGERBLOM

They could move to another mobile home park.

SAMI REAL

Excuse me? I'm sorry.

TICK SEGERBLOM

They could move to another mobile home park.

SAMI REAL

Again, there's rules and requirements on moving manufactured homes, so they would still need to comply with that. But this age requirement in NRS only applies when the manufactured home is on a single-family residential lot, not within a manufactured home park.

MARILYN K. KIRKPATRICK

Well, yeah, listen, I'd go one step further and make them convert to real property, because they don't even pay real property tax. But I'll take this as a start.

TICK SEGERBLOM

All right, I was just worried because developers come in and buy these lots. These people have lived there for quite a while, but they own the house, but they can be evicted because they don't own the land. So, it sounds like they can find another place to go, which has been the issue, then they can still do that. All right, so anyway –

JUSTIN JONES

Sorry, sorry. Yes, I just had a clarifying question. So, I just want to – with regards to the residential lots, so for example, someone has a manufactured home in a place like Sandy Valley on a rural lot, and their manufactured home is six years and six months old. They can't physically move that to another lot in Sandy Valley?

SAMI REAL

That would be correct.

MICHAEL NAFT

Under current State law.

JUSTIN JONES

Okay. Well, I would say I'm fine with converting it to what State law is. Obviously, we should always be doing that. I would say from a policy perspective, there's probably a discussion to be had when it comes to housing affordability at the Legislature for whether that's really where we should be.

MICHAEL NAFT

And I think our action today will probably trigger that follow-up conversation.

TICK SEGERBLOM

And going back to the tree issue, so how will we decide whether it's land – it's waivable not for Moapa Valley, areas like that that we designate, or anybody can come in and say they're a farm and they don't have to do the trees?

SAMI REAL

The thought would be in the non-urban area, we have large lot zoning districts, we have RS-80, RS-40, so those are two-acre, one-acre lots. We also have an agricultural and open space zoning district that we would say in those zoning districts, street trees wouldn't apply unless it's a subdivision. We want subdivided lots or newly subdivided lots to comply. But if it's a major subdivision. Maybe we should clarify that versus a parcel map, because some of your parcel mergers are coming in as subdivisions.

MARILYN K. KIRKPATRICK

Right? Because that's the system that we have, right?

SAMI REAL

Correct.

MARILYN K. KIRKPATRICK

So, I mean my whole point is to put a waiver in so that we could look at them case by case or something, but it just seems silly to allow someone that has a two-acre parcel to become lined to trees because they're combining a couple lots.

SAMI REAL

Then no street trees. And then if there's anything else that the Board would like to direct us to look at coming up?

MICHAEL NAFT

Yes, actually, thanks for asking. We adopted a few years ago now the Stadium District Overlay Plan. We never moved forward with any tangible action on it. I'd like the Planning staff to move forward with developing concrete standards for the area if there's no objections.

JUSTIN JONES

Mr. Chair, also, I would say, sort of in line with the tree fee and lieu fee, I think when it comes to out of the urban area, industrial-type areas, we should probably take a look at what that means. Particularly in South I-15 corridor, which is going to be the subject to a lot of development in the future. Whether we have a different requirement for those industrial type areas, they're going to be part of new development that came up in Sloan recently and trying to find the right balance there. So, I don't know what the answer is, but maybe take a look at what's possible.

TICK SEGERBLOM

All right, I think that's just direction.

SAMI REAL

Yeah.

TICK SEGERBLOM

Okay.

SAMI REAL

Thank you very much.

SEC. 7. INTRODUCTION OF ORDINANCES

23. ORD-24-900471: Introduce an ordinance to consider adoption of a Development Agreement with ME 52 PARTNERS, LLC for a residential subdivision on 8.6 acres, generally located west of Rainbow Boulevard and north of Erie Avenue within Enterprise. JJ/dw (For possible action)

ACTION: INTRODUCED AND SET FOR PUBLIC HEARING ON WEDNESDAY OCTOBER 16, 2024, AT 10 A.M. (BILL 10-2-24-1)

SAMI REAL

And then the next item on the agenda, we have two ordinances for introduction. Item 23 is ORD-24-900-471. Introduce an ordinance to consider adoption of a Development Agreement with ME 52 PARTNERS, LLC for a residential subdivision on 8.6 acres. Generally located west of Rainbow Boulevard and north of Erie Avenue within Enterprise.

24. ORD-24-900591: Introduce an ordinance to amend Title 30 to clarify the process for appeals and providing for other matters properly related thereto; and set a public hearing. (For possible action)

ACTION: INTRODUCED AND SET FOR PUBLIC HEARING ON WEDNESDAY OCTOBER 16, 2024, AT 10 A.M. (BILL 10-2-24-2)

SAMI REAL

And then Item 24, ORD-24-900-591. Introduce an ordinance to amend Title 30 to clarify the process for appeals and providing for other matters properly related that to set a public hearing. Commissioners, we ask that you set a public hearing for October 16th, 2024. Item 24, I just want to clarify that we are now mirroring the language in NRS for who can file an appeal. So, we have carried forward the language that says that a grievous person can file an appeal and then again mirror the language in NRS. So, a grievous person is somebody who either shows up in person or through writing or through some other representation, and then we are clarifying that the applicant can file an appeal and that also a County Commissioner, County Manager, department head or their designee can also file an appeal.

TICK SEGERBLOM

You agree with that?

ROSS MILLER

Thank you. This one's moving a little quickly, and since I've been on the Board I think we've only had a handful of appeals, so I want to make sure we get the language right. I appreciate the mirroring of the definition of a grievous party. That certainly makes sense. Somebody that shows up and objects either in person or writing would be able to appeal an applicant, and then a County Commissioner, which I believe to have always been the case. But if that's not the case then we could correct that. But what instance would we need the County Manager or the director of the County department or their designee to be able to file an appeal? If either the applicant doesn't want to file the appeal, no aggrieved party wants to file the appeal. In what instance would you in the staff couldn't find a single Commissioner who was willing to support the appeal putting on the agenda? What's the rationale for including those other individuals? In my view, it should just be the applicant, somebody aggrieved by the appeal, or if staff can find even one Commissioner who would support an appeal, because it's not without hardship to the

applicant. In instances - the one that we just saw was 7-0 in front of the Planning Commission. They certainly didn't have my support because I had toured the project, seen it, my Planning Commissioner had weighed in, it was placed on the agenda, and it was 6-0 in front of - to deny the appeal. In the meantime, the applicant had to hire an attorney, they had to delay their plans, et cetera. There's additional hardship. There was not one single County Commissioner who supported that appeal being placed on the agenda.

MARILYN K. KIRKPATRICK

Well, I will just - and I don't care either way. Just as a County Commissioner, I want to be able to appeal things. But I can give you a couple of examples, and Antonio maybe has one where a road got vacated because the Planning Commission had changed something, and Airport has appealed on a couple since I've been here. And it may be a timing issue whether or not they can put it in at the same time. But those are the two that I know off the top of my head that I've seen since I've been here. But I'm not - I don't care either way. Just as a County Commissioner, if I want to appeal something then I want the ability to do that.

ROBERT WARHOLA

No, we can modify the language. But yes, Public Works has appealed on occasion, and the Airport has, and those are the two. I agree.

TICK SEGERBLOM

But arguably, they could reach out to one of us and ask us to appeal it.

ROBERT WARHOLA

Yes, they could. So, we can either modify the language now or we can modify it at the public hearing, and we can do that by eliminating, because the language at the public hearing, if you want to think about it for two weeks and then we could do that if you want or leave it the way it is. Or we can modify it now and delete County Manager and departments. So however, you want to handle it.

JUSTIN JONES

I would just say, just sort of devil's advocate here, I get that a department could go to a particular Commissioner, but the appeal time is very short, and so that might be a limiting factor in terms of if it comes to Airport's attention or somebody else's attention, they got to then go find a Commissioner to support it, as opposed to you only got five days in order to file an appeal. So, it might be an issue to -

MARILYN K. KIRKPATRICK

Maybe a compromise is just having the County Manager or his designee, because department heads meet with the County Manager often. I don't foresee us, I see Commissioners wanting to appeal more than our departments, but I don't -

ROBERT WARHOLA

Well, if we change it now, we probably can't go back in two weeks, but in two weeks we can do it at a public hearing. So, it gives you two weeks to think about it or to discuss it with staff or however you want to. Or we can make the change now.

TICK SEGERBLOM

That's okay. Let's just wait, keep it the way it is and raise the issue in two weeks. We can talk - not among ourselves, but we can talk to G-d if we want.

SAMI REAL

And then with that, we would ask you to set the public hearing for October 16, 2024, for Items 23 and 24.

TICK SEGERBLOM

Okay, I'll introduce the items and set the public hearing for October 16.

PUBLIC COMMENTS

SAMI REAL

And then this is the last time set aside for public comment.

TICK SEGERBLOM

This is the last time for public comment. Looks like somebody wants to complain about something.

LISA MAYO-DERISO

Good morning, Chairman, Commissioners. I want to put a couple of (inaudible). Good afternoon, I'm Lisa Mayo-DeRiso. I'm here today to update the public and you on 2024 F-1 from the perspective of small businesses and those trying to navigate the Las Vegas Strip. As everyone can see, construction and disruption has begun yet there has not been a public hearing on the traffic study that apparently was issued in April. We were able to find it online, but there was really no public comment given into that traffic study. And on or about August 26, F-1 applied for their special event permit. My efforts to get a copy were denied via FOIA request that I applied for. So, on September 4 I went down to Public Works, and I met with Scott, and he told me that it was a work in process and could not be shared.

I would argue that the second a document hits the desk of a public entity and has public entity letterhead on it, is a document the public has a right to see, but this is not the case associated with almost every F-1 document study. We can never get a copy of it. You are allowing the bridge bankruptcy to be constructed again. You're allowing trees to be removed and the Strip to be closed, and small businesses are already feeling the effect of this. Some restaurants and businesses are saying, "We're just going to close for two or three weeks because we can't observe the losses."

I want to put also into the public record today, the RTC survey I have here for public record. This survey was conducted with the culinary workers. It's very telling. This is probably why the public hasn't seen it. We're not a world-class destination without the culinary workers. They are usually the first and last person our tourists interact with while we're in our City. They're our brand. However, this study shows that 66% of them spent extra time getting to work. 31 minutes to 90 minutes more time during F-1 2023. 64. 22% of them were late to work. 35% of them at least once a week late to work. They were not compensated by F-1 for this extra time, anxiety, and stress it puts on the workers.

Last, we're 52 days from the F-1 race, and my clients are already experiencing canceled reservations due to transportation. Here's a picture of Gino Ferraro 20 seat reservation canceled. We are also having blocked driveways into the 24-hour casino. At Stage Door. It's blocked for 12 hours. Their driveway is blocked from traffic. Make no mistake, there'll be losses in 2024.

All I want to say to you is, what is the definition of insanity? This is happening again, and we still haven't known if a special event permit has been approved by you, you have the ability to deny the special event permit. Thank you very much.

TICK SEGERBLOM

Thank you. If you want to enter that the record, somebody will take that.

SAMI REAL

Thank you very much.

TICK SEGERBLOM

All right, anyone else here wishing to speak?

JIM GIBSON

If I might just make a public comment, clarifying comment. I don't know if they're reference to 12 hours of closure at Stage Door as the pictures that Ms. Mayo circulated yesterday, but that was about an hour. There was a collar, there had been paving done, and when the lids to things that are in the street, the utilities, are finished off with the surface, once it's established, a concrete collar has to be poured. What I was informed of is that the collar had to be poured yesterday at 7:30. The cones were there in that intersection at 8:30. An hour later, the paving contractor and the inspector from the Water District confirmed that they'd been removed. So, I don't know about the rest of it. If it's not that, then that's all I would say. I just want to make clear that yesterday was a Water District issue. There are no closures on Flamingo that were in effect yesterday for Formula 1.

TICK SEGERBLOM

And was that dealing with the water line they had to replace?

JIM GIBSON

Well, the paving ended up being occasioned, because there was a lot of work including what had been done to replace the broken water line.

TICK SEGERBLOM

All right, thank you. Anyone else wishing to make public comment? Seeing no one, we'll close the public hearing and close the meeting. See you in two weeks.

END PUBLIC COMMENTS


There being no further business to come before the Board at this time, at the hour of 9:40 a.m., the meeting was adjourned.

PLEASE NOTE: THE COUNTY CLERK KEEPS THE OFFICIAL RECORD OF ALL PROCEEDINGS OF THE COUNTY COMMISSION, THE CCWRD BOARD OF TRUSTEES, THE UMC HOSPITAL BOARD OF TRUSTEES, THE CLARK COUNTY LIQUOR AND GAMING LICENSING BOARD, AND THE CLARK COUNTY REDEVELOPMENT AGENCY. TO OBTAIN A COMPLETE AND ACCURATE RECORD OF ALL PROCEEDINGS, ANY PHOTOGRAPH, MAP, CHART, OR ANY OTHER DOCUMENT USED IN ANY PRESENTATION TO THE BOARD/TRUSTEES, REQUESTS SHOULD BE SUBMITTED TO THE COUNTY CLERK.

TO REFERENCE AGENDA ITEM ATTACHMENTS ONLINE: REFER TO THE MEETING LINK BELOW, SELECT THE ITEM (FILE # COLUMN), AND CLICK THE LINK FOR THE DESIRED ATTACHMENT.

[ONLINE MEETING LINK](#)

APPROVED:


Tick Segerblom (Nov 12, 2024 11:59 PST)

TICK SEGERBLOM, CHAIR

ATTEST:



LYNN MARIE GOYA, CLARK COUNTY CLERK










Zoning 10/02/2024 Minutes was Approved on 11/06/2024

Final Audit Report

2024-11-18

Created:	2024-11-06 (Pacific Standard Time)
By:	Ricky McColl (FYM@ClarkCountyNV.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAL69uwASS7oz4oen2inUwi1To5GKWZ0JU

"Zoning 10/02/2024 Minutes was Approved on 11/06/2024" History

-  Document created by Ricky McColl (FYM@ClarkCountyNV.gov)
2024-11-06 - 1:11:40 PM PST- IP address: 198.200.132.41
-  Document emailed to tsegerblom@clarkcountynv.gov for signature
2024-11-06 - 2:08:45 PM PST
-  Email viewed by tsegerblom@clarkcountynv.gov
2024-11-12 - 11:58:51 AM PST- IP address: 198.200.132.41
-  Agreement viewed by tsegerblom@clarkcountynv.gov
2024-11-12 - 11:58:52 AM PST- IP address: 198.200.132.41
-  Signer tsegerblom@clarkcountynv.gov entered name at signing as Tick Segerblom
2024-11-12 - 11:59:08 AM PST- IP address: 198.200.132.41
-  Document e-signed by Tick Segerblom (tsegerblom@clarkcountynv.gov)
Signature Date: 2024-11-12 - 11:59:10 AM PST - Time Source: server- IP address: 198.200.132.41
-  Document emailed to Lynn Goya (Lynn.Goya@ClarkCountyNV.gov) for signature
2024-11-12 - 11:59:11 AM PST
-  Agreement viewed by Lynn Goya (Lynn.Goya@ClarkCountyNV.gov)
2024-11-18 - 12:40:27 PM PST- IP address: 198.200.132.69
-  Document e-signed by Lynn Goya (Lynn.Goya@ClarkCountyNV.gov)
Signature Date: 2024-11-18 - 12:40:33 PM PST - Time Source: server- IP address: 198.200.132.69
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2024-11-18 - 12:40:33 PM PST



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OCT 14 2024

Lynn Marie Goggin
CLERK

NOTICE OF FINAL ACTION
CLARK COUNTY ZONING COMMISSION
9:00 A.M., WEDNESDAY, OCTOBER 2, 2024

LEGAL NOTICE: Following the final approval or denial of every action before the Planning Commission and/or the Board of County Commissioners, a letter indicating the action taken and the conditions under which any approval is granted will be sent to the correspondent address on the application submitted. The information herein will be filed with the Clark County Clerk, Commission Division, and serve as notice of final action for the purposes of NRS 278.0235 which marks the commencement of the twenty-five (25) day limitation period specified.

1. Public Comments.
2. Approval of the Agenda After Considering Requests to Add, Hold, or Delete Items. (For possible action)
3. Approval of minutes. (For possible action)

Board of County Commissioners' Zoning Meeting minutes for 09/04/24.

ROUTINE ACTION ITEMS (4 – 15): These items may be considered in one hearing and in one motion. Any person who does not agree with the recommendations by staff should request that the item be removed from this portion of the agenda and be heard separately when directed by the Board of County Commissioners.

4. AR-24-400090 (WC-0174-16 (UC-0849-14))-MGM GRAND PROPCO, LLC:
 WAIVER OF CONDITIONS SIXTH APPLICATION FOR REVIEW of a use permit for live entertainment limited to daytime hours (6:00 a.m. to 10:00 p.m.) for a recreational facility (golf driving range) with accessory retail, eating and drinking facilities, live entertainment, and other accessory uses, and structures in conjunction with a resort hotel (MGM Grand) on a portion of 102.7 acres in a CR (Commercial Resort) Zone within the Airport Environs (AE-60 & AE-65) Overlay. Generally located on the southwest corner of Harmon Avenue and Koval Lane within Paradise. JG/bb/syp (For possible action)

HELD - 11/06/24 - per the applicant.

5. UC-24-0387-SIENA 52 HOLDING LIMITED PARTNERSHIP & SIENA 53 HOLDING LIMITED PARTNERSHIP:
 HOLDOVER USE PERMITS for the following: 1) emergency/urgent care facility; 2) gas station; and 3) motel with transient and non-transient stays.
 WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) alternative parking lot landscaping; 2) eliminate and reduce buffering and screening; 3) modify residential adjacency standards; and 4) reduce driveway departure distance.
 DESIGN REVIEWS for the following: 1) shopping center; and 2) motel on 14.12 acres in a CG (Commercial General) Zone. Generally located on the south side of Charleston Boulevard and the west side of Broadalbin Drive within Sunrise Manor. TS/hw/syp (For possible action)

APPROVED.

**CONDITIONS OF APPROVAL -
 Comprehensive Planning**

- Provide screening on the egress gate along the western property line;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.

- Applicant is advised that within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; a fee-in-lieu for reduced landscaping per Section 30.04.01E may apply; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way;
- Drainage study and compliance;
- Traffic study and compliance.
- Applicant is advised that off-site improvement permits may be required; and that Nevada Department of Transportation (NDOT) permits may be required.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0174-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

USE PERMIT #3 AND DESIGN REVIEW #2 WERE WITHDRAWN WITHOUT PREJUDICE.

6. TM-24-500076-SIENA 52 HOLDING LIMITED PARTNERSHIP & SIENA 53 HOLDING LIMITED PARTNERSHIP:
HOLDOVER TENTATIVE MAP consisting of 1 commercial lot on 14.12 acres in a CG (General Commercial) Zone. Generally located on the south side of Charleston Boulevard and the west side of Broadalbin Drive within Sunrise Manor. TS/hw/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;

- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way.
- Applicant is advised that off-site improvement permits may be required; and that Nevada Department of Transportation (NDOT) permits may be required.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0174-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

7. UC-24-0399-TENAYA LOFTS, LLC:

HOLDOVER USE PERMIT for live-work dwellings.

WAIVER OF DEVELOPMENT STANDARDS to reduce buffering and screening.

DESIGN REVIEW for an office/warehouse complex with live-work dwelling units on 5.60 acres in an IP (Industrial Park) Zone in the Airport Environs (AE-60) Overlay. Generally located on the west side of Tenaya Way, 660 feet north of Sunset Road within Spring Valley. MN/rg/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Developer agrees to plant ivy on the northern elevation of Buildings F1 and D1, which face the residential development to the north;
- Developer will ascertain whether the existing 6 foot block wall to the north of the site is engineered as such to allow an additional 2 courses to be added to the overall height of the wall and if the engineering allows, developer agrees to provide and install the additional 2 courses for residents who request an increase in height;
- Developer agrees to limit construction to Monday through Friday within normal "Daytime Hours" as defined by Title 30;
- Developer agrees to secure the 10 foot wide landscaped area between Buildings F1 and D1 by a locked gate;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Department of Aviation

- Applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation Noise Office at landuse@lasairport.com;
- Applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Department of Aviation Noise Office at landuse@lasairport.com;

- Applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation Noise Office when property sales/leases commence;
- Incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height;
- Compliance with most recent recorded airport-related deed restrictions for APN's 163-34-411-011, 163-34-411-012.
- Applicant is advised that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0219-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

8. VS-24-0277-PALM PROPERTIES, LLC:
HOLDOVER VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file). TS/jor/syp (For possible action)

HELD - 11/06/24 - per the applicant.

9. WS-24-0276-PALM PROPERTIES, LLC:
HOLDOVER WAIVER OF DEVELOPMENT STANDARDS to modify residential adjacency standards. DESIGN REVIEW for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone. Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor. TS/jor/syp (For possible action)

HELD - 11/06/24 - per the applicant.

10. WS-24-0362-WIGWAM-PARVIN LIMITED PARTNERSHIP:
AMENDED WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase building height; 2) reduce street landscaping (no longer needed); and 3) reduce parking lot landscaping (no longer needed).
DESIGN REVIEW for modifications to a previously approved senior housing project on 5.0 acres in an RM32 (Residential Multi-family 32) Zone. Generally located on the north side of Arby Avenue and the west side of Torrey Pines Drive within Enterprise. MN/bb/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

11. ZC-24-0394-O'BRIEN, PATRICK T. TRUST & O'BRIEN, PATRICK T. TRS:
ZONE CHANGE to reclassify 11.73 acres from an RS80 (Residential Single-Family 80) Zone to a CG (Commercial General) Zone for a future commercial development. Generally located on the north side of Cottonwood Cove Road and the east side of Gasline Road within Searchlight (description on file). MN/rk/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Public Works - Development Review

- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements; and 90 days to record said separate document for the Cottonwood Cove improvement project.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD is unable to verify sewer capacity based on this zoning application; and may find instruction for submitting a Point of Connection (POC) request on the CCWRD's website; and that a CCWRD approved POC must be included when submitting civil improvement plans.

12. ORD-24-900412: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with MTL Trust for an industrial development on 4.3 acres, generally located west of Mann Street and north of Oleta Avenue within Enterprise. JJ/dw (For possible action)

ADOPTED.

13. ORD-24-900463: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with Diamond Cactus LLC for an industrial development on 3.8 acres, generally located west of Redwood Street and north of Cactus Avenue within Enterprise. JJ/dw (For possible action)

ADOPTED.

14. ORD-24-900551: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on July 17, 2024. (For possible action)

ADOPTED.

15. ORD-24-900578: Conduct a public hearing on an ordinance to amend the official zoning map reclassify certain properties as approved by the Board of County Commissioners on June 5, 2024, June 18, 2024, July 3, 2024 and Assessor's Books 125, 163, 176 and 177. (For possible action)

ADOPTED.

NON-ROUTINE ACTION ITEMS (16 – 24): These items will be considered separately.

16. SC-24-0261-WESTERN IRA FUNDING LTD RTMT PL:
HOLDOVER STREET NAME CHANGE to change the name of Gagnier Boulevard to Dynamite Drive. Generally located on the south side of Roy Horn Way and the west side of Gagnier Boulevard within Spring Valley. MN/sd/syp (For possible action)

HELD - 11/06/24 - per the applicant. Applicant is advised that re-notification fees are required prior to this item being placed on the agenda.

17. VS-24-0390-DBAC, LLC:
VACATE AND ABANDON easements of interest to Clark County located between Eldorado Lane and Maulding Avenue and between Valley View Boulevard and Procyon Street within Enterprise (description on file). MN/jor/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 4 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include 45 feet to the back-of-curb for Valley View Boulevard, 25 feet to the back-of-curb for Maulding Avenue, 25 feet to the back-of-curb for Procyon Street, 25 feet to the back-of-curb for Eldorado Lane and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;

- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require dedication to back-of-curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

18. WS-24-0391-DBAC, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase retaining wall height; 2) reduce front setback; 3) reduce net lot size; and 4) eliminate off-site improvements (streetlights). DESIGN REVIEW for a proposed single-family residential subdivision on 10.06 acres in an RS20 (Residential Single-Family 20) Zone within the Airport Environs (AE-60) and Neighborhood Protection (RNP) Overlays. Generally located on the east side of Valley View Boulevard and the south side of Eldorado Lane within Enterprise, MN/jor/syp (For possible action)

APPROVED.

**CONDITIONS OF APPROVAL -
Comprehensive Planning**

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Full off-site improvements along Valley View Boulevard and Eldorado Lane;
- Full off-site improvements, except streetlights, on Maulding Avenue and Procyon Street;
- Install conduit and pull boxes for streetlights on Maulding Avenue and Procyon Street;
- Drainage study and compliance;
- Right-of-way dedication to include 45 feet to the back-of-curb for Valley View Boulevard, 25 feet to the back-of-curb for Maulding Avenue, 25 feet to the back-of-curb for Procyon Street, 25 feet to the back-of-curb for Eldorado Lane and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map.
- Applicant is advised that the installation of detached sidewalks will require dedication to back-of-curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;

- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation;
- For that portion that lies within the AE-60, the applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation Noise Office at landuse@lasairport.com;
- For that portion that lies within the AE-60, the applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Department of Aviation Noise Office at landuse@lasairport.com;
- For that portion that lies within the AE-60, the applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation Noise Office when property sales/leases commence;
- For that portion that lies within the AE-60 incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0134-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

WAIVER OF DEVELOPMENT STANDARDS #1 WAS WITHDRAWN WITHOUT PREJUDICE.

19. **TM-24-500078-DBAC, LLC:**
TENTATIVE MAP consisting of 18 single-family residential lots on 10.06 acres in an RS20 (Residential Single-Family 20) Zone within the Airport Environs (AE-60) and Neighborhood Protection (RNP) Overlays. Generally located on the east side of Valley View Boulevard and the south side of Eldorado Lane within Enterprise. MN/jor/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Full off-site improvements along Valley View Boulevard and Eldorado Lane;
- Full off-site improvements, except streetlights, on Maulding Avenue and Procyon Street;
- Install conduit and pull boxes for streetlights on Maulding Avenue and Procyon Street;
- Drainage study and compliance;
- Right-of-way dedication to include 45 feet to the back-of-curb for Valley View Boulevard, 25 feet to the back-of-curb for Maulding Avenue, 25 feet to the back-of-curb for Procyon Street, 25 feet to the back-of-curb for Eldorado Lane and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map.
- Applicant is advised that the installation of detached sidewalks will require dedication to back-of-curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Building Department - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided.

Department of Aviation

- For that portion that lies within the AE-60 the applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation Noise Office at landuse@lasairport.com;
- For that portion that lies within the AE-60 the applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Department of Aviation Noise Office at landuse@lasairport.com;
- For that portion that lies within the AE-60 the applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation Noise Office when property sales/leases commence;

- For that portion that lies within the AE-60, incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height.
- Applicant is advised that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0134-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

20. WS-24-0419-MEEKRAT HOLDINGS, LLC:
 WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) modify residential adjacency standards; and 2) reduce throat depth.
 DESIGN REVIEW for restaurant buildings on 2.12 acres in a CG (General Commercial) Zone within the Airport Environs (AE-60) Overlay. Generally located on the north side of Quail Avenue and the east side of Jones Boulevard within Spring Valley. MN/sd/syp (For possible action)

HELD - 11/06/24 - per the applicant.

21. WS-24-0437-MFE, INC.:
 WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce street landscaping; 2) alternative parking lot landscaping; 3) reduce buffer landscaping; 4) modify residential adjacency standards; and 5) alternative driveway geometrics.
 DESIGN REVIEWS for the following: 1) lighting; and 2) modifications and additions to a previously approved shopping center on a 2.75 acre portion of 3.79 acres in a CG (Commercial General) Zone. Generally located on the west side of Jones Boulevard and the south side of Cactus Avenue within Enterprise. JJ/hw/syp (For possible action)

APPROVED.

**CONDITIONS OF APPROVAL -
 Comprehensive Planning**

- All vacuum equipment to be located along Cactus Avenue only;
- Enter into a standard development agreement prior to any permits or subdivision mapping for the portion of the site currently being developed, in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;

- Traffic study and compliance.
- Applicant is advised that off-site improvement permits may be required.

Fire Prevention Bureau

- Applicant to show fire hydrant locations on-site and within 750 feet.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; and that operational permits may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0373-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

WAIVER OF DEVELOPMENT STANDARDS #4C WAS WITHDRAWN.

AGENDA ITEM

22. AG-24-900634: Discuss potential amendments to Title 30, and direct staff accordingly. (For possible action)

STAFF DIRECTED.

ORDINANCES – INTRODUCTION

23. ORD-24-900471: Introduce an ordinance to consider adoption of a Development Agreement with ME 52 PARTNERS, LLC for a residential subdivision on 8.6 acres, generally located west of Rainbow Boulevard and north of Erie Avenue within Enterprise. JJ/dw (For possible action)

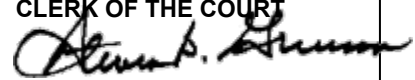
INTRODUCED - public hearing 10/16/24.

24. ORD-24-900591: Introduce an ordinance to amend Title 30 to clarify the process for appeals and providing for other matters properly related thereto; and set a public hearing. (For possible action)

INTRODUCED - public hearing 10/16/24.

PUBLIC COMMENTS

Comments by the General Public regarding any items not listed on the agenda as posted. No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on a future agenda.



ROP

STEVEN B. WOLFSON

District Attorney

CIVIL DIVISION

State Bar No. 001565

By: ROBERT T. WARHOLA

Chief Deputy District Attorney

State Bar No. 4410

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Attorneys for Respondent

Clark County

DISTRICT COURT

CLARK COUNTY, NEVADA

PALM PROPERTIES, LLC, a Nevada limited
liability company; LEADING EDGE
VENTURES, LLC, a Nevada limited liability
company; ROBERT LAUER, an individually.)

Case No: A-24-907944-J
Dept No: 18

Petitioners,

vs.

COUNTY OF CLARK, a political
subdivision of the State of Nevada, et al.,

Respondent.

RECORD OF THE PROCEEDINGS, VOLUME V

Respondent hereby files with the Court the Record of the Proceedings pursuant to Eighth Judicial District Court Rule 2.15 consisting of documents from the Clark County Clerk, Commission Division, and the Clark County Current Planning Division numbered ROP 000712 through ROP 000936.

DATED this 24th day of March, 2025.

STEVEN B. WOLFSON
DISTRICT ATTORNEY

By: /s/ Robert T. Warhola

ROBERT T. WARHOLA

Chief Deputy District Attorney

State Bar No. 4410

500 South Grand Central Pkwy., Suite 5075

Las Vegas, Nevada 89155-2215

Attorney for Respondent

CERTIFICATE OF ELECTRONIC SERVICE

I hereby certify that I am an employee of the Office of the Clark County District Attorney and that on this this 24th day of March, 2025 I served a true and correct copy of the foregoing **RECORD OF THE PROCEEDINGS, VOLUME V** (United States District Court Pacer System or the Eighth Judicial District Court Wiznet), by e-mailing the same to the following recipients. Service of the foregoing document by e-mail is in place of service via the United States Postal Service.

Amy L. Sugden, Esq.
SUGDEN LAW
375 E. Warm Springs, Ste. 104
Las Vegas, Nevada 89119
Attorney for Petitioners
amy@sugdenlaw.com

/s/ Patricia C. Villa
An Employee of the Clark County District
Attorney's Office – Civil Division

COVER SHEET FOR MINUTES

MEETING CODE: Board of County Commissioners Zoning Meeting

MEETING DATE: November 6, 2024

SECRETARY: Michelle Hinkson

TYPED/PROOFED/COMPLETED: December 3, 2024

DISTRIBUTED:

SECRETARY: Michelle Hinkson

DATE: December 3, 2024

APPROVED BY BOARD:

DATE:

December 4, 2024



togetherforbetter

Board of County Commissioners

Clark County, Nevada

Tick Segerblom, Chair
William McCurdy II, Vice Chair
Jim Gibson
Justin Jones
Marilyn K. Kirkpatrick
Ross Miller
Michael Naft

The Board of County Commissioners of Clark County, Nevada met in recessed regular session in full conformity with law and bylaws of said Board at the regular place of meeting in Clark County, Nevada, on Wednesday, November 6, 2024:

CLARK COUNTY GOVERNMENT CENTER
COMMISSION CHAMBERS
500 S GRAND CENTRAL PKWY
LAS VEGAS, NEVADA 89106

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SEC. 1. OPENING CEREMONIES

CALL TO ORDER

The meeting was called to order at 9:02 a.m. by Vice Chair McCurdy with the following members present:

Commissioners Present:

William McCurdy II, Vice Chair
Jim Gibson
Justin Jones
Marilyn K. Kirkpatrick
Ross Miller
Michael Naft

Absent:

Tick Segerblom, Chair

Also Present:

Robert Warhola, Deputy District Attorney
Sami Real, Director, Comprehensive Planning
Antonio Papazian, Manager, Development Review
JaWaan Dodson, Assistant Manager, Development Review
Lynn Marie Goya, County Clerk
Jewel Gooden, Deputy Clerk
Michelle Hinkson, Deputy Clerk

SEC. 2. PUBLIC FORUM

1. Public Comment

SAMI REAL

Good morning, Commissioners. The first item on the agenda is public comment.

WILLIAM MCCURDY II

As the first time set aside for public comment, you'll be allotted three minutes. If there's anyone liking to come forward to speak to items that are posted on the agenda, please state the item number that you're speaking on behalf of and welcome.

MARGARET ANN COLEMAN

Good morning. My name is Margaret Ann Coleman. Can you put this on the scanner?

WILLIAM MCCURDY II

Good morning. What item are you?

MARGARET ANN COLEMAN

This is concerning –

WILLIAM MCCURDY II

Which item?

MARGARET ANN COLEMAN

– item. This is concerning, yesterday I was trying to continue 43 and 21. You had put together and approved concerning \$3 thousand, \$3 million, and \$8 million that was credit and due. You didn't give me a chance to comment, make a statement that that money –

WILLIAM MCCURDY II

Ms. Coleman?

MARGARET ANN COLEMAN

- this mines. If this is concerning the property –

WILLIAM MCCURDY II

If you could wait for the second portion of public comment at the end of the agenda, you'll be allowed to speak.

MARGARET ANN COLEMAN

This is on the agenda. This is concerning public comments.

WILLIAM MCCURDY II

Thank you.

MARGARET ANN COLEMAN

And approval agenda after concerning request.

WILLIAM MCCURDY II

All right.

MARGARET ANN COLEMAN

It's on the agenda.

WILLIAM MCCURDY II

Ms. Real.

MARGARET ANN COLEMAN

I have the right discuss. I have-

SEC. 3. AGENDA

2. Approval of the Agenda After Considering Requests to Add, Hold, or Delete Items. (For possible action)

ACTION: APPROVED.

SAMI REAL

The second item is the approval of the agenda. After considering any additions or deletions of items, Staff has the following requests, which may require renotification fees in accordance with Title 30.

- Hold to the November 20, 2024, Zoning Meeting: Item 7, VS-24-0277; Item 8, WS-24-0276; Item 12, UC-24-0436; and Item 26, AG-24-900729.
- Hold to the December 2, 2024, Zoning Meeting: Item 4, AR-24-400090 for WC-0174-16 and UC-0849-14.
- Hold to the February 5, 2025, Zoning Meeting: Item 19, WC-24-40060 for NZC-22-0028.

The above public hearing items are going to be opened as a public hearing and immediately recessed until the dates as previously stated. With these deletions, which are Items 4, 7, 8, 12, 19 and 26, the agenda stands ready for your approval.

MOTION

MICHAEL NAFT

Mr. Chair, I move approval of the agenda.

WILLIAM MCCURDY II

We have a motion on the board. Please cast your vote.

VOTE

VOTING AYE: William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None

ABSENT: Tick Segerblom

ABSTAIN: None

WILLIAM MCCURDY II

Motion is adopted.

3. Approval of minutes. (For possible action)

ACTION: APPROVED.

SAMI REAL

The third item on the agenda is the approval of the minutes. The minutes of the October 2, 2024, Zoning Meeting are ready for approval.

MOTION

MICHAEL NAFT

I move approval of the minutes.

WILLIAM MCCURDY II

All right, we have a motion by Commissioner Naft. Please cast your vote.

VOTE

VOTING AYE: William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None

ABSENT: Tick Segerblom

ABSTAIN: None

SEC. 4. ROUTINE ACTION ITEMS 4 THROUGH 10

ACTION: APPROVED.

SAMI REAL

Next are the Routine Action Items which consists of Items 4 through 10, except items previously deleted. These items may be considered together in one motion and are subject to the conditions listed with each agenda item. In addition, Staff has the following request:

- Item 9, WS-24-0419, add a Public Works condition to read: applicant to work with Public Works Development Review for the design of a median along Quail Avenue.

If there are no objections, the public hearing is now open, and the Routine Action portion of the agenda stands ready for approval.

MOTION

MICHAEL NAFT

I move approval of the Routine Action Items with the changes reflected in Ms. Real's statement.

WILLIAM MCCURDY II

All right, we have a motion by Commissioner Naft. Please cast your vote.

VOTE

VOTING AYE: William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None

ABSENT: Tick Segerblom

ABSTAIN: None

WILLIAM MCCURDY II

Motion is adopted.

4. AR-24-400090 (WC-0174-16 (UC-0849-14))-MGM GRAND PROPCO, LLC:

HOLDOVER WAIVER OF CONDITIONS SIXTH APPLICATION FOR REVIEW of a use permit for live entertainment limited to daytime hours (6:00 a.m. to 10:00 p.m.) for a recreational facility (golf driving range) with accessory retail, eating and drinking facilities, live entertainment, and other accessory uses, and structures in conjunction with a resort hotel (MGM Grand) on a portion of 102.7 acres in a CR (Commercial Resort) Zone within the Airport Environs (AE-60 & AE-65) Overlay. Generally located on the southwest corner of Harmon Avenue and Koval Lane within Paradise. JG/bb/syp (For possible action)

ACTION: HELD TO DECEMBER 4, 2024, PER THE APPLICANT, TO RETURN TO THE PARADISE TOWN BOARD.

5. AR-24-400106 (UC-22-0498)-RESORTS WORLD LAS VEGAS, LLC:

USE PERMITS SECOND APPLICATION FOR REVIEW for the following: 1) a recreational facility; 2) fairgrounds; and 3) live entertainment in conjunction with an existing resort hotel (Resorts World) on a portion of 86.9 acres in a CR (Commercial Resort) Zone. Generally located on the west side of Las Vegas Boulevard South, the east side of Sammy Davis Jr. Drive, and the north side of Genting Boulevard within Winchester. TS/tpd/kh (For possible action)

ACTION: APPROVED

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Until June 21, 2025 to review to determine if the use of the property pursuant to this application warrants an amendment to the Resorts World Development Agreement.
- Applicant is advised a substantial change in circumstances or regulations may warrant denial or added conditions to an application for review; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

6. ET-24-400101 (UC-22-0403)-J & R PROPERTIES LAS VEGAS, LLC:

USE PERMITS FIRST EXTENSION OF TIME for the following: 1) allow trailer, recreational vehicle, and watercraft vehicle wash in an IL Zone; 2) allow trailer, recreational vehicle, and watercraft vehicle wash in the Airport Environs (APZ-2) Overlay; 3) reduce separation from residential use; and 4) waive screening of outside storage area.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce gate setback; 2) alternative landscaping; 3) eliminate trash enclosure; 4) security fence location; and 5) commercial driveway standards.

DESIGN REVIEW for modifications to an existing mini-warehouse facility with outside storage of vehicles and vehicle wash on 2.7 acres in an IL (Industrial Light) Zone within the Airport Environs (AE-65 & APZ-2) Overlay. Generally located on the north side of Judson Avenue, 400 feet west of Nellis Boulevard within Sunrise Manor. TS/rp/kh (For possible action)

ACTION: APPROVED

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Until September 21, 2026 to commence or the application will expire unless extended with approval of an extension of time.
- Applicant is advised a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Compliance with previous conditions

7. VS-24-0277-PALM PROPERTIES, LLC:

HOLDOVER VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file). TS/jor/syp (For possible action)

ACTION: HELD TO NOVEMBER 20, 2024, PER COMMISSIONER SEGERBLOM.

8. WS-24-0276-PALM PROPERTIES, LLC:

HOLDOVER WAIVER OF DEVELOPMENT STANDARDS to modify residential adjacency standards.

DESIGN REVIEW for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone. Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor. TS/jor/syp (For possible action)

ACTION: HELD TO NOVEMBER 20, 2024, PER COMMISSIONER SEGERBLOM.

9. WS-24-0419-MEEKRAT HOLDINGS, LLC:

AMENDED HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) modify residential adjacency standards (no longer needed); and 2) reduce throat depth (no longer needed).

DESIGN REVIEW for restaurant buildings on 2.12 acres in a CG (General Commercial) Zone within the Airport Environs (AE-60) Overlay. Generally located on the north side of Quail Avenue and the east side of Jones Boulevard within Spring Valley. MN/sd/syp (For possible action)

ACTION: APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Expunge the design review portion of ZC-22-0628;
- Certificate of Occupancy and/or business license shall not be issued without approval of Certificate of Compliance.

- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; that this application is contingent upon obtaining a license from the State of Nevada and Clark County Business License Department; failure to abide by and faithfully comply with the conditions of approval, Clark County Code, and the provisions of the Nevada Revised Statutes or Nevada Administrative Code may result in revocation of this application; approval of this application does not constitute or imply approval of any other County issued permit, license or approval; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Applicant to work with Public Works - Development Review for the design of the median along Quail Avenue;
- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back-of-curb for Quail Avenue and associated spandrel;
- 30 days to coordinate with Public Works - Construction Management Division and submit separate document if required, for dedication of any necessary right-of-way and easements and 90 days to record said separate document for the Jones Boulevard improvement project.
- Applicant is advised that the installation of detached sidewalks will require dedication to back-of-curb, the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that permits and operational permits may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316.

10. WS-24-0473-J & J INVESTPROP, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setback; and 2) allow modified driveway geometrics in conjunction with a developing single-family residential subdivision on 1.6 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the east side of Haven Street, 283 feet south of Ford Avenue within Enterprise. MN/jud/kh
(For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0145-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

SEC. 5. NON-ROUTINE ACTION ITEMS 11 THROUGH 33

11. SC-24-0261-WESTERN IRA FUNDING LTD RTMT PL:

AMENDED HOLDOVER STREET NAME CHANGE to change the name of Gagnier Boulevard to Signature Boulevard (previously notified as Dynamite Drive). Generally located on the south side of Roy Horn Way and the west side of Gagnier Boulevard within Spring Valley. MN/sd/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Building Department - Addressing

- Subject to Signature Boulevard.
- Applicant shall be responsible for the installation of street signs, per Public Works requirements, within 60 calendar days of the approval of the application.

SAMI REAL

Next is Item 11, SC-24-0261; amended holdover street name change to change the name of Gagnier Boulevard to Signature Boulevard, previously noticed as Dynamite Drive. Generally located on the south side of Roy Horn Way and the west side of Gagnier Boulevard within Spring Valley.

WILLIAM MCCURDY II

Welcome.

ED GARCIA

Good morning, Commissioners. Ed Garcia, 9555 Hillwood Drive here on behalf of the applicant. As stated, this is a name change request from Gagnier Boulevard as it runs north-south terminating from Roy Horn to Badura Avenue. This is just to the east of the Uncommons Development. This was in conjunction with development application that came through and was approved a couple months ago right here on this parcel in the northeast. The rest of this property is also controlled by an affiliated ownership.

After consultation with the Uncommons folks, in order to pursue a branding opportunity with those folks, they came to the name and that's why the name changed from Dynamite to Signature Boulevard.

I know there was some discussion about extending this even further. There is one, along the alignment, it discontinues here to the south of Badura but further down the road there is one property owner with a current active Gagnier address. I don't believe they're interested in changing their address. And efforts to negotiate with them to change their address have been unsuccessful. So, we are simply requesting from Roy Horn to Badura to change it to Signature Boulevard, much as many of the properties within Uncommons have already been amended. With that, I'd respectfully request your approval.

WILLIAM MCCURDY II

All right, does that conclude your presentation?

ED GARCIA

It does.

WILLIAM MCCURDY II

All right, this is a public hearing. Is there anyone that would like to come forward at this time? Hearing and seeing no one, we'll close the public hearing and turn over to Commissioner Naft.

MICHAEL NAFT

Thank you. Can I just ask for Staff, does it appease some of the concerns if it terminates at Maule instead of Badura so that it's just capturing that Uncommons area? I understand that it's still that you still don't support the request.

ED GARCIA

Thank you. Commissioner. It would still be the same scenario whether it's terminated at Maule or Badura.

ANTONIO PAPZIAN

Okay. And just to comment real quick, the Uncommons have the name changes, they're all internal to their development?

MOTION

MICHAEL NAFT

Okay. I don't have a strong preference. I'm going to keep it at Badura as was requested and move for approval.

WILLIAM MCCURDY II

All right, we have a motion by Commissioner Naft. Please cast your vote.

VOTE

VOTING AYE:	William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft
VOTING NAY:	None
ABSENT:	Tick Segerblom
ABSTAIN:	None

WILLIAM MCCURDY II

Motion is adopted.

ED GARCIA

Thank you.

12. UC-24-0436-MANNA INVESTMENT GROUP, LLC:

USE PERMIT for a vehicle wash.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) modify residential adjacency standards; 2) alternative buffering and screening; and 3) allow attached sidewalks.

DESIGN REVIEW for a vehicle wash in conjunction with an existing shopping center on a portion of 4.09 acres in a CG (Commercial General) Zone. Generally located on the west side of Sandhill Road and the south side of Desert Inn Road within Paradise. TS/sd/kh (For possible action)

ACTION: HELD TO NOVEMBER 20, 2024, PER COMMISSIONER SEGERBLOM.

13. UC-24-0491-BUDDHAYA NANDHARAM, INC.:

USE PERMIT for a place of worship.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce street landscaping; 2) reduce parking lot landscaping; 3) alternative buffering and screening; 4) modify residential adjacency standards; 5) driveway geometrics; and 6) allow attached sidewalks.

DESIGN REVIEW for a place of worship on 2.17 acres in an RS20 (Residential Single-Family 20) Zone. Generally located on the north side of Kell Lane and the east side of Betty Lane within Sunrise Manor. MK/bb/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence, or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Install commercial curb return driveways per Uniform Standard Drawing 222.1;
- Remove on-site parking spaces along Kell Lane and Betty Lane opposite the driveways to the satisfaction of Public Works - Development Review to avoid vehicle conflicts;
- 30 days to submit revised plans to address denial of waivers of development standards #5b through #5f and revised plans shall be to the satisfaction of Public Works -Development Review;
- Compliance with approved drainage study PW19-19387;
- Full off-site improvements.

WAIVERS OF DEVELOPMENT STANDARDS #4 AND #5B THROUGH #5F WERE DENIED.

SAMI REAL

Next is Item 13, UC-24-0491; Use Permit for a place of worship, Waivers of Development Standards for the following: reduce street landscaping, reduce parking lot landscaping, alternative buffering and screening, modify residential adjacency standards, driveway geometrics, and allow attached sidewalks. Design review for a place of worship on 2.17 acres in an RS20 (Residential Single-Family 20) Zone. Generally located on the north side of Kell Lane in the east side of Betty Lane within Sunrise Manor.

WILLIAM MCCURDY II

Welcome.

JASON BUSH

How's it going? Jason Bush, 2546 Evansville. Here on behalf of the applicant.

Okay, so we met with Commissioner Kirkpatrick yesterday and discussed a couple changes as far as switching this to a commercial approach, and eliminating parking here, and doing the same thing here, and eliminating this parking. So, we're prepared to do that. So, if there's any other questions, I guess?

WILLIAM MCCURDY II

Does that complete your presentation?

JASON BUSH

Yeah.

WILLIAM MCCURDY II

All right. This is a public hearing. Is there anyone who would like to come forward at this time to speak on this item? Hearing and seeing no one, we'll close the public hearing and turn it over to Commissioner Kirkpatrick.

MARILYN K. KIRKPATRICK

I thank you Mr. Chair and thank you for meeting with us yesterday, as well as JaWaan from Public Works. So, thank you for agreeing to the condition, it's so that it's the commercial curb and entrance. It's going to make a lot of difference so people don't have to stop before they turn in, it can work that way.

Two, you've agreed to remove all the parking spaces adjacent to the commercial driveway that's both on Kell and on the other street. And then, you also agreed that you'd give us an updated plan within 30 days reflecting those changes, so that we have it on our file. And then any other things that may come up with Public Works we'd like to allow you the flexibility to work with them to get this done. What we don't want to see is another extension or for it to expire, so we want to help you move forward.

So, I just want to clarify with Antonio and JaWaan, so we do agree that they can have the streets landscaping waivers on Number One because they already have the fence that's right there, so it doesn't make sense to make them tear down the fence. We agree to the landscaping for the landscape aisle. We agree to that waiver, as well, because the parking lots already built so it wouldn't make any sense for them to tear it up and try and put water in there.

So, on Item Number 5, all of these conditions, which ones do I need to change? Because I think they've agreed to, like D, to make it to 30-foot along Kell. I think that they have agreed to do the same for Betty Lane. They may have some throat depth issues, and I'd like the flexibility for you to be able to work with them. So, if you can tell me what that is I'll make that motion.

ANTONIO PAPZIAN

Thank you, Commissioner. So just to clarify, we're going to condition them to the commercial curb return driveways per uniform standard drawing 222.1. We do see that they may have throat depth issues, and we will work with them on those, keeping it flexible. We're going to remove parking spaces opposite the driveway so that there is no conflict as a car is backing out of a spot as someone is ingressing the development that there is no conflict there. And then, to add the conditions, submit revised plans within 30 days.

MARILYN K. KIRKPATRICK

And so, on the Waiver of Development Standards, I'm allowing waiver one, waiver two. We didn't really talk about the alternate buffering and screening, but I think you said you already have a wall there and you're going to put that landscape. So, we agreed to that alternate. We're denying number four, and

we're denying number five, and then we're allowing for number six, is that correct? Is that the simplest way to –

ANTONIO PAPZIAN

Commissioner, I think Waiver Number 5A until they draw the commercial curb return driveways, it's going to be hard to tell. That's why I'm asking for that flexibility to work with them. They may still need 5A, which is the approach distance from Kell and it's definitely going to change with that curb return driveway. But without seeing it, I don't know how much it's going to change.

MARILYN K. KIRKPATRICK

But if I'm denying Waiver 5 in adding additional condition that they can work with you, does that cover it? Or do I leave five in? I just don't want it to be muddy for the NOFA.

ROBERT WARHOLA

You only need 5A, right, so approve 5A subject to working with Public Works.

MOTION

MARILYN K. KIRKPATRICK

Okay, got it.

Okay, so that's my motion. Are you clear, Sami? So, my motion would be to approve this with allowing Waiver Number 1, Waiver Number 2, Waiver Number 3, denying Waiver 4, denying Waiver 5A, and allowing Waiver Number 6, is that correct? And then adding a condition that to work with Public Works on any additional throat depths or other issues that may come up.

ROBERT WARHOLA

Right. We're approving 5A and denying the rest of five.

MARILYN K. KIRKPATRICK

Oh, approving. Okay.

ROBERT WARHOLA

Yeah.

MARILYN K. KIRKPATRICK

Approving 5A.

WILLIAM MCCURDY II

All right we have a motion by Commissioner Kirkpatrick. Please cast your vote.

MARILYN K. KIRKPATRICK

Messy. I should have asked. You're good with everything that I said, and you understand what I said. Okay, perfect. And you can reach out to our office if you feel you get stuck, but these guys are great to work with.

VOTE

VOTING AYE: William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft
VOTING NAY: None
ABSENT: Tick Segerblom
ABSTAIN: None

WILLIAM MCCURDY II
Motion is adopted.

(Companion Items 14 and 15)

14. VS-24-0494-AAA LAND INVESTMENT, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Arby Avenue and Warm Springs Road, and between Fort Apache Road and Plushstone Street within Spring Valley (description on file). JJ/rr/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEM 15).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

SAMI REAL

Next are Items 14 and 15.

- Item 14, VS-24-0494; vacate and abandon easements of interest to Clark County located between Arby Avenue and Warm Springs Road, and between Fort Apache Road and Plushstone Street within Spring Valley.
- Item 15, WS-24-0495; Waivers of Development Standards for the following: modify residential adjacency standards and driveway geometrics, design review for expansion of a commercial development on a 2.35-acre portion of a 4.11-acre site in a CG (Commercial General) Zone generally located on the east side of Fort Apache Road and the north side of Warm Springs Road within Spring Valley.

WILLIAM MCCURDY II

Welcome.

LEBENE OHENE

Good morning, Commissioner and congratulations Commissioners.

Good morning, Commissioners. Congratulations, Lebene Ohene, 520 South 4th Street representing the applicant on this application. To orient you to the site, the site is located on the east side of Fort Apache Road and approximately 270 feet north of Warm Springs Road. The parcel is currently zoned CG, and was part of the parcel to the south, which is currently developed. This request is only for the parcel indicated to the north.

The first application, which is Item Number 14, is a vacation of patent easements, 33-foot-wide patent easements, along the north and east property lines. Staff and Town Board recommended approval of the application. The main application is the WS and design review for a commercial center consisting of three buildings, two to the north, one in the center, which is a restaurant with drive-through, and one to the south, which is a restaurant, maybe, a tavern, if they can meet requirements.

The Residential Adjacency Standards, which is Waiver Number 1, the main issue with that is a reduction in this 200-foot setback to 97 feet. But this request is mitigated with landscaping, which is more than 19 feet, and in some areas, 32 feet along the east property line. On the northern property line, the two buildings buffer the restaurant with a drive-through. To further mitigate the impact of the reduction, an additional five feet of landscaping is proposed along the east side of the drive-through, which is indicated by this landscaping, as well as the 19-foot-plus landscaping area. That's the main waiver.

The Waiver Number 2 that deals with off-sites, it's basically to reduce the throat there from 75 feet to 50 feet. There is cross access to the sudden parcel running along the east property line. Public Works did not have an issue with the request, however because Planning recommended denial of the application based on the setback reduction, they basically recommended denial, as well. And to further show the property as designed, the property to the north has the proposed landscaping that buffers both the north and the east and additional adjacent to the drive-through, which as shown, has all the landscaping that is requested in the area which had the pattern easement, to the south. There is no existing landscaping. So, Town Board had a split vote so there was no recommendation to it, and we will appreciate your recommendation and approval of the application based on the request as submitted to Staff.

We appreciate your approval with the conditions as listed in your agenda and I'm here to answer any questions. Thank you.

WILLIAM MCCURDY II

Thank you. Does that complete your presentation? All right, this is a public hearing. Is there anyone that would like to come forward at this time to talk on these items? Hearing and seeing none, we'll turn it over to Commissioner Jones.

MOTION

JUSTIN JONES

Thank you. Mr. Vice Chair, I move approval of agenda Items 14 and 15.

WILLIAM MCCURDY II

All right, we have a motion by Commissioner Jones. Please cast your vote.

VOTE

VOTING AYE: William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None

ABSENT: Tick Segerblom

ABSTAIN: None

WILLIAM MCCURDY II

Motion is adopted.

LEBENE OHENE

Thank you, Commissioners, and have a good day.

15. WS-24-0495-AAA LAND INVESTMENT, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) modify residential adjacency standards; and 2) driveway geometrics.

DESIGN REVIEW for expansion of a commercial development on a 2.35 acre portion of a 4.11 acre site in a CG (Commercial General) Zone. Generally located on the east side of Fort Apache Road and the north side of Warm Springs Road within Spring Valley. JJ/rr/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEM 14).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence, or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance.
- Applicant is advised that off-site improvement permits may be required.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0415-2024

to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

(Companion Items 16-18)

16. VS-24-0504-MAK ZAK, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Pebble Road and Agate Avenue (alignment), and between Buffalo Drive (alignment) and Monte Cristo Way within Enterprise (description on file). JJ/rr/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 17 AND 18).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 4 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include 45 feet to the back-of-curb for Pebble Road and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

SAMI REAL

Next are Items 16 through 18, which will be heard together.

- Item 16, VS-24-0504; Vacate and abandon easements of interest to Clark County, located between Pebble Road and Agate Avenue alignment and between Buffalo Drive alignment and Monte Cristo Way, within Enterprise.

- Item 17, WS-24-0505; Waivers of Development Standards for the following: reduce setbacks, reduce lot sizes, alternative Neighborhood Protection (RNP) Overlay standards; increased retaining wall height, increased fill height, and increased driveway width, and curb type. Design review for a single-family residential development on five acres in an RS-20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Pebble Road, 300 feet west of Monte Cristo Way within Enterprise.
- And then Item 18, TM-24-50106; tentative map consisting of six single-family residential lots on five acres, in an RS20 (Residential Single-Family 20) Zone, within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Pebble Road 300 feet west of Monte Cristo Way within Enterprise.

WILLIAM MCCURDY II

Welcome.

STEPHANIE ALLEN

Thank you. Good morning, Mr. Chair, Commissioners. Stephanie Allen 1980 Festival Plaza Drive, here on behalf of the applicant, Richmond American Homes. If you could look on the aerial, this property is located just to the east of Buffalo Drive off of Pebble. It's located within a Rural Neighborhood Protection Zone, and we are not asking to change anything with respect to the zoning or the overlay, specifically. We actually have a half-acre lot community with a density of 1.8 units to the acre and all single-single story and single-family homes.

Galloway Grove is just to the east of this project on the north side of Pebble, and it'll be similar product, or the same product actually, as Galloway Grove.

In talking with some of the residents in the area, they were very happy to hear it was an extension of Galloway Grove that is extremely compatible and has been well-received in the RNP. So, this is just an extension of that community.

This property is a nine-lot community. You can see there's three homes that'll front onto Pebble. And then we have the cul-de-sacs on two different cul-de-sacs here. Nine homes. The density is 1.8 units to the acre. The waivers are unique to this property, partially because it's on Pebble Road. And also with the new Code, there's some different measurement requirements than used to be required.

So, we are asking for reduction only on the internal lots for the front yard setbacks to 20 feet, where 40 feet is required. We do have the 40-foot setbacks on the three lots that are on Pebble, so there's a lot of space in those front yards, but on the internal lots it's pretty consistent in the RNPs to have that 20-foot front yard setback. Home buyers would prefer the space be in their rear yards than in the front yards. And you used to be able to count to the center line of the street for front yard setbacks, so it's practically that way in a lot of the RNP communities now, it just measured out to 40 feet. So, you're going to see that waiver quite a bit with respect to front yard setbacks, specifically.

The lot sizes, there are three lot sizes along Pebble, again because of the dedication of that right of way that we have asked to reduce slightly. So that's our second waiver request. And it's only on these three lots that front onto Pebble. But as I mentioned, the overall density for the nine-lot community is well under the two units to the acre at the 1.8 units to the acre.

The RNP standard that's being waived is only with regards to the lots that front onto Pebble, that's an 80-foot right of way, but it is very rural in nature. So, it's currently not operating as a busy 80-foot right of way. It's within the RNP area. We are proposing full off-sites so at some point if the rest of the development develops out, there will be detached sidewalks and full offsite improvements adjacent to this project.

We have a request for additional retaining wall and fill and that retaining, and fill will be mostly in this southern southwestern corner. In fact, we're lower on these lots and a little bit higher on these lots, so it does require some fill and retaining in this corner.

We have a driveway width waiver because on Pebble we had to actually increase our driveway width. We're only allowed to have a 28-foot driveway width and we're asking for a 38-foot driveway width, which I believe is better. So, we're just asking to increase that driveway width.

And finally, we have a depressed L curb on Pebble Road specifically as part of the off sites that we're asking for a waiver on. So, those are the waiver requests. It's not quite as simple as you'd think, but again, this is all half-acre, one-story homes, which is what the neighborhood wants, and what we hear from neighbors, they want to preserve the RNP and keep a community similar to this. So, it'll certainly be compatible in harmonious with the area. The one-story homes are beautiful single story, the Robert and Rocco models, which are 4,000 square foot and 3,400 square foot homes, over a million dollars price points. And again, consistent with that neighborhood just immediately to the northeast.

So, with that said, we would very much appreciate your approval today. I'm happy to answer any questions.

WILLIAM MCCURDY II

Thank you. Does that complete your presentation?

STEPHANIE ALLEN

Yes, sir.

WILLIAM MCCURDY II

All right. Is there anyone who would like to come forward at this time? This is a public hearing. All right, hearing and seeing no one, we'll turn it over to Commissioner Jones.

JUSTIN JONES

Thank you, Mr. Vice-Chair. Ms. Allen, can you clarify with regards to Waiver Number 1, whether the reduction on the setbacks applies only to lots one, two, three, seven, eight, and nine or whether it applies to all nine lots?

STEPHANIE ALLEN

Correct. It just applies to the six you referenced, which are the internal lots, the three that front onto Pebble we meet the 40-foot front yard setback.

JUSTIN JONES

Okay Ms. Real does that clarify that issue?

SAMI REAL

It does. The plans that we have on file show that the front yard setback was proposed to be, we'll just say encroached upon, for lots four, five and six. So, if the setback reduction really only applies to, I'll say, just the three internal lots and not the lots fronting, then I would recommend a clarification or an addition of a condition that says that the setback reduction doesn't apply to those lots fronting Pebble.

STEPHANIE ALLEN

And we're fine with that.

MOTION

JUSTIN JONES

Very good. All right, well with that modification of Waiver Number 1 then I'll go ahead and move for approval of agenda Items 16, 17, and 18.

WILLIAM MCCURDY II

All right, we have a motion by Commissioner Jones. Cast your vote.

VOTE

VOTING AYE:	William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft
VOTING NAY:	None
ABSENT:	Tick Segerblom
ABSTAIN:	None

WILLIAM MCCURDY II

Motion is adopted.

STEPHANIE ALLEN

Thank you very much.

WILLIAM MCCURDY II

Thank you.

17. WS-24-0505-MAK ZAK, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; 2) reduce lot sizes; 3) alternative Neighborhood Protection (RNP) Overlay standards; 4) increase retaining wall height; 5) increase fill height; 6) increase driveway width; and 7) curb type.

DESIGN REVIEW for a single-family residential development on 5.0 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Pebble Road, 300 feet west of Monte Cristo Way within Enterprise. JJ/rr/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 16 AND 18).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Waiver of development standards #1 does not apply to Lots 4 through 6 which front Pebble Road;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 45 feet to the back-of-curb for Pebble Road and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- Circular driveways, or on-site turnarounds, must be provided for all lots along Pebble Road;
- The installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0215-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

18. TM-24-500106-MAK ZAK, LLC:

TENTATIVE MAP consisting of 9 single-family residential lots on 5.0 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Pebble Road, 300 feet west of Monte Cristo Way within Enterprise. JJ/rr/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 16 AND 17).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 45 feet to the back-of-curb for Pebble Road and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- Circular driveways, or on-site turnarounds, must be provided for all lots along Pebble Road;
- The installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0215-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

19. WC-24-400060 (NZC-22-0028)-AMH NV10 DEVELOPMENT, LLC:

HOLDOVER WAIVER OF CONDITIONS of a nonconforming zone change requiring no certificate of occupancy can be issued for any structure within this project unless and until a certificate of occupancy has been issued for the clubhouse (adjacent project to the north) for a previously approved single-family residential development on 4.90 acres in an RS2 (Residential Single-Family 2) Zone. Generally located on the northwest corner of Oleta Avenue and Conquistador Street within Enterprise. JJ/rg/ng (For possible action)

ACTION: HELD TO FEBRUARY 5, 2025, PER THE APPLICANT. APPLICANT IS ADVISED THAT RE-NOTIFICATION FEES ARE REQUIRED PRIOR TO THIS ITEM BEING PLACED ON THE AGENDA.

20. WS-24-0475-PANCIROV GREGORY T. & CYNTHIA M. FAMILY TRUST & PANCIROV GREGORY T. & CYNTHIA M. TRS:

WAIVER OF DEVELOPMENT STANDARDS to allow an attached sidewalk.

DESIGN REVIEW for an office/warehouse building on 0.98 acres in an IP (Industrial Park) Zone within the Airport Environs (AE-60) Overlay. Generally located on the south side of Martin Avenue, 730 feet east of Valley View Boulevard within Enterprise. MN/lm/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Full off-site improvements.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0299-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

SAMI REAL

Next is Item 20; WS-24-0475, waiver of development standards to allow an attached sidewalk and design review for an office building on 0.98 acres in an IP (Industrial Park) Zone within the Airport Environs (AE-60) Overlay generally located on the south side of Martin Avenue, 730 feet east of Valley View Boulevard within Enterprise.

WILLIAM MCCURDY II

Welcome.

NGUYEN DALKEY

Hello. Nguyen Dalkey with ACG on behalf of the applicant, 4310 Cameron Street, Suite 12A. So, we're asking to do an infill parcel with limited frontage and one access point. It will be an office warehouse. It will be owner-tenant occupied. And I've laid out a site plan for you here, we'll be off towards the middle of the property. And then here is also a rendering of the proposed development. And with that I would humbly ask for your approval. Thank you for your time and attention to this.

WILLIAM MCCURDY II

All right, does that complete your presentation? All right, this a public hearing, is there anyone would like to come forward at this time? All right, we'll close the public hearing and turn over to Commissioner Naft.

MOTION

MICHAEL NAFT

Thank you. I move approval of Item 20.

WILLIAM MCCURDY II

All right, we have a motion to floor, cast your vote.

VOTE

VOTING AYE: William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft
VOTING NAY: None
ABSENT: Tick Segerblom
ABSTAIN: None

21. WS-24-0484-MARQUEZ FAMILY TRUST ETAL & MARQUEZ, CHRISTIAN & GABRIELA TRS:

WAIVER OF DEVELOPMENT STANDARDS for off-site improvements (streetlights, curb, gutter, and sidewalk) in conjunction with a single family subdivision on 2.07 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Eldorado Lane and the east side of Placid Street within Enterprise. MN/nai/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Install a 5-foot-wide detached asphalt pathway along Eldorado Lane and Placid Street to the satisfaction of Public Works - Development Review;
- Execute a Restrictive Covenant Agreement (deed restrictions).

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0401-2023 to obtain your POC exhibit; and that wastewater flow rates that exceed CCWRD estimates may require another POC analysis.

SAMI REAL

Next is Item 21; WS-24-0484, waiver of development standards for offside improvements, streetlights, curb, gutter, and sidewalk in conjunction with a single-family subdivision on 2.07 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of El Dorado Lane and the east side of Placid Street within Enterprise.

JASON GRIFFITH

Hi, my name is Jason Griffith. G-R-I-F-F-I-T-H.

CHRISTIAN MARQUES

Good morning, Commissioners. I'm Christian Marquez. We're here to –

JASON GRIFFITH

We're here to ask for a waiver of the offside improvements for a plot of land that we have. And then we'll add the five-foot asphalt around the side.

WILLIAM MCCURDY II

All right, so does that conclude your presentation? All right, this is a public hearing. Is there anyone who'd like to come forward at this time? Seeing none, we'll close the public hearing and turn over to Commissioner Naft.

MOTION

MICHAEL NAFT

Thank you. In other words, you're asking for the waiver. I'm going to grant the waivers, but I'm going to require that there be a five-foot detached asphalt path, with that to be included in my motion for approval of Item 21.

WILLIAM MCCURDY II

I have a motion by Commissioner Naft. Cast your vote.

SAMI REAL

And Commissioner, just to clarify, that would be on both streets, El Dorado and Placid?

MICHAEL NAFT

Yes. Thank you.

SAMI REAL

Okay.

VOTE

VOTING AYE:	William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft
VOTING NAY:	None
ABSENT:	Tick Segerblom
ABSTAIN:	None

WILLIAM MCCURDY II

Motion is adopted.

JASON GRIFFITH

Thank you.

MICHAEL NAFT

Thank you.

22. WS-24-0488-SOUTH PAW RESORT CENTER, LLC:

WAIVER OF DEVELOPMENT STANDARDS for an alternative landscape buffer.

DESIGN REVIEW for site modifications for a previously approved kennel (dog daycare and boarding) with retail on 0.89 acres in an IP (Industrial Park) Zone. Generally located on the north side of Pyle Avenue and the east side of Ullom Drive within Enterprise. JJ/lm/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0128-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

WAIVER OF DEVELOPMENT STANDARDS #1B WAS DENIED

SAMI REAL

Next is Item 22, WS-24-0488; waiver of development standards for an alternative landscape buffer and design review for site modifications for a previously approved kennel, a dog daycare and boarding facility with retail on 0.89 acres in an IP (Industrial Park) Zone, generally located on the north side of Pile Avenue and the east side of Ullom Drive within Enterprise.

Welcome.

NICHOLAS SELL

Good morning, Commissioners. I'm Nicholas Sell with green Tunnel on design.

GEORGE RIVERA

Good morning, George Rivera.

NICHOLAS SELL

And we're representing 10160 Ullom Drive. We're asking for some landscaping changes. The first one, the landscape buffer along the north and the east sides of the property from a previously approved Silver Dollar Gum Evergreen with a 60-inch box tree to the Willow Acacia with a three-inch minimum caliper and a 24-inch box tree. We're also changing the landscape fingers around the site from the Arizona Ash with a 48-inch box to the Bay Laurel with a 24-inch box. And then we're also changing the trees on the west side of the property from the previously approved Arizona Ash with a 40-inch box to the Mesquite tree with a three-inch caliper and a 24-inch box.

We're also changing the shrubs around the site. We have a list of them here; Texas Ranger and the Indian Hawthorne, to the Prostrate Acacia, the Feathery Senna, the Gray Desert Spoon, Red Yucca, Bush Lantana, Compact Texas Ranger, Creeping Rosemary, and Yellow Bells. We're asking for some waivers on these trees. These are a 30-inch foot trees at maturity where 40-inch trees are required. That's along the landscape buffer and on Ullom Street. And that's the landscaping changes.

We also have some site plan changes. We are requesting a 377-square foot dog pool, specifically for dogs to use. This is four-and-a-half foot deep and we're also including a splash pad for the dogs, as well, that's adjacent to that. We're also proposing to move the wall that was five feet from the sidewalk closer to the sidewalk to just increase that yard. And our pool is requiring a design review. So, hope you can approve our request.

WILLIAM MCCURDY II

Thank you. Does that conclude your presentation?

NICHOLAS SELL

Yes.

WILLIAM MCCURDY II

All right. This is a public hearing. Is there anyone who'd like to come forward at this time? Hearing and seeing no one we'll turn over to Commissioner Jones.

JUSTIN JONES

Thank you, Mr. Vice Chair. I didn't have a chance to speak with you all. You didn't ask to meet with me beforehand, so I didn't have a chance to understand what your reasoning was for seeking the waiver on 1B. What is the reason for it?

NICHOLAS SELL

You're talking about the trees?

JUSTIN JONES

Yep.

NICHOLAS SELL

Just these trees were oversized, initially. We're just requesting a smaller box tree.

JUSTIN JONES

No, you're moving from evergreen to non-evergreen. That's what the waiver is.

NICHOLAS SELL

Yes, that's correct, too.

JUSTIN JONES

Okay, well that's what the waiver is. I'm just trying to understand.

NICHOLAS SELL

Yeah, we're just, I think that was just to match the surrounding area a little bit better.

MOTION

JUSTIN JONES

All right, I'm going to go ahead and move for approval of the Design Review and Waiver Development Standard 1A and denial of Waiver of Development Standard 1B. In the future, if you have other requests, then come see me first.

NICHOLAS SELL

Okay.

WILLIAM MCCURDY II

We have a motion on the floor, cast your vote.

VOTE

VOTING AYE: William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None

ABSENT: Tick Segerblom

ABSTAIN: None

WILLIAM MCCURDY II

Motion is adopted.

NICHOLAS SELL

Thank you.

GEORGE RIVERA

Thank you.

23. WS-24-0489-HARDY MAURICE W. & ANN REV LIV TR & HARDY MAURICE W. & ANN TRS:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) full off-site improvements; and 2) paved legal access for a proposed minor subdivision map on 2.07 acres in an RS20 (Residential Single-Family 20) Zone. Generally located on the south side of Tank Road, 380 feet west of Pioneer Road within Moapa Valley. MK/lm/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; that compliance with Hillside standards per 30.04.05K is required with future development; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Coordinate with the Division of Air Quality for dust control;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Applicant is advised private easement is to remain as Public Works amends the Transportation Element.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that there are no public sanitary sewer facilities available and none are planned within the next 5 years.

SAMI REAL

Next is Item 23, WS-24-0489; Waivers of Development Standards for the following: full off-site improvements and paved legal access for a proposed minor subdivision map on 2.07 acres in an RS20 (Residential Single-Family 20) Zone, generally located on the south side of Tank Road, 380 feet west of Pioneer Road within Moapa Valley.

WILLIAM MCCURDY II

Welcome.

BRYCE HARDY

Thank you. Good morning. My name is Bryce Hardy. My address is 3228 Quaint Ranch Street in Logandale. I'm here representing my Mom. She's elderly and we would like, she would like to, basically, what we want to do is just divide one parcel of land into half, into two parcels of land, a two-acre parcel into two one-acre parcels. And you can see it here on Tank Road, the zoning is already RE, which is for half acre. So, this is just divided into one acre. And so we went through the whole, my Dad passed away years ago, and before he passed away, he's like, "Someday," told my Mom, "we'd like to divide that in half just in case the kids, or grandkids, or great-grandkids, or someone needs a place to build a house on." And so, a couple years ago I said, "Mom, if you want me to, I'll start going through the process and see what it takes to put a line on that map."

She has no desire to do anything with it right now, just to divide it in half in case somewhere down the line if one of her grandkids or something wants to build a house.

So, we started going through the process and they said everything was good. They had given me 11 different requirements that we needed to do, which were all fine, except for two of them we decided we didn't want to do. One of them was paving the road and one of them was off-site improvements. I assume that means curb, and gutter, and streetlights, and that sort of thing. And so, I'm here basically just for the reason to ask if, when we divide that property in half, if we wouldn't have to pave the road and we wouldn't have to put off-site improvements. The reasoning behind that, you can see it's a rural, out in Logandale, it's a rural area, it's a gravel road, private road my Dad built years ago and want to keep that rural. It's quiet, we don't want paved roads where people are driving fast up and down.

Also, I guess, the cost, we don't want to be cost just to get one extra lot. And really, there's no traffic, on that where it's at right now, maybe one or two cars per week go past that and that would just be the people driving up to, there's a water tank up on the hill, it's just one or two cars driving up there, the water company trucks to service.

So, basically just asking to waive the requirement to pave Tank Road and to waive off-site improvements on Tank Road as we just divide that in half. All right.

WILLIAM MCCURDY II

All right, thank you. It looks like we have a card here. This is a public hearing. We'll invite up Danielle Holliday. And step back and we'll open up the public hearing.

DANIELLE HOLLIDAY

Good morning, Commissioners. My name is Danielle Holliday, I'm a resident at 2110 Liston in Logandale and I'm the owner of the business at Moapa Valley Boulevard and Liston, which would primarily be affected by anything that goes on down Liston or past that road. And I stand here in support of Mr. Hardy's request for the waiver of development standards. I believe that the logistics are correct and that we, as neighbors, do support him in this agenda.

WILLIAM MCCURDY II

All right, thank you.

DANIELLE HOLLIDAY

Thank you.

WILLIAM MCCURDY II

Is there anyone else that would like to come forward at this time?

DENISE ROBERTSON

My name is Denise Robertson, and I live at 1990 Liston Avenue, and I do not support this. I think it's fine to make the subdivision, the access down Liston, however, Commissioner Kirkpatrick and I have spoken about this several times. We just had a Corn Maze. And we had, can you zoom out on this at all, so you can see the access to this road? All right, can you zoom out on the aerial view? Oh, you can't?

Okay, so the access to Liston comes down our road. It is a road that has been accessed by Logandale Trails. And it goes down our road and connects to Pioneer Road. The only thing that I would object to is filtering more traffic down our road. That's the only thing that I would object to. In terms of the access to this road is off of Moapa Valley, Boulevard down Liston across the railroad tracks and then Tank Road, that's the only reason that I would object to it, because we don't have an access. The access on Liston to Logandale Trail is the access on Liston to the Corn Maze was always to be a temporary access. The permanent access was supposed to be on Whipple. We haven't recognized or realized that, but yet we're still filtering traffic down Liston Road by subdivision of lands or by changing land use.

Recently this Commission just changed 100 acres of agricultural to a commercial use via a use permit. And all of that traffic filtered right down our road, 334 cars one way, 334 cars the other way. It's a road that is a primitive road. There's no sidewalk, curb, and gutter. It's just literally the end of the pavement and then six feet to our fence. So, the amount of traffic, if we could limit it down that road is what we're looking for, is what I'm looking for. But as far as your subdivision goes, I think it's insignificant. It would be two people a day, not 300. So, thank you.

WILLIAM MCCURDY II

All right, thank you. Is there anyone else? Seeing no one else we'll close the public comment and turn over to Commissioner Kirkpatrick.

MARILYN K. KIRKPATRICK

Thank you, Mr. Chairman. So, I agree you shouldn't have to do off-sites and all that other stuff. But I do want to clear up the record a little bit because we gave a temporary special use permit, and I know it's not your application, but because it was brought up, and I've tried to address it in emails, and I've tried to do all that and it falls on deaf ears, I suppose, but we, and it's apples and oranges, but at the same time it impacts this area. So, I want to talk about this little area of what's coming.

So, one, we received a FLAP (Federal Lands Access Program) Grant, which we've been working on for four years, to pave Pioneer as a whole because we've had so many complaints about the dust coming forward. We had to wait somewhat because Chris Angel's property, he wanted a piece of land that I didn't own that I couldn't give him, so we had to redesign, and do that. So, we are trying to address the dust as a whole.

Two, we approved a Temporary Special Use Permit for one time to see if, one, we could have another access available to see what the impact was on the community. And we recognized that there was going to be an impact on the community, which is why three neighborhood meetings were held, which is why we allowed for one year. So, we are working to address that issue that I do think that the Corn Maze folks have worked pretty hard to address every light condition, all those other things, but there's work to do. But this Commission did not change all that agricultural for the long term, it's one time, it was one time to see what it works. And 90% of the kids that live out there, work at that Corn Maze, so we're trying to ensure that other things.

We have talked to the BLM about the access on Liston to Logandale Trails, they're aware it's an issue. We do have a BLM right-of-way patent. So, people can go that way. It's on purpose, so that people have access to the BLM stuff. And I'm sorry Mr. Hardy that you're getting drug into this. But this is daunting because I don't like being told that I don't understand the town, because I understand your town more than people think. I spend a lot of time out there, I just am not at the local grocery store every day, right? And we are trying to better that area and allow for some of that economic development.

I said this was not the proper place to have this conversation because it's not on the agenda, but I'm circling it in and the attorney's going to poke me in the eyeballs here in a couple of seconds. But that being said, I just wanted to be clear, though, so what happens to us is we subdivide and I understand why you're subdividing, and rightfully so, because crazy enough throughout the town we have people coming together on their properties so they can save on the tax piece. And we understood this always could be a one-house person because the zoning wouldn't allow an actual subdivision. But that's our terms that we use at Clark County.

I do, at some point, want to do a transportation, what's it called, Antonio, it's a transportation update?

ANTONIO PAPAZIAN

Commissioner, it'd be to update the Transportation Element because Tank Road is on the Transportation Element. And because it's on the Transportation Element, even though it appears it goes nowhere, we have to ask for dedication. And I would rather not ask for dedication to a road that doesn't go anywhere.

MARILYN K. KIRKPATRICK

We don't want your road; we want you to keep it. But there's a process. And I have a couple other ones. I think Sharon Street is another one, and I think there are a couple other things that we want to look at in the area. And we also actually had someone that built in our right-of-way, their home, and we don't want them to have to tear that down, either. So, we do want to do a Transportation Element at some point. So hopefully you would work with us to update that.

But until then I have to leave the easement on this application, correct, JaWaan or no? Or can I say, until such time that a transportation map is updated? So that you could move forward in the event that you decide to build tomorrow, right?

JAWAAN DODSON

That's correct, Commissioner.

MARILYN K. KIRKPATRICK

But we want to do that. But I also want to caution that this will never be on our paving list because we don't want to pave it. You don't want to pave it. And there's such a small amount of dollars. Is there some basic paving that he has to do, though? I think with the subdivision that you're required; I feel like we worked with Mr. Lyman on a similar situation. Is there some basic something that he has to do for asphalt or something there? No?

ANTONIO PAPAZIAN

No Commissioner. They're outside of the PM-10 requirements.

MARILYN K. KIRKPATRICK

Oh, okay.

ANTONIO PAPAZIAN

So, they could get a waiver for the asphalt, waiver for the off-sites. Just for my clarification, talking to Rob, is that direction for me to amend the Transportation Element on Tank Road?

MOTION

MARILYN K. KIRKPATRICK

I want to do a couple of them at the same time so that we can address some of the traffic issues. But you guys got to be nice to us out there, when we come with the Transportation Element, you're not nice to us. So, we're trying to help.

So, with that, long way around, we make a motion for approval allowing the two waivers that you've asked for.

BRYCE HARDY

Thank you.

WILLIAM MCCURDY II

All right, there's a motion for approval. Cast your vote.

MARILYN K. KIRKPATRICK

And it's clear that he has to give the easement until such time that map is done, correct?

ANTONIO PAPAZIAN

Commissioner, so because you're going to add a few things, it seems like to the amendment of the update we'll –

MARILYN K. KIRKPATRICK

In that general vicinity, yeah.

VOTE

VOTING AYE: William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None

ABSENT: Tick Segerblom

ABSTAIN: None

BRYCE HARDY

Thank you.

MARILYN K. KIRKPATRICK

Okay.

(Companion Items 24 and 25)

24. WS-24-0511-KOREN STRATEGIC INVESTMENTS:

AMENDED WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate street landscaping (no longer needed); 2) increase fill height; 3) increase retaining wall height; and 4) waive off-site improvements (curb, gutter, streetlights, and sidewalks).

DESIGN REVIEW for a proposed single-family residential subdivision on 4.51 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the north side of Racel Street and the west side of Sisk Road within Lone Mountain. MK/jor/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS, (COMPANION ITEM 25).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- No HOA;
- Residences limited to single story homes;
- Any retaining wall over 3.5 feet in height shall be tiered or incorporate another acceptable technique to soften the appearance of the increased wall height;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Minimum paving required along Racel Street, Sisk Road, and Meisenheimer Avenue;
- Drainage study and compliance;
- Execute a Restrictive Covenant Agreement (deed restrictions).

Fire Prevention Bureau.

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; and that for any sanitary sewer needs, to contact the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

SAMI REAL

Next are companion Items 24 and 25.

- Item 24, WS-24-0511; amended waivers of development standards for the following: eliminate street landscaping no longer needed, increased fill height, increased retaining wall height, and waive off-site improvements, curb gutter streetlights, and sidewalks. Design review for a proposed single-family residential subdivision on 4.51 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the north side of Racel Street and the west side of Sisk Road within Lone Mountain.
- And then Item 25, TM-24-500109; tentative map consisting of nine single-family residential lots on 4.51 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay, generally located on the north side of Racel Street and the west side of Sisk Road within Lone Mountain.

WILLIAM MCCURDY II

Welcome.

STEPHANIE ALLEN

Good morning again, Mr. Chairman, Commissioners, Stephanie Allen, 1980 Festival Plaza Drive here on behalf of the applicant, Richmond American Homes. This property is located in the northwest off of Racel and Sisk Road. We are not requesting any type of zone change or a plan amendment. It is simply a conforming application to the RNP and the RS20 development. Richmond is proposing half-acre lots with all one-story homes on the property. And we very much appreciate Staff and Town Board's recommendation on this application.

The one waiver that Staff is not supporting is our request to not do the full off-site improvements because this area is very rural, in nature. We have nine lots. You can see this is the layout, with three of the homes fronting onto Meisenheimer. At our neighborhood meeting, this was originally flipped and the neighbors asked us to move the homes that would front onto Meisenheimer instead of Racel, which is to the south. And then we have a cul-de-sac with six homes on the southern portion of the property. The Waiver Number 1 is no longer needed. Waivers 2 and 3 are with respect to the fill and the retaining wall. We're simply asking for a half-a-foot additional beyond what the code allows and that's mostly on this western wall.

And then the final waivers, as I mentioned, the off-sites to keep it rural, that's important to the residents in the area. And Richmond is willing to request that waiver if this Commission is willing to grant it.

The one-story homes are all of their large Robert and Rocco homes. This is 4,000 square feet. The Rocco is 3,400 square feet, roughly. And again, these are over a million-dollar homes and will be, certainly, a good addition to the area. And sticking with the rural character of the area.

So, with that said, I'm happy to answer any questions. We'd ask you to follow Staff and the Town Board's recommendation of approval, and also approve the one waiver of full off-sites, please. Happy to answer any questions.

WILLIAM MCCURDY II

All right, does that conclude your presentation?

STEPHANIE ALLEN

Yes, sir.

WILLIAM MCCURDY II

All right. This is a public hearing, is there anyone that would like to come forward at this time? Hearing and seeing none, close public hearing time, I'll turn it over to Commissioner Naft.

MARILYN K. KIRKPATRICK

How about me?

WILLIAM MCCURDY II

Oh, excuse me, Commissioner Kirkpatrick. Excuse me.

MOTION

MARILYN K. KIRKPATRICK

First, we want to thank Richmond American for building what the residents want. And half-acre single story is consistent with what's out there. So one, we're willing to waive the off-sites because no one around you has off-sites and what we don't want to create is a flooding issue in the event that we put off-sites and it moves the water different places. So, we support that.

We support you flipping the project so that now the landscaping has to be adjusted. And then, lastly, the three feet, if it's more than three-and-a-half feet, the tiered wall, or you got to do something to soften the look of it, because it won't match the existing neighborhood. Was there anything else, Antonio? Did I get them all?

ANTONIO PAPAIZIAN

You did, Commissioner. Thank you. I would like to just clarify because they are asking for the waiver of off-sites, it sounds like you're willing to support it, that they cannot waive minimum asphalt requirements.

MARILYN K. KIRKPATRICK

Oh, right,

ANTONIO PAPAIZIAN

because they are inside of the PM-10.

MARILYN K. KIRKPATRICK

I tried that on the last application, but you are inside the PM-10, so, okay. All right, with that, that's my motion.

WILLIAM MCCURDY II

We have a motion by Commissioner Kirkpatrick, please cast your vote.

MARILYN K. KIRKPATRICK

Oh, can I just clarify one more thing, no, HOA.

STEPHANIE ALLEN

Yes –

MARILYN K. KIRKPATRICK

Okay.

STEPHANIE ALLEN

—we understand that.

SAMI REAL

So, Commissioner, can I clarify, did you want to add the single story as a condition, as well?

MARILYN K. KIRKPATRICK

Yep. Because they have agreed to it. So, no HOA, single story only. And then the waiver of the off-sites, the landscape, and the wall, if it has to go more than three-and-a-half, you have to soften it.

STEPHANIE ALLEN

We're fine with all of that. I just wanted to clarify, they usually have a landscape maintenance agreement just to maintain the landscaping, but it's not a full-blown HOA.

MARILYN K. KIRKPATRICK

Yep. And if you're going to put a monument sign out, you got to be consistent with everything else out there. Low lighting, all that good stuff, to keep it rural.

STEPHANIE ALLEN

Got it.

MARILYN K. KIRKPATRICK

Okay, thank you.

WILLIAM MCCURDY II

All right, there's a motion. Votes have been cast.

VOTE

VOTING AYE: William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None

ABSENT: Tick Segerblom

ABSTAIN: None

WILLIAM MCCURDY II

Motion is adopted.

STEPHANIE ALLEN

Thank you very much. Appreciate it. And congratulations, you three on your election.

25. TM-24-500109-KOREN STRATEGIC INVESTMENTS:

TENTATIVE MAP consisting of 9 single-family residential lots on 4.51 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the north side of Racel Street and the west side of Sisk Road within Lone Mountain. MK/jor/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS, (COMPANION ITEM 24).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Minimum paving required along Racel Street, Sisk Road, and Meisenheimer Avenue;
- Drainage study and compliance;
- Execute a Restrictive Covenant Agreement (deed restrictions).

Building Department - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided;
- All streets shall have approved street names and suffixes.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; and for any sanitary sewer needs, to contact the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

SEC. 6. AGENDA ITEM

26. AG-24-900729: Discuss a potential amendment to Title 30 to address how setbacks are measured; and direct staff accordingly. (For possible action)

ACTION: HELD TO NOVEMBER 20, 2024, PER COMMISSIONER SEGERBLOM.

SEC. 7. INTRODUCTION OF ORDINANCES

27. ORD-24-900529: Introduce an ordinance to consider adoption of a Development Agreement with SCT Silverado Ranch & Arville LLC for a commercial development on 0.8 acres, generally located east of Arville Street and north of Silverado Ranch Boulevard within Enterprise. JJ/jm (For possible action)

ACTION: INTRODUCED AND SET FOR PUBLIC HEARING ON WEDNESDAY NOVEMBER 20, 2024, AT 10 A.M. (BILL 11-6-24-1).

SAMI REAL

Next are ordinances for introduction. Items 27 through 29 are ordinances to consider an adoption of a development agreement.

- Item 27 is ORD-24-900529 for a Development Agreement with SCT Silverado Ranch and Arville, LLC for commercial development on 0.88 acres.
- Item 28, ORD-24-900546 is for a Development Agreement with Fort Apache, LTD for a multifamily residential development on 9.1 acres.
- And Item 29, ORD-24-900599 is for a development agreement with GY Properties, LLC for an office warehouse building on 21 acres.

And then Items 30 through 33 are ordinances for introduction to amend the official zoning map.

- Item 30 is ORD-24-900699, and that's for actions taken by the Board of County Commissioners on August 21, 2024.
- Item 31, ORD-24-900708 is for actions taken by the Board of County Commissioners on August 7, 2024.
- Item 32 is ORD-24-900710 is for actions taken by the Board of County Commissioners on September 18, 2024.
- And then lastly, Item 33, ORD-24-900725 are for actions taken by the Board of County Commissioners on September 4, 2024. And then also in Assessor's Books 059, 104, 140, 161, 162, 163, 164, 175, 176 and 177.

So, with that, Staff requests that you set the public hearing for Items 27 through 33 for November 20, 2024.

WILLIAM MCCURDY II

All right, we'll set the public hearing for November 20, 2024.

28. ORD-24-900546: Introduce an ordinance to consider adoption of a Development Agreement with Fort Apache, LTD for a multi-family residential development on 9.1 acres, generally located west of Fort Apache Road and south of Pebble Road within Enterprise. JJ/dw (For possible action)

ACTION: INTRODUCED AND SET FOR PUBLIC HEARING ON WEDNESDAY NOVEMBER 20, 2024, AT 10 A.M. (BILL 11-6-24-2).

29. ORD-24-900599: Introduce an ordinance to consider adoption of a Development Agreement with G Y Properties LLC for an office/warehouse building on 2.1 acres, generally located west of Westwind Road and south of Sunset Road within Enterprise. MN/dw (For possible action)

ACTION: INTRODUCED AND SET FOR PUBLIC HEARING ON WEDNESDAY NOVEMBER 20, 2024, AT 10 A.M. (BILL 11-6-24-3).

30. ORD-24-900699: Introduce an ordinance to amend the official zoning map, reclassifying certain properties as approved by the Board of County Commissioners on August 21, 2024. (For possible action)

ACTION: INTRODUCED AND SET FOR PUBLIC HEARING ON WEDNESDAY NOVEMBER 20, 2024, AT 10 A.M. (BILL 11-6-24-4).

31. ORD-24-900708: Introduce an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on August 7, 2024. (For possible action)

ACTION: INTRODUCED AND SET FOR PUBLIC HEARING ON WEDNESDAY NOVEMBER 20, 2024, AT 10 A.M. (BILL 11-6-24-5).

32. ORD-24-900710: Introduce an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on September 18, 2024. (For possible action)

ACTION: INTRODUCED AND SET FOR PUBLIC HEARING ON WEDNESDAY NOVEMBER 20, 2024, AT 10 A.M. (BILL 11-6-24-6).

33. ORD-24-900725: Introduce an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on September 4, 2024 and in Assessor's Books 059, 104, 140, 161, 162, 163, 164, 175, 176, and 177 the attached zone changes were approved to reclassify certain properties and amend the zoning map. (For possible action)

ACTION: INTRODUCED AND SET FOR PUBLIC HEARING ON WEDNESDAY NOVEMBER 20, 2024, AT 10 A.M. (BILL 11-6-24-7).

PUBLIC COMMENTS

SAMI REAL

And then this is the last time set aside for public comment.

WILLIAM MCCURDY II

All right, this is the last time set aside for public comment. You'll be allotted three minutes, ask you to come up, please state your name for the record.

MARGARET ANN COLEMAN

Thank you. My name is Margaret Ann Coleman. I'm back here because I was trying to explain to you that \$3 million and that \$8 million you had given to the homeless or the Community Living Southwest of Nevada.

My home is important to me. The reason why I moved to Las Vegas is because I was trying to establish living arrangements for my family and myself. You all have given the opportunity to give my property that I have shown you the deed and I have tried to give to the Assessor's Office. I have tried giving to Schofield, and I find out that new evidence concerning Schofield is the overthrower concerning with Marilyn Kirkpatrick and the rest of their conspirators.

They have given my property to a Filipino that you guys have given Filipino Town the options to take over portion of the State and using me as a Guinea pig of taking my State Farm money of \$385,000 that I'm crediting due of money stolen, items stolen due to the rip off by Mike Schofield, that is Darren Holmes. There is a partnership that's overthrowing me for 43 years of me trying to collect my worker's compensation, that is that \$3 million and that \$8 million.

You have, I don't know how to pronounce the first name, Y-U-E-N Bosco as 1316 Wizard owner. I'm the owner. I have given my, as I told you before, my grant deed to you.

Now, I want to also discuss the homeless matter. You guys want to improve the homeless shelter. People are suffering up in there. You haven't lived up in there. We are complaining about the toilets. We are getting bladder and kidney problems. I lived there for going on 11 days now and it's just disgusting. Not that I'm trying to overthrow my chance of not having a place to have my head off the ground, because you threw me outside, putting this gentleman, Bosco that is a Filipino, as accountant in my home to run Filipino Town using my efforts of my \$3 billion, \$3 million. I need my money to get out of town. I'm tired of Las Vegas. I'm tired of you people being the thieves of my life. Have overthrown me. I can't take care of my kids. Where's my children? I don't know where any of my kids, you threw one out with no shoes on and her bootie shorts. Kevin Shisler's running everything. There's Judge Leavitt.

I'm pissed off at you people. I need my money. And the key.

WILLIAM MCCURDY II

Is there anyone else that would like to come forward at this time for public comment?

DENISE ROBERTSON

So, since I made the trip from Logandale to here, I wanted to just-

WILLIAM MCCURDY II

Pleas state your name for the record.

DENISE ROBERTSON

Oh, Denise Robertson. I live at 1990 Liston Avenue in Logandale. Nevada. Since I made the trip down here, I wanted to make one more comment. Like I said, I live on Liston Avenue. The access to Logandale Trails, which is a State Park, has always been, the Liston Avenue access was always the temporary access to Logandale State Park or to Logandale Trails. The Whipple Street access was supposed to be the main access. The next time I come and make public comment, I'll bring something so that you can see. It's just on the aerial view.

However, just recently, when they held meetings about the Corn Maze, because of the distance, it's 100 acres up on the hill towards Logandale Trails. But because of the distance, none of the people on Liston Avenue, which is the access to that particular property, were notified. So, the traffic is being filtered down our road, although we were not notified or were able to give public comment about that.

So, if there is going to be public comment about that particular use permit again in the future, I would absolutely love it if we could notify everybody who's affected by it. Because that access, again, is down Liston Avenue to this particular property. But because it's more than 1,500 feet from the property, the notification of a use permit was not, we are outside of that 1,500 feet, because Liston Avenue circles around, goes through a whole parcel of BLM land, and then to this particular property. And so, because of the distance, it's a rural area, because of the distance, we were not notified about it.

I think that if we had a chance to be notified about it and knew what was coming, none of us on that road would've been surprised about the increase in traffic on that road. Thank you.

WILLIAM MCCURDY II

Thank you. All right. Oh, one more public comment. Anyone else that want public comment, we just ask that you come down at this time. Please state your name for the record.

DANIELLE HOLLIDAY

My name is Danielle Holliday. I just wanted to come up once again as I am a resident of 2110 Liston, and I was notified as a business owner and as a resident of the Corn Maze traffic. Not all the residents have the same opinion. We actually really appreciate the economy boost that we get from the Corn Maze. And so, I just wanted you to know that that is not the popular opinion of everyone on Liston Road, regarding the Corn Maze or the Logandale Trails traffic. It is a mixed opinion and I'm here to represent the other side of that. And I'm very grateful for that special use permit, for the notice that was given, and for the opportunity to host the Corn Maze and Logandale Trails in Moapa Valley. Thank you.

WILLIAM MCCURDY II

Thank you.

MARILYN K. KIRKPATRICK

Mr. Chairman. You should have at least asked Danielle to tell us the name of her pizza place because she actually does have the best pizza out there.

DANIELLE HOLLIDAY

Pirates Landing.

WILLIAM MCCURDY II

Pirates Landing it is. All right, this meeting is adjourned. Thank you.

END PUBLIC COMMENTS


There being no further business to come before the Board at this time, at the hour of 10:02 a.m., the meeting was adjourned.

PLEASE NOTE: THE COUNTY CLERK KEEPS THE OFFICIAL RECORD OF ALL PROCEEDINGS OF THE COUNTY COMMISSION, THE CCWRD BOARD OF TRUSTEES, THE UMC HOSPITAL BOARD OF TRUSTEES, THE CLARK COUNTY LIQUOR AND GAMING LICENSING BOARD, AND THE CLARK COUNTY REDEVELOPMENT AGENCY. TO OBTAIN A COMPLETE AND ACCURATE RECORD OF ALL PROCEEDINGS, ANY PHOTOGRAPH, MAP, CHART, OR ANY OTHER DOCUMENT USED IN ANY PRESENTATION TO THE BOARD/TRUSTEES, REQUESTS SHOULD BE SUBMITTED TO THE COUNTY CLERK.

TO REFERENCE AGENDA ITEM ATTACHMENTS ONLINE: REFER TO THE MEETING LINK BELOW, SELECT THE ITEM (FILE # COLUMN), AND CLICK THE LINK FOR THE DESIRED ATTACHMENT.

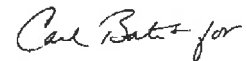
[ONLINE MEETING LINK](#)

APPROVED:


Tick Segerblom (Dec 5, 2024 14:45 PST)

TICK SEGERBLOM, CHAIR

ATTEST:



LYNN MARIE GOYA, CLARK COUNTY CLERK











Zoning Approved Minutes 11/6/2024 for signature

Final Audit Report

2024-12-05

Created:	2024-12-04 (Pacific Standard Time)
By:	Asano Taylor (TaylorA@ClarkCountyNV.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAkNoAeJ0VKNdo1Kc5ftRf7BNXYqmMikoh

"Zoning Approved Minutes 11/6/2024 for signature" History

-  Document created by Asano Taylor (TaylorA@ClarkCountyNV.gov)
2024-12-04 - 1:21:06 PM PST- IP address: 198.200.132.41
-  Document emailed to tsegerblom@clarkcountynv.gov for signature
2024-12-04 - 2:09:32 PM PST
-  Email viewed by tsegerblom@clarkcountynv.gov
2024-12-05 - 2:45:18 PM PST- IP address: 185.251.251.220
-  Agreement viewed by tsegerblom@clarkcountynv.gov
2024-12-05 - 2:45:18 PM PST- IP address: 185.251.251.220
-  Signer tsegerblom@clarkcountynv.gov entered name at signing as Tick Segerblom
2024-12-05 - 2:45:54 PM PST- IP address: 198.200.132.41
-  Document e-signed by Tick Segerblom (tsegerblom@clarkcountynv.gov)
Signature Date: 2024-12-05 - 2:45:56 PM PST - Time Source: server- IP address: 198.200.132.41
-  Document emailed to Carl Bates (cbates@clarkcountynv.gov) for signature
2024-12-05 - 2:45:57 PM PST
-  Agreement viewed by Carl Bates (cbates@clarkcountynv.gov)
2024-12-05 - 3:27:05 PM PST- IP address: 198.200.132.69
-  Document e-signed by Carl Bates (cbates@clarkcountynv.gov)
Signature Date: 2024-12-05 - 3:27:12 PM PST - Time Source: server- IP address: 198.200.132.69
-  Agreement completed.
2024-12-05 - 3:27:12 PM PST



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NOV 19 2024

Lynn Marie Goyen
CLERK

NOTICE OF FINAL ACTION
CLARK COUNTY ZONING COMMISSION
9:00 A.M., WEDNESDAY, NOVEMBER 6, 2024

LEGAL NOTICE: Following the final approval or denial of every action before the Planning Commission and/or the Board of County Commissioners, a letter indicating the action taken and the conditions under which any approval is granted will be sent to the correspondent address on the application submitted. The information herein will be filed with the Clark County Clerk, Commission Division, and serve as notice of final action for the purposes of NRS 278.0235 which marks the commencement of the twenty-five (25) day limitation period specified.

1. Public Comments.
2. Approval of the Agenda After Considering Requests to Add, Hold, or Delete Items. (For possible action)
3. Approval of minutes. (For possible action)

Board of County Commissioners' Zoning Meeting minutes for 10/02/24.

ROUTINE ACTION ITEMS (4 – 10): These items may be considered in one hearing and in one motion. Any person who does not agree with the recommendations by staff should request that the item be removed from this portion of the agenda and be heard separately when directed by the Board of County Commissioners.

4. AR-24-400090 (WC-0174-16 (UC-0849-14))-MGM GRAND PROPCO, LLC:
HOLDOVER WAIVER OF CONDITIONS SIXTH APPLICATION FOR REVIEW of a use permit for live entertainment limited to daytime hours (6:00 a.m. to 10:00 p.m.) for a recreational facility (golf driving range) with accessory retail, eating and drinking facilities, live entertainment, and other accessory uses, and structures in conjunction with a resort hotel (MGM Grand) on a portion of 102.7 acres in a CR (Commercial Resort) Zone within the Airport Environs (AE-60 & AE-65) Overlay. Generally located on the southwest corner of Harmon Avenue and Koval Lane within Paradise. JG/bb/syp (For possible action)

HELD - 12/04/24 - per the applicant to return to the Paradise Town Board.

5. AR-24-400106 (UC-22-0498)-RESORTS WORLD LAS VEGAS, LLC:
USE PERMITS SECOND APPLICATION FOR REVIEW for the following: 1) a recreational facility; fairgrounds; and 3) live entertainment in conjunction with an existing resort hotel (Resorts World) on a portion of 86.9 acres in a CR (Commercial Resort) Zone. Generally located on the west side of Las Vegas Boulevard South, the east side of Sammy Davis Jr. Drive, and the north side of Genting Boulevard within Winchester. TS/tpd/kh (For possible action)

APPROVED.

**CONDITIONS OF APPROVAL -
Comprehensive Planning**

- Until June 21, 2025 to review to determine if the use of the property pursuant to this application warrants an amendment to the Resorts World Development Agreement.
- Applicant is advised a substantial change in circumstances or regulations may warrant denial or added conditions to an application for review; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

6. ET-24-400101 (UC-22-0403)-J & R PROPERTIES LAS VEGAS, LLC:
USE PERMITS FIRST EXTENSION OF TIME for the following: 1) allow trailer, recreational vehicle, and watercraft vehicle wash in an IL Zone; 2) allow trailer, recreational vehicle, and watercraft vehicle wash in the Airport Environs (APZ-2) Overlay; 3) reduce separation from residential use; and 4) waive screening of outside storage area.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce gate setback; 2) alternative landscaping; 3) eliminate trash enclosure; 4) security fence location; and 5) commercial driveway standards.
DESIGN REVIEW for modifications to an existing mini-warehouse facility with outside storage of vehicles and vehicle wash on 2.7 acres in an IL (Industrial Light) Zone within the Airport Environs (AE-65 & APZ-2) Overlay. Generally located on the north side of Judson Avenue, 400 feet west of Nellis Boulevard within Sunrise Manor. TS/rp/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Until September 21, 2026 to commence or the application will expire unless extended with approval of an extension of time.
- Applicant is advised a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Compliance with previous conditions.

7. VS-24-0277-PALM PROPERTIES, LLC:
HOLDOVER VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file). TS/jor/syp (For possible action)

HELD - 11/20/24 - per Commissioner Segerblom.

8. WS-24-0276-PALM PROPERTIES, LLC:
HOLDOVER WAIVER OF DEVELOPMENT STANDARDS to modify residential adjacency standards. DESIGN REVIEW for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone. Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor. TS/jor/syp (For possible action)

HELD - 11/20/24 - per Commissioner Segerblom.

9. WS-24-0419-MEEKRAT HOLDINGS, LLC:
AMENDED HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) modify residential adjacency standards (no longer needed); and 2) reduce throat depth (no longer needed).
DESIGN REVIEW for restaurant buildings on 2.12 acres in a CG (General Commercial) Zone within the Airport Environs (AE-60) Overlay. Generally located on the north side of Quail Avenue and the east side of Jones Boulevard within Spring Valley. MN/sd/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Expunge the design review portion of ZC-22-0628;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; that this application is contingent upon obtaining a license from the State of Nevada and Clark County Business License Department; failure to abide by and faithfully comply with the conditions of approval, Clark County Code, and the provisions of the Nevada Revised Statutes or Nevada Administrative Code may result in revocation of this application; approval of this application does not constitute or imply approval of any other County issued permit, license or approval; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Applicant to work with Public Works - Development Review for the design of the median along Quail Avenue;
- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back-of-curb for Quail Avenue and associated spandrel;
- 30 days to coordinate with Public Works - Construction Management Division and submit separate document if required, for dedication of any necessary right-of-way and easements and 90 days to record said separate document for the Jones Boulevard improvement project.
- Applicant is advised that the installation of detached sidewalks will require dedication to back-of-curb, the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.

- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that permits and operational permits may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316.

10. WS-24-0473-J & J INVESTPROP, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setback; and 2) allow modified driveway geometrics in conjunction with a developing single-family residential subdivision on 1.6 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the east side of Haven Street, 283 feet south of Ford Avenue within Enterprise. MN/jud/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0145-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

NON-ROUTINE ACTION ITEMS (11 – 33): These items will be considered separately.

11. SC-24-0261-WESTERN IRA FUNDING LTD RTMT PL:
AMENDED HOLDOVER STREET NAME CHANGE to change the name of Gagnier Boulevard to Signature Boulevard (previously notified as Dynamite Drive). Generally located on the south side of Roy Horn Way and the west side of Gagnier Boulevard within Spring Valley. MN/sd/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Building Department - Addressing

- **Subject to Signature Boulevard.**
- **Applicant shall be responsible for the installation of street signs, per Public Works requirements, within 60 calendar days of the approval of the application.**

12. UC-24-0436-MANNA INVESTMENT GROUP, LLC:
USE PERMIT for a vehicle wash.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) modify residential adjacency standards; 2) alternative buffering and screening; and 3) allow attached sidewalks.
DESIGN REVIEW for a vehicle wash in conjunction with an existing shopping center on a portion of 4.09 acres in a CG (Commercial General) Zone. Generally located on the west side of Sandhill Road and the south side of Desert Inn Road within Paradise. TS/sd/kh (For possible action)

HELD - 11/20/24 - per Commissioner Segerblom.

13. UC-24-0491-BUDDHAYA NANDHARAM, INC.:
USE PERMIT for a place of worship.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce street landscaping; 2) reduce parking lot landscaping; 3) alternative buffering and screening; 4) modify residential adjacency standards; 5) driveway geometrics; and 6) allow attached sidewalks.
DESIGN REVIEW for a place of worship on 2.17 acres in an RS20 (Residential Single-Family 20) Zone. Generally located on the north side of Kell Lane and the east side of Betty Lane within Sunrise Manor. MK/bb/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- **Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.**
- **Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.**

Public Works - Development Review

- **Install commercial curb return driveways per Uniform Standard Drawing 222.1;**
- **Remove on-site parking spaces along Kell Lane and Betty Lane opposite the driveways to the satisfaction of Public Works - Development Review to avoid vehicle conflicts;**
- **30 days to submit revised plans to address denial of waivers of development standards #5b through #5f and revised plans shall be to the satisfaction of Public Works - Development Review;**
- **Compliance with approved drainage study PW19-19387;**

- Full off-site improvements.

WAIVERS OF DEVELOPMENT STANDARDS #4 AND #5B THROUGH #5F WERE DENIED.

14. VS-24-0494-AAA LAND INVESTMENT, LLC:
VACATE AND ABANDON easements of interest to Clark County located between Arby Avenue and Warm Springs Road, and between Fort Apache Road and Plushstone Street within Spring Valley (description on file). JJ/rr/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

15. WS-24-0495-AAA LAND INVESTMENT, LLC:
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) modify residential adjacency standards; and 2) driveway geometrics.
DESIGN REVIEW for expansion of a commercial development on a 2.35 acre portion of a 4.11 acre site in a CG (Commercial General) Zone. Generally located on the east side of Fort Apache Road and the north side of Warm Springs Road within Spring Valley. JJ/rr/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance.
- Applicant is advised that off-site improvement permits may be required.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0415-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

16. VS-24-0504-MAK ZAK, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Pebble Road and Agate Avenue (alignment), and between Buffalo Drive (alignment) and Monte Cristo Way within Enterprise (description on file). JJ/rr/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 4 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include 45 feet to the back-of-curb for Pebble Road and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

17. WS-24-0505-MAK ZAK, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; 2) reduce lot sizes; 3) alternative Neighborhood Protection (RNP) Overlay standards; 4) increase retaining wall height; 5) increase fill height; 6) increase driveway width; and 7) curb type.

DESIGN REVIEW for a single-family residential development on 5.0 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Pebble Road, 300 feet west of Monte Cristo Way within Enterprise. JJ/rr/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Waiver of development standards #1 does not apply to Lots 4 through 6 which front Pebble Road;

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 45 feet to the back-of-curb for Pebble Road and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- Circular driveways, or on-site turnarounds, must be provided for all lots along Pebble Road;
- The installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0215-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

18. TM-24-500106-MAK ZAK, LLC:

TENTATIVE MAP consisting of 9 single-family residential lots on 5.0 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Pebble Road, 300 feet west of Monte Cristo Way within Enterprise. JJ/rr/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the

extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 45 feet to the back-of-curb for Pebble Road and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- Circular driveways, or on-site turnarounds, must be provided for all lots along Pebble Road;
- The installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0215-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

19. WC-24-400060 (NZC-22-0028)-AMH NV10 DEVELOPMENT, LLC:
HOLDOVER WAIVER OF CONDITIONS of a nonconforming zone change requiring no certificate of occupancy can be issued for any structure within this project unless and until a certificate of occupancy has been issued for the clubhouse (adjacent project to the north) for a previously approved single-family residential development on 4.90 acres in an RS2 (Residential Single-Family 2) Zone. Generally located on the northwest corner of Oleta Avenue and Conquistador Street within Enterprise. JJ/rg/ng (For possible action)

HELD - 02/05/25 - per the applicant. Applicant is advised that re-notification fees are required prior to this item being placed on the agenda.

20. WS-24-0475-PANCIROV GREGORY T. & CYNTHIA M. FAMILY TRUST & PANCIROV GREGORY T. & CYNTHIA M. TRS:
WAIVER OF DEVELOPMENT STANDARDS to allow an attached sidewalk.
DESIGN REVIEW for an office/warehouse building on 0.98 acres in an IP (Industrial Park) Zone within the Airport Environs (AE-60) Overlay. Generally located on the south side of Martin Avenue, 730 feet east of Valley View Boulevard within Enterprise. MN/lm/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Full off-site improvements.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0299-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

21. WS-24-0484-MARQUEZ FAMILY TRUST ETAL & MARQUEZ, CHRISTIAN & GABRIELA TRS: WAIVER OF DEVELOPMENT STANDARDS for off-site improvements (streetlights, curb, gutter, and sidewalk) in conjunction with a single family subdivision on 2.07 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Eldorado Lane and the east side of Placid Street within Enterprise. MN/nai/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Install a 5 foot wide detached asphalt pathway along Eldorado Lane and Placid Street to the satisfaction of Public Works - Development Review;
- Execute a Restrictive Covenant Agreement (deed restrictions).

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0401-2023 to obtain your POC exhibit; and that wastewater flow rates that exceed CCWRD estimates may require another POC analysis.

22. **WS-24-0488-SOUTH PAW RESORT CENTER, LLC:**

WAIVER OF DEVELOPMENT STANDARDS for an alternative landscape buffer.

DESIGN REVIEW for site modifications for a previously approved kennel (dog daycare and boarding) with retail on 0.89 acres in an IP (Industrial Park) Zone. Generally located on the north side of Pyle Avenue and the east side of Ullom Drive within Enterprise. JJ/lm/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0128-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

WAIVER OF DEVELOPMENT STANDARDS #1B WAS DENIED.

23. WS-24-0489-HARDY MAURICE W. & ANN REV LIV TR & HARDY MAURICE W. & ANN TRS: WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) full off-site improvements; and 2) paved legal access for a proposed minor subdivision map on 2.07 acres in an RS20 (Residential Single-Family 20) Zone. Generally located on the south side of Tank Road, 380 feet west of Pioneer Road within Moapa Valley. MK/lm/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; that compliance with Hillside standards per 30.04.05K is required with future development; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Coordinate with the Division of Air Quality for dust control;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Applicant is advised private easement is to remain as Public Works amends the Transportation Element.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that there are no public sanitary sewer facilities available and none are planned within the next 5 years.

24. WS-24-0511-KOREN STRATEGIC INVESTMENTS: AMENDED WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate street landscaping (no longer needed); 2) increase fill height; 3) increase retaining wall height; and 4) waive off-site improvements (curb, gutter, streetlights, and sidewalks). DESIGN REVIEW for a proposed single-family residential subdivision on 4.51 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the north side of Racel Street and the west side of Sisk Road within Lone Mountain. MK/jor/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- No HOA;
- Residences limited to single story homes;
- Any retaining wall over 3.5 feet in height shall be tiered or incorporate another acceptable technique to soften the appearance of the increased wall height;

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Minimum paving required along Racel Street, Sisk Road, and Meisenheimer Avenue;
- Drainage study and compliance;
- Execute a Restrictive Covenant Agreement (deed restrictions).

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county: and that for any sanitary sewer needs, to contact the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

25. **TM-24-500109-KOREN STRATEGIC INVESTMENTS:**

TENTATIVE MAP consisting of 9 single-family residential lots on 4.51 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the north side of Racel Street and the west side of Sisk Road within Lone Mountain. MK/jor/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Minimum paving required along Racel Street, Sisk Road, and Meisenheimer Avenue;
- Drainage study and compliance;
- Execute a Restrictive Covenant Agreement (deed restrictions).

Building Department - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided;

- All streets shall have approved street names and suffixes.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; and for any sanitary sewer needs, to contact the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

AGENDA ITEM

26. AG-24-900729: Discuss a potential amendment to Title 30 to address how setbacks are measured; and direct staff accordingly. (For possible action)

HELD - 11/20/24 - per Commissioner Segerblom.

ORDINANCES – INTRODUCTION

27. ORD-24-900529: Introduce an ordinance to consider adoption of a Development Agreement with SCT Silverado Ranch & Arville LLC for a commercial development on 0.8 acres, generally located east of Arville Street and north of Silverado Ranch Boulevard within Enterprise. JJ/jm (For possible action)

INTRODUCED - public hearing 11/20/24.

28. ORD-24-900546: Introduce an ordinance to consider adoption of a Development Agreement with Fort Apache, LTD for a multi-family residential development on 9.1 acres, generally located west of Fort Apache Road and south of Pebble Road within Enterprise. JJ/dw (For possible action)

INTRODUCED - public hearing 11/20/24.

29. ORD-24-900599: Introduce an ordinance to consider adoption of a Development Agreement with G Y Properties LLC for an office/warehouse building on 2.1 acres, generally located west of Westwind Road and south of Sunset Road within Enterprise. MN/dw (For possible action)

INTRODUCED - public hearing 11/20/24.

30. ORD-24-900699: Introduce an ordinance to amend the official zoning map, reclassifying certain properties as approved by the Board of County Commissioners on August 21, 2024. (For possible action)

INTRODUCED - public hearing 11/20/24.

31. ORD-24-900708: Introduce an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on August 7, 2024. (For possible action)

INTRODUCED - public hearing 11/20/24.

32. ORD-24-900710: Introduce an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on September 18, 2024. (For possible action)

INTRODUCED - public hearing 11/20/24.

33. ORD-24-900725: Introduce an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on September 4, 2024 and in Assessor's Books 059, 104, 140, 161, 162, 163, 164, 175, 176, and 177 the attached zone changes were approved to reclassify certain properties and amend the zoning map. (For possible action)

INTRODUCED - public hearing 11/20/24.

PUBLIC COMMENTS

Comments by the General Public regarding any items not listed on the agenda as posted. No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on a future agenda.



togetherforbetter

Board of County Commissioners

Clark County, Nevada

Tick Segerblom, Chair
William McCurdy II, Vice Chair
Jim Gibson
Justin Jones
Marilyn K. Kirkpatrick
Ross Miller
Michael Naft

The Board of County Commissioners of Clark County, Nevada met in recessed regular session in full conformity with law and bylaws of said Board at the regular place of meeting in Clark County, Nevada, on Wednesday, November 20, 2024:

CLARK COUNTY GOVERNMENT CENTER
COMMISSION CHAMBERS
500 S GRAND CENTRAL PKWY
LAS VEGAS, NEVADA 89106

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SEC. 1. OPENING CEREMONIES

CALL TO ORDER

The meeting was called to order at Click or tap here to enter text. a.m. by Chair Segerblom with the following members present:

Commissioners Present:

Tick Segerblom, Chair
William McCurdy II, Vice Chair
Jim Gibson
Justin Jones
Marilyn K. Kirkpatrick
Ross Miller
Michael Naft

Absent:

None

Commissioner Miller exited the meeting following Item 40 presentation.

Also Present:

Robert Warhola, Deputy District Attorney
Sami Real, Director, Comprehensive Planning
Antonio Papazian, Manager, Development Review
JaWaan Dodson, Assistant Manager, Development Review
Lynn Marie Goya, County Clerk
Jewel Gooden, Deputy Clerk
Robin Delaney, Deputy Clerk

SEC. 2. PUBLIC FORUM

1. Public Comment

ACTION: NO ACTION WAS TAKEN BY THE BOARD.

TICK SEGERBLOM

Good morning. This is the County Commission Zoning Meeting on Wednesday. Ms. Real.

SAMI REAL

So good morning, Commissioners. Before we start today's meeting, Commissioner Naft wishes to say a few words about George Garcia, longtime land use consultant, who sadly passed away on October 26 of this year. So, Commissioner Naft?

MICHAEL NAFT

Yeah. Thank you, Sami.

George had become a fixture of this Chamber: of J.C. Garcia, Inc. He passed away, as Sami said, on October 26 very suddenly after a short battle against an aggressive lymphoma.

George founded J.C. Garcia in 1995. The firm is an internationally recognized leader in commercial real estate in Southern Nevada. George had 26 years of local government planning experience, serving for five years as the Planning Director for the City of Henderson. In addition to his personal successes, George was an animal lover who actively supported local rescues and shelter groups.

In his honor, his family, including his children, Melissa, Jordan and Chris, and Melissa and Chris I believe are here with us today, they've created the George C. Garcia Lymphoma Foundation to provide diagnosed lymphoma patients in southern Nevada with access to care and education.

I know, like all of us here, worked closely with George, as did many in the audience today and we're thinking, Melissa, of you and your whole family at this hard time. But always look forward – we know how proud George was, Melissa, to work with you and of your brothers and we're glad that you're here to continue in his legacy in the work that he spent his career on, planning and preparing for the future growth of Southern Nevada. Thank you, Ms. Real.

SAMI REAL

So, with that, we will begin today's meeting. So, the first item on the agenda is public comment.

TICK SEGERBLOM

This is the first period for public comment and anyone wishing to speak on an item on the agenda, please come forward and you have up to three minutes. Identify the item you're speaking on.

MARGARET ANN COLEMAN

Yes, this is – my name is Margaret Ann Coleman, C-O-L-E-M-A-N. This is concerning the agenda approval and it held and did items deleted.

This is concerning the program for the housing over at – on Las Vegas across from the funeral department. This place here has \$3 million that is credited due for my living arrangements. It's needing a lot of repairs and fixtures of that nature that I have views because I've been over there. Now I asked to be moved out due to the fact I am credit to be indoors and not on the ground or sleeping in that facility. They put me on navigation. You give me no credibility to maintain my own living arrangements. You want to take medication when you go in. You want to wheel and deal over that navigation in order to get your assistance. That is another default.

You made a statement concerning the people at the shelter. If they don't do right, they be arrested and put in jail. People being homeless due to the fact you all locked us outside with the constables. The Lopez and the Delregados have placed me in a situation of being locked out at 1316 Wizard and putting in Filipinos to, as you know, you open up a town section for them to live. Black people don't have that. You haven't given us that. I had Mormon Manor. You put each one of them and they are in that shelter. And they're talking about me, scorning and desecrating me every day.

I had an attorney called Attorney Welch that went to Florida that was – he was eight-balled it just for representing me to get my money. And from then on, I had been getting scorned and desecrated and never been able to collect. I'm needing you to cut me a check. Let me go. I help you, now help me. I need a car. I need to handle my own affairs. I'm 73 and I'm an adult and I would like to act that way. Thank you.

TICK SEGERBLOM

Thank you. Anyone else here wishes to speak – you want to come up on 55?

CARLOS IBARRA

Good morning, Commissioners. My name is Juan Carlos Ibarra, I-B-A-R-R-A. Me and my brother, we are a small developer here in Las Vegas and we support Item 55 proposed by Mr. Tick Segerblom. And it currently impacts our business. And again, we support Item 55. Thank you very much.

TICK SEGERBLOM

Thank you. Anyone else here wishing to speak? Seeing no one, well oh wait, here we go.

LEE DUSBABEK

Are you going to have public input after each one of these?

TICK SEGERBLOM

Yes. But also, but – I'm sorry, Sami. What were the three? There's three that have been –

SAMI REAL

So, Commissioner, we received a request to speak on Items 32, 33 and 34. Those items have requested to be held until December 4, 2024. I'll read those in next. So, if there's somebody here who wants to speak on Items 32, 33, 34, they can do so now during the public comment period or they can come back on December 4.

TICK SEGERBLOM

Yeah. So, you're welcome to speak now since you came all the way down there. So, thank you.

ROSS MILLER

It's in my district. So, I just wanted to let you know that it's undergoing a design change. So, some of you make comments may be relevant, some may not. But if you want to contact my office after the meeting, we'd be happy to discuss it with you as well. But look forward to listening to your comments this morning.

TICK SEGERBLOM

Well, you have to state your name and spell your last name for the record.

LEE DUSBABEK

Lee Dusbabek, 9355 Helena Avenue.

TICK SEGERBLOM

Thank you.

LEE DUSBABEK

Twenty-five years ago, I happened to be a member of the Lone Mountain Citizens Advisory Council when at that time you, the County and the City, came together in the same room and agreed to and signed a contract for the Rural Preservation Zone. And you promised us, the residents and everybody on TV watching here that's in the County, that you would uphold this. As you can tell, those three items are asking for waivers of all the things that you promised us. I'd just like to input that so you can consider it when you do vote. And was it December 9?

SAMI REAL

December 4.

LEE DUSBABEK

December 4. All right.

TICK SEGERBLOM

But also do you want to speak to Mr. Miller's staff? Are they – okay.

LEE DUSBABEK

Okay. So, I'll just contact him directly?

TICK SEGERBLOM

Yes.

LEE DUSBABEK

All right, thank you.

TICK SEGERBLOM

Thank you. Anyone else here wishing to speak?

CALVIN KOEHLER

My name's Calvin Koehler. I live at 9375 West Craig Road, and I'd like to speak on 32, 33 and 34 also.

The agreement he's talking about was between the City and the County on December 21, 2016, where they agreed to this. And then again on the 2021, Title 30 was passed by this Committee, which made it a Rural Estates area.

I'm only going to present two quick things. These are pictures of the development by Mr. Templeton that's up above my house in the same area. I'm not quite sure how he got in so many houses in such a small area, but this is a picture of what they look like and what the development he plans on making is going to look like. And this is a picture of the homes that exist there now and what they look like.

My neighbors have chickens, gardens, horses. There's actually a park on Lone Mountain for horses. That's what this area was developed for. It's what this Committee approved that development for. They're slowly chipping away on this and trying to make it Las Vegas City. And that's fine. If I wanted to live in Las Vegas City, I can afford to live in Las Vegas City. But I chose to live in Clark County. Reason behind that was so that I could have chickens, horses, gardens. If we allow this to happen now, it'll continue, and we might as well not even have Title 30. I thank you for your time.

TICK SEGERBLOM

Thank you. And I'm sorry, could you spell your last name?

CALVIN KOEHLER

Koehler. Koehler. It's K-O-E-H-L-E-R.

TICK SEGERBLOM

Great. Thank you.

CALVIN KOEHLER

Would you like to look at these pictures?

TICK SEGERBLOM

You could hand them to – here, right here.

CALVIN KOEHLER

Okay. Picture Number 1 is the development that's in existing above my place in the same area. And Picture Number 2 is normal homes in that area. They're not even close. Thank you.

TICK SEGERBLOM

Thank you.

CALVIN KOEHLER

Thank you for your time.

LUIS GUTIERREZ

Hello. Luis Gutierrez, 7500 West Lake Mead Boulevard here in Las Vegas. I also live in that general area. Regarding 33 and 34, why were we not notified about the extension or change of plans? Are we not communicating or is this – I would like some answers.

TICK SEGERBLOM

I'm sorry we can't – during public comment, we don't respond. But if you want to stick around –

LUIS GUTIERREZ

Well, for the public that's sitting here, we should have been notified of the extension. And also, just for the record, I'm not happy with the development.

TICK SEGERBLOM

Anyway, if you'll leave your name and number, we'll have Commissioner Miller's Office reach out to you.

LUIS GUTIERREZ

Are we going to be notified by mail?

TICK SEGERBLOM

I'm not sure. Sami?

ROSS MILLER

We just moved it this morning so there was no opportunity to let you know because they just put in the new design plan. So, we're moving it to December 5 – December 4, so you can come at that time.

LUIS GUTIERREZ

So hopefully we're not going to start playing these games with extensions and so people get all confused here. Because it may trigger worse than better. That's all.

TICK SEGERBLOM

All right, thank you. Anyone else here?

RUTH RIOS

Good morning. My name is Ruth Rios and I'm here with Dimas Gonzalez. My name is R-U-T-H R-I-O-S. His name is Dimas, D-I-M-A-S Gonzalez, G-O-N-Z-A-L-E-Z, on Item Number 22 that is being held.

Because we took the opportunity to come, we would like to speak just a little bit about it. We understand that it's being held. However, we want to address it. For the most part, we have taken care of all these items.

The only one that is remaining is the shipping containers in which we're going to be using license to make the structure of the house. We just want to make sure that we let you guys know that we are willing to comply with everything, but we are asking that at least the shipping containers, you guys allow us to keep it there since we're going to be using them for the construction of the house.

We are at this point just waiting for the grading plan to hopefully be approved within this month. And that's pretty much what we're asking. We have no more animals there because we do understand that we need to be living there to keep our animals there. There's no more selling any hay. Even though we had the permit, we didn't have the permit for the property, so we removed everything. So completely right now the lot is practically empty with the exception of the shipping containers that we are asking that you guys help us out with that.

WILLIAM MCCURDY II

We thank you for coming out today. While we can't go back and forth, we ask that you hang tight, or you wait for my office to reach out to you, and we'll be following up on some of the items that were in violation of the Code prior to this meeting. After this meeting. Excuse me. Is that okay?

RUTH RIOS

Say that again? I'm sorry.

WILLIAM MCCURDY II

My office will reach out to you afterwards.

RUTH RIOS

Okay.

WILLIAM MCCURDY II

Thank you.

RUTH RIOS

Thank you.

TICK SEGERBLOM

Thank you both. Anyone else here wishing to speak? Seeing no one, we'll close the – oops, here we go.

JEANALIN REHM

My name's Jeanalin Rehm. Good morning, guys. And this is Scott Rehm, and we are for Item 23 and we are asking for a home occupation, stable, livestock and to up our house count for household pets. And we are offering cow cuddles, and we wanted to –

TICK SEGERBLOM

Is this one, excuse me –

SAMI REAL

So, Commissioners, this item is actually off of the routine. So, we will hear this one.

TICK SEGERBLOM

This one is going to be heard if you want to stick around and-

JEANALIN REHM

Oh, okay.

TICK SEGERBLOM

– hear when the item is coming in.

JEANALIN REHM

Okay. All right.

TICK SEGERBLOM

Great. Thank you.

JEANALIN REHM

Sorry.

TICK SEGERBLOM

Sorry, we get a little confused. All right. Seeing no one else, we'll close the public hearing and ask Ms. –

SEC. 3. AGENDA

2. Approval of the Agenda After Considering Requests to Add, Hold, or Delete Items. (For possible action)

SAMI REAL

The second item is the approval of the agenda. After considering any additions or deletions of items, staff has the following request, which may require re-notification fees in accordance with Title 30:

- Hold to the December 4, 2024, Zoning Meeting: Item 32, VS-24-0509; Item 33, WS-24-0510; and Item 34, TM-24-500108.
- Hold to the December 18, 2024, Zoning Meeting: Item 21, UC-24-0436; Item 22, UC-24-0460; Item 26, VS-24-0457; Item 27 WS-24-0456; and Item 28, TM-24-500096.
- Hold to the January 22, 2025, Zoning Meeting: Item 43, WS-24-0526.
- And hold till the February 19, 2025, Zoning Meeting: Item 4, which is SDR-24-0334: and Item 5, DR-24-0335.

The above public hearing items are going to be open as a public hearing and immediately recessed until the dates as previously stated. With these deletions, which are Items 4, 5, 21, 22, 26, 27, 28, 32, 33, 34, and 43, the agenda stands ready for your approval.

Additionally, just to put it on and request the Commissioners, Commissioner Miller needs to leave early today and requests that his items be taken out of order and those items are Item 23 and Item 40.

MOTION

WILLIAM MCCURDY II

All right, Mr. Chair. With those changes read into the record, I move approval of the agenda.

TICK SEGERBLOM

There's a motion to approve the agenda. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft
VOTING NAY: None
ABSENT: None
ABSTAIN: None

TICK SEGERBLOM

That motion passes.

3. Approval of minutes. (For possible action)

SAMI REAL

The third item on the agenda is the approval of minutes. The minutes of the October 16, 2024, Zoning Meeting are ready for approval.

MOTION

WILLIAM MCCURDY II

Move approval of the minutes.

TICK SEGERBLOM

There's a motion. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft
VOTING NAY: None
ABSENT: None
ABSTAIN: None

TICK SEGERBLOM

That motion passes.

SEC. 4. ROUTINE ACTION ITEMS 4 THROUGH 17

SAMI REAL

Next are the Routine Action Items which consist of Items 4 through 17, except items previously deleted. These items may be considered together in one motion and are subject to the conditions listed with each agenda item.

In addition, staff has the following request: Item 9 for UC-24-0521, add a Public Works condition to read: a license and maintenance agreement for any non-standard improvements within the right-of-way along Las Vegas Boulevard South if required by Public Works Development Review.

If there are no objections, the public hearing is now open, and the Routine Action portion of the agenda stands ready for your approval.

MOTION

WILLIAM MCCURDY II

Chair, I move to approve the Routine Action Items with the recommended changes read into the record.

TICK SEGERBLOM

There's a motion. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None

ABSENT: None

ABSTAIN: None

TICK SEGERBLOM

That motion passes.

4. SDR-24-0334-MGM RESORTS LAND HOLDINGS II, LLC

HOLDOVER SIGN DESIGN REVIEW for modifications to an approved comprehensive sign plan for a resort hotel (Bellagio) on 76.63 acres in a CR (Commercial Resort) Zone. Generally located on the west side of Las Vegas Boulevard South and the south side of Flamingo Road within Paradise. JG/rr/syp (For possible action)

ACTION: DELETED FROM THE AGENDA (HELD TO FEBRUARY 19, 2025, PER THE APPLICANT. APPLICANT IS ADVISED THAT RE-NOTIFICATION FEES ARE REQUIRED PRIOR TO THIS ITEM BEING PLACED ON THE AGENDA).

5. DR-24-0335-BCORE PARADISE, LLC:

HOLDOVER DESIGN REVIEW for an expansion and modification to an existing resort hotel (Bellagio) on 85.77 acres in a CR (Commercial Resort) Zone. Generally located on the west side of Las Vegas Boulevard South and the south side of Flamingo Road within Paradise. JG/rr/syp (For possible action)

ACTION: DELETED FROM THE AGENDA (HELD TO FEBRUARY 19, 2025, PER THE APPLICANT. APPLICANT IS ADVISED THAT RE-NOTIFICATION FEES ARE REQUIRED PRIOR TO THIS ITEM BEING PLACED ON THE AGENDA).

6. ET-24-400107 (UC-20-0288)-WTML WARM SPRINGS, LLC:

USE PERMIT SECOND EXTENSION OF TIME for a cannabis establishment (retail cannabis store).

DESIGN REVIEW for a retail building for a cannabis establishment on 0.9 acres in a CG (Commercial General) Zone. Generally located on the south side of Warm Springs Road, 480 feet east of Haven Street within Enterprise. MN/mh/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Until August 19, 2026 to obtain valid business license for retail cannabis store or the application will expire unless extended with approval of an extension of time.
- Applicant is advised a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

7. WC-24-400111 (ZC-1965-04)-WIGWAM-PARVIN LIMITED PARTNERSHIP:

WAIVERS OF CONDITIONS of a zone change requiring the following: 1) a 45 foot setback on Las Vegas Boulevard South; 2) 20 foot minimum setback along all other street frontages; and 3) 20 foot wide landscape buffer with medium trees, 24 inch box in size, with shrubs to cover 50% of the landscape area and a detached sidewalk along Las Vegas Boulevard South unless prohibited by NDOT in conjunction with a proposed multi-family residential development on 9.23 acres in a CR (Commercial Resort) Zone. Generally located on the east side of Las Vegas Boulevard South and the south side of Jo Rae Avenue within Enterprise. MN/hw/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0290-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

8. VS-24-0520-WIGWAM-PARVIN LIMITED PARTNERSHIP:

VACATE AND ABANDON easements of interest to Clark County located between Jo Rae Avenue and Pyle Avenue and between Las Vegas Boulevard South and Giles Street; a portion of right-of-way being Pyle Avenue located between Las Vegas Boulevard South and Giles Street; a portion of right-of-way being Jo Rae Avenue located between Las Vegas Boulevard South and Giles Street; and a portion of right-of-way being Giles Street located between Jo Rae Avenue and Pyle Avenue within Enterprise (description on file). MN/hw/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include, 100 feet for Las Vegas Boulevard South, 25 feet to the back-of-curb for Giles Street and associated spandrels;
- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements for the Pyle Avenue improvement project, 90 days to record said separate document for the Pyle Avenue improvement project;
- The installation of detached sidewalks will require the recordation of this vacation of excess right-of-way, dedication to back-of-curb, and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

9. UC-24-0521-WIGWAM-PARVIN LIMITED PARTNERSHIP:

USE PERMIT to allow a multi-family residential development.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; and 2) alternative driveway geometrics.

DESIGN REVIEW for a proposed multi-family residential development on 9.23 acres in a CR (Commercial Resort) Zone. Generally located on the east side of Las Vegas Boulevard South and the south side of Jo Rae Avenue within Enterprise. MN/hw/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- A License and Maintenance Agreement for any non-standard improvements within the right-of-way along Las Vegas Boulevard South, if required by Public Works -Development Review;
- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include, 100 feet for Las Vegas Boulevard South, 25 feet to the back-of-curb for Giles Street and associated spandrels;
- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements for the Pyle Avenue

improvement project, 90 days to record said separate document for the Pyle Avenue improvement project;

- The installation of detached sidewalks will require the vacation of excess right-of-way, dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0290-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

10. ZC-24-0518-USA:

ZONE CHANGE to reclassify a 5.55 acre portion of 58.7 acres from an IH (Industrial Heavy) Zone to a PF (Public Facility) Zone within the Airport Environs (AE-70) Overlay. Generally located on the northwest side of Las Vegas Boulevard North and the north side of Nadine Petersen Boulevard within the Northeast County Planning Area (description on file). MK/rg (For possible action)

ACTION: APPROVED.

11. ORD-24-900529: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with SCT Silverado Ranch & Arville LLC for a commercial development on 0.8 acres, generally located east of Arville Street and north of Silverado Ranch Boulevard within Enterprise. JJ/jm (For possible action)

ACTION: ADOPTED (ORDINANCE 5189).

12. ORD-24-900546: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with Fort Apache, LTD for a multi-family residential development on 9.1 acres, generally located west of Fort Apache Road and south of Pebble Road within Enterprise. JJ/dw (For possible action)

ACTION: ADOPTED (ORDINANCE 5190).

13. ORD-24-900599: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with G Y Properties LLC for an office/warehouse building on 2.1 acres, generally located west of Westwind Road and south of Sunset Road within Enterprise. MN/dw (For possible action)

ACTION: ADOPTED (ORDINANCE 5191).

14. ORD-24-900699: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on August 21, 2024. (For possible action)

ACTION: ADOPTED (ORDINANCE 5192).

15. ORD-24-900708: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on August 7, 2024. (For possible action)

ACTION: ADOPTED (ORDINANCE 5193).

16. ORD-24-900710: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on September 18, 2024. (For possible action)

ACTION: ADOPTED (ORDINANCE 5194).

17. ORD-24-900725: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on September 4, 2024 and in Assessor's Books 059, 104, 140, 161, 162, 163, 164, 175, 176, and 177 the attached zone changes were approved to reclassify certain properties and amend the zoning map. (For possible action)

ACTION: ADOPTED (ORDINANCE 5195).

SEC. 5. NON-ROUTINE ACTION ITEMS 18 THROUGH 61

18. CP-24-900629: Conduct a public hearing, adopt the Flood Control Master Plan Update, and authorize the Chair to sign a Resolution amending the Plan. (For possible action)

ACTION: ADOPTED (RESOLUTION NO. 11-20-24-1).

SAMI REAL

All right. So, returning back to Item 18.

Item 18 is CP-24-900629. Conduct a public hearing, adopt the Flood Control Master Plan Update and authorize the Chair to sign a Resolution amending the plan. Commissioners, this is an update to the Flood Control Master Plan. Steve Parrish is here to give a brief presentation.

TICK SEGERBLOM

Good morning, Mr. Parrish. Two times in one week.

STEVEN PARRISH

I know, this is a record for me. Good morning, Mr. Chair, members of the Board. For the record, Steven Parrish, General Manager and Chief Engineer of the Clark County Regional Flood Control District.

I'm here today to present a master plan update for the Clark County outlying areas. We do five different master plans throughout Clark County. This master plan is dealing with those areas outside of the Las Vegas Valley and the outlying areas. The outlying areas are shown here. There are nine different areas. These are unincorporated areas. Just townships that are listed on the left-hand side of the slide there. So, we do one master plan update for all nine of these different areas.

We are required by NRS (Nevada Revised Statutes) to update our master plans every five years. So that prompted this update. And the purpose of these updates is to add any new information that we may

develop throughout the five-year period, identify areas perhaps that maybe need additional facilities shown on the master plan. We assess progress so if facilities have been completed, they're now shown as existing and then we identify any obstacles and recommend changes. The original master plan for Clark County included this area in 1986. The last update for the outlying areas was done in 2019.

This is the steps that we follow when we update a master plan. It starts with data collection. We check with Clark County, identify any different land uses that may be present or that have changed over the last five years. We normally will look at soils data to see if any changes occurred there. With that additional information, we'll update our facility planning and we'll update our hydrology model, so we'll determine how much water is draining out of here and then we'll identify facilities to deal with that water.

We will use a cost estimating tool that we developed in 2023 and during the Las Vegas Valley Master Plan update to develop cost estimates for those facilities. Once that work's all done, we'll go to the Town Advisory Boards or the Citizens Advisory Councils to talk about their areas. We did visit all six of those Advisory Boards and Councils and all recommended approval of their areas.

We develop a report at that point in time and then we submit for adoption. So, our Board adopted this plan in September and we're now here in front of the Board of County Commissioners to get adoption from Clark County.

I'm going to quickly go through each of the nine different areas. I'm going to go through this pretty fast, but if you have any questions or concerns, please stop me and we'll talk a little bit more in depth.

- The first area is the Blue Diamond area. There is no recommended changes on the plan for this area. Right now, we're showing a levee between the wash you see there on the north side of the town and the town itself to protect it. And then an all-weather crossing for Castelia Street is also proposed.
- In Coyote Springs there's no changes recommended for the plan here as well. All of these facilities were put on the plan per the developer's request that is doing the work out here. The developer is responsible for building these facilities and so there's no anticipated funds coming from the Regional Flood Control District for this work. As it's needed, the developer will build these facilities. There's no recommended changes to the plan here.
- In Good Springs there are two changes to the plan. The first is to the Pacific Avenue Channel. This is a channel proposed along Pacific Avenue. When we went to the Town Advisory Board, they expressed some concern about this channel was actually under design at the time. They were worried about aesthetics and other things and so the County has backed off on that design a little bit to address the Town Advisory Board's concerns. They may come back at a later time and continue the design after working with the Town Advisory Board.

Also, there was a change to the alignment for the outfall of a proposed detention basins along the south side of the Town to better match existing conditions.

- In Indian Springs, no changes proposed to the plan here. There's an existing detention basin and levee on the west side of Indian Springs. It's already built. There's a proposed facility that takes flows from the south around the west side of Indian Springs and up to US-95. No changes to the plan proposed with this update.

- Similarly in Gene, no changes proposed. It's kind of small to see, but there is one proposed crossing under Las Vegas Boulevard there. No changes to the plan proposed in this area.
- In Laughlin, there were a couple of changes proposed. The first is the addition of a sediment basin. This basin was needed to capture material that was washing into the storm drain that goes under Casino Drive right near State Route 163. It was difficult to keep that pipe maintained, so we're adding a sediment basin to capture that material before it enters the pipe. We adjusted the outfall for the Bridge Canyon Detention Basin to better match existing topography through there, through that area.

And then the last change was we moved the Bridge Canyon Detention Basin to the east. You can see in the yellow hatched area there is the Avi Kwa Ame National Monument was dedicated. This detention basin was originally proposed within that area and it's very difficult to get that permitted with the new monument dedication. So, we moved it downstream, made it a little longer and added some levees to act as a catcher's mitt for that water coming out of the canyon to the west.

And then in the south area, the southland area of Laughlin, this is down where the new bridge has been built over the Colorado River for Laughlin Boulevard. We're showing some facilities here, but no changes recommended to the plan in this location.

- In the Mount Charleston area, we are proposing some changes and some of you may recall last summer we had some pretty significant flooding on Mount Charleston as a result of Tropical Storm Hillary. Some additional facilities have been added including a channel that's upstream of Rainbow Canyon Boulevard. There's an all-weather crossing that will be built up there for that road. That's their sole access into the Rainbow Canyon area so we'll have a bridge there, but we added a channel to collect the flow and get it underneath that bridge.

And then along Echo Road, there was an existing berm that was along Echo Road that washed out during that storm event last summer. It wasn't built to 100-year standard, so we're proposing to rebuild that structure to a 100-year standard and protect the houses along Echo Road.

- In Nelson, we do have a channel proposed in Nelson. There were no changes recommended with the update to the master plan.
- And then the last area is Searchlight area and no recommended changes to the plan here. We do have a facility under design that will – this is the facility to the west that drains down to the southwest there. We're working on acquiring right away to build that facility, so be coming out to construction here shortly.

So, this is a table of the existing values of the existing facilities on the plan. In 2019, the value was \$77 million. In 2024, that value went up to \$133.8 million, which is an increase of about \$57 million. Most of that is due to inflation as a result of the five-year period. We've seen our cost go up significantly over the last five years. And then, if there are any facilities that were built in the last five-year period, those get added to the existing facility table.

And then in terms of proposed facilities, in 2019, the proposed facility's estimated cost was \$164 million. In 2024, that went up to \$294 million, which is \$130 million increase. Again, mainly due to inflation over the last five years and the addition of some new proposed facilities on the master plan.

So, we're asking today that the Board recommend or find that this MPU (Master Plan Update) is the most effective structural and regulatory means for correcting existing problems of flooding within the area and dealing with the probable effects of future development and adopt a master plan for Clark County outlying areas as amendment to the Master Plan.

I'd like to thank County staff as well and Public Works for all their hard work on this update as well as my own staff, Abby, Marina, and Lily Collins for all the hard work on this update. With that, happy to answer any questions.

TICK SEGERBLOM

Commissioner Naft.

MICHAEL NAFT

Thank you, Chairman. I just wanted to thank the District, and you personally for the work you put into Laughlin. Meeting both with me and without me, meeting with residents there and businesses there and allocating such significant resources to the area, which as we learned even recently, badly needs it, is greatly appreciated. Thank you for that. Chairman, if there – there is question to my left.

MARILYN K. KIRKPATRICK

Yeah, I just have one question and only because I know everybody in Moapa, Logandale and Overton are listening. They don't fall under this, they fall under the bigger Clark County budget, correct?

STEVEN PARRISH

We actually have a separate master plan just for the Moapa Valley. I think it's due to be updated next year, so it'll be the next one we do.

MARILYN K. KIRKPATRICK

Okay, perfect. Thank you.

TICK SEGERBLOM

All right, Commissioner Naft

MOTION

MICHAEL NAFT

I move for adoption of the Flood Control Master Plan Update.

TICK SEGERBLOM

Motion by Commissioner Naft. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft

VOTING NAY: None

ABSENT: Ross Miller

ABSTAIN: None

TICK SEGERBLOM

That motion passes. Thank you so much.

STEVEN PARRISH

Thank you.

19. ET-24-400110 (UC-20-0493)-5051 SLV, LLC:

USE PERMITS SECOND EXTENSION OF TIME for the following: 1) expand the Gaming Enterprise District; 2) a resort hotel; 3) public areas including the casino, showrooms, live entertainment, retail center, indoor and outdoor dining, entertainment, offices, conventions, back of house and parking structures; 4) associated accessory and incidental commercial uses, buildings, and structures; and 5) deviations from development standards.

DEVIATIONS for the following: 1) increase the height of high-rise towers; 2) encroachment into airspace; 3) reduce setbacks; 4) alternative landscaping; and 5) all other deviations as shown per plans on file.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) for non-standard improvements (landscaping) within the right-of-way; and 2) alternative driveway geometrics.

DESIGN REVIEWS for the following: 1) a resort hotel with all associated and accessory uses, structures and incidental buildings and structures; and 2) finished grade on 4.68 acres in a CR (Commercial Resort) Zone and within the Airport Environs (AE-65) Overlay. Generally located on the east side of Las Vegas Boulevard South, 500 feet south of Russell Road (alignment) within Paradise. JG/jm/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Until August 20, 2025 to commence or the application will expire unless extended with approval of an extension of time;
- As required by NRS 278.0205 and the Development Agreement Ordinance, applicant to submit their first report, due once every twenty-four (24) months, by November 30, 2024;
- Complete construction of perimeter wall on east side of the property within 90 days;
- Enclose the site with a solid 8 foot high wood construction fence made of dimensional lumber and faced with plywood, as required in Exhibit A of the Decommissioning Plan, within 90 days; only after contractor notifies the Clark County Building Department that the project has remobilized, and construction has restarted, can the wooden construction fence be removed;
- 24 hour on-site manned security must be provided immediately and throughout the duration of the construction project.
- Applicant is advised a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Compliance with previous conditions.

Department of Aviation

- The applicant shall be required to file a valid FAA Form 7460-1 "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the DOA;

- If the applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then it must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment ("AHABA") prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; the applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits will be issued until the applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA and is still valid, or a "Property Owner's Shielding Determination Statement" has been issued by the DOA;
- The applicant shall be advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that the FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

SAMI REAL

Next is Item 19, ET-24-400110 for (UC-20-0493); use permits second extension of time for the following: expand the Gaming Enterprise District, a resort hotel, public areas including the casino showrooms, live entertainment, retail center, indoor and outdoor dining, entertaining offices, conventions, back of house and parking structures. Associated accessory and incidental commercial uses, buildings and structures and deviations from development standards; deviations for the following: increase the height of the high-rise towers, encroachment into airspace, reduce setbacks, alternative landscaping and all other deviations as shown per plans on file. Waivers of development standards for the following: for non-standard improvements, landscaping within the right-of-way and alternative driveway geometrics. And then design reviews for the following, a resort hotel with all associated and accessory uses, structures and incidental buildings and structures and finished grade on 4.68 acres in a CR (Commercial Resort) Zone and within the Airport Environs (AE-65) Overlay, generally located on the east side of Las Vegas Boulevard South, 500 feet south of Russell Road alignment within Paradise.

Commissioners, I just want to add a couple things. So based on observations of site construction activities, construction has not been underway in over a year. Pursuant to the performance agreement for this project, project is deemed to be abandoned if construction is stopped for 180 days or longer and if abandoned, the applicant is to immediately commence decommissioning activities.

To address safety and security issues with an existing crane that remains on-site and a gap in a block wall on the eastern property boundary, the Department of Aviation is requesting an added condition to read: Owner is to complete construction of the security wall on the airport side of the project site, eastern property boundary, within 60 days in accordance with the previously approved design and specifications. And then additionally, they're requesting to replace their fifth condition to read that "On-site crane shall be dismantled and removed and the crane pads decommissioned within 90 days in compliance with the decommissioning plan per the performance agreement since the project has now been abandoned for more than 180 days."

Furthermore, staff recommends a review the decommissioning activities for the second meeting in February. That would be February 19, 2025, and then the required wooden fences outlined in the performance agreement also be constructed.

TICK SEGERBLOM

Good morning.

TONY CELESTE

Good morning, Mr. Chair, Town Board Members. My name is Tony Celeste, address 1980 Festival Plaza Drive here on behalf of the applicant. In the audience with me are Bill Shopoff and David Danasharouf who are the principals of the project, as well as Bill Smith who is the head of design and construction.

As you can see from the aerial, the site is about five acres located on the east side of Las Vegas Boulevard directly across the street from Bali Hai. To the northwest is the Mandalay Bay and we do share an eastern property line with the Airport.

I was here about three years ago where this Board graciously granted us entitlements to construct a brand new resort hotel. Part of those entitlements also expanded the Gaming Enterprise to this site. I'm here asking for an extension of time on this site so that we can resume construction. When you look at the extension of times, generally kinda two factors you take into consideration. One, is it still compatible with the area? And number two, what has gone on in the last few years with respect to the site or the development?

With respect to compatibility, we believe the site is more compatible than ever, especially in the last three years of what is coming in or planned to come in.

I'm blowing this out a little bit. Our site is here to the south. You can see you have the A's Ballpark and Integrated Resort hotel that is working its way through the system that is planned along Tropicana and Las Vegas Boulevard. As you go south, you do have the three tribes that have been accumulating property. While to my knowledge, nothing has been submitted with respect to any type of resort hotel, there have been publications in the news media outlets about some type of potential large-scale project.

You can see all of this is taking place not only south of Tropicana Boulevard, but importantly on the east side of Las Vegas Boulevard here. This is really the new corridor for potential development in this area. So, we think that not only have we always been compatible, but what you see, activities and developments over the recent years and moving forward that this is compatible more than ever. So, with that respect, we think we believe we still satisfy those requirements.

On the second part, as I mentioned, we've done actually substantial amount of work on the site. We have invested about \$125 million into the site. There has been substantial work on the site. The work includes site grading, basement excavation, concrete pile and foundation, underground plumbing and electrical, foundational walls to grade and perimeter walls. All this activity shows that we have about 19% of the project complete and that investment dollars, as I said, is about \$125 million into it.

We have a series of permits, active building permits. I outlined them all in our justification letter here, but I'll just show you the list of them here. They're ranging from foundational permits to garage structures, to the foundation to the walls, to concrete piles, everything that I just mentioned, EV chargers, grease interceptors, podium. So, all those are building permits we have and have remained active on the site.

So, as you can see, we've demonstrated that we have not just sat there and done nothing over the last several years. We have done a lot of construction, a lot of improvements to the site. Unfortunately, we did run into some financing issues. We are working to resolve that and that's why we are seeking the extension of time so that we can get back out there as soon as possible and recommence construction.

Speaking of some of the permits we have, over the last 24 hours to 48 hours, there's been a lot of different information I think that has been shared with you and that information I do think needs to provide some clarification, some context or additional background information. It had seemed to suggest that information that my client, the developer, has not been keeping the site clean, has not been keeping it orderly, has been derelict and we believe that is the furthest thing from the case here. So, by way of example, one of the things that was brought to our attention was the allegation that there was no dust control permit or that it had expired. We have provided Commissioner Gibson's office with our current dust control. As you can see right here, it does not expire until March of 2025. So, these are just some of the things I want to put on the record to make sure you understand that we are out there, we are taking care of the site and we're doing things that are necessary to advance this project.

Another thing is with respect to on-site security, this is our security agreement that we have with a third party to provide on-site security. That security is there 24/7. Right here is the contract. You can see it was executed a few years ago, but we did provide backup of the latest invoice November of this year showing the ongoing activities and on-site security that we have out there and that is part of our commitment that we made when we first came through with this entitlement process.

One of the other things that was mentioned and actually just read into the record, was about the back property line here and our security wall. As you may remember from three years ago, we had a lot of discussions and work with the Airport on how do we secure that back property line. And we came – there were conditions of approval, and we offered a very intricate design of a security wall back there that was crashproof and provided intense security along that wall. Now, there is a 35-foot wide opening as you can see there but let me give you some context on that. This was negotiated with the Airport to leave that area open for a period of time.

As you know, about a year ago, Clark County was doing public works improvement along Las Vegas Boulevard there, in front of our site and in order to limit additional truck traffic on the site, we came to an agreement with the Airport to utilize the private access road back there in order to help us not only alleviate construction traffic away from what the County was doing along Las Vegas Boulevard, but also it did help us with the backfill excavation there. That agreement, it was a written agreement right here, a temporary access permit. As you can see that was executed by our contractor, McCarthy, as well as the Airport. See right here at the end of the document is the execution of it by all the parties. Granted, this has now since expired and we have no problem with placing or filling in the rest of the wall and building it, but I think it's very important to give you context as to why that hole is on-site today. It was negotiated so that we could alleviate construction traffic on Las Vegas Boulevard as well as help us on the back portion of the site for the excavation. I understand now that that access road is closed off for most of the properties that share that property line, and we understand that, and we would ask for 90 days to be able to infill that piece of the wall.

What's interesting about that as well, this back portion of the wall, about – earlier this summer in May, June of this year, the Airport approached us because they were doing some fencing improvements on their side of the property, approached us in May or June of this year that they needed to tie into our wall with their fencing project as demonstrated by this exhibit here. We authorized them or granted them the ability to tie into our wall. The reason I bring that up is because at no point during this time period did the Airport reach out to us, or at least my understanding, reach out to us about wanting us to enclose that wall. So, we're happy to do so, but they've been out there, they've been monitoring, and we haven't had any of those course communication until just recently about the issue of that back wall. But like I said, we're going to fill that in hopefully, with this Board, if we could have it 90 days to do so. But I just again, some context on what has happened out there.

Other thing, when reading the staff report on the aviation section, you get into the FAA (Federal Aviation Administration) analysis. We have a, and the crane in particular, our crane tower is out there. It is permitted by the FAA until July 22, 2025. We have gone through those processes with the FAA and secured those approvals. There have been times where the flags, the red flags on there have deteriorated. The Airport has asked us to replace those, and we have, we have done it immediately. In fact, you can see right here correspondence again with the Airport and our general contractor on May 28, response May 28 saying the flags will be replaced the following day. So less than a 24-hour turnaround on replacing these flags so that everything is secure.

There's another reference in there about the light. The lighting on the boom seems to be dim. That is the first we have been made aware of it. We're working with our crane operator and the contractor right now and doing that analysis and that light will be changed as soon as possible, if in fact, it is dim. We are out there; we're monitoring the site, and we're working with the Airport on all these issues.

Another final point is that there was questioning whether we did have FAA approvals on the building height and the pylon. We have that until December 31, 2026. As you may recall, we initially came in with our FAA approval. We kinda had a – I'll just describe as a box that was approved and that was deemed to not be sufficient by the Airport. So, we held this item for several months so that our FAA consultant can go back and get 11 precise points on the building on the varying heights. We have gone back and renewed all 11 of those points on the building for our FAA determination of height. Those are still valid and valid until December 31, 2026. We have provided a copy of those.

So, with all that, we believe we have done a lot of work out there. It is still compatible. One of the things we are asking for obviously is an extension of time. When we submitted our first extension of time last year in October of 2023, it was our first extension and at that time you have a decision to make. You can either ask for a one-year administrative extension of time or you can ask for a two-year extension of time, which would then go through the public hearing process. We elected to do the administrative one. Had we come in with the public hearing, hopefully we would've been granted two years.

I guess where I'm going with this is we are asking technically for our second extension of time, but if we could get close to another year on the second extension of time, that'll really feel more like the first extension of time, which are generally given for two years. Gone back, looked at a lot of extension of times on the first one. The percentage of those approvals is extremely high, probably in the 99% range. So, while this is technically a second extension of time with an additional approximate one year, it really puts us still within the timeframe of that first extension of time, which is roughly two years. Like I said, we can agree with the Conditions of Approval with respect to the wall. Finishing the security wall, we'd ask for 90 days. We can also agree to the wood fencing around the property within 90 days if construction does not commence.

We agree with all of the conditions from the Airport with the exception of the last one that was read in. We would like to have the ability to have the crane remain up there. Obviously, there's going to be some reviews required of us prior to hopefully some type of extension of time that may be granted. So, at that time we'd like to provide an update as well. But considering we do have FAA approval for that crane until this summer, we would like to leave that crane up. With that, I appreciate your consideration and more than happy to answer any questions.

TICK SEGERBLOM

All right, this is a public hearing. Anyone here wishing to speak on this item? Seeing no one, I'll turn it over to Commissioner Gibson.

MOTION

JIM GIBSON

Thank you. There's been a lot of work over the past months. We've met you on behalf of your client, including phone calls and written submissions to us to keep us current on a regular basis as to the pursuit of the financing. Many of the things that you have approval for are, you've correctly stated what you have. The reality is when you abandon a project of course, and you know this, all of that goes away and that the determination today is really to establish whether or not it's abandoned in a technical way.

My concern has been that all of the questions that you've addressed have been brought to our attention and I wanted to make sure that the record was clear about them. I ask you to make sure that the dust control permit that has the year of expiration on it be repaired. Maybe you can go in and get a new one issued to you so there isn't a question about that.

I think it's important that your 24-hour manned security, you've provided our office with the evidence of security and the contract and the invoice, but it ought to be not on the Airport to notify the developer that the flag is gone. It ought to be on your client to ensure that the flag is always there. And so instead of responding immediately when you get a call about the light or the flag, please instruct your client that it's their responsibility to ensure that the light is burning brightly and that the flag is in repair.

The construction of the wooden fence is detailed in Item D of the Decommissioning Plan. I want to bring that forward so that just as it reads there, will be the current responsibility.

And so, what I'm inclined to do at this point, given that we are where we are and that we can't go on forever here. One of the things that cuts back the other way, yes, the area is ripe for development and that development has to be appropriate and has to fit within the Airport Environs and the other compatibility issues that are important to us along Las Vegas Boulevard.

But we're going to have projects that we believe are really happening. Where it appears as though the financing is all either in place or forthcoming reliably. And when you start taking a look at all of that, that puts a lot of pressure on us to not have a project that is started but can't complete itself. So, it's essential that the financing be found, in place, and that the work commence within the time I'm going to offer up as a suggestion to my colleagues. And if it's approved by a vote of the Commission, in all likelihood it is the very last extension that we'll be able to give, simply because we're trying to do everything we can do to accommodate a dressing up of the Boulevard on the east side, south of Tropicana. And I say that because it's important for you and your client to understand how tough this is, how serious this is for us as a County.

We know there are outstanding balances to be paid to contractors and subcontractors and potentially suppliers. That matters to us. We care that all of those dollars be paid in a timely way. They haven't been paid for a long time. So, it's essential that the financing efforts, we know that your folks have been working a lot, but we've got to find real success here.

And so, what I'm prepared to do is extend the special use permit, and this is my motion, for an additional nine months from today. So that will be August 20, 2025. That extension is to commence the work – recommence the work, I suppose is what I ought to say. And the application will expire unless it were extended and the likelihood of getting additional extension is remote.

The Development Agreement Ordinance requires a report that is due every 24 months. That report must be submitted by November 30, 2024, this year.

The construction of the perimeter wall on the east side needs to be completed within 90 days from today's date. The solid eight-foot wide fence that is described in more detail in the Decommissioning Plan under Item D needs to be in place within 90 days. So, it's not start building it in 90 days. It needs to be in place within 90 days.

Now there is an issue that is of concern in the area more because we don't want to have to deal with folks who don't have any business there, and it has to do with the height of the fence on the south side of the property. That problem is taken care of with an eight-foot fence. When construction recommences, you'll need to take a look at that, and our Building Department and you will have an opportunity to review how you deal with that when construction recommences. That wooden fence would need to remain in place until the construction is ready to recommence and then removed to the extent it is necessary in order to gain access to all of the property that is being developed.

Keep the security in place, and I think this is a part of what I read in your agreement, but ensure that they're every day, every shift, inspecting the whole property, not just in a trailer up on the Boulevard, but they need to be inspecting it all. For our interests, we care about anything that shouldn't be happening on the property, but we also care more than anything else about the integrity of the security on the east side of your property with the property line that is shared with the Airport. This would all be subject to the Comprehensive Planning and Public Works conditions that are in the staff report and the first four bullets enumerated in the DOA's recommended conditions. So, I'm not requiring that the crane come down.

TONY CELESTE

Thank you.

JIM GIBSON

The crane will have to come down if this doesn't work, and you'll have to have a plan to make sure that you can execute on that in the unfortunate circumstance that would require it. But for now, the crane can remain. But the maintenance of the crane, as I suggested earlier, is a must and we don't want to hear any different about that.

We have every reason to believe that there is a high level of commitment on the part of your clients, given the investment they've made up to this point, to get this refinanced and get the construction recommenced. For our part, we have all of the other pressures on us, including the integrity of the Boulevard, which is our most important street.

So that's my motion. And if it passes, I wish you the best. We remain open to conversation. We'll need regular reports to continue on the pursuit of the financing. And appreciate the good work that you've done on behalf of your clients, and the goodwill that has been exhibited by your clients as they've made decisions and agreed that this is not a two-year extension, this a nine-month extension. Do you understand what I've just indicated?

TONY CELESTE

We understand all of the conditions you've just read, and we agree with them. And I gratefully thank you for making that recommendation and working with us, not only today but previously and in the near future.

JIM GIBSON

Thank you. That's my motion, Mr. Chair.

TICK SEGERBLOM

I think that takes the record for the largest motion we've had, but very comprehensive and staff got all that. So, there's a motion, cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft
VOTING NAY: None
ABSENT: Ross Miller
ABSTAIN: None

TICK SEGERBLOM

That motion passes.

TONY CELESTE

Thank you, I appreciate it.

TICK SEGERBLOM

Good luck.

20. UC-24-0319-VAN DIEPEN, RICHARD & KATHRYN:

USE PERMIT for an accessory living quarters.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; and 2) reduce building separation.

DESIGN REVIEW for existing accessory structures in conjunction with an existing single-family residence on 0.23 acres in an RS5.2 (Residential Single-Family 5.2) Zone within the Historic Designation Overlay.

Generally located on the east side of Cochise Lane, 110 feet north of Geronimo Way within Paradise.

TS/jm/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- 1 year to complete the building permit and inspection process or the application will expire unless extended with approval of an extension of time;
- Paint roof of accessory living quarter to match the roof color of the residence.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

SAMI REAL

Next is Item 20, UC-24-0319, use permit for an accessory living quarters. Waivers of development standards for the following: reduce setback and reduce building separation. And then design review for existing accessory structures in conjunction with an existing single-family residence on .23 acres in an RS5.2 (Residential Single-Family 5.2) Zone within the Historic Designation Overlay. Generally located on the east side of Cochise Lane and 110 feet north of Geronimo Way within Paradise.

TICK SEGERBLOM

Good morning.

RICHARD VAN DIEPEN

Good morning. Good morning, Commissioners and staff. We appreciate your time today. I'm Rick Van Diepen. My last name is spelled V-A-N D-I-E-P-E-N. And I'm here with my wife, Kathryn Van Diepen. We're the homeowners at 3586 Cochise Lane.

I'm showing the site plan of our property here. During COVID, we built a casita for our mother-in-law who lives with us. And in 2021, we started designing a carport, a solar carport. We hired a design-build contractor, two different contractors to do both of those. And we designed everything to be code compliant.

We're here today because we're somewhat a victim of timing, I think. Our carport project was approved. And I have the permit here. Where'd it go? There's the approved permit for the solar carport in December 2022. So, the carport was approved, was built, and was inspected. And on final inspection at the end of September, the County told us that, "You have the wrong permit." Or told our contractor, "You have the wrong permit. You need a residential new construction permit, not just a solar structure permit." So, we resubmitted everything, paid the fees, and went through that whole process. And then during the review time in January, the Title 30 was updated, our property was rezoned, and our neighborhood was changed to a Historic Designation Overlay District. So, we're here today dealing with the planning comments, which are the final comments that we need to get resolved in order to actually get our permit after the fact, to get that approved and get the final inspection signed off.

So, the real issue here is that our existing casita, Contractor Number One, who we're still fighting with about getting a single anchor bolt special inspection approved. So that permit has expired and we're in the process of getting that done. However, the carport kicked in a problem there as well. So, the new Title 30 is evidently measured from – the problem is that the separations between the structures are less than what's approved. However, when it was designed under Title 30, the carport structure was 6 feet, 9 inches away from the house. And however, staff, and I know they're doing their job absolutely, their contention is that the setback should be measured from overhang to overhang. Which hasn't been my experience in the past. However, that's what the comment is related to.

So today we're asking for the use permit to get reissued for the casita. And also asking for waivers for the reduced setbacks between the structures, which are measured from the overhangs instead of from the buildings. So, if you see here, the existing casita is 6 feet, 10. In the previous Title 30, it was 6 feet. So, we literally went an extra foot to just play it safe. And then also in the back there is a Costco gazebo that we built ourselves, and that's 5 feet from the wall. However, from the overhangs, it's 3 feet away. So that's what we're requesting.

And also, I just wanted to say that our neighborhood, while we love it, it's a mid-century modern neighborhood, Paradise Palms. We've lived there for about 13 years now. We love it. It's very cool looking. And we know all our neighbors. There's 53 houses in our large cul-de-sac. We know almost everybody there. During construction of the carport and subsequently, we've heard nothing but rave reviews from everybody. They really like it and think it's a benefit. It makes our neighborhood look better. And they also like that it's solar and that it's going to make our whole property net-zero. And one of our neighbors even copied our paint color because they liked it so much.

So, we really did design it to be modern and simple to fit in with the neighborhood. And one of the staff recommendations for denial is that it doesn't fit in the neighborhood. So, I think that's debatable. But I do

want to just show you the carport. So, there it is. It's nice, heavy-duty steel. The gray is painted to match the gray on our trim and on the casita, so it all matches there. And you can see it's a bifacial solar. So, you can see the bottom of the panels, which collect solar from the top and the bottom. The eave at the top is eight inches, and it matches the eave and dimensions of our house.

I also wanted to point out that while our neighborhood is now considered, since January, a historic neighborhood and we're glad about that, it's definitely not uniform and it's definitely eclectic. And the other thing I wanted to point out is that of the 53 homes, there's exactly one in the middle there that I would argue did a pretty good job of integrating with the design of the house. All the rest have built in the original carports into some version of a garage, which are mostly ugly. Or they did some kind of janky aluminum wood or some other weird carport. Our next-door neighbor – where's that one? I don't have a picture of that one. Our next-door neighbor actually built theirs out of three-inch pipes. So, we're just asking for –

MOTION

TICK SEGERBLOM

Anyway, we're going to have to go out and inspect every house now. But anyway, thank you so much for your presentation. This is a public hearing. Anyone here wishing to speak on this item? Seeing no one, I'll close the public hearing. And let me say, I love the neighborhood. I don't want you to tear down a solar facility, which we all need.

But going forward, please try to match your things with the neighborhood. Your great blue that your neighbor is copying, I'm not sure how mid-century modern that is. But anyway, thank you so much for enhancing the neighborhood and continuing to make that neighborhood something we're proud of. So, with that motion, I would approve whatever it is we're trying to approve.

KATHRYN VAN DIEPEN

Carport. Setback.

TICK SEGERBLOM

Can I just move to approve the items?

SAMI REAL

Yes.

TICK SEGERBLOM

Okay, I move to approve the items. Thank you so much.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft

VOTING NAY: None

ABSENT: Ross Miller

ABSTAIN: None

TICK SEGERBLOM

That motion passed. Thank you for coming down.

21. UC-24-0436-MANNA INVESTMENT GROUP, LLC:

HOLDOVER USE PERMIT for a vehicle wash.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) modify residential adjacency standards; 2) alternative buffering and screening; and 3) allow attached sidewalks.

DESIGN REVIEW for a vehicle wash in conjunction with an existing shopping center on a portion of 4.09 acres in a CG (Commercial General) Zone. Generally located on the west side of Sandhill Road and the south side of Desert Inn Road within Paradise. TS/sd/kh (For possible action)

ACTION: DELETED FROM THE AGENDA (HELD TO DECEMBER 18, 2024, PER THE APPLICANT).

22. UC-24-0460-GONZALEZ, DIMAS:

HOLDOVER USE PERMITS for the following: 1) stable (residential); 2) livestock (small); 3) livestock (medium); and 4) livestock (large).

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow accessory structures prior to the principal structure; 2) reduce building separation; 3) allow a non-decorative fence in the front yard; 4) eliminate street landscaping; 5) full off-site improvements; and 6) allow 3 driveways in conjunction with proposed agricultural uses and future single-family residences on 1.47 acres in an RS20 (Residential Single-Family 20) Zone within the Airport Environs (AE-65) Overlay. Generally located on the south side of Cartier Avenue and the east side of Walnut Road within Sunrise Manor. WM/dd/syp (For possible action)

ACTION: DELETED FROM THE AGENDA (HELD TO DECEMBER 18, 2024, PER COMMISSIONER MCCURDY).

23. UC-24-0536-REHM, SCOTT & JEANALIN, JULIA:

USE PERMITS for the following: 1) home occupation; 2) stable; 3) livestock (small and large); and 4) household pets.

WAIVER OF DEVELOPMENT STANDARDS for reduced setbacks on 0.48 acres in an RS20 (Residential Single-Family 20) Zone. Generally located on the east side of Westwind Road, 610 feet south of Charleston Boulevard within the Spring Valley Planning Area. RM/tpd/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- 60 days to bring the on-site activities into compliance with Title 30;
- Obtain any required permits for the increase in household pets from Clark County Animal Control.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Southern Nevada Health District (SNHD) - Engineering

- Applicant is advised to contact the SNHD Environmental Health Division at septics@snhd.org or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

USE PERMITS # 1 THROUGH #3 AND WAIVER OF DEVELOPMENT STANDARDS WERE DENIED.

SAMI REAL

Next, if that's okay, we'll move to Item 23.

Item 23 is UC-24-0536. Use permits for the following: a home occupation, stable, livestock small and large, and household pets. Waiver of development standards for reduced setbacks on .48 acres in an RS20 (Residential Single-Family 20) Zone. Generally located on the east side of Westwind Road, 610 feet south of Charleston Boulevard within the Spring Valley Planning Area.

TICK SEGERBLOM

Good morning.

SCOTT REHM

Good morning.

JEANALIN REHM

Good morning. Yeah, I just want to say thank you for this opportunity.

TICK SEGERBLOM

I'm sorry, you need you to just state your name and spell your last name, please.

JEANALIN REHM

My name's Jeanalin Rehm and my last name is R-E-H-M.

SCOTT REHM

Scott Rehm, R-E-H-M.

JEANALIN REHM

And I blame him because he bought me four chickens. And so, it ended up – it's a gateway drug to more farm animals. And since I found out that our house was zoned to have 20 chickens and two large livestock, here I am. We bought a steer for cow cuddles to offer it to the Las Vegas community. And so, we found a lot of joy because we have four therapy-trained dogs and one service dog. He, Scott, is a USMC (United States Marine Corps.) veteran. And so, we have one of our dogs trained as a service dog. We do a lot of community work with our therapy dogs, and we've found a lot of joy in that. So, it's a trending thing where cuddling a cow is a thing. So here we are. We bought a steer, and we are approved. We have full liability insurance. We have our business license is Clark County and also with the City.

And I'm just asking for approval for a special use permit to legally sell eggs, which we have our producer certificate, everything. We're in compliance with everything. This is our eggs here that we sell. And I would love to be able to have an egg stand where people could pick up eggs legally. So, I'm asking for a waiver, a setback waiver, so people could pick up their eggs because the egg stand has to be 40 feet back. But I'm asking for it to be in the front of the house so customers could pick up easily.

And also, we're asking to up our dog count because I know, I believe you're only allowed to have three. But four of them are certified as therapy dogs. One is our –

SCOTT REHM

Guard dog.

JEANALIN REHM

– guard dog and one's a service dog for Scott. So, we are asking the special use permit to have customers on-site because we do travel off-site to offer cow cuddles to the community. Just this past weekend we're at a care home offering free cow cuddles to the residents. But we did have whoever came, they paid \$10 for a Johnny Cash experience and that's to hang out with our cow. And yeah. So, I don't know, do you guys have questions?

TICK SEGERBLOM

All right. If that completes your presentation, this is a public hearing. Anyone here wishing to deny these people making eggs? All right. Turn it over to Commissioner Miller.

MOTION

ROSS MILLER

All right. Thank you. Well, I'm frankly surprised there aren't a lot of people here to deny you making eggs. I can tell that you're well-intentioned here and obviously have, I think, maybe a noble purpose in trying to provide this service. Unfortunately, these are just not uses that are allowable in this area. We have an organization called Horses for Heroes that does similar things, and you wouldn't believe, there are hardly enough seats for the people that show up anytime that they come in and ask for approval. So, these restrictions are here for a reason on the prohibitions that cap the number of chickens. They make noise, operating a business from your home, and it's just not compatible with the area to be able to do it out of your home. So, I'd encourage you to look towards another location that's more suitable to try to run a business if you really intend on providing this service to the community.

That said, I'm going to follow staff's recommendation on these items and move for denial of the request for the permits for Number 1, 2, and 3. As to the permit for Number 4, the number of dogs, I'll make a motion to approve that, provided that you obtain the necessary permits from Animal Control, which would allow you to have up to eight dogs. That's my motion.

TICK SEGERBLOM

All right. There's a motion to deny 1, 2, and 3 and grant 4 with permission. All right, there's a motion. Cast your vote.

VOTE

VOTING AYE:	Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft
VOTING NAY:	None
ABSENT:	None
ABSTAIN:	None

TICK SEGERBLOM

That motion passes.

So, is there a time period in which they have to, I don't know if you already have the animals or how's that?

ROBERT WARHOLA

The Board can direct give them a grace period to remove the animals. Usually, it's 30 to 60 days.

TICK SEGERBLOM

Do you want to give them 60 days?

ROBERT WARHOLA

So, we have direction on that one.

TICK SEGERBLOM

Okay.

ROBERT WARHOLA

Notify.

TICK SEGERBLOM

All right. Thank you so much.

SCOTT REHM

Wait. What's –

TICK SEGERBLOM

So, we denied the – maybe the staff can go through with the –

SAMI REAL

So, the request was to allow for a home occupation to be able to sell those eggs. To have customers come to the site for the therapy piece of their request was to have a stable and then to have livestock small and large, so that includes the increased number of chickens and then it would include the cow. I believe that they are allowed to have a cow. It's the increase in the number of chickens that they're asking for.

And then they're requesting an increase in household pets, which was Waiver of Development Standards Number- sorry, Use Permit Number 4.

And then waiver of development standards was for reduced setbacks and that was to have their egg stand out on the edge of their property. And so, the motion was to approve the request for the increase in household pets and then deny the rest.

ROSS MILLER

Can't up (inaudible) a business, correct? And then you can't have more than 20 chickens. Is that accurate?

SAMI REAL

That is correct.

ROSS MILLER

Yeah.

SAMI REAL

And we'll work on them with bringing them into Code compliance.

TICK SEGERBLOM

All right. So, there were four items you asked for and the first three were denied, but we'll work with you. And then the fourth one with respect of the dogs, that was granted but you have to deal with Animal Control, I think.

SCOTT REHM

Okay. What would be the next step as far as –

SAMI REAL

What I'll do is I'll have the planner who was working on this reach out to them and guide them on what they would need to do to bring their site into compliance. And then we will need to direct them to Animal Control to apply for the necessary permits to increase the number of household pets too.

TICK SEGERBLOM

All right. So, our staff will reach out to you and go through everything.

SCOTT REHM

Okay.

TICK SEGERBLOM

All right. Thank you so much.

JEANALIN REHM

Thank you.

SCOTT REHM

Thank you.

(Companion Items 24 and 25)

24. VS-24-0277-PALM PROPERTIES, LLC:

HOLDOVER VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file). TS/jor/syp (For possible action)

ACTION: DENIED WITHOUT PREJUDICE (COMPANION ITEM 25).

SAMI REAL

Next are Items 24 and 25.

- Item 24, VS-24-0277; holdover, vacate, and abandon a portion of right-of-way, being Happy Valley Avenue, located between Nellis Boulevard and Aloha Avenue within Sunrise Manor.
- And then Item 25, WS-24-0276; holdover waiver of development standards to modify residential adjacency standards. Design review for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone. Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor.

TICK SEGERBLOM

Good morning.

MELISSA EURE

Morning, Chairman, Commissioners. Melissa Eure, E-U-R-E, 1055 Whitney Ranch Drive, Suite 210, here on behalf of the applicant.

So, what we have in front of you is an aerial to show you where the site location is. It is on Nellis and Happy Valley. What it used to be is a commercial shopping center at that site. The building came down several years ago, and what is there was a vacant lot for quite some time. Our client has developed the site to be for commercial truck parking. So, no actual structure beyond a guard shack would go there. And it's striped to allow trucks. So it is in the General Commercial Zone, which does allow a parking lot. And the underlying zoning is the Commercial Mixed Use.

This actually would be an administrative item, except for there is a waiver for the driveway on Happy Valley because this would be commercial traffic going onto a residential drive. Back around 2018 when it was still a commercial shopping center, there were three driveways accessing Nellis. NDOT (Nevada Department of Transportation), as part of their update to the Nellis Boulevard corridor, closed those driveways off, leaving the only legal access to the site off of Happy Valley.

The client here is proposing to put in landscaping to help buffer the site more fully. The guard shack would be located here. There isn't a gate, however, there is security cameras that could actually be accessed by Metro, along with LED solar lights placed throughout to improve the security and the visibility of this site.

So, as we know, given the increase of online ordering and e-commerce, there's become a need for a lot more to deliver those items that are being ordered. It used to be that there were fleets, and the companies would use their own trucks, their own drivers, and that's how deliveries would happen. Now, many of them are independent operators, and so they're purchasing their trucks and their vans. And many of them are branded. You can't tell them apart from the actual company's trucks that they do own. And they're using those to become entrepreneurs and have their own businesses. However, they aren't able to park those on the residential streets. So, I think we're well aware that there's quite a bit of issue with trucks being parked on roadways, making it difficult to see around and having other impacts on traffic circulation. So, this would help to pull those trucks off of the streets, give them a place that they could legally park their trucks. And many of the owner/operators are within the vicinity here, so this is close to home. If they drive, they're able to drive, park their vehicle where their truck is, then take their truck out while they're doing deliveries. Others could be dropped off to then use their truck during the day.

As mentioned, there is a guard shack there. There's a local veteran who works as the security guard on the site.

There would be a new trash enclosure added as well. So that way if they did have any trash that accumulated in their trucks, they'd have a place to take care of that.

We have received letters of support from the Nevada Trucking Association, also from the abutting residential neighbors here to the west and from the tavern across the street on Happy Valley, as well as from several of the truck drivers who are currently parking their trucks on the site. So, with that, would be happy to answer any questions that you have.

MOTION

TICK SEGERBLOM

This is a public hearing. Anyone here wishing to speak on this item? Seeing no one, we'll close the public hearing.

I appreciate the goal here, as far as having a place for truckers to park their trucks while they go home and get off the road. But truthfully, this is just not appropriate area in my mind. By having that many trucks enter on Happy Valley, which is a residential street, is not going to be good for the children that play there and everyone else.

And honestly, I think that we need to work with staff to create some type of a new zone or some type of something where we can have these truck lots. But just to put them on a major street like Nellis in an area like this, I just personally don't feel it's appropriate.

So, with that, I'm going to make a motion to deny the request. And they also wanted to request to change the sidewalk, I think we should deny that also. So, the future developers would have to come in for some type of waiver. But right now, I'd like to have the separated sidewalk. So, with that, I'd make a motion to deny.

JIM GIBSON

If you're denying the thing, you're requiring them to move the sidewalk not even on the property.

TICK SEGERBLOM

No, there's no sidewalk.

JIM GIBSON

Okay.

TICK SEGERBLOM

So, we're denying 24 and 25 without prejudice, so you can come back with something else. But the truth is, it's just not an appropriate area for these trucks. And I would like to work with staff to find an area. I know Marilyn, you have the same issue. But we need to figure out a way that we can accommodate the truckers who do have a need, but also work with neighborhoods and make sure.

MARILYN K. KIRKPATRICK

Mr. Chair, may I ask for a clarification? So currently it's an existing building, and their only issue with coming into code is that NDOT no longer allows as many drive wells on Nellis, which I've had to deal with that one myself. Because NDOT came through, and what they found out is back in the early 2000s, every 200 feet there was a driveway. So, we've closed a lot of them on our side. But if they close it, then you're denying them access that way. So, they'd have to just shut down the business? I'm asking, because –

TICK SEGERBLOM

Well truthfully, the business has been operating illegally for several years. And so, there's a lot of code violations involved in this too. That's what we're trying to –

MARILYN K. KIRKPATRICK

– no, I just wanted to be clear what we were doing, because I didn't want it to be just because of the NDOT stuff. But if you're saying they've got other issues and have had other issues – you're denying the vacation, I'm assuming, as well as the zoning, right? Because it's zone something?

TICK SEGERBLOM

– right, the vacation was just for the get rid of the requirement to have a detached sidewalk.

MARILYN K. KIRKPATRICK

Okay.

TICK SEGERBLOM

All right, that's my motion. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft

VOTING NAY: None

ABSENT: Ross Miller

ABSTAIN: None

TICK SEGERBLOM

That motion passes. I want to point out it is without prejudice, and so I'd be happy to work with you on that side.

JIM GIBSON

Mr. Chair, might I just – Melissa and I spoke on the telephone a couple of weeks ago. And I wanted to echo the comments that Commissioner Naft made about your father. I knew him really well and worked with him a lot. And he left a legacy you can be very proud of. And you do honor to him every time we hear you and see you, so thank you very much for your good work. And I didn't mean to make you cry, but I felt like it because I knew him so well. Anyway, I just wanted to make that comment.

MELISSA EURE

Thank you. At least I have a little bit of time to recover before the next item.

TICK SEGERBLOM

Thank you.

SAMI REAL

Sorry, with that, I lost track. So, the votes were registered, correct?

TICK SEGERBLOM

Correct.

25. WS-24-0276-PALM PROPERTIES, LLC:

HOLDOVER WAIVER OF DEVELOPMENT STANDARDS to modify residential adjacency standards.

DESIGN REVIEW for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone. Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor. TS/jor/syp (For possible action)

ACTION: DENIED WITHOUT PREJUDICE (COMPANION ITEM 24).

26. VS-24-0457-DBAC, LLC:

HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Pamalyn Avenue and Maule Avenue, and between Arville Street and Cameron Street, a portion of right-of-way being Arville Street located between Pamalyn Avenue and Maule Avenue, and portion of right-of-way being Maule Avenue located between Arville Street and Cameron Street within Enterprise (description on file). MN/lm/syp (For possible action)

ACTION: DELETED FROM THE AGENDA (HELD TO DECEMBER 18, 2024, PER THE APPLICANT).

27. WS-24-0456-DBAC, LLC:

HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase fill height; 2) increase retaining wall height; and 3) reduce driveway setback.

DESIGN REVIEW for a single-family residential subdivision on 3.11 acres in an RS20 (Residential Single-Family 20) Zone within the Airport Environs (AE-60) and Neighborhood Protection (RNP) Overlays. Generally located on the west side of Arville Street and the north side of Maule Avenue within Enterprise. MN/lm/syp (For possible action)

ACTION: DELETED FROM THE AGENDA (HELD TO DECEMBER 18, 2024, PER THE APPLICANT).

28. TM-24-500096-DBAC, LLC:

HOLDOVER TENTATIVE MAP consisting of 6 single-family residential lots and 1 common lot on 3.11 acres in an RS20 (Residential Single-Family 20) Zone within the Airport Environs (AE-60) and Neighborhood Protection (RNP) Overlays. Generally located on the west side of Arville Street and the north side of Maule Avenue within Enterprise. MN/lm/syp (For possible action)

ACTION: DELETED FROM THE AGENDA (HELD TO DECEMBER 18, 2024, PER THE APPLICANT).

(Companion Items 29, 30, and 31)

29. VS-24-0462-OMNI FAMILY LIMITED PARTNERSHIP:

HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Arby Avenue and Capovilla Avenue and between Valley View Boulevard and Procyon Street within Enterprise (description on file). MN/hw/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 30 AND 31).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 4 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include 45 feet to the back-of-curb for Valley View Boulevard, 25 feet to the back-of-curb for Arby Avenue, 25 feet to the back-of-curb for Procyon Street, 25 feet to the back-of-curb for Capovilla Avenue and associated spandrels;
- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements, 90 days to record said separate document for the Warm Springs storm drain improvement project;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

SAMI REAL

Okay. Next are Items 29, 30, and 31.

- Item 29, VS-24- 0462; holdover vacate, abandon easements of interest to Clark County, located between Arby Avenue and Capovilla Avenue and between Valley View Boulevard and Procyon Street within Enterprise.
- Item 30, WS-24-0461; holdover waivers of development standards for the following: reduce net lot area, reduce street landscaping, increase retaining wall height, increase fill height, alternative lot orientation, off-site improvement streetlights, and reduce driveway setbacks. Design review for a single-family residential subdivision on 7.5 acres in an RS20 (Residential Single-Family 20) Zone within the neighborhood protection RNP overlay. Generally located on the east side of Valley View Boulevard and the south side of Arby Avenue within Enterprise.
- And then Item 31, TM-24-500099; holdover tentative map consisting of 13 single-family residential lots on 7.5 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection RNP Overlay. Generally located on the east side of Valley View Boulevard and the south side of Arby Avenue within Enterprise.

TICK SEGERBLOM

Good morning.

STEPHANIE GRONAUER

Good morning, Mr. Chairman, Commissioners. Stephanie Gronauer, 1980 Festival Plaza Drive, here on behalf of the applicant, Richmond American Homes.

If I could direct your attention to the overhead. This property is located in the center at the southeast corner of Arby and Valley View. I have three properties on this aerial, because we did do a neighborhood meeting on August 7 with all three of these properties. Most importantly because Richmond American Homes is coming in on all three of those sites and they're honoring the RS20 zoning category. Which at that neighborhood meeting, there were about 40 people in attendance. They were very happy to hear that we were not asking for a zone change, and that Richmond American Homes would be coming in with RS20 products. Also, all single-story. So, this is all of Richmond's single-story, million dollar plus homes. So, generally speaking, the neighborhood was ecstatic about all three of these.

Arville and Maule will be on your December 18 agenda, and El Dorado Valley View is already approved. So, the one that's before you is Arby and Valley View. We are proposing a 13 lot, as I mentioned, RS20 development. The density is about 1.73 units to the acre. That's the net density for the 13 lots. Four of them will front onto the streets, which oftentimes rural preservation areas like that because you don't

have the walls. However, there will be a wall here on Arby, as well as Valley View and on Capovilla a little bit on that southern side, with accesses both on Arby and on Capovilla.

At the neighborhood meeting there were a couple of things that the residents asked. Most importantly, they did not want streetlights on the neighborhood streets. I believe they understood Valley View is a pretty major thoroughfare and streetlights are probably necessary on Valley View. But after the meeting, we did add a waiver to waive the off-site improvements specific to streetlights on Arby, on Procyon, and on Capovilla. And so, there is an if approved condition, and we submitted that at the neighbor's request. So, there will be lights on all of the homes. They have coach lighting so it won't be completely dark. But in line with their neighborhood, they very much wanted those streetlights to be eliminated on Arby, Procyon, and Capovilla.

Also, there was a mix of opinion on the sidewalks. We are showing detached sidewalks, which we know is very important for the safety of the community and the safety of the area. And the neighbors pretty much agreed with that. But a few of them did ask for asphalt paveways instead of concrete. Richmond's fine either way. So, whatever the Commission decides, we're fine with that.

Lastly, we do have – there's some fill and some retaining on this site. And there was a pretty significant retaining wall proposed on this corner here adjacent to an existing homeowner. Which we've worked with that homeowner on reducing the impact of that wall by providing a tiered wall. Mark Bangin provided a beautiful exhibit that I will submit into the record. But what we've worked out with them is doing a tiered wall on that eastern boundary. Actually, the eastern boundary as well as southern boundary of their property, so that you'll have their existing wall, some landscaping. And we were very specific with their request. They want laurel bays. So, we are going to provide 24-inch box bay laurel trees in that landscape easement area. And then we'll have a reduced retaining, still some retaining and this screened wall. So, it'll have a much nicer, softer feel and really provide them some privacy. This landscape easement would run along this property line and right here as well.

So, I did work with Sami, and she revised my conditions to be much better than they were. So, I would want to propose two conditions. One, that we provide for and include in the CC&Rs that a minimum of 15 24-inch box laurel trees be planted and maintained 30 feet on center within that landscape strip between the tiered wall. And with any changing in the landscaping to be approved by the HOA and the adjacent property owner. And the reason for that is this easement area will be maintained by the HOA. If for some reason at some point that tree selection changes, we want to make sure that the property owners know what's happening.

The second condition, that we provide and include in the CC&Rs is a gate to the landscape easement on Arby Avenue to be accessed and maintained by the HOA. Again, this property owner was very concerned with having a dead area between the home and the home to the west of them. So, we will provide a gate there, and that gate will be only accessed by the HOA.

So, with that said, I'm happy to answer any questions. I very much appreciate the neighborhood support. And I think we've tried to revise the application to reflect their requests. First of all, with the requested waiver for the streetlights on Arby, Procyon, and Capovilla, the offering of doing the asphalt pathways instead of the concrete if that's the Commission's desire, and then the two conditions I just read into the record to reduce that retaining impact on the neighbor that's immediately to the east of us. I'm happy to answer any questions.

TICK SEGERBLOM

This is a public hearing. Anyone here wishing to speak on this item? Seeing no one, we'll close the hearing and turn it over to Commissioner Naft.

MOTION

MICHAEL NAFT

Thank you, Chairman. Thank you, Ms. Allen, for the presentation, for your work on this.

My motion will include the two conditions that you read in and worked with Planning on.

Also, I just want to highlight it, it's already in the agenda item, but yes, full off-sites will be required on Valley View. On the other three streets we'll do the detached asphalt path, which has been my standard in these areas. Antonio, you're giving me a look.

ANTONIO PAPAZIAN

Thank you, Commissioner. Just concrete on Valley View? Are we doing concrete path on Valley View and just asphalt on the side streets?

MICHAEL NAFT

Correct.

ANTONIO PAPAZIAN

Thank you.

MICHAEL NAFT

Then if I've not missed anything else, I'll move for approval of Items 29, 30, and 31 with the conditions read into the record.

TICK SEGERBLOM

There's a motion, cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft

VOTING NAY: None

ABSENT: Ross Miller

ABSTAIN: None

TICK SEGERBLOM

And that motion passes. Thank you.

STEPHANIE GRONAUER

Thank you very much. And I'll provide your staff this exhibit as well for the record.

30. WS-24-0461-OMNI FAMILY LIMITED PARTNERSHIP:

HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce net lot area; 2) reduce street landscaping; 3) increase retaining wall height; 4) increase fill height; 5) alternative lot orientation; 6) off-site improvements (streetlights); and 7) reduce driveway setbacks.

DESIGN REVIEW for a single-family residential subdivision on 7.5 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the east side of Valley View Boulevard and the south side of Arby Avenue within Enterprise. MN/hw/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 29 AND 31).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- At a minimum, 5 gallon shrubs shall be provided within the landscaping strip between the tiered retaining wall;
- Provide for and include in the CC&Rs that a minimum of 15, 24 inch box Bay Laurel trees be planted and maintained 30 feet on center within the landscape strip between the tiered wall with any changes in landscaping to be approved by the HOA and adjacent property owners;
- Provide and include in the CC&Rs a gate to the landscape easement on Arby Avenue to be accessed and maintained by an HOA;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Full off-site improvement on Valley View Boulevard;
- Full off-site improvements except streetlights on Arby Avenue, Capovilla Avenue, and Procyon Street with sidewalks consisting of asphalt instead of concrete;
- Install conduit and pull boxes for streetlights;
- Drainage study and compliance;
- Right-of-way dedication to include 45 feet to the back of curb for Valley View Boulevard, 25 feet to the back of curb for Arby Avenue, 25 feet to the back of curb for Procyon Street, 25 feet to the back of curb for Capovilla Avenue and associated spandrels;
- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements, 90 days to record said separate document for the Warm Springs storm drain improvement project.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written

concurrence from the Department of Aviation;

- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed; that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Fire Prevention Bureau

- Applicant to show fire hydrant locations on-site and within 750 feet.
- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0135-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

31. TM-24-500099-OMNI FAMILY LIMITED PARTNERSHIP:

HOLDOVER TENTATIVE MAP consisting of 13 single-family residential lots on 7.5 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the east side of Valley View Boulevard and the south side of Arby Avenue within Enterprise. MN/hw/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 29 AND 30).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may

warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Full off-site improvement on Valley View Boulevard;
- Full off-site improvements except streetlights on Arby Avenue, Capovilla Avenue, and Procyon Street with sidewalks consisting of asphalt instead of concrete;
- Install conduit and pull boxes for streetlights;
- Drainage study and compliance;
- Right-of-way dedication to include 45 feet to the back of curb for Valley View Boulevard, 25 feet to the back of curb for Arby Avenue, 25 feet to the back of curb for Procyon Street, 25 feet to the back of curb for Capovilla Avenue and associated spandrels;
- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements, 90 days to record said separate document for the Warm Springs storm drain improvement project.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Building Department - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Fire Prevention Bureau

- Applicant to show fire hydrant locations on-site and within 750 feet.
- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0135-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

32. VS-24-0509-USA:

VACATE AND ABANDON easements of interest to Clark County located between Craig Road and Alexander Road and between Chieftain Street and Fort Apache Road; a portion of right-of-way being Helena Avenue located between Chieftain Street and Fort Apache Road; and a portion of right-of-way being Hickam Avenue located between Chieftain Street and Fort Apache Road within Lone Mountain (description on file). RM/hw/kh (For possible action)

ACTION: DELETED FROM THE AGENDA (HELD TO DECEMBER 4, 2024, PER THE APPLICANT).

33. WS-24-0510-USA:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce gross lot area; 2) reduce net lot area; 3) reduce front setbacks; 4) allow a gated community within the NPO-RNP; 5) reduce street landscaping; 6) reduce call box setback; 7) eliminate off-site improvements (curb, gutter, sidewalks, and streetlights); 8) increase the length of a non-through street without a county approved turnaround; and 9) eliminate street knuckles.

DESIGN REVIEW for a single-family residential subdivision on a 22.14 acre portion of 32.12 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Craig Road, north of Florine Avenue (alignment), east of Chieftain Street, and west of Fort Apache Road within Lone Mountain. RM/hw/kh (For possible action)

ACTION: DELETED FROM THE AGENDA (HELD TO DECEMBER 4, 2024, PER THE APPLICANT).

34. TM-24-500108-USA:

TENTATIVE MAP consisting of 39 single-family residential lots and 2 common lots on a 22.14 acre portion of 32.12 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Craig Road, north of Florine Avenue (alignment), east of Chieftain Street, and west of Fort Apache Road within Lone Mountain. RM/hw/kh (For possible action)

ACTION: DELETED FROM THE AGENDA (HELD TO DECEMBER 4, 2024, PER THE APPLICANT).

(Companion Items 35 and 36)

35. VS-24-0539-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:

VACATE AND ABANDON easements of interest to Clark County located between Torino Avenue and Ford Avenue (alignment) and between Belcastro Street and Rosanna Street within Enterprise (description on file). JJ/jud/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEM 36).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards

completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include 25 feet to the back of curb for Torino Avenue, 25 feet to the back of curb for Belcastro Street, and associated spandrels;
- The installation of detached sidewalks will require dedication to back-of-curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

SAMI REAL

Next are Items 35 and 36.

- Item 35, VS-24-0539, vacate and abandon easements of interest to Clark County located between Torino Avenue and Ford Avenue (alignment) between Belcastro Street and Rosanna Street within Enterprise.
- Item 36, WS-24-0538, waivers of development standards for the following: Reduce net lot size, increase fill height, increase retaining wall height, and increase driveway width. Design review for a single-family residential subdivision on 2.34 acres in an RS20 (Residential Single-Family) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the northeast corner of Belcastro Street and Torino Avenue within Enterprise.

TICK SEGERBLOM

Good morning again.

STEPHANIE GRONAUER

Good morning again, Mr. Chairman, Commissioners. Stephanie Gronauer, 1980 Festival Plaza Drive, here on behalf of the applicant, Richmond American Homes.

This is a little over a two-acre site located at Belcastro and Torino. Again, this is similar to the last item, where Richmond is proposing to stick with the RS20 zoning category. They are not seeking a zone change. And we are proposing a four-lot development with a density that's under the two units to the acre. We do have a couple of waivers that I just want to walk through briefly. These are the four lots. Three of them would face onto Torino. Which again, most RNP areas prefer that than having blocked in neighborhoods. So, we have three homes that are fronting onto Torino, and then the fourth home will front on to Belcastro. There is some fill and some retaining on this site. And it's a little small parcel, as you can see. Much of it is, you can see on this aerial, along the north. There's some pretty significant drainage and contours going on there. So that fourth lot requires some retaining along the northern property line. Along the eastern property line, the grading plan did just get approved. And my understanding is we will not need quite as much retaining. And there is a five-foot drainage easement along the side of this lot, so there will be a bit of a tiered appearance. There'll be their existing block wall, the five-foot drainage easement, and then our retaining and block wall on the other side of that easement area. But on this northern property line, that's where most of the retaining will exist. It's an undeveloped parcel to the north. And it is just necessary due to topography and the drainage in the overall area.

Again, these are Richmond's big one-story, over \$1 million homes that are very much in compliance and conformance with any RNP neighborhood fronting out onto the street. And I'm happy to answer any questions, but we'd very much appreciate your approval today.

TICK SEGERBLOM

This is a public hearing. Anyone here wishing to speak on this item? Seeing no one, I'll turn it over to Commissioner Jones.

MOTION

JUSTIN JONES

Thank you, Mr. Chair. Appreciate your efforts to keep this in line with the RNP, so I'll go ahead and move for approval of Agenda Items 35 and 36.

TICK SEGERBLOM

There's a motion, cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft

VOTING NAY: None

ABSENT: Ross Miller

ABSTAIN: None

TICK SEGERBLOM

And that motion passes. Thank you.

STEPHANIE GRONAUER

Thank you very much.

36. WS-24-0538-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce net lot size; 2) increase fill height; 3) increase retaining wall height; and 4) increase driveway width.

DESIGN REVIEW for a single-family residential subdivision on 2.34 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the northeast corner of Belcastro Street and Torino Avenue within Enterprise. JJ/jud/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEM 35).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Torino Avenue, 25 feet to the back of curb for Belcastro Street, and associated spandrel;
- The installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0214-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

(Companion Items 37, 38, and 39)

37. VS-24-0542-GOLDENSITES, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Camero Avenue and Mistral Avenue and between Cimarron Road and Durango Drive and portion of a right-of-way being Gagnier Boulevard located between Mistral Avenue and Camero Avenue within Enterprise (description on file). JJ/sd/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 38 AND 39).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 4 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording

SAMI REAL

Next are companion Items 37 through 39.

- Item 37, VS- 24-0542; vacate and abandon easements of interest to Clark County located between Camaro Avenue and Mistral Avenue and between Cimarron Road and Durango Drive and a portion of right-of-way being Gagnier Boulevard located between Mistral Avenue and Camaro Avenue within Enterprise.
- Item 38, WS-24-0543; waivers of development standards for the following: reduce setbacks, increase retaining wall height, increase fill height, waive full off-site improvements, and reduce street intersection offset. Design review for a single-family residential subdivision on 10.63 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay.

Generally located on the north side of Camaro Avenue and the east and west sides of Gagnier Boulevard (alignment) with an enterprise.

- And then Item 39, TM-24-500117; tentative map consisting of 20 single-family residential lots on 10.63 acres and an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the north side of Camaro Avenue and the east and west sides of Gagnier Boulevard (alignment) within Enterprise.

TICK SEGERBLOM

Good morning.

BOB GRONAUER

Good morning, Mr. Chairman and Commissioners. My name's Bob Gronauer. 1980 Festival Plaza Drive. I'm here representing Pinnacle Homes on these matters.

As you can take a look at the overhead here, highlighted in yellow, this is approximately 10.6 acres of property. It's located in the RNP area. We are proposing 20 homes. However, we do have some waiver development standards, and the reason is as I go through the story here, you'll appreciate this piece of property is fairly difficult to develop.

First of all, Pinnacle Homes purchased this property here and this property here in the auction not too long ago. And then this piece of property my client purchased from this property owner here. However, the reason why you don't see it, it is perfectly shaped in this area. You can see these are solar panels here. So, the family that sold the property here wanted this type of configuration.

So, which has made it a little bit tricky here for development purposes, but also on top of that, you can see here as you focus in here, this is a big drainage area on this property that's being impacted. And matter of fact, when I did the developments for William Lyon Homes many years ago, this was a big drainage concern for the neighbors in the area. So, the good news is with Frank White and Pinnacle Homes, by purchasing the airport properties, purchasing this additional property here, we're going to be able to help fix that drainage issue that still also lingers in this area. But because of that, we do have some fill and wall height waivers that we're asking for, and that's based because of the existing conditions on the property.

So, on the site plan that I have here, we have 20 homes. We have six homes that are located up here off Gagnier, which will have access coming in and out of the cul-de-sac located right here. The other 14 homes are going to have access on Camaro, as you can see here, will come out through in this area. We do have a waiver development standard of street separation between Gagnier and our private street here. Staff is recommending – well, they were recommending approval that the Public Works with the separation distance series because this is in an RNP area, these are rural standards out in this area, and so very little traffic would be coming out in this area.

One of the waivers that we're asking for is for a 20-foot front yard setback. That is typical what you see in all the developments. I believe you're looking at your current code now to put that back. These are not the Pinnacle Homes that you see, but these are homes in the area that have that 20-foot setback that was approved at the Town Board. We'd ask you to approve that waiver of development standard.

When you look at the wall height, our highest point of the wall height that we'll have is along our east property line. Because we're lower on the west property line here, we're about nine feet, six feet, about five feet and five feet lower than the west side here. But because of the drainage and the topography of the property here over along the east property line, we're going to have some wall heights. What we are

about higher, the wall height in this area would be about 8 feet, 7 inches. This would be about 7 feet and 1 inch. The highest point is about 11 feet, 1 inch in this area. This would be the highest point of the wall. The wall waiver that we're asking for, this is about 9 1/2 feet, and this is about 10 feet, 3 inches.

Also, adjacent in this area, we have a five-foot wide drainage easement, which also goes to a 10-foot wide drainage easement in this area. With respect to the fill, because of the hole that is in here because of topography, we do have a waiver for infill located on Lot 10 and on Lot 14 in this area. And again, it's because of the constraints on the property.

We did go to the Town Board. They did recommend the approval of some of our waivers that we're asking for. These are single-story homes that Pinnacle builds. The price points are going to be anywhere from about \$1.4 to \$1.5 million per house on an average. The floor plans are anywhere from 3,600 square feet to about approximately 4,700 square feet.

With that being said, we'd ask you to approve the application that is before you. And then on a side note, we are continuing to work with the neighbors in this area with respect to some of the drainage issues and designs.

And as we finalize our drainage study, we will continue to communicate with them. And matter of fact, we've been communicating our client with Robert Cunningham today with some of the neighbors in the area with respect to some of the design. And the last thing I'll point out is in working with the neighbors, this gray area here is a sewer easement area, about 30 feet in width. We already have that open for pedestrian activity. It's not for vehicular access, but for the neighbors who walk in north and south in this area. So, we wanted to keep that open for connectivity purposes and that was something that the neighbors did definitely like. That being said, I can answer any of the questions on these applications that are before you.

TICK SEGERBLOM

This is a public hearing. Anyone here wishing to speak on this item?

ROBERT GLAU

Good afternoon or still morning. My name is Robert Glau, G-L-A-U. I live at 8260 Gagnier right across the street from the little six-person cul-de-sac there. I have no problem with this development whatsoever except for I don't see any need for any streetlights, which Enterprise had mentioned. And I know that they're asking not to have the streetlights and I'm in favor of that. And secondly, the little walkway, we're not exactly sure where that comes out. We're just hoping it's not right in the guy's driveway that sits right next to that.

And then also the Town Board had requested on the west side of Gagnier to put a five-foot asphalt sidewalk, which makes no sense. It's a dead end cul-de-sac. No five-foot asphalt sidewalk from Windmill all the way to there. And to just have that little piece of black top across the front of their place doesn't seem to make any sense to me. So, I would ask you not to request that and not to have the streetlights. Otherwise, I'm totally in favor. Thank you.

TICK SEGERBLOM

Thank you. Anyone else? Seeing no one will close the public hearing and turn it over to Commissioner Jones.

JUSTIN JONES

Thank you, Mr. Chair. Mr. Gronauer, do you want to address those comments?

BOB GRONAUER

No, I am good unless you have any questions.

JUSTIN JONES

Okay. All right, then I'm go ahead and move for – well, I would say with regards to Waiver of Development Standards 4A, while I appreciate that there are other areas out there on Camaro who have had all of their off-sites waived that I think that it makes sense to have at least some of the off-sites put in there. So, agree on the streetlights that they aren't necessary at this time, but I'll require the developer to install curb and gutter out there. Do you want to comment on that JaWaan?

BOB GRONAUER

Yeah. Oh, okay. I'm sorry. I just wanted for clarification on Camaro?

JUSTIN JONES

Yes, on Camaro.

BOB GRONAUER

And that's curb and gutter and I'm sorry, I'm interrupting Antonio. Go ahead Antonio.

JUSTIN JONES

Go ahead Antonio.

ANTONIO PAPAZIAN

Thank you, Commissioner. With the addition of the curb and gutter, I just want to make sure because their plans don't reflect it, that they'll be required to do full width paving as well.

JUSTIN JONES

Okay. All right. Curb gutter, full width paving and pull conduit in the event that there's a need for future streetlights but won't require a sidewalk at this time.

ANTONIO PAPAZIAN

Thank you, Commissioner. If they're not required to do the sidewalk at this time, we do not need the conduit and the pool boxes. The reason we typically require the conduit and pool boxes when someone is doing the sidewalk is so we don't have to lift those panels to put the conduit underneath. And because there's not going to be any sidewalk, there's no panels to lift, so it won't be a problem in the future to install that should we have a project that installs streetlights.

JUSTIN JONES

Okay. All right, what he said. All right. I'll go ahead and move for approval of Agenda Items 37, 38, 39 – 38, 37 and 39 with the modification to Waiver Request 4A.

LYNN GOYA

Excuse me, Commissioner, could you repeat the motion as it's the final motion for clarification?

MOTION

JUSTIN JONES

Sure. So, I'm going to move for approval on Agenda Items 37, 38 and 39 with regards to Waiver request 4A. The requirement for streetlights and sidewalk will be granted, but the curb and gutter and partial paving will be denied. Is that accurate? Okay.

LYNN GOYA

Thank you.

JUSTIN JONES

That's a motion.

TICK SEGERBLOM

All right, there's a motion. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft

VOTING NAY: None

ABSENT: Ross Miller

ABSTAIN: None

TICK SEGERBLOM

That motion passes. Thank you.

BOB GRONAUER

Thank you.

38. WS-24-0543-GOLDENSSITES, LLC, THE PARSONS FAMILY REVOCABLE LIVING TRUST):

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; 2) increase retaining wall height; 3) increase fill height; 4) waive full off-site improvements; and 5) reduce street intersection off-set.

DESIGN REVIEW for a single-family residential subdivision on 10.63 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the north side of Camero Avenue and the east and west sides of Gagnier Boulevard (alignment) within Enterprise.

JJ/sd/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 37 AND 39).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Off-site improvements (curb, gutter, and paving) on Camero Avenue;
- Drainage study and compliance;

- Traffic study and compliance;
- Execute a Restrictive Covenant Agreement (deed restrictions).

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0075-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

WAIVER OF DEVELOPMENT STANDARDS #4A WAS DENIED FOR OFF-SITE IMPROVEMENTS (CURB, GUTTER, AND PARTIAL PAVING).

39. TM-24-500117-GOLDENSSITES, LLC, THE PARSONS FAMILY REVOCABLE LIVING TRUST):

TENTATIVE MAP consisting of 20 single-family residential lots on 10.63 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the north side of Camero Avenue and the east and west sides of Gagnier Boulevard (alignment) within Enterprise. JJ/sd/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 38 AND 39).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Off-site improvements (curb, gutter, and paving) on Camero Avenue;
- Drainage study and compliance;
- Traffic study and compliance;
- Execute a Restrictive Covenant Agreement (deed restrictions).

Building Department - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0075-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

40. WS-24-0522-CROCKER FAMILY REVOCABLE LIVING TRUST:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; and 2) eliminate full off-site improvements in conjunction with a proposed single-family residence on 0.5 acres in a RS20 (Residential Single-Family 20) Zone within the Neighborhood Preservation (RNP) Overlay. Generally located on the west side of El Capitan Way, 170 feet south of Washburn Road within Lone Mountain.
RM/jm/kh (For possible action)

ACTION: DELETED FROM THE AGENDA (HELD TO DECEMBER 4, 2024, PER THE BOARD OF COUNTY COMMISSIONERS).

SAMI REAL

All right. Next is Item 40, WS-24-0522; waiver of development standards for the following: reduce setbacks and eliminate full off-site improvements in conjunction with a proposed single-family residence on 0.5 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Preservation (RNP) Overlay. Generally located on the west side of El Capitan Way, 170 feet south of Washburn Road within Lone Mountain.

TICK SEGERBLOM

Is anyone here on this application? Item 40?

MOTION

ROSS MILLER

I'm not sure where they are. Can we move to pass it to the December 4 meeting?

SAMI REAL

Hold to December 4?

ROSS MILLER

Hold. Yes.

SAMI REAL

So then there is a motion to hold till December 4.

TICK SEGERBLOM

There's a motion to hold it until December 4. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Ross Miller, Michael Naft

VOTING NAY: None

ABSENT: None

ABSTAIN: None

TICK SEGERBLOM

That motion passes.

41. WS-24-0523-WARREN FAMILY REV LIV TR & WARREN, JOSEPH F. & CARRYN B. TRS:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce separation; 2) reduce setbacks; and 3) modify driveway geometrics for accessory structures in conjunction with an existing single-family residence on 2.28 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the west side of Fairfield Avenue, 320 feet south of Wigwam Avenue within Enterprise. MN/tpd/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- 1 year to complete the building permit and inspection process for existing accessory structures or this portion of the application will expire unless extended with approval of an extension of time;
- 2 years to commence the proposed RV cover or this portion of the application will expire unless extended with approval of an extension of time;
- Paint the proposed RV cover to match the primary dwelling.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Southern Nevada Health District (SNHD) - Engineering

- Applicant is advised to contact the SNHD Environmental Health Division at septics@snhd.org or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

SAMI REAL

Next is Item 41, WS-24-0523; waivers of development standards for the following: reduced separation, reduce setbacks and modified driveway geometrics for accessory structures in conjunction with an existing single-family residence on 2.28 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the west side of Fairfield Avenue, 320 feet south of Wigwam Avenue within Enterprise.

KAREN WARREN

Hello, thank you for your time today. My name is Karen Warren, W-A-R-R-E-N. And I am the homeowner in this case.

I also wanted to thank the staff for walking me through this whole process.

Okay. So, you will notice a lot on this item, but I am going to keep it short as I was advised to do. Essentially, we are looking to erect an RV shade cover on this part of the lot. This is the north facing right? So right here on the lot in working with Land Use, they brought up a lot of issues in terms of waivers, so we're just hoping to bring everything else on the property in compliance. Since we purchased it in 2017, we've made significant improvements. So, I open that up to any questions?

TICK SEGERBLOM

All right. This is a public hearing. Anyone here wishing to speak on this item? I see no one. It sounds like you've resolved all things. Commissioner Naft.

MICHAEL NAFT

Yeah. Thank you, Mr. Chairman. Thank you, Ms. Warren, for your patience today. But through this whole process, you bought a property that was in pretty bad distress that your neighbors were pretty displeased with, and you have, one, cleaned it up, but two are bringing most of what you're here to waive today were pre-existing issues prior to your purchase of the property, with the exception of what you just laid out. Yeah.

KAREN WARREN

Those were before pictures.

MICHAEL NAFT

Yeah. Thank you.

KAREN WARREN

Of our property. So yes.

MOTION

MICHAEL NAFT

So, thank you and I'm prepared to move for approval of Item 41 and appreciate your patience through this process.

TICK SEGERBLOM

All right. There's a motion. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft

VOTING NAY: None

ABSENT: Ross Miller

ABSTAIN: None

TICK SEGERBLOM

That motion passes. Thank you so much.

KAREN WARREN

Short and sweet. Thank you for your time. I appreciate it.

42. WS-24-0525-SEMMATERIALS ENERGY PTNRS, LLC:

AMENDED WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase fence height (no longer needed); 2) allow non-decorative fencing (no longer needed); 3) reduce access gate setbacks; 4) waive off-site improvements (streetlights); 5) allow attached sidewalks; 6) eliminate throat depth; and 7) eliminate driveway back-of-curb radius.

DESIGN REVIEW for site modifications for an existing asphalt batch plant on 6.76 acres in an IL (Industrial Light) Zone within the Airport Environs (AE-65) Overlay. Generally located on the southwest corner of Valley View Boulevard and Ponderosa Way within Paradise. MN/dd/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Paint the shipping containers to match the buildings and infrastructure on-site;
- Street landscaping along Ponderosa Way to consist of recommended plants from the Regional Plant List, or an approved alternative.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Full off-site improvements except streetlights on Ponderosa Way;
- Install conduit and pull boxes on Ponderosa Way.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation;
- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or

other temporary equipment; the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998; and that funds will not be available in the future should the owners wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0185-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

SAMI REAL

Next is Item 42, WS-24-0525; amended waivers of development standards for the following: increased fence height, which is no longer needed, allow non-decorative fencing. Again, no longer needed. Reduce access gate setbacks, wave off-site improvements being streetlights, allow attached sidewalks, eliminate throat depth and eliminate driveway back of curb radius. Design review for site modifications for an existing asphalt batch plant on 6.76 acres in an IL (Industrial Light) Zone within the Airport Environs (AE-65) Overlay generally located on the southwest corner of Valley View Boulevard and Ponderosa Way within Paradise.

TICK SEGERBLOM

Good morning.

MELISSA EURE

Good morning, Melissa Eure, E-U-R-E. 1055 Whitney Ranch Drive, Suite 210. Here on behalf of the applicant.

So again, here you can see on the aerial exactly where this batch plant sits. It's been there since the 1960s. So, it has been there for quite some time, and everything has developed around it.

Just importantly to note on here, there is a stormwater detention basin that is on this site and then there's already some paved area here. So, what has happened is on here you can see everything in the pink color is existing and what they'll be doing is adding some new tanks in order to decommission other tanks that are on the site as well as adding a new shade structure. They use polymer pellets that unfortunately the UV tends to deteriorate and destroy. So, in order to lose less of their supplies, they're putting this new shade structure. With these new equipment, it did trigger the need for the site to come into greater conformance with the current Title 30. And so quite a bit of what we have here and the waivers which I will focus on are in regards to the off-sites here along Ponderosa. The sidewalk and full off sites are existing on Valley View Boulevard.

What there is currently there's a berm here. This is where the stormwater detention basin is. The way the site operates is that trucks come in off Ponderosa, they enter on the far west gate here. They go through the scales, they come around, they load on here, they come back around, they stay with on the property to loop back around to then get weighed with their full weight before exiting out of this gate. So, gates do remain open during business hours, and we are asking to go ahead and put in an attached sidewalk. Currently, there is no sidewalk for this part of the property as well. There is some curb and gutter, however this would be adding the sidewalk. And then there is the existing oleanders on this side and what they would do is replant any oleanders that need to be replanted as they pulled back.

Because of these existing conditions there is a security fence that's also there in the gates and unfortunately, they're within the setbacks that our Title 30 currently requires. So, one of those is to allow the gates to be 7 feet and 8 feet from the property line versus 18 feet. Again, as mentioned, they are open during business hours, and they are one way only and we try to keep the trucks circulating on site versus on the actual right-of-way. These fencing here it is security fencing for a portion of it. It is non-decorative. You can kind of see the oleanders do a great job of screening what is there.

One of the bigger waivers we have is asking for the zero radius and some reduced throat depths, particularly for the western drive. So, the eastern drive will meet the standards. It's only on the westernmost driveway and you can see from the photo here. As trucks swing in to go to the scales, unfortunately in order to meet the driveway standards, the driveway would have to be moved more to the east. And what that would do is actually put it back up against where you have parking right here on the other side. So, if they move the driveway to put in the standard, it would then have the trucks turning in right behind where there's parking here and there is no curb gutter or entryway. It's literally just parked there. So, it would potentially back items up.

Also, because of the location of the stormwater basin, if that was moved over, the trucks would be entering basically right into the stormwater basin and there's no way to push back the interior drive without again impacting that existing stormwater basin on the site. So, any changes to the gate or to those drives would then be impacting the existing equipment and the stormwater tension Basin. So that's why we're asking that this driveway remain as it is on this side. So that way we don't impact the site operations. If we had to get rid of that drive, it would then force circulation onto the existing public right-of-way instead of keeping it on the site.

Finally, we are proposing the attached sidewalk as well as putting in the curb and gutter. However, we've requested a waiver of the streetlights on Ponderosa, all of the existing streetlights that there are on the north side of the street, that is where the electrical wiring and conduit is. There are none on the south side of the street where the property is located. So, we've asked that those streetlights not be required. One, it would cut off the drive. This is Ponderosa does end in a cul-de-sac. So, it would create quite a bit of impact for the existing businesses but also just because it'd be a little more difficult to bring all that in. There isn't an electrical connection very close by for that. So, we've asked to waive that, but we are fine with accepting staff's conditions on this. And with that, happy to answer any questions.

TICK SEGERBLOM

All right. This is a public hearing. Anyone here wishing to speak on the item? Seeing no one, we'll turn it over to Commissioner Naft.

MOTION

MICHAEL NAFT

Thank you, Mr. Chairman. I'm sure your client probably regrets wanting to put up a shade structure, but we're glad they're doing it and making the investment in the property. As you laid out, nearly all of these waivers are necessitated by permanent infrastructure that's on the property. So that's convinced me to move for approval of Item 42.

TICK SEGERBLOM

There's a motion. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft
VOTING NAY: None
ABSENT: Ross Miller
ABSTAIN: None

TICK SEGERBLOM

That motion passes.

MELISSA EURE

Thank you.

43. WS-24-0526-GHANOLI HOLDINGS, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase fence height; and 2) allow a non-decorative fence.

DESIGN REVIEW for modifications to a previously approved truck staging area on 0.49 acres in an IL (Industrial Light) Zone within the Airport Environs (AE-60) Overlay. Generally located on the south side of Martin Avenue and the east side of Crystal Street within Enterprise. MN/dd/kh (For possible action)

ACTION: DELETED FROM THE AGENDA (HELD TO JANUARY 22, 2025, PER THE APPLICANT).

(Companion Items 44 and 45)

44. WS-24-0527-COUNTY OF CLARK (AVIATION):

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; 2) increase wall height; 3) increase fill height; 4) eliminate off-site improvements (curb, gutter, sidewalks, and streetlights); and 5) reduce the street intersection off-set.

DESIGN REVIEW for single-family detached residences on 4.92 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the northwest corner of Valadez Street and Shelbourne Avenue within Enterprise. JJ/jud/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEM 45).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Comply with approved drainage study PW24-17122;

- Execute a Restrictive Covenant Agreement (deed restrictions).

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0113-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

SAMI REAL

Next are Items 44 and 45.

- Item 44 WS-24-0527. Waivers of development standards for the following: reduced step backs, increase wall height, increase fill height, eliminate off-site improvements being curb gutter sidewalks and streetlights and reduce the street intersection offset. Design review for single-family detached residences on 4.92 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the northwest corner of Valdez Street and Shelbourne Avenue within Enterprise.
- Item 45 TM-24-500114. Tentative map consisting of 10 single-family residential lots and common lots on 4.92 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the northwest corner of Valdez Street and Shelbourne Avenue within Enterprise.

TICK SEGERBLOM

Good morning.

BOB GRONAUER

Good morning, Mr. Chairman and Commissioners. My name is Bob Gronauer, 1980 Festival Plaza Drive. I'm here representing Pinnacle Homes on these next few matters.

What I have before you is an aerial map of our site. It's approximately five acres. This is also another one of these purchases through the Airport auction that Pinnacle Homes has purchased. And matter of fact this is in a rural neighborhood area. These are actually homes that Pinnacle came in and has already built. As you can see, we are sandwiched in between existing rural neighborhood preservation homes. These are single-story homes that we're proposing on the five acres. These are the elevations that you would see here that are being proposed.

We do have a waiver. Our first waiver is a waiver of the front yard setback, which is typical that you see in all these rural neighborhoods that are built like this. And it has that 20 foot yard setback in there. It's just a matter of the reason way you actually measure the distance to the setback, but this is no different than other developments in the area.

With respect to the site plan, this is 10 homes that are located on approximately five acres. We have our access coming in here off of Shelbourne Avenue. And this is another piece of property here where we have some drainage issues that we're dealing with because to the north, to the east, west and south of us, the grades have all been set on the property here. So, it's very hard for us to do anything more or less than what's already been set in the area.

So, our wall heights, we're low on the west side here of our property. On the east side we're a little bit higher. Our wall heights are going to be anywhere from 2 or 3 feet higher than the existing walls. You do have a 5 foot – in this area, a 5 foot drainage easement that separates the property walls in this area. Just

for the record, this would be about a 9 foot high, 9 foot 7inch wall. This is about 10 foot and 4 inch wall. This is also 10 foot and 2 inch wall. And this would be about a 9 foot, 9 inch wall in this area here. And again, that's just dealing with the topography and the grade on the property that's been set.

We'd ask you to approve the applications that are before you. And again, these are single story homes, same price points as I mentioned earlier with Pinnacle's proposal.

TICK SEGERBLOM

That completes your presentation, we'll –

BOB GRONAUER

Yes, sir.

TICK SEGERBLOM

– open it up for a public hearing. Anyone here wishing to speak on this item? Or these items? See no one. We'll close the public hearing and Commissioner Jones.

MOTION

JUSTIN JONES

Move for approval of 44 and 45.

TICK SEGERBLOM

There's a motion. Cast your vote

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft

VOTING NAY: None

ABSENT: Ross Miller

ABSTAIN: None

TICK SEGERBLOM

That motion passes. Thank you.

BOB GRONAUER

Thank you very much and I want to wish all of you a happy Thanksgiving with your families. Have a good one, take care.

45. TM-24-500114-COUNTY OF CLARK (AVIATION):

TENTATIVE MAP consisting of 10 single-family residential lots and common lots on 4.92 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the northwest corner of Valadez Street and Shelbourne Avenue within Enterprise. JJ/jud/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEM 44).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Comply with approved drainage study PW24-17122;
- Execute a Restrictive Covenant Agreement (deed restrictions).

Building Department - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0113-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

46. WS-24-0535-BLUE DIAMOND PB HOLDINGS, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce street landscape planter width; and 2) reduce driveway geometrics.

DESIGN REVIEW for commercial buildings on 0.89 acres in a CG (General Commercial) Zone within the Airport Environs (AE-60) Overlay. Generally located on the south side of Blue Diamond Road and the west side of Pinkbox Drive within Enterprise. JJ/sd/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS.

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;

- Traffic study and compliance;
- Full off-site improvements;
- The installation of detached sidewalks will require vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way;
- Coordinate with Real Property Management and the Department of Aviation to dedicate Pinkbox Drive.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0437-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

WAIVERS OF DEVELOPMENT STANDARDS #1 AND #2B WERE WITHDRAWN.

SAMI REAL

Next is Item 46, WS-24-0535; waivers of development standards for the following. Reduced street landscape planner width and reduced driveway geometrics, design review for commercial buildings on 0.89 acres in a CG (Commercial General) Zone within the Airport Environs (AE-60) Overlay generally located on the south side of Blue Diamond Road and the west side of Pink Box Drive within Enterprise.

TICK SEGERBLOM

Good morning.

GREG BORGEL

Good morning, Mr. Chairman. I'm Greg Borgel, 3747 Heritage Avenue here for the Pink Box Project, which is the first phase of development proposed for this property. With me in the audience is if you have questions appropriate for his consideration, is the Vice President of Development for the Siegel Group. The Pink Box item before you now is of course an element of the Siegel Group. And so, if you have questions that are beyond my capability, he's available to help out.

Secondly, we were advised fairly late in the game that some of the waivers were problematic, and we have put ourselves in the position of what we think is resolving those questions.

So, to work through it casually – and by the way, this is the elevation of the Pink Box that is before you. There are three waivers called out in the agenda or were, if you will, since we have resolved two of the three with certainty. On the reduced width of street landscaping, which is Waiver Number One, that's been eliminated. It was a very small area that was basically overlooked in the first analysis. And so, we would ask in conjunction with what we hope is your approval of the balance of the item, that that could be allowed to be withdrawn here.

And secondly on Item 2B, which was the throat depth question on which Public Works was quite concerned. The engineer for our side has gone through the equations and restructured the throat depth and that has been provided to staff for analysis and we think that that one can now be withdrawn as well. So that takes care of the throat depth and the landscaping waiver.

The remaining item is a reduction of the departure distance for the driveway on Pink Box Drive to 161 feet where 190 is required. First of all, we would point out that the Pink Box Drive, which amounts to being our private drive, although it has of course to be dedicated to the public for the purpose of extending utilities. But it is a very minor street which although it is adjacent to Blue Diamond Road, they are in a position where it can never cross Blue Diamond. So, it's a very minor intersection in question.

And secondly, by virtue of the redesign of the – and hoped for withdrawal that you will allow for the other waiver, we are now in a position where the redesign to accommodate the full throat depth as required by staff, has enabled a tentative and what we would suggest resolution to that remaining waiver. And that is that by virtue of redesigning – I put the landscape plan up so you could see that it is abundantly landscaped, but I'm drawing on the black line because it's easier to explain what we've done. By moving the throat depth question and resolving it, we believe, to here, we create a situation where we now have a location for a sign, which would, we think, resolve the last remaining waiver question, which is the distance along Pinkbox Drive.

This we believe strongly is the correct location for signage in order to create specifically the situation. And there is no sign waiver in front of you because we'll have to submit a sign program in the future. But we would want to put a sign in this area where the expansion of the throat depth has taken place. So that since this driveway serves –

JUSTIN JONES

Mr. Borgel, can you just skip to what you still need?

GREG BORGEL

We think we only need the remaining waiver for the reducing the driveway distance on Pink Box. And I was leading up to saying and concluding, I realize I've been accused of talking too much sometimes.

TICK SEGERBLOM

All the time.

GREG BORGEL

Well only when I'm here.

JUSTIN JONES

Sometimes when you're not.

GREG BORGEL

Well, there, I try to be quieter.

The purpose is because the driveway is now at the correct location in our opinion. And that is because the two sides of the building need to be served. One side for the access to the drive-thru and one side for the access to parking for people who don't choose to use the drive-thru. And that is where we have the handicapped parking, which was the conclusion I was reaching to and hoping that you would therefore approve of the reduction in departure distance for the driveway in light of the fact that it serves those two purposes.

TICK SEGERBLOM

Does that complete your presentation?

GREG BORGEL

I was finished.

TICK SEGERBLOM

Okay. All right. This is a public hearing. Anyone here wishing to speak about doughnuts? Seeing no one will close the public hearing. Did you have a comment Sami?

SAMI REAL

I just wanted to clarify. So, I think what Mr. Borgel was trying to say is that he withdraws Waiver of Development Standards Number 1 and 2B and finds that the Waiver of Development Standards 2A is still needed and then that's when I would defer to Public Works whether or not the Waiver of Development Standards 1, sorry, 2B is still needed.

ANTONIO PAPAIZIAN

Thanks Sami. It is not needed anymore. They meet the minimum requirement.

MOTION

JUSTIN JONES

Great. With that withdrawal of Waiver Requests Number 1 and 2B, I'll go ahead and move for approval of Agenda Item Number 46 with the request for Waiver 2A.

TICK SEGERBLOM

All right, there's a motion by Commissioner Jones, cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft

VOTING NAY: None

ABSENT: Ross Miller

ABSTAIN: None

TICK SEGERBLOM

Thank you. That motion passes Mr. Borgel.

GREG BORGEL

Thank you very much and we'll see you again another day and I'll try to be quieter or at least list –

TICK SEGERBLOM

It tough to have an old dog learn new tricks.

GREG BORGEL

We're trainable. Thank you.

(Companion Items 47 through 49)

47. PA-24-700015-NEVADA POWER COMPANY:

PLAN AMENDMENT to redesignate the existing land use category from Public Use (PU) to Neighborhood Commercial (NC) on 1.89 acres. Generally located on the north side of Russell Road, 550 feet east of Hualapai Way within Spring Valley. JJ/gc (For possible action)

ACTION: ADOPTED (RESOLUTION NO. R-11-20-24-2) (COMPANION ITEMS 48 AND 49).

SAMI REAL

Next are companion Items 47 through 49.

- Item 47, PA-24-700015; plan amendment to redesignate the existing land use category from Public Use to Neighborhood Commercial on 1.89 acres. Generally located on the north side of Russell Road 550 feet east of Hualapai Way within Spring Valley.
- Item 48, ZC-24-0310; zone change to reclassify 1.89 acres from an RS20 (Residential Single Family 20) Zone to a CG (Commercial General) Zone. Generally located on the north side of Russell Road 550 feet east of Hualapai Way within Spring Valley.
- Item 49, UC-24-0311; use permit for a mini warehouse facility. Waivers of development standards for the following: reduce and eliminate landscape buffer and screening and residential adjacency standards. Design review for a mini warehouse facility on 1.89 acres in a CG (Commercial General) Zone. Generally located on the north side of Russell Road 550 feet east of Hualapai Way within Spring Valley.

TICK SEGERBLOM

Good morning.

LEBENE OHENE

Good morning, Commissioners. Lebene Ohene, 520 South Fourth Street representing the applicant with three separate applications that have been read into the record by Ms. Real.

To orient you to the site, the parcel is located north of Russell Road and approximately 550 feet east of Hualapai Way. And to explain the PA application, which was the first application read into the record, which is the plan amendment. The parcel as it exists is a portion of a Nevada Energy site that was

subdivided Nevada Energy no longer needs the parcel. The parcel currently is zoned RS20 and master plan which is below master plan PU for Public Use.

Because they did not need the parcel anymore, the request is to change the master plan to NC and the zoning to CG. Now based on the master plan to our east is single-family residential, but that area is zone CM, which was the existing master plan before the residences were built and the residences in the area surrounding the Nevada Energy substation were all constructed after Nevada Energy constructed the location. On the zone change request, the zone change request is to go to CG to allow for the future mini storage warehouse.

The site is approximately 1.89 acres and the zoning surrounding it currently is RS3 and RS3.2 as well as some C2 to the west along Hualapai.

The development is a 29-unit mini storage warehouse for RVs and luxury vehicles. Based on the existing location and the site, we do have with the special use permit application some waivers and the design review to allow for the development. There is an existing driveway that serves both the existing and the energy station and will serve the site as well.

Because of the location of the site, there are some waivers. Some of those waivers primarily deal with some residential adjacency and some issues that are pre-existing. For instance, to the north because this is still residential even though it is more, it's a power station and more kind of an industrial use. There is landscaping that we've asked a waiver for to maintain.

In working through that development process through the neighborhood meeting, Town Board and Planning Commission, we worked with a Planning Commissioner, and we listened to the neighbors and also to the Town Board and have made some adjustments to the site.

For instance, three of the waivers, 1A, 1B and 1E, we withdrew those at Planning Commission without prejudice and that remains.

To the east, we proposed an eight-foot-high wall with a required fifteen-foot landscaping and even though to the northeast with a residential to the northeast NV Energy only provided 10 feet of landscaping. We're sticking to code and providing that.

On the west side we had to maintain the waiver because the roadway, existing roadway splits, there's an existing condition so therefore the landscaping, even though fifteen-foot is required, we had to request a waiver because there's only 7 feet and 14 feet. Because of that and for additional mitigation, we have proposed additional landscaping along the west side, which is split by the existing roadway.

Also, to mitigate some of the issues, sorry, I have this elevation which will properly depict our design. So, there's the two areas of landscaping. There's the required landscaping to the east and also the required landscaping buffer. And on the west, we included 11 additional trees to make sure that we mitigated the residential adjacency waivers, which are all the waivers, Number 2 in this area, the landscaping as well. Also taking into consideration of the residential on both sides, although the main building, Building A, which is to the west is 27 feet high, we made sure that the buildings were dropped in such a way that we didn't impact the residential to the west, although we are more than 120 feet from there with the two rows of landscaping.

The building to the east is 19.5 feet and this plan depicts how the main building, which is two-story sits as adjacent to the Western property line, which shows that even though we may be 28 feet, their residences are higher than us and we comply with all the grading requirements adjacent to the site.

With that said, we would appreciate your recommendation of approval with the waivers that were deleted and I'm here to answer any questions. Thank you.

TICK SEGERBLOM

All right, this is a public hearing. Anyone here wishing to speak on this item, please come forward.

HARSHA SARMA

Good morning.

TICK SEGERBLOM

Can you speak into the – yeah, hold the microphone.

HARSHA SARMA

Good morning. My name is Mr. Sarma, Harsha Sarma. I live at 5664 Teton Glacier Street, and this is my wife, Pilar. We are the neighbors to the west.

We live in the community called San Mateo, which is directly impacted by this site and this project, this is our community here and this is the proposed site underneath the two power lines. The –

WILLIAM MCCURDY II

Can we have you speak right into that mic? He's having a hard time –

HARSHA SARMA

We want to go on the record and state that my wife and I and our neighbors in the community are a hundred percent opposed to the zone change in this project. This lot falls within Commissioner Jones's jurisdiction and we're delighted with the work he's done with the park that he's built on Patrick that's coming up online here shortly. However, we think that the zone change is a mistake. We don't need additional mini storage.

Currently, there are six mini storage units within two miles of this property. I don't know if they should mention that at all. There's one here, that's My Self Storage, which is 0.8 miles away from the property. There's another one here on Cube Smart, which is 1.1 miles from the property. There's another one here, Extra Space, 1.3 miles from the property, another one Public Storage, 1.5 miles, another one that's 2.2 miles, Town Storage, another one that's 2.3 miles, another Extra Space.

So, she's pitching this as a luxury mini storage. I don't think a box with a bow matters, it's still storage and it's a 30,000 square foot structure that's going to be built directly behind our neighborhood with 15-foot trees I think is what she said. 10-foot trees. Am I incorrect on that? Was that the size of the building? She mentioned? I don't know if we're allowed to ask questions or not.

JUSTIN JONES

She can respond when she gets up again but –

HARSHA SARMA

Oh, and the primary reason we're opposed to this property, this project is the traffic impact. We have a new neighborhood development coming up across the street. I'll show you that. KB Homes is building right here on this lot. It's another 20 plus houses going in.

There are three schools close to this corner. There's Batterman, Fertitta, and Bishop Gorman right across the street. So, there's going to be more foot traffic for the students, more people walking around, and I don't think we need the traffic and the cars and that's why we respectfully asked the Commission to vote no on this project and see if there's any alternatives that could be used for this lot. I mean I don't know that NV Energy needs the money. I don't think they're desperate to sell it, so we want to see if the Commission would investigate another highest and best use for this parcel. I think that's it. I thank you for your time.

TICK SEGERBLOM

All right, thank you. Anyone else wishing to speak on this item? See no one will close the public hearing. Turn over to Commissioner Jones.

JUSTIN JONES

Thank you very much Mr. Chair and I appreciate the neighbors coming down and expressing their concerns with the site.

Initially I would say normally given the location I would not even consider a land use plan amendment change, or a zone change for this parcel because it is surrounded on three sides by residential. In this case because it is such an awkward parcel and a remnant from NV Energy's site, I think that there is a challenge for developing the residential for which it is currently zoned and if it were it would be a high-density residential project which would create in my mind far more traffic than what is proposed there. When Miss Ohene pitched this to me, I made it clear that the only commercial that would be permissible if this Board allows it would be mini storage because it is so low intensity. So just to clarify with regards to the waivers are 1, 1B and 1E?

LEBENE OHENE

Yes sir.

MOTION

JUSTIN JONES

Okay. So, I want to make sure it's very clear on the record that my motion will be to allow for the plan amendment and for the zone change to Neighborhood Commercial. However, that is not to say that if the applicant or some future developer decide that they want something else here that will be permissible. I will not recommend any other type of commercial on this parcel because I think it would be very inappropriate and would have detrimental effects to the neighborhood. I think that mini storage in this case is low-impact and has a benefit to the neighborhood in a way that other commercial ventures would not. So –

LEBENE OHENE

Yes sir, I understand.

JUSTIN JONES

I'll go ahead and move for approval of Agenda Items 47, 48 and 49 recognizing the withdrawal of Waivers 1A, 1B and 1E.

TICK SEGERBLOM

All right there's a motion. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft

VOTING NAY: None

ABSENT: Ross Miller

ABSTAIN: None

LEBENE OHENE

Thank you, Commissioner Jones. Thank you, Commissioners. Have a good day and happy Thanksgiving.

48. ZC-24-0310-NEVADA POWER COMPANY:

ZONE CHANGE to reclassify 1.89 acres from an RS20 (Residential Single-Family 20) Zone to a CG (Commercial General) Zone. Generally located on the north side of Russell Road, 550 feet east of Hualapai Way within Spring Valley (description on file). JJ/hw (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 47 AND 49).

CONDITIONS OF APPROVAL -

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0323-2024 to obtain your POC exhibit; and that flow contributions exceeding District estimates may require another POC analysis.

49. UC-24-0311-NEVADA POWER COMPANY:

USE PERMIT for a mini-warehouse facility.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce and eliminate landscape buffer and screening; and 2) residential adjacency standards.

DESIGN REVIEW for a mini-warehouse facility on 1.89 acres in a CG (Commercial General) Zone.

Generally located on the north side of Russell Road, 550 feet east of Hualapai Way within Spring Valley. JJ/hw/syp (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 47 AND 48).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- The addition of balconies or other second story external additions are prohibited;
- Business licenses shall not be issued for businesses conducted within individual units;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has

not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0323-2024 to obtain your POC exhibit; and that flow contributions exceeding District estimates may require another POC analysis.

WAIVERS OF DEVELOPMENT STANDARDS #1A, #1B, AND #1E WERE WITHDRAWN.

(Companion Items 50 through 54)

50. PA-24-700020-ROOHANI KHUSROW FAMILY TRUST:

PLAN AMENDMENT to redesignate the existing land use category from Ranch Estate Neighborhood (RN) to Low-Intensity Suburban Neighborhood (LN) on 5.0 acres. Generally located between Wigwam Avenue and Cougar Avenue on the west side of Edmond Street within Enterprise. JJ/rk (For possible action)

ACTION: ADOPTED (RESOLUTION 11-20-24-3) (COMPANION ITEMS 51, 52, 53, AND 54).

SAMI REAL

Next are companion items 50 through 54.

- Item 50, PA-24-700020, plan amendment to redesignate the existing land use category from Ranch Estate Neighborhood to Low Intensity Suburban Neighborhood on five acres. Generally located between Wigwam Avenue and Cougar Avenue on the west side of Edmonds Street within Enterprise.
- Item 51, ZC-24-0485, zone change to reclassify the following five acres from an RS20 (Residential Single Family 20) Zone to an RS5.2 (Residential Single-Family 5.2) Zone, 4.77 acres from an RS20 (Residential Single-Family) Zone and an H-2 (General Highway Frontage) Zone to an RS3.3 (Residential Single-Family 3.3) Zone and eliminate the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Wigwam Avenue in the east side of Edmonds Street within Enterprise.
- Item 52, VS-24-0486 amended vacate and abandon easements of interest to Clark County located between Wigwam Avenue and Ford Avenue and between Mohawk Street, Decatur Boulevard; a portion of right-of-way being Edmonds Street located between Wigwam Avenue (previously notified as Mohawk Street) and Ford Avenue and a portion of right-of-way being Cougar Avenue located between Mohawk Street (previously notified as Decatur Boulevard) and Edmonds Street within Enterprise.
- Item 53, WS-24-0487, waivers of development standards for the following: increased fill height, increased retaining wall height. Design review for a single-family detached residential development on 9.77 acres in an RS5.2 (Residential Single-Family 5.2) Zone and an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the south side of Wigwam Avenue in the east and west sides of Edmonds Street within Enterprise.

- And then finally Item 54, TM-24-500101 map consisting of 54 single-family residential lots and five common lots on 9.77 acres and an RS5.2 (Residential Single-Family 5.2) Zone and an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the south side of Wigwam Avenue and on the east and west sides of Edmonds Street with an Enterprise.

TICK SEGERBLOM

Good morning.

STEPHANIE GRONAUER

Good morning. Mr. Chairman Commissioner. Stephanie Gronauer, 1980 Festival Plaza Drive here on behalf of the applicant, Richmond American Homes.

This property is a unique piece of property. It's in the southwest just to the north of Blue Diamond Road. Edmond bisects the property with about five acres on the east side and about five acres on the west side of Edmond. This area has a mix of master plan, a mix of zoning just to the north of Blue Diamond. And additionally, the parcel on the west side has some very significant constraints with respect to development because it has a 100 foot power pole easement running up and down Edmond in this area. So, it makes it a difficult parcel to lay out an actual developable project.

This is the master plan. So, you can see everything in yellow is Ranch Estates and within the RNP. The beige is Mid-Intensity Suburban so that allows up to eight units to the acre. And then you can see along Blue Diamond you've got a whole bunch of commercial and industrial, but there is a small RNP in this area. Edmond right now is somewhat the dividing line, but you can see on the zoning map it's a pretty interesting dividing line because you have RS2 immediately across the street, which means 2,000 square foot lots across the street from what is the RNP.

Also, there's an overlay on a portion of that western or eastern parcel, excuse me, for RNP even though it's master planned Mid-intensity allowing up to eight units to the acre. So, this is a mix and an interesting parcel with as I said, a mix of overlays, a mix of master plan and then also a mix of density. So, when Richmond decided to look at this, they thought the best thing to do would be to conform and comply on the east side with the master plan that allows up to eight units to the acre. And on the west side provides somewhat of a transition because there are 2,000 square foot lots immediately across the street.

So that's what we have before you today is a plan that we think does just that provides that transition. Also, you'll see on the site plan it takes into account the fact that there is a power line easement. This exhibit shows it better. Everything in yellow on this western portion is encumbered by a power line easement, which means it's undevelopable for structures. So, about a third of the width of this parcel you can't put homes in. So, it presents a different challenge when they were laying this out on how and what is best for this area.

This is what's before you today as I mentioned on the east side we conform with the master plan. We do not have a plan amendment. It's Mid-Intensity Suburban allows up to eight units to the acre. I believe there's 38 homes on this east side with a density just around up to eight to the acre. The small lot development is to the north of us and to the east of us with those small compact lots. And this is certainly compatible with what's in the area and what the master plan contemplates.

As you go across to Edmonds, we have laid out 10,000 square foot lots on this western boundary because it is clearly RNP to the west of us; also, one-story homes. So, Richmond's proposing their one-story homes to provide that additional buffer. However, as we flip across the street here, we have roughly 7,000 square foot homes or lots, excuse me, with two-story homes. And the reason they have to be two-story is

because we cannot develop within that easement area. And you all know I just had two projects on this agenda where Richmond's the first to do all two-story homes. They're also the first to develop in an RNP and do half acre lots. Unfortunately, because of this power line easement, this lot is not ideal for those large half acre lots and can't be developed on in this yellow area. So, the homes that are on this eastern edge are two-story homes so that they can simply be backyards in that area and not have a structure there.

At the Town Board and at our neighborhood meeting way back in June, we did not have any neighbors in attendance. Mr. Van is counsel for a couple neighbors in the area and he did come to Planning Commission. Since that time, we've met with him to discuss possible amendments to the plan. He represents homeowners that live immediately to the west of the site, and I know he's here to speak on their behalf. Since that meeting, we sat down and basically at the meeting the two things, their first preference would be that this whole area be one-story homes.

So, Richmond did look at possibly doing really small one-story homes on these lots right here. They could fit a small one-story, but it doesn't pencil from an economic standpoint because you'll have large two stories across the street and then trying to put small one-story's even with the premium for one stories, it just doesn't pencil out unfortunately. But they did come up with two other alternatives that I did email to Mr. Van, all of which we're okay with and could live with. This is what we think is the best option because it has all one-stories on this Western Edge Option II or I guess Option Alternative I. We laid it out such that we would have one-story homes, four of them located right here and then put a really large two-story Paxton home on these two lots on the corner. And then proposing still the two stories on the east side but losing a lot as well.

So, the density would go down slightly, but we'd have to have some flexibility to put the big 2 story, 4,300 square foot homes on a couple of the lots. I don't think personally this is the better option because I think when you have one stories buffering an RNP that's better. But this will work for Richmond, and they would still have the four one-story homes which are adjacent to their homes.

Option II was we lose 2 lots, and we put 3 two-story homes on this western edge. Again, they're more profitable because they're large two-story homes. So, this pencils as well, the density certainly goes down with the loss of two lots. We still have one-story homes in this corner adjacent to Mr. Van's clients, but there would be some two-story homes up here and then also across the street.

So, as I mentioned, I've shared these plans – I don't know the preference from Mr. Van. Again, I think his preference would be that it be all one story. Unfortunately, that just doesn't work with the power poles or – I should say first preference would probably be all half-acre lots.

This property is just a unique parcel in the sense that it's difficult to develop and it also is adjacent to 2,000 square foot homes. So, putting million-dollar, half-acre lots on Edmond across from 2,000 square foot lots, not homes, lots is not a great transition. We think this provides a really good transition between the RNP and the higher density across Edmond and it'll certainly set a precedent.

So, Mr. Van mentioned his clients being concerned with the parcel to the northwest. This would certainly set a precedent to make sure that one-story homes and quarter-acre lots would be the appropriate transition there. So, with that said, I'm happy to answer any questions.

We did have five conditions that we submitted at Planning Commission and that are in your staff report. I'll quickly just walk through them. It was that we would do one-story homes on Lots 1 through 6 that we would have no more than 16 homes on this Western portion, no more than 38 homes on the eastern

portion, that we would tier any wall that's on the perimeter along a right-of-way that is above the allowed 3 foot of retaining and 6 foot screen and then that we would do wrought iron fencing on top of any retaining wall on this eastern portion that's over the three feet of retaining. That's mostly in this corner. We have some tall walls and so at Planning Commission we offered on top of those screen walls doing some view fencing just to break that up a little bit. So those conditions are in your staff report.

We're happy to agree to all of those. One final condition that we did talk about with the neighbors, the neighbors immediately west of us have a drainage channel that is adjacent to us. They asked if we would be willing to gate that with their permission. We're happy to do that. Obviously, we have to have their permission to touch their land, but Richmond's happy to add a gate on that easement area. So, with that said, I'm happy to answer any questions and we'd ask that you follow Planning Commission's recommendation of approval.

TICK SEGERBLOM

This is a public hearing. Anyone wishing to speak on this item, please come forward.

MICHAEL VAN

Good morning. Good morning, Chair and members of the Commission. I've been doing this a long time and what I do know is the designation, RNP is a term that should be sacrosanct, and it should continue with it a long-term reverence associated with it. It's longstanding in the area and in the County that what you want it to be is if you can get something that's RE with an RNP. Then you know that you've got a nicer home, you've got nicer quality areas and neighbors bought based upon that protection. They moved there for the lifestyle. And you'll hear from neighbors who said that they sold homes, that they have done everything they could to get to that area for that very purpose. And now they feel like they are being encroached upon essentially for just for money. When you get right down to it's going to get down to the dollars.

There are two competing groups. One group is the neighbors who are there to preserve their neighborhood RNP. We want to preserve our neighborhoods. The developer is there to preserve their bottom line and the discussions that we've talked about, what they have said are things like, it just doesn't pencil, we just can't make it to the bottom line. However, I've heard today three different instances where there were RNP properties and lo and behold we can get half acre locks on all of those with all the other issues.

And there's also been, and I heard that Richmond American actually does have a half-acre product that they can put in there. It just doesn't pencil. So, for the developer, it's simply that it's the profitability. For the neighbors, the citizens, the Clark County residents. It's all about their lifestyle, their homes, where they bought, where they want to raise their children.

And with regard to this property, this current project, it's kind of interesting to me that it's not a master planned community. You have on the right-hand side of this on the east side I believe, that is higher density. It absolutely is. And there's nothing my clients have said. I've told them, "You got to give up on that argument, you're not going to win that argument". But on the left-hand side, this is RNP. And Edmonds creates a natural barrier. It's a barrier there. That's where you can say, "Yep, this is where it's going to go over." Everything on the one hand, you don't need this transitional period because if you go down a little bit further, they're half acre lots.

And speaking with Stephanie, she's been very professional. I appreciate that. I asked this simple question even with this area down here when you got the easement. So, let's just say that you take that property and instead of 16 lots, you have eight lots. Now you're going to have four lots that can be, you can build

the two-story on the front of it and they're going to have really big backyards because they can't build on the back part under that easement. But you can still put eight lots in there as opposed to 16, without a problem. And you are going to honor the integrity of the RNP. Edmonds is that natural barrier. There's no connecting roadways. They act as a, sorry.

TICK SEGERBLOM

You can go ahead and finish up.

MICHAEL VAN

All right. They act as though this is some type of master plan. It's not, there's no roadways, there's nothing that connects the two. And the developer is not the end user, he is not the neighbor, he is not going to be a citizen of Clark County.

The RNP is very important. When we did talk, they did propose a couple of proposals, and I apologize. I told Commissioner Jones this, my wife had surgery, and I was driving back Sunday or Monday and Tuesday and didn't get a chance to get the email, didn't get a chance to get it to the neighbors. And I asked Sephanie, I says, is there any way you can push this out a month so we can sit down and talk about it? And they can't for other reasons, and I understand that. But the Rural Alliance Advisory Committee states that the purpose is to encourage infill developments within Ranch Estate neighborhoods in accordance with compatible considerations contained in the Neighborhood Land Use Category definitions. Again, this is not a master planned community. They're trying to plug 54 homes into a very small area. 38 I get, I understand that, but the 16, you could just as easily have that be eight and continue with the RNP. Again, Edmonds is that natural barrier.

Lastly, you'll hear from some of the neighbors, there's a lot of issues that have been raised that we just don't know yet. Of course, there's the construction, the parking, the traffic, the streetlights, the height of the walls, which they did raise. But again, Richmond American, you heard earlier that they do have products that they can put on half acre lots in a quarter acre – on a half-acre lot in that area. And I appreciate the fact – I appreciate your time. I've been around Greg Borgel, and I don't want to be tagged with that, so I'm going to wrap it up right now. Please understand that the neighbors do not want this at all. The number one choice is to keep it an RNP.

TICK SEGERBLOM

Thank you. Anyone else here wishing to speak?

JOE KRATHWOHL

Good afternoon, gentlemen. My name is Joe Krathwohl. I live at 8435 Lindell Road. I am right in the middle of this RNP. And I was smiling, I see these big banners on the front of the walls here, "Together for Better." Well, together doesn't include existing homeowners.

I've been in Las Vegas now for 36 years, and the first place that I bought was a big half acre lot. And I remember because I supply animals to shows, Renaissance fairs, Springs Preserve, shows up and down Las Vegas Strip, that's my main job. And I remember I rescued a young tiger cub, and I don't know how the County found out, but next thing I know, I had a letter on my front door that said, "You have 30 days to move." I came down and after a big meeting I said, "Where can I live where I can live in peace and still do what I do?" And they said, "Oh, you got to be RNP. Once you're an RNP, you'll be okay."

Found a place, an RNP, this RNP. And when I saw what kind of a lifestyle it is, here's a picture of those poles. This is what people in my neighborhood use the setback for, space for their animals. I said, "This is awesome. This is where I need to be." Got my zoning changed, my tigers, condors, eagles, everything that

lives with me. It's been pretty good until about the last eight or nine years. Now, two or three times a year, I'm at one of these hearings trying to figure out exactly how to stop us from being bulldozed over. Because every time one of these projects, even along the perimeter, gets approved, all those cars shoot through our neighborhood. We have Star Nursery sending their big semi-trucks full of rocks through our neighborhood, crunching up the pavement that was there. It was never meant to be a truck route.

And we still can't get a light at Decatur and Windmill to help break down the traffic. So, you can't even get across Decatur anymore. And now we have people just walking up and down the street. It used to be we knew all of our neighbors, and now people slow down and case the front yard, taking an inventory of things that you have out there.

We have a church that was approved, ridiculous decision, because when they have an event, there'll be 400 cars parked up and down these streets blocking everybody's home, parked all over the BLM lots. And it's like, wow, what is happening here? Not to mention the ones that want to use our neighborhood as a cut-through to get from Blue Diamond Road up to Decatur. I've been almost hit several times in front of my own home just getting the mail, and it makes you just wonder, what do we do? Do we have to have a full-time police officer in the neighborhood? So, every time one of these gets approved it just gets worse.

And I noticed all day long it's abandonments and waivers. Well, why have rules at all then? I haven't heard a single developer today get denied. But I feel like I'm going to walk out of here because these are the homes that are in our neighborhood, and this is one of the last projects you approved of right across the street from my house. And this type of approval is ridiculous to me. I'm sorry, I don't want to die in front of my house so some developer can make a few extra bucks.

TICK SEGERBLOM

All right. Thank you so much. Anyone else here wishing to speak on this item?

CHRISTIAN HAGENBEEK

Hello everybody. I'm Christian Hagenbeek, 8580 Mohawk Street. I'll keep it short. But we purchased in the area because we wanted the benefits of the RNP. We worked with Stephanie, we're the lot that's right next to the build that they're building. We welcome growth in the area, but we would like to keep it at two homes per acre. That's why we purchased into that area. We talked to them, and we tried to compromise. We said that we would like single-story homes in that 16-home section instead of two-story homes. Unfortunately, we didn't get an option for that, so we opposed the build. They say they can't pencil in something because of the easement in that area. Well, I would like to use that easement for our benefit to keep our rules for the RNP. That's it. Thank you.

TICK SEGERBLOM

Thank you. Anyone else here wishing to speak?

GRANT PALM

Mr. Commissioner, Commission, thank you for your time here. My name's Grant Palm, P-A-L-M, and I'm a resident on that dividing line 8665 Edmond Street, and my concern is the density. I do have a young child. There really isn't any parks or anything like that for our children to go and play, ride bikes, anything like that in the area. So, with that extra density I've seen on the way taking my child to school, multiple accidents along Decatur just increase since all the building in that area. Again, my concern is just solely for the safety of the kids and just having a community to be able to enjoy and raise my son. So, thank you for your time.

TICK SEGERBLOM

Thank you. Anyone else? All right. Seeing no one else, we'll turn it over to Commissioner Jones.

JUSTIN JONES

Thank you, Mr. Chair. Is it okay if I ask Mr. Van to come back down?

So, I appreciate that you didn't have a chance to fully go through everything with the neighbors, but as you stand here today, you prefer more single stories or fewer lots?

MICHAEL VAN

Can I get both?

JUSTIN JONES

Nope.

MICHAEL VAN

The first option is probably better than the other two options. If there were a way to have – just because the one-stories are all on the one side. If they could cut down the number of lots on the opposite side from – I think it's eight, six or so, that would probably be better. But as it sits right now, these will all be one-stories. If they could cut this down to two or three lots instead of five or six and have one-stories, I think that would be better, or if they could just spread that out a little bit more. But literally you're doubling the number of homes in what everyone believed was what they were getting. Of course, the first option is keep it in the half acre lots. That's the first option.

JUSTIN JONES

Thank you. Ms. Gronauer, I've never said that before. Ms. Gronauer, or your client, I know there's constraints with regards to some of the other lots. With regards to Lot 16.

STEPHANIE GRONAUER

Yes.

JUSTIN JONES

Can that be single story because it is a larger lot?

STEPHANIE GRONAUER

I asked that question. I think it would be a pretty small single story. It wouldn't be the large, more expensive single story we have proposed because you can see it's oriented kind of funny with the driveway so it's not very deep. So that's why right now it has a two-story on it. The lot fit that I think Mr. Van just said if we lost – oops, sorry. If we lost two lots on that side, like he mentioned, these two-stories are called the Seth product. It would fit with their depth. We could put the bigger two-story here, which is a more expensive home. It's the most expensive home of all of them that we just would incorporate. But you can see it's still pretty constrained with the depth. The one-stories are the Powells, and one-stories take up a bigger footprint unfortunately.

But the Paxton, which we hadn't originally proposed is a 4,300 square foot two-story home. So, from a price point it would be the most expensive home probably in all of them. I know they don't want two-stories, but we could still keep the one-stories in this corner. I believe all of his clients live adjacent to these one-stories. The parcel in this corner is vacant. This is where his clients live is the southern half, and then this is vacant land. I know he's worried about precedent on this land next to us. And so again, back to – I think Richmond does a pretty good job of thinking through it. I think precedentially this is probably

the best because you have all one-stories on this, but if we need to lose lots, unfortunately the compromise was to try to add in some of the larger, nicer two-story products.

MOTION

JUSTIN JONES

All right. My motion will be to require that the developer reduce the number of homes on the home count on the southern side of the proposal. That south?

STEPHANIE GRONAUER

East.

JUSTIN JONES

Eastern side of the proposal by two, and to maintain single-story homes for the first – for lots – can we to go back to your lot thing?

STEPHANIE GRONAUER

One, two, and three, I believe.

JUSTIN JONES

For one, two, three and four.

MICHAEL VAN

Is there any way they can just keep all single-story on that left-hand side? That's one of the things that they were looking for. A fair compromise would be the single-story on the left-hand side, two less lots on the right-hand side, if they could go there.

JUSTIN JONES

All right. I'm going to require single-stories on all of those lots on the western side, and I understand that's the burden and I will talk to the seller about reducing the sales price if necessary.

STEPHANIE GRONAUER

Okay.

JUSTIN JONES

Okay. So, Sami?

SAMI REAL

Can I just ask for clarification? So, it's the western side of the western half –

JUSTIN JONES

Yes.

SAMI REAL

– is the single story? So going back to Lots one through six.

STEPHANIE GRONAUER

Yes.

JUSTIN JONES

So, Planning Commission and also an additional condition of reducing the lot count on the eastern side by two lots.

STEPHANIE GRONAUER

A maximum of 14 homes on the west side?

JUSTIN JONES

Yes. That's my motion.

TICK SEGERBLOM

All right. There's a motion. Cast your vote.

VOTE

VOTING AYE: Tick Segerblom, William McCurdy II, Jim Gibson, Justin Jones, Marilyn K. Kirkpatrick, Michael Naft

VOTING NAY: None

ABSENT: Ross Miller

ABSTAIN: None

TICK SEGERBLOM

The motion passes.

STEPHANIE GRONAUER

Thank you very much.

TICK SEGERBLOM

Thank you.

51. ZC-24-0485-ROOHANI KHUSROW FAMILY TRUST:

ZONE CHANGE to reclassify the following: 1) 5.00 acres from an RS20 (Residential Single-Family 20) Zone to an RS5.2 (Residential Single-Family 5.2) Zone; 2) 4.77 acres from an RS20 (Residential Single-Family 20) Zone and an H-2 (General Highway Frontage) Zone to an RS3.3 (Residential Single-Family 3.3) Zone; and 3) eliminate within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Wigwam Avenue and on the east and west sides of Edmond Street within Enterprise (description on file). JJ/rg (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 50, 52, 53, AND 54).

CONDITIONS OF APPROVAL –

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code;

applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;

- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0181-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

52. VS-24-0486-ROOHANI KHUSROW FAMILY TRUST:

AMENDED VACATE AND ABANDON easements of interest to Clark County located between Wigwam Avenue and Ford Avenue, and between Mohawk Street and Decatur Boulevard; a portion of a right-of-way being Edmond Street located between Wigwam Avenue (previously notified as Mohawk Street) and Ford Avenue; and a portion of a right-of-way being Cougar Avenue located between Mohawk Street (previously notified as Decatur Boulevard) and Edmond Street within Enterprise (description on file). JJ/rg/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 50, 51, 53, AND 54).

CONDITIONS OF APPROVAL -
Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 4 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include 25 feet to the back of curb for Cougar Avenue, between 25 feet and 50 feet to the back of curb for Edmond Street, 35 feet to the back of curb for Wigwam Avenue and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

53. WS-24-0487-ROOHANI KHUSROW FAMILY TRUST:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase fill height; and 2) increase retaining wall height.

DESIGN REVIEW for a single-family detached residential development on 9.77 acres in an RS5.2 (Residential Single-Family 5.2) Zone and an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the south side of Wigwam Avenue and on the east and west sides of Edmond Street within Enterprise. JJ/rg/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 50, 51, 52, AND 54).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- 1 story homes on Lots 1 through 6;
- No more than 14 homes on the western half of the project consisting of no more than 6 homes on the western half and no more than 8 homes on the eastern half;
- No more than 38 homes on the eastern half of the project;
- Tiered retaining walls on any perimeter walls along a right-of-way that are above the allowed total of 9 feet (3 feet of retaining and 6 feet of screen);
- Wrought iron view fencing on top of any retaining walls on the eastern half of the project above the allowed total of 9 feet (3 feet of retaining and 6 feet of screen);
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Cougar Avenue, 25 feet to 50 feet to the back of curb for Edmond Street, 35 feet to the back of curb for Wigwam Avenue and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb, the vacation of excess right-of-way, and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code. Applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; and to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0181-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

54. TM-24-500101-ROOHANI KHUSROW FAMILY TRUST:

TENTATIVE MAP consisting of 54 single-family residential lots and 5 common lots on 9.77 acres in an RS5.2 (Residential Single-Family 5.2) Zone and an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the south side of Wigwam Avenue and on the east and west sides of Edmond Street within Enterprise. JJ/rg/kh (For possible action)

ACTION: APPROVED WITH CONDITIONS (COMPANION ITEMS 50, 51, 52, AND 53).

CONDITIONS OF APPROVAL –

Comprehensive Planning

- No more than 14 homes on the western half of the project consisting of no more than 6 homes on the western half and no more than 8 homes on the eastern half;
- No more than 38 homes on the eastern half of the project.
- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Cougar Avenue, 25 feet to 50 feet to the back of curb for Edmond Street, 35 feet to the back of curb for Wigwam Avenue and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb, the vacation of excess right-of-way, and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Building Department - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided;
- All streets shall have approved street names and suffixes.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0181-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

SEC. 6. AGENDA ITEM

55. AG-24-900729 **HOLDOVER: Discuss a potential amendment to Title 30 to address how setbacks are measured; and direct staff accordingly. (For possible action)**

ACTION: DISCUSSED.

SAMI REAL

Commissioners, next is Item 55, AG-24-900729. This is a holdover of a discussion to discuss a potential amendment to Title 30 to address how setbacks are measured and direct staff accordingly.

This item was requested to be put on the agenda by Commissioner Segerblom. Prior to the rewrite of Title 30, we allowed the setbacks for certain residential lots. Those would be the now RS20, 40 and 80 to be measured from the center line or from property line when there was a private road easement within the front portion of the property. And so, then that would then reduce the amount of setbacks. So, for instance, if the property line was in the center line of a private road easement and that private road easement was 40 feet, then the 40 foot required setback was then essentially reduced down to 20 feet. We removed that provision when we did the rewrite of Title 30 in an effort to standardize how we measured setbacks, and because those same lots when they were on public roads didn't get the benefit of that reduction. So again, this is a discussion item for the Board to possibly direct us to modify how we measure setbacks in those zoning districts.

TICK SEGERBLOM

Thank you. Well, just to start out, I would just like to just continue with the private but go back to the 20 foot as it was before Title 30 was amended. I think we heard a couple of things today about people talking about that, and the developers or the contractors that came in on my behalf also say that that's what they're used to and that makes it easier for them. But I'd open it up for discussion.

MARILYN K. KIRKPATRICK

Mr. Chair, I want to ask a couple questions. So, we worked pretty hard to try and save the rural component of it. So, the one acres, the three quarters acres, two acres, all of those. I wouldn't want that to apply because they can figure out how to make that work. And I struggle a little bit because as I said to you yesterday, I don't understand how – and we've been doing it I guess, how already the arterials, we let them take 10% off the net and all that other stuff so you don't actually end up with a half acre lot. So, the whole point is to have a half-acre lot and the whole reason for that is so that code, Animal Control has requirements on the horse turnouts, when horses can turn out and how much that you can have back there. And then people start asking for waivers on their garage setback because they want to open up the side of their home so they can go in and out.

So, I just hope that whatever we come up with, we protect those areas that we said we were going to protect for one, and two, we just have a streetscape that makes sense, because I don't know – we did detached sidewalks, we did all these things to try and keep it back and now we seem to undo most of our

work. So, I don't know, but I for sure don't want it on the larger lots because they can figure it out, whether private or public. And that's par for the course because I don't have a real direction today because it's just – I don't know why we couldn't just offer them a waiver to come in as opposed to change the Code.

TICK SEGERBLOM

Well, and that's the question. It just seemed like most people on those private cul-de-sacs would just like the 20-foot as an option, and having to go through the waiver process is obviously time-consuming. But is there something we could continue to work on this that you would support?

MARILYN K. KIRKPATRICK

Well, I'm going to be honest, and visually I'd have to see what it looks like visually on the street. But I do think whatever we do, it has to be consistent. But everybody's district is different for a variety of reasons. We're all trying to build something that looks good. Maybe it's the waiver. I don't know. I'm happy to be open-minded, but don't bother my one-acre, two-acre parcels, because they could figure it out regardless.

TICK SEGERBLOM

Well, and I don't think this was intended for the one-acres, obviously.

MARILYN K. KIRKPATRICK

But the way the Code reads it applies uniformly.

TICK SEGERBLOM

Well, but couldn't we limit that to half acres or less?

SAMI REAL

Correct. So, before the provision applied to the zoning districts that had the two-acre, one-acre and then we'll call it the half-acre, even though they're not true half-acres. So, if the direction is to not apply any reductions to the two-acre, one-acres, we can definitely do that.

Commissioner Segerblom, you had said for the cul-de-sac lots. So, if this is about the cul-de-sac lots, that's something else that we can narrow the exception down to if that's the direction of the Board. So those lots that front on a bulb of the cul-de-sac, because the cul-sac lots are a little bit larger in the sense that the private road easement for that cul-de-sac is a little larger. Then we could also just limit the exception to that, should the Board choose to proceed with that now and then continue to allow for the waiver process for all the other lots.

TICK SEGERBLOM

Commissioner Jones.

JUSTIN JONES

So, I'm just trying to think through stuff that we've just done recently. So how would that affect – there were proposals that we had at our last meeting, for example, that we had this discussion. So, if it were just the cul-de-sac – so I'll give you the example of the one that was today. It was a 10-lot development. Is that entire development considered a cul-de-sac?

SAMI REAL

I think that would be part of the direction. So, there's lots that front on cul-de-sac roads, and then there's lots that front on actual the bulb of the cul-de-sac. So, if the request is to have it apply to all the lots that

front on a private road, then we can do that. If the request is the concern with regards to those lots that are on the bulb of cul-de-sac, then we can narrow it down to that.

I'll also add that the City of Las Vegas, North Las Vegas and the City of Henderson don't allow their setbacks to be measured from property line when the property line is encumbered by a private road easement in the front. They instead require it to be measured from the edge of easement. The City of Las Vegas has a reduced width for those lots. So normally they require 50 feet when it's on a public road and then they reduced it down to 30 feet when it's on a private road.

And then City of North Las Vegas and City of Henderson have a 20-foot setback for, we'll just say those same lots, the 20,000 square foot lots. But again, they don't allow those to be measured from the center line or from the property line. For instance, there was a project earlier today where Commissioner Naft in his district, there was a private road easement, and the private road easement wasn't in the center line of the property line. So, on one side, the private road easement, I think probably was 30 feet, and on the other side it was only 10 feet into the property line. So, in that case, if it was measured from property line and there was 30 feet on one side, then the front yard setback theoretically would've been 10 feet. So there might be an argument to say if there is a proposal to do a reduce, that we do from the edge of easement instead of starting to allow people to measure from the front just to address the situation like that, where we do have an RNP lot that is now potentially, if the code was to reflect the regulations that were in effect prior to the rewrite, would then be 10 feet off of a road easement. And I don't think that that's the intent of the RNP or these half acre lots.

JUSTIN JONES

Yeah, I would say I'm definitely with Commissioner Kirkpatrick on not changing anything with regards to the one acre and above, and I feel like I'm a visual person and it would be really helpful to see photos to your point with regards to these cities. Maybe they're doing it better or something like that, but I don't know that I can visualize it unless we have some examples. So maybe if we can get that for the half acres?

TICK SEGERBLOM

That's why I said can we pull it and then I can try to work on it more, and we can get together and see what we're talking about.

SAMI REAL

And I can have staff work on that as well.

TICK SEGERBLOM

I honestly didn't realize this was so complicated, but we don't want to open a can of worms. So anyway, thank you so much and we'll continue to work on it.

SEC. 7. INTRODUCTION OF ORDINANCES

56. ORD-24-900565: Introduce an ordinance to consider adoption of a Development Agreement with Richmond American Homes of Nevada, Inc. for a single-family residential development on 7.11 acres, generally located north of Pebble Road and east of Durango Drive within Enterprise. JJ/dw (For possible action)

ACTION: INTRODUCED AND SET FOR PUBLIC HEARING ON WEDNESDAY, DECEMBER 4, 2024, AT 10 A.M. (BILL 11-20-24-1).

SAMI REAL

Thank you. All right, the next items are ordinances for introduction. Those are Items 56 through 61. These are, again, ordinances for introduction.

- Item 56 is ORD-24-900565, is an ordinance for our Development Agreement with Richmond American Homes of Nevada Inc for a single family-residential development on 7.11 acres.
- Item 57 is ORD-24-900572 for an ordinance for a Development Agreement with SHLV LLC for a shopping center on four acres.
- Item 58 ORD-24-90-0582 is an ordinance for a Development Agreement with BD Equities LLC for an office warehouse complex on 6.7 acres.
- Item 59 ORD-24-900734 is an ordinance for Development Agreement with SD North Parcels LLC for an office warehouse complex on 19.3 acres.
- Item 60 is ORD-24-900758. This is an ordinance to amend Title 30 to modify the street landscaping requirements and the regulations for manufactured homes.
- And then lastly is Item 61 ORD-24-900766, is an ordinance to amend the official zoning map to reclassify certain properties as approved by the Board of County Commissioners on October 2, 2024.

Commissioners, we request that you set the public hearing for December 4, 2024.

TICK SEGERBLOM

All right. What was the date?

SAMI REAL

December 4, 2024.

TICK SEGERBLOM

Okay, I'll introduce the ordinances and set up for a public hearing for December 4, 2024.

57. ORD-24-900572: Introduce an ordinance to consider adoption of a Development Agreement with SHLV LLC for a shopping center development on 4.0 acres, generally located south of Shelbourne Avenue and west of Rainbow Boulevard within Enterprise. JJ/dw (For possible action)

ACTION: INTRODUCED AND SET FOR PUBLIC HEARING ON WEDNESDAY, DECEMBER 4, 2024, AT 10 A.M. (BILL 11-20-24-2).

58. ORD-24-900582: Introduce an ordinance to consider adoption of a Development Agreement with BD Equities, LLC for an office/ warehouse complex on 6.7 acres, generally located west of Arville Street and north of Cougar Avenue within Enterprise. JJ/dw (For possible action)

ACTION: INTRODUCED AND SET FOR PUBLIC HEARING ON WEDNESDAY, DECEMBER 4, 2024, AT 10 A.M. (BILL 11-20-24-3).

59. ORD-24-900734: Introduce an ordinance to consider adoption of a Development Agreement with SD NORTH PARCELS LLC for an office/warehouse complex on 19.3 acres, generally located east of Tenaya Way and south of Patrick Lane within Spring Valley. MN/dd (For possible action)

ACTION: INTRODUCED AND SET FOR PUBLIC HEARING ON WEDNESDAY, DECEMBER 4, 2024, AT 10 A.M. (BILL 11-20-24-4).

60. ORD-24-900758: Introduce an ordinance to amend Title 30 to modify street landscaping requirements, regulations for manufactured homes, and providing for other matters properly related thereto; and set a public hearing. (For possible action)

ACTION: INTRODUCED AND SET FOR PUBLIC HEARING ON WEDNESDAY, DECEMBER 4, 2024, AT 10 A.M. (BILL 11-20-24-5).

61. ORD-24-900766: Introduce an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on October 2, 2024. (For possible action)

ACTION: INTRODUCED AND SET FOR PUBLIC HEARING ON WEDNESDAY, DECEMBER 4, 2024, AT 10 A.M. (BILL 11-20-24-6).

PUBLIC COMMENTS

SAMI REAL

All right. This is the last time set aside for public comment.

TICK SEGERBLOM

All right. Ms. Coleman.

MARGARET ANN COLEMAN

Yes.

TICK SEGERBLOM

Three minutes.

MARGARET ANN COLEMAN

Good afternoon. My name is Margaret Ann Coleman. I have been fighting for 43 years for my equal rights and for my life. Credit and due from a win on the job upon a writ of execution and garnishment upon collection. I have worked every day on A204984 on my collections. This is one reason why I say cut me a check. I ask you to let me go so I can grow with my money. I am trying to be a part of Nevadan society on growth of development and living arrangements. HUD was introduced to me by Deputy Shannon MulHughes that created the partnership and ownership under my name, placing it under the Mormon manner.

I have the right to take control and be a part of it and move in so I can be part of the society of helping the homeless people and placing them in the locations or getting a job where you have placed homeless people, and making calls to different of the Housing of Authority to see how many empty buildings do they have in order to position these people in the homeless shelter.

We're needing keys, we're needing places to move to. I know I had one and you took that from me, and I need to go back. If not back, pay me the \$642,000. That is \$300,507 that was from an insurance policy of my father placed in there for my public accommodation. You sold my house for \$301,500. All it adds up to \$642,000. Thank you.

TICK SEGERBLOM

Thank you. Anyone else wish to make a public comment?

MARGARET ANN COLEMAN

So, could you cut me a check and call me at (702) xxx-xxxx?

WILLIAM MCCURDY II

Don't put your number online.

TICK SEGERBLOM

All right. We'll close the public hearing and adjourn the meeting. Thank you so much.

SAMI REAL

And Happy Thanksgiving, everybody.

TICK SEGERBLOM

Happy Thanksgiving.

END PUBLIC COMMENTS

There being no further business to come before the Board at this time, at the hour of 12:03 p.m., the meeting was adjourned.

PLEASE NOTE: THE COUNTY CLERK KEEPS THE OFFICIAL RECORD OF ALL PROCEEDINGS OF THE COUNTY COMMISSION, THE CCWRD BOARD OF TRUSTEES, THE UMC HOSPITAL BOARD OF TRUSTEES, THE CLARK COUNTY LIQUOR AND GAMING LICENSING BOARD, AND THE CLARK COUNTY REDEVELOPMENT AGENCY. TO OBTAIN A COMPLETE AND ACCURATE RECORD OF ALL PROCEEDINGS, ANY PHOTOGRAPH, MAP, CHART, OR ANY OTHER DOCUMENT USED IN ANY PRESENTATION TO THE BOARD/TRUSTEES, REQUESTS SHOULD BE SUBMITTED TO THE COUNTY CLERK.

TO REFERENCE AGENDA ITEM ATTACHMENTS ONLINE: REFER TO THE MEETING LINK BELOW, SELECT THE ITEM (FILE # COLUMN), AND CLICK THE LINK FOR THE DESIRED ATTACHMENT.

[ONLINE MEETING LINK](#)

APPROVED: /s/ Tick Segerblom
TICK SEGERBLOM, CHAIR

ATTEST: /s/ Lynn Marie Goya
LYNN MARIE GOYA, CLARK COUNTY CLERK

Lynn Marie Goyen
CLERK

NOTICE OF FINAL ACTION
CLARK COUNTY ZONING COMMISSION
9:00 A.M., WEDNESDAY, NOVEMBER 20, 2024

LEGAL NOTICE: Following the final approval or denial of every action before the Planning Commission and/or the Board of County Commissioners, a letter indicating the action taken and the conditions under which any approval is granted will be sent to the correspondent address on the application submitted. The information herein will be filed with the Clark County Clerk, Commission Division, and serve as notice of final action for the purposes of NRS 278.0235 which marks the commencement of the twenty-five (25) day limitation period specified.

1. Public Comments.
2. Approval of the Agenda After Considering Requests to Add, Hold, or Delete Items. (For possible action)
3. Approval of minutes. (For possible action)

Board of County Commissioners' Zoning Meeting minutes for 10/16/24.

ROUTINE ACTION ITEMS (4 – 17): These items may be considered in one hearing and in one motion. Any person who does not agree with the recommendations by staff should request that the item be removed from this portion of the agenda and be heard separately when directed by the Board of County Commissioners.

4. SDR-24-0334-MGM RESORTS LAND HOLDINGS II, LLC
 HOLDOVER SIGN DESIGN REVIEW for modifications to an approved comprehensive sign plan for a resort hotel (Bellagio) on 76.63 acres in a CR (Commercial Resort) Zone. Generally located on the west side of Las Vegas Boulevard South and the south side of Flamingo Road within Paradise. JG/rr/syp (For possible action)

HELD - 02/19/25 - per the applicant. Applicant is advised that re-notification fees are required prior to this item being placed on the agenda.

5. DR-24-0335-BCORE PARADISE, LLC:
 HOLDOVER DESIGN REVIEW for an expansion and modification to an existing resort hotel (Bellagio) on 85.77 acres in a CR (Commercial Resort) Zone. Generally located on the west side of Las Vegas Boulevard South and the south side of Flamingo Road within Paradise. JG/rr/syp (For possible action)

HELD - 02/19/25 - per the applicant. Applicant is advised that re-notification fees are required prior to this item being placed on the agenda.

6. ET-24-400107 (UC-20-0288)-WTML WARM SPRINGS, LLC:
 USE PERMIT SECOND EXTENSION OF TIME for a cannabis establishment (retail cannabis store).
 DESIGN REVIEW for a retail building for a cannabis establishment on 0.9 acres in a CG (Commercial General) Zone. Generally located on the south side of Warm Springs Road, 480 feet east of Haven Street within Enterprise. MN/mh/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- **Until August 19, 2026 to obtain valid business license for retail cannabis store or the application will expire unless extended with approval of an extension of time.**

- Applicant is advised a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

7. WC-24-400111 (ZC-1965-04)-WIGWAM-PARVIN LIMITED PARTNERSHIP:
 WAIVERS OF CONDITIONS of a zone change requiring the following: 1) a 45 foot setback on Las Vegas Boulevard South; 2) 20 foot minimum setback along all other street frontages; and 3) 20 foot wide landscape buffer with medium trees, 24 inch box in size, with shrubs to cover 50% of the landscape area and a detached sidewalk along Las Vegas Boulevard South unless prohibited by NDOT in conjunction with a proposed multi-family residential development on 9.23 acres in a CR (Commercial Resort) Zone. Generally located on the east side of Las Vegas Boulevard South and the south side of Jo Rae Avenue within Enterprise. MN/hw/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0290-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

8. VS-24-0520-WIGWAM-PARVIN LIMITED PARTNERSHIP:
 VACATE AND ABANDON easements of interest to Clark County located between Jo Rae Avenue and Pyle Avenue and between Las Vegas Boulevard South and Giles Street; a portion of right-of-way being Pyle Avenue located between Las Vegas Boulevard South and Giles Street; a portion of right-of-way being Jo Rae Avenue located between Las Vegas Boulevard South and Giles Street; and a portion of right-of-way being Giles Street located between Jo Rae Avenue and Pyle Avenue within Enterprise (description on file). MN/hw/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include, 100 feet for Las Vegas Boulevard South, 25 feet to the back-of-curb for Giles Street and associated spandrels;
- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements for the Pyle Avenue improvement project, 90 days to record said separate document for the Pyle Avenue improvement project;
- The installation of detached sidewalks will require the recordation of this vacation of excess right-of-way, dedication to back-of-curb, and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;

- **Revise legal description, if necessary, prior to recording.**

9. **UC-24-0521-WIGWAM-PARVIN LIMITED PARTNERSHIP:**
USE PERMIT to allow a multi-family residential development.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; and 2) alternative driveway geometrics.
DESIGN REVIEW for a proposed multi-family residential development on 9.23 acres in a CR (Commercial Resort) Zone. Generally located on the east side of Las Vegas Boulevard South and the south side of Jo Rae Avenue within Enterprise. MN/hw/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- **Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;**
- **Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.**
- **Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.**

Public Works - Development Review

- **A License and Maintenance Agreement for any non-standard improvements within the right-of-way along Las Vegas Boulevard South, if required by Public Works - Development Review;**
- **Drainage study and compliance;**
- **Traffic study and compliance;**
- **Full off-site improvements;**
- **Right-of-way dedication to include, 100 feet for Las Vegas Boulevard South, 25 feet to the back-of-curb for Giles Street and associated spandrels;**
- **30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements for the Pyle Avenue improvement project, 90 days to record said separate document for the Pyle Avenue improvement project;**
- **The installation of detached sidewalks will require the vacation of excess right-of-way, dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices.**

Clark County Water Reclamation District (CCWRD)

- **Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0290-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.**

10. ZC-24-0518-USA:
ZONE CHANGE to reclassify a 5.55 acre portion of 58.7 acres from an IH (Industrial Heavy) Zone to a PF (Public Facility) Zone within the Airport Environs (AE-70) Overlay. Generally located on the northwest side of Las Vegas Boulevard North and the north side of Nadine Petersen Boulevard within the Northeast County Planning Area (description on file). MK/rg (For possible action)

APPROVED.

11. ORD-24-900529: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with SCT Silverado Ranch & Arville LLC for a commercial development on 0.8 acres, generally located east of Arville Street and north of Silverado Ranch Boulevard within Enterprise. JJ/jm (For possible action)

ADOPTED.

12. ORD-24-900546: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with Fort Apache, LTD for a multi-family residential development on 9.1 acres, generally located west of Fort Apache Road and south of Pebble Road within Enterprise. JJ/dw (For possible action)

ADOPTED.

13. ORD-24-900599: Conduct a public hearing on an ordinance to consider adoption of a Development Agreement with G Y Properties LLC for an office/warehouse building on 2.1 acres, generally located west of Westwind Road and south of Sunset Road within Enterprise. MN/dw (For possible action)

ADOPTED.

14. ORD-24-900699: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on August 21, 2024. (For possible action)

ADOPTED.

15. ORD-24-900708: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on August 7, 2024. (For possible action)

ADOPTED.

16. ORD-24-900710: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on September 18, 2024. (For possible action)

ADOPTED.

17. ORD-24-900725: Conduct a public hearing on an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on September 4, 2024 and in Assessor's Books 059, 104, 140, 161, 162, 163, 164, 175, 176, and 177 the attached zone changes were approved to reclassify certain properties and amend the zoning map. (For possible action)

ADOPTED.

NON-ROUTINE ACTION ITEMS (18 – 61): These items will be considered separately.

18. CP-24-900629: Conduct a public hearing, adopt the Flood Control Master Plan Update, and authorize the Chair to sign a Resolution amending the Plan. (For possible action)

ADOPTED.

19. ET-24-400110 (UC-20-0493)-5051 SLV, LLC:
USE PERMITS SECOND EXTENSION OF TIME for the following: 1) expand the Gaming Enterprise District; 2) a resort hotel; 3) public areas including the casino, showrooms, live entertainment, retail center, indoor and outdoor dining, entertainment, offices, conventions, back of house and parking structures; 4) associated accessory and incidental commercial uses, buildings, and structures; and 5) deviations from development standards.
DEVIATIONS for the following: 1) increase the height of high-rise towers; 2) encroachment into airspace; 3) reduce setbacks; 4) alternative landscaping; and 5) all other deviations as shown per plans on file.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) for non-standard improvements (landscaping) within the right-of-way; and 2) alternative driveway geometrics.
DESIGN REVIEWS for the following: 1) a resort hotel with all associated and accessory uses, structures and incidental buildings and structures; and 2) finished grade on 4.68 acres in a CR (Commercial Resort) Zone and within the Airport Environs (AE-65) Overlay. Generally located on the east side of Las Vegas Boulevard South, 500 feet south of Russell Road (alignment) within Paradise. JG/jm/kh (For possible action)

APPROVED.

**CONDITIONS OF APPROVAL -
Comprehensive Planning**

- Until August 20, 2025 to commence or the application will expire unless extended with approval of an extension of time;
- As required by NRS 278.0205 and the Development Agreement Ordinance, applicant to submit their first report, due once every twenty-four (24) months, by November 30, 2024;
- Complete construction of perimeter wall on east side of the property within 90 days;
- Enclose the site with a solid 8 foot high wood construction fence made of dimensional lumber and faced with plywood, as required in Exhibit A of the Decommissioning Plan, within 90 days; only after contractor notifies the Clark County Building Department that the project has remobilized, and construction has restarted, can the wooden construction fence be removed;
- 24 hour on-site manned security must be provided immediately and throughout the duration of the construction project.
- Applicant is advised a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Compliance with previous conditions.

Department of Aviation

- The applicant shall be required to file a valid FAA Form 7460-1 "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the DOA;
- If the applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then it must also receive either a Permit from the Director of

Aviation or a Variance from the Airport Hazard Areas Board of Adjustment ("AHABA") prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; the applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc;

- No building permits will be issued until the applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA and is still valid, or a "Property Owner's Shielding Determination Statement" has been issued by the DOA;
- The applicant shall be advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that the FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

20. UC-24-0319-VAN DIEPEN, RICHARD & KATHRYN:

USE PERMIT for an accessory living quarters.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; and 2) reduce building separation.

DESIGN REVIEW for existing accessory structures in conjunction with an existing single-family residence on 0.23 acres in an RS5.2 (Residential Single-Family 5.2) Zone within the Historic Designation Overlay. Generally located on the east side of Cochise Lane, 110 feet north of Geronimo Way within Paradise. TS/jm/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- 1 year to complete the building permit and inspection process or the application will expire unless extended with approval of an extension of time;
- Paint roof of accessory living quarter to match the roof color of the residence.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

21. UC-24-0436-MANNA INVESTMENT GROUP, LLC:

HOLDOVER USE PERMIT for a vehicle wash.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) modify residential adjacency standards; 2) alternative buffering and screening; and 3) allow attached sidewalks.

DESIGN REVIEW for a vehicle wash in conjunction with an existing shopping center on a portion of 4.09 acres in a CG (Commercial General) Zone. Generally located on the west side of Sandhill Road and the south side of Desert Inn Road within Paradise. TS/sd/kh (For possible action)

HELD - 12/18/24 - per the applicant.

22. UC-24-0460-GONZALEZ, DIMAS:
HOLDOVER USE PERMITS for the following: 1) stable (residential); 2) livestock (small); 3) livestock (medium); and 4) livestock (large).
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow accessory structures prior to the principal structure; 2) reduce building separation; 3) allow a non-decorative fence in the front yard; 4) eliminate street landscaping; 5) full off-site improvements; and 6) allow 3 driveways in conjunction with proposed agricultural uses and future single-family residences on 1.47 acres in an RS20 (Residential Single-Family 20) Zone within the Airport Environs (AE-65) Overlay. Generally located on the south side of Cartier Avenue and the east side of Walnut Road within Sunrise Manor. WM/dd/syp (For possible action)

HELD - 12/18/24 - per Commissioner McCurdy.

23. UC-24-0536-REHM, SCOTT & JEANALIN, JULIA:
USE PERMITS for the following: 1) home occupation; 2) stable; 3) livestock (small and large); and 4) household pets.
WAIVER OF DEVELOPMENT STANDARDS for reduced setbacks on 0.48 acres in an RS20 (Residential Single-Family 20) Zone. Generally located on the east side of Westwind Road, 610 feet south of Charleston Boulevard within the Spring Valley Planning Area. RM/tpd/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- 60 days to bring the on-site activities into compliance with Title 30;
- Obtain any required permits for the increase in household pets from Clark County Animal Control.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Southern Nevada Health District (SNHD) - Engineering

- Applicant is advised to contact the SNHD Environmental Health Division at septics@snhd.org or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

USE PERMITS #1 THROUGH #3 AND WAIVER OF DEVELOPMENT STANDARDS WERE DENIED.

24. VS-24-0277-PALM PROPERTIES, LLC:
HOLDOVER VACATE AND ABANDON a portion of right-of-way being Happy Valley Avenue located between Nellis Boulevard and Aloha Avenue within Sunrise Manor (description on file). TS/jor/syp (For possible action)

DENIED.

25. WS-24-0276-PALM PROPERTIES, LLC:
HOLDOVER WAIVER OF DEVELOPMENT STANDARDS to modify residential adjacency standards. DESIGN REVIEW for a proposed commercial truck parking lot on 2.83 acres in a CG (Commercial General) Zone. Generally located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor. TS/jor/syp (For possible action)

DENIED.

26. VS-24-0457-DBAC, LLC:
HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Pamalyn Avenue and Maule Avenue, and between Arville Street and Cameron Street, a portion of right-of-way being Arville Street located between Pamalyn Avenue and Maule Avenue, and portion of right-of-way being Maule Avenue located between Arville Street and Cameron Street within Enterprise (description on file). MN/lm/syp (For possible action)

HELD - 12/18/24 - per the applicant.

27. WS-24-0456-DBAC, LLC:
HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase fill height; 2) increase retaining wall height; and 3) reduce driveway setback.
DESIGN REVIEW for a single-family residential subdivision on 3.11 acres in an RS20 (Residential Single-Family 20) Zone within the Airport Environs (AE-60) and Neighborhood Protection (RNP) Overlays. Generally located on the west side of Arville Street and the north side of Maule Avenue within Enterprise. MN/lm/syp (For possible action)

HELD - 12/18/24 - per the applicant.

28. TM-24-500096-DBAC, LLC:
HOLDOVER TENTATIVE MAP consisting of 6 single-family residential lots and 1 common lot on 3.11 acres in an RS20 (Residential Single-Family 20) Zone within the Airport Environs (AE-60) and Neighborhood Protection (RNP) Overlays. Generally located on the west side of Arville Street and the north side of Maule Avenue within Enterprise. MN/lm/syp (For possible action)

HELD - 12/18/24 - per the applicant.

29. VS-24-0462-OMNI FAMILY LIMITED PARTNERSHIP:
HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Arby Avenue and Capovilla Avenue and between Valley View Boulevard and Procyon Street within Enterprise (description on file). MN/hw/kh (For possible action)

APPROVED.

**CONDITIONS OF APPROVAL -
Comprehensive Planning**

- Satisfy utility companies' requirements.
- Applicant is advised within 4 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include 45 feet to the back-of-curb for Valley View Boulevard, 25 feet to the back-of-curb for Arby Avenue, 25 feet to the back-of-curb for Procyon Street, 25 feet to the back-of-curb for Capovilla Avenue and associated spandrels;

- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements, 90 days to record said separate document for the Warm Springs storm drain improvement project;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

30. **WS-24-0461-OMNI FAMILY LIMITED PARTNERSHIP:**

HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce net lot area; 2) reduce street landscaping; 3) increase retaining wall height; 4) increase fill height; 5) alternative lot orientation; 6) off-site improvements (streetlights); and 7) reduce driveway setbacks.

DESIGN REVIEW for a single-family residential subdivision on 7.5 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the east side of Valley View Boulevard and the south side of Arby Avenue within Enterprise. MN/hw/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- At a minimum, 5 gallon shrubs shall be provided within the landscaping strip between the tiered retaining wall;
- Provide for and include in the CC&Rs that a minimum of 15, 24 inch box Bay Laurel trees be planted and maintained 30 feet on center within the landscape strip between the tiered wall with any changes in landscaping to be approved by the HOA and adjacent property owners;
- Provide and include in the CC&Rs a gate to the landscape easement on Arby Avenue to be accessed and maintained by an HOA;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Full off-site improvement on Valley View Boulevard;
- Full off-site improvements except streetlights on Arby Avenue, Capovilla Avenue, and Procyon Street with sidewalks consisting of asphalt instead of concrete;
- Install conduit and pull boxes for streetlights;
- Drainage study and compliance;
- Right-of-way dedication to include 45 feet to the back of curb for Valley View Boulevard, 25 feet to the back of curb for Arby Avenue, 25 feet to the back of curb for Procyon Street, 25 feet to the back of curb for Capovilla Avenue and associated spandrels;
- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements, 90 days to record said separate document for the Warm Springs storm drain improvement project.

- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed; that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Fire Prevention Bureau

- Applicant to show fire hydrant locations on-site and within 750 feet.
- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0135-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

31. **TM-24-500099-OMNI FAMILY LIMITED PARTNERSHIP:**
HOLDOVER TENTATIVE MAP consisting of 13 single-family residential lots on 7.5 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the east side of Valley View Boulevard and the south side of Arby Avenue within Enterprise. MN/hw/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Full off-site improvement on Valley View Boulevard;
- Full off-site improvements except streetlights on Arby Avenue, Capovilla Avenue, and Procyon Street with sidewalks consisting of asphalt instead of concrete;
- Install conduit and pull boxes for streetlights;
- Drainage study and compliance;
- Right-of-way dedication to include 45 feet to the back of curb for Valley View Boulevard, 25 feet to the back of curb for Arby Avenue, 25 feet to the back of curb for Procyon Street, 25 feet to the back of curb for Capovilla Avenue and associated spandrels;
- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements, 90 days to record said separate document for the Warm Springs storm drain improvement project.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Building Department - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Fire Prevention Bureau

- Applicant to show fire hydrant locations on-site and within 750 feet.
- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0135-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

32. VS-24-0509-USA:

VACATE AND ABANDON easements of interest to Clark County located between Craig Road and Alexander Road and between Chieftain Street and Fort Apache Road; a portion of right-of-way being Helena Avenue located between Chieftain Street and Fort Apache Road; and a portion of right-of-way being Hickam Avenue located between Chieftain Street and Fort Apache Road within Lone Mountain (description on file). RM/hw/kh (For possible action)

HELD - 12/04/24 - per the applicant.

33. WS-24-0510-USA:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce gross lot area; 2) reduce net lot area; 3) reduce front setbacks; 4) allow a gated community within the NPO-RNP; 5) reduce street landscaping; 6) reduce call box setback; 7) eliminate off-site improvements (curb, gutter, sidewalks, and streetlights); 8) increase the length of a non-through street without a county approved turnaround; and 9) eliminate street knuckles.

DESIGN REVIEW for a single-family residential subdivision on a 22.14 acre portion of 32.12 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Craig Road, north of Florine Avenue (alignment), east of Chieftain Street, and west of Fort Apache Road within Lone Mountain. RM/hw/kh (For possible action)

HELD - 12/04/24 - per the applicant.

34. TM-24-500108-USA:

TENTATIVE MAP consisting of 39 single-family residential lots and 2 common lots on a 22.14 acre portion of 32.12 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Craig Road, north of Florine Avenue (alignment), east of Chieftain Street, and west of Fort Apache Road within Lone Mountain. RM/hw/kh (For possible action)

HELD - 12/04/24 - per the applicant.

35. VS-24-0539-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:

VACATE AND ABANDON easements of interest to Clark County located between Torino Avenue and Ford Avenue (alignment) and between Belcastro Street and Rosanna Street within Enterprise (description on file). JJ/jud/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include 25 feet to the back of curb for Torino Avenue, 25 feet to the back of curb for Belcastro Street, and associated spandrels;
- The installation of detached sidewalks will require dedication to back-of-curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

36. WS-24-0538-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce net lot size; 2) increase fill height; 3) increase retaining wall height; and 4) increase driveway width.
DESIGN REVIEW for a single-family residential subdivision on 2.34 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the northeast corner of Belcastro Street and Torino Avenue within Enterprise. JJ/jud/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Torino Avenue, 25 feet to the back of curb for Belcastro Street, and associated spandrel;
- The installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0214-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

37. VS-24-0542-GOLDENSITES, LLC:
VACATE AND ABANDON easements of interest to Clark County located between Camero Avenue and Mistral Avenue and between Cimarron Road and Durango Drive and portion of a right-of-way being Gagnier Boulevard located between Mistral Avenue and Camero Avenue within Enterprise (description on file). JJ/sd/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 4 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

38. WS-24-0543-GOLDENSSITES, LLC, THE PARSONS FAMILY REVOCABLE LIVING TRUST):
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; 2) increase retaining wall height; 3) increase fill height; 4) waive full off-site improvements; and 5) reduce street intersection off-set.

DESIGN REVIEW for a single-family residential subdivision on 10.63 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the north side of Camero Avenue and the east and west sides of Gagnier Boulevard (alignment) within Enterprise. JJ/sd/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Off-site improvements (curb, gutter, and paving) on Camero Avenue;
- Drainage study and compliance;
- Traffic study and compliance;
- Execute a Restrictive Covenant Agreement (deed restrictions).

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0075-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

WAIVER OF DEVELOPMENT STANDARDS #4A WAS DENIED FOR OFF-SITE IMPROVEMENTS (CURB, GUTTER, AND PARTIAL PAVING).

39. TM-24-500117-GOLDENSSITES, LLC, THE PARSONS FAMILY REVOCABLE LIVING TRUST): TENTATIVE MAP consisting of 20 single-family residential lots on 10.63 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the north side of Camero Avenue and the east and west sides of Gagnier Boulevard (alignment) within Enterprise. JJ/sd/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Off-site improvements (curb, gutter, and paving) on Camero Avenue;
- Drainage study and compliance;
- Traffic study and compliance;
- Execute a Restrictive Covenant Agreement (deed restrictions).

Building Department - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0075-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

40. WS-24-0522-CROCKER FAMILY REVOCABLE LIVING TRUST: WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; and 2) eliminate full off-site improvements in conjunction with a proposed single-family residence on 0.5 acres in a RS20 (Residential Single-Family 20) Zone within the Neighborhood Preservation (RNP) Overlay. Generally located on the west side of El Capitan Way, 170 feet south of Washburn Road within Lone Mountain. RM/jm/kh (For possible action)

HELD - 12/04/24 - per the Board of County Commissioners.

41. WS-24-0523-WARREN FAMILY REV LIV TR & WARREN, JOSEPH F. & CARRYN B. TRS: WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce separation; 2) reduce setbacks; and 3) modify driveway geometrics for accessory structures in conjunction with an existing single-family residence on 2.28 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the west side of Fairfield Avenue, 320 feet south of Wigwam Avenue within Enterprise. MN/tpd/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- 1 year to complete the building permit and inspection process for existing accessory structures or this portion of the application will expire unless extended with approval of an extension of time;
- 2 years to commence the proposed RV cover or this portion of the application will expire unless extended with approval of an extension of time;
- Paint the proposed RV cover to match the primary dwelling.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Southern Nevada Health District (SNHD) - Engineering

- Applicant is advised to contact the SNHD Environmental Health Division at septics@snhd.org or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

42. WS-24-0525-SEMMATERIALS ENERGY PTNRS, LLC:

AMENDED WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase fence height (no longer needed); 2) allow non-decorative fencing (no longer needed); 3) reduce access gate setbacks; 4) waive off-site improvements (streetlights); 5) allow attached sidewalks; 6) eliminate throat depth; and 7) eliminate driveway back-of-curb radius.

DESIGN REVIEW for site modifications for an existing asphalt batch plant on 6.76 acres in an IL (Industrial Light) Zone within the Airport Environs (AE-65) Overlay. Generally located on the southwest corner of Valley View Boulevard and Ponderosa Way within Paradise. MN/dd/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Paint the shipping containers to match the buildings and infrastructure on-site;
- Street landscaping along Ponderosa Way to consist of recommended plants from the Regional Plant List, or an approved alternative.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Full off-site improvements except streetlights on Ponderosa Way;
- Install conduit and pull boxes on Ponderosa Way.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation;
- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998; and that funds will not be available in the future should the owners wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0185-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

43. **WS-24-0526-GHANOLI HOLDINGS, LLC:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase fence height; and 2) allow a non-decorative fence.
DESIGN REVIEW for modifications to a previously approved truck staging area on 0.49 acres in an IL (Industrial Light) Zone within the Airport Environs (AE-60) Overlay. Generally located on the south side of Martin Avenue and the east side of Crystal Street within Enterprise. MN/dd/kh (For possible action)

HELD - 01/22/25 - per the applicant.

44. WS-24-0527-COUNTY OF CLARK (AVIATION):
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setbacks; 2) increase wall height; 3) increase fill height; 4) eliminate off-site improvements (curb, gutter, sidewalks, and streetlights); and 5) reduce the street intersection off-set.
DESIGN REVIEW for single-family detached residences on 4.92 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the northwest corner of Valadez Street and Shelbourne Avenue within Enterprise. JJ/jud/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- **Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.**
- **Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.**

Public Works - Development Review

- **Comply with approved drainage study PW24-17122;**
- **Execute a Restrictive Covenant Agreement (deed restrictions).**

Clark County Water Reclamation District (CCWRD)

- **Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0113-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.**

45. TM-24-500114-COUNTY OF CLARK (AVIATION):
TENTATIVE MAP consisting of 10 single-family residential lots and common lots on 4.92 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay. Generally located on the northwest corner of Valadez Street and Shelbourne Avenue within Enterprise. JJ/jud/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- **Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.**

Public Works - Development Review

- **Comply with approved drainage study PW24-17122;**
- **Execute a Restrictive Covenant Agreement (deed restrictions).**

Building Department - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0113-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

46. WS-24-0535-BLUE DIAMOND PB HOLDINGS, LLC:
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce street landscape planter width; and 2) reduce driveway geometrics.
DESIGN REVIEW for commercial buildings on 0.89 acres in a CG (General Commercial) Zone within the Airport Environs (AE-60) Overlay. Generally located on the south side of Blue Diamond Road and the west side of Pinkbox Drive within Enterprise. JJ/sd/kh (For possible action)

APPROVED.**CONDITIONS OF APPROVAL -****Comprehensive Planning**

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- The installation of detached sidewalks will require vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way;
- Coordinate with Real Property Management and the Department of Aviation to dedicate Pinkbox Drive.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County

Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;

- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0437-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

WAIVERS OF DEVELOPMENT STANDARDS #1 AND #2B WERE WITHDRAWN.

47. PA-24-700015-NEVADA POWER COMPANY:

PLAN AMENDMENT to redesignate the existing land use category from Public Use (PU) to Neighborhood Commercial (NC) on 1.89 acres. Generally located on the north side of Russell Road, 550 feet east of Hualapai Way within Spring Valley. JJ/gc (For possible action)

ADOPTED.

48. ZC-24-0310-NEVADA POWER COMPANY:

ZONE CHANGE to reclassify 1.89 acres from an RS20 (Residential Single-Family 20) Zone to a CG (Commercial General) Zone. Generally located on the north side of Russell Road, 550 feet east of Hualapai Way within Spring Valley (description on file). JJ/hw (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0323-2024 to obtain your POC exhibit; and that flow contributions exceeding District estimates may require another POC analysis.

49. UC-24-0311-NEVADA POWER COMPANY:

USE PERMIT for a mini-warehouse facility.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce and eliminate landscape buffer and screening; and 2) residential adjacency standards.

DESIGN REVIEW for a mini-warehouse facility on 1.89 acres in a CG (Commercial General) Zone. Generally located on the north side of Russell Road, 550 feet east of Hualapai Way within Spring Valley. JJ/hw/syp (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- The addition of balconies or other second story external additions are prohibited;

- Business licenses shall not be issued for businesses conducted within individual units;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0323-2024 to obtain your POC exhibit; and that flow contributions exceeding District estimates may require another POC analysis.

WAIVERS OF DEVELOPMENT STANDARDS #1A, #1B, AND #1E WERE WITHDRAWN.

50. PA-24-700020-ROOHANI KHUSROW FAMILY TRUST:
PLAN AMENDMENT to redesignate the existing land use category from Ranch Estate Neighborhood (RN) to Low-Intensity Suburban Neighborhood (LN) on 5.0 acres. Generally located between Wigwam Avenue and Cougar Avenue on the west side of Edmond Street within Enterprise. JJ/rk (For possible action)

ADOPTED.

51. ZC-24-0485-ROOHANI KHUSROW FAMILY TRUST:
ZONE CHANGE to reclassify the following: 1) 5.00 acres from an RS20 (Residential Single-Family 20) Zone to an RS5.2 (Residential Single-Family 5.2) Zone; 2) 4.77 acres from an RS20 (Residential Single-Family 20) Zone and an H-2 (General Highway Frontage) Zone to an RS3.3 (Residential Single-Family 3.3) Zone; and 3) eliminate the Neighborhood Protection (RNP) Overlay. Generally located on the south side of Wigwam Avenue and on the east and west sides of Edmond Street within Enterprise (description on file). JJ/rg (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;

- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0181-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

52. VS-24-0486-ROOHANI KHUSROW FAMILY TRUST:

AMENDED VACATE AND ABANDON easements of interest to Clark County located between Wigwam Avenue and Ford Avenue, and between Mohawk Street and Decatur Boulevard; a portion of a right-of-way being Edmond Street located between Wigwam Avenue (previously notified as Mohawk Street) and Ford Avenue; and a portion of a right-of-way being Cougar Avenue located between Mohawk Street (previously notified as Decatur Boulevard) and Edmond Street within Enterprise (description on file). JJ/rg/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised within 4 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Right-of-way dedication to include 25 feet to the back of curb for Cougar Avenue, between 25 feet and 50 feet to the back of curb for Edmond Street, 35 feet to the back of curb for Wigwam Avenue and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;

- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

53. **WS-24-0487-ROOHANI KHUSROW FAMILY TRUST:**

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase fill height; and 2) increase retaining wall height.

DESIGN REVIEW for a single-family detached residential development on 9.77 acres in an RS5.2 (Residential Single-Family 5.2) Zone and an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the south side of Wigwam Avenue and on the east and west sides of Edmond Street within Enterprise. JJ/rg/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- 1 story homes on Lots 1 through 6;
- No more than 14 homes on the western half of the project consisting of no more than 6 homes on the western half and no more than 8 homes on the eastern half;
- No more than 38 homes on the eastern half of the project;
- Tiered retaining walls on any perimeter walls along a right-of-way that are above the allowed total of 9 feet (3 feet of retaining and 6 feet of screen);
- Wrought iron view fencing on top of any retaining walls on the eastern half of the project above the allowed total of 9 feet (3 feet of retaining and 6 feet of screen);
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Cougar Avenue, 25 feet to 50 feet to the back of curb for Edmond Street, 35 feet to the back of curb for Wigwam Avenue and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map.

- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb, the vacation of excess right-of-way, and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code. Applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; and to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0181-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

54. TM-24-500101-ROOHANI KHUSROW FAMILY TRUST:
TENTATIVE MAP consisting of 54 single-family residential lots and 5 common lots on 9.77 acres in an RS5.2 (Residential Single-Family 5.2) Zone and an RS3.3 (Residential Single-Family 3.3) Zone. Generally located on the south side of Wigwam Avenue and on the east and west sides of Edmond Street within Enterprise. JJ/rg/kh (For possible action)

APPROVED.

CONDITIONS OF APPROVAL -

Comprehensive Planning

- No more than 14 homes on the western half of the project consisting of no more than 6 homes on the western half and no more than 8 homes on the eastern half;

- No more than 38 homes on the eastern half of the project.
- Applicant is advised within 4 years from the approval date a final map for all, or a portion, of the property included in this application must be recorded or it will expire; an application for an extension of time may only be submitted if a portion of the property included under this application has been recorded; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if there has been no substantial work towards completion; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Cougar Avenue, 25 feet to 50 feet to the back of curb for Edmond Street, 35 feet to the back of curb for Wigwam Avenue and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb, the vacation of excess right-of-way, and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Building Department - Addressing

- Approved street name list from the Combined Fire Communications Center shall be provided;
- All streets shall have approved street names and suffixes.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0181-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

AGENDA ITEM

55. AG-24-900729 HOLDOVER: Discuss a potential amendment to Title 30 to address how setbacks are measured; and direct staff accordingly. (For possible action)

DISCUSSED.

ORDINANCES – INTRODUCTION

56. ORD-24-900565: Introduce an ordinance to consider adoption of a Development Agreement with Richmond American Homes of Nevada, Inc. for a single-family residential development on 7.11 acres, generally located north of Pebble Road and east of Durango Drive within Enterprise. JJ/dw (For possible action)

INTRODUCED - public hearing 12/04/24.

57. ORD-24-900572: Introduce an ordinance to consider adoption of a Development Agreement with SHLV LLC for a shopping center development on 4.0 acres, generally located south of Shelbourne Avenue and west of Rainbow Boulevard within Enterprise. JJ/dw (For possible action)

INTRODUCED - public hearing 12/04/24.

58. ORD-24-900582: Introduce an ordinance to consider adoption of a Development Agreement with BD Equities, LLC for an office/ warehouse complex on 6.7 acres, generally located west of Arville Street and north of Cougar Avenue within Enterprise. JJ/dw (For possible action)

INTRODUCED - public hearing 12/04/24.

59. ORD-24-900734: Introduce an ordinance to consider adoption of a Development Agreement with SD NORTH PARCELS LLC for an office/warehouse complex on 19.3 acres, generally located east of Tenaya Way and south of Patrick Lane within Spring Valley. MN/dd (For possible action)

INTRODUCED - public hearing 12/04/24.

60. ORD-24-900758: Introduce an ordinance to amend Title 30 to modify street landscaping requirements, regulations for manufactured homes, and providing for other matters properly related thereto; and set a public hearing. (For possible action)

INTRODUCED - public hearing 12/04/24.

61. ORD-24-900766: Introduce an ordinance to amend the official zoning map reclassifying certain properties as approved by the Board of County Commissioners on October 2, 2024. (For possible action)

INTRODUCED - public hearing 12/04/24.

PUBLIC COMMENTS

Comments by the General Public regarding any items not listed on the agenda as posted. No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on a future agenda.

From: [Beatriz Martinez](#)
To: [Ala Gray](#)
Cc: [Gloria Wells](#); [Andrea Cole](#); [Melissa Eure](#)
Subject: RE: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277): Continuance Letter from 09/04/24 to 10/02/24
Date: Tuesday, September 3, 2024 10:52:00 PM
Attachments: [image001.png](#)

Perfect, thank you!

Beatriz Martinez

Community Liaison | District E, Commissioner Tick Segerblom

500 S. Grand Central Parkway, 6th Floor, Las Vegas, NV 89155

Email: Beatriz.Martinez@ClarkCountyNV.gov

Office: 702.455.0560



From: Ala Gray <agray@gcgarciainc.com>
Sent: Tuesday, September 3, 2024 3:48 PM
To: Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Cc: Gloria Wells <Gloria.Wells@clarkcountynv.gov>; Andrea Cole <acole@gcgarciainc.com>; Melissa Eure <meure@gcgarciainc.com>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277): Continuance Letter from 09/04/24 to 10/02/24

Yes, I sent this to the planner as well.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Sent: Tuesday, September 3, 2024 3:45 PM
To: Ala Gray <agray@gcgarciainc.com>
Cc: Gloria Wells <Gloria.Wells@clarkcountynv.gov>; Andrea Cole <acole@gcgarciainc.com>; Melissa Eure <meure@gcgarciainc.com>
Subject: Re: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277): Continuance Letter from 09/04/24 to 10/02/24

Thank you Ala, has this letter been sent to the assigned planner as well?

Sent from my iPhone

On Sep 3, 2024, at 3:31 PM, Ala Gray <agray@gcgarciainc.com> wrote:

Good afternoon Beatriz and Gloria,

I hope you are doing well. Please see the attached continuance request letter for the items WS-24-0276 & VS-24-0277 on 09/04/24 Board of County Commissioners meeting. The request is to continue from 09/04/24 to 10/02/24 Board of County Commissioners. Please distribute this letter to Commissioner Segerblom.
Thank you.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: CPAdmin
To: Andrea Cole; Gloria Wells; Beatriz Martinez
Cc: Melissa Eure; George Garcia; Ala Gray; CPAdmin; Jillee Opiniano-Rowland
Subject: RE: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277): Continuance Request from 10/02/24 to 11/06/24
Date: Tuesday, September 24, 2024 4:34:54 PM
Attachments: image001.png

Thank you, I will process.

Warm regards,

*Tiffany Jackson (TJ) she/her
Clark County Office Specialist
Department of Comprehensive Planning
T: 702-455-5004
tiffany.jackson@clarkcountynv.gov*



From: Andrea Cole <acole@gcgarciainc.com>
Sent: Tuesday, September 24, 2024 3:37 PM
To: Gloria Wells <Gloria.Wells@clarkcountynv.gov>; Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Cc: Melissa Eure <meure@gcgarciainc.com>; George Garcia <ggarcia@gcgarciainc.com>; Ala Gray <agray@gcgarciainc.com>; CPAdmin <CPAdmin@clarkcountynv.gov>; Jillee Opiniano-Rowland <Jillee.Opiniano@ClarkCountyNV.gov>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277): Continuance Request from 10/02/24 to 11/06/24

Good Afternoon! Attached is a request to continue our clients applications from 10/02/24 to 11/06/24. Would you be so kind as to distribute this to Commissioner Segerblom and the other Commissioners for the 10/02/24 Board of County Commissioners Meeting? Also, potentially forwarding to any others I may have missed. Planning is cc'd on this email. Thank you in advance for your assistance!

If you have any questions please feel free to contact me at the number listed below.

Thanks and Best Regards.

Andrea Cole, Project Coordination Manager
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
(702) 435-9909 Phone

(702) 435-0457 Fax
acole@gcgarciainc.com E-mail
<https://gcgarciainc.com> Website

From: [Ala Gray](#)
To: [Gloria Wells](#)
Cc: [Andrea Cole](#); [Beatriz Martinez](#)
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Today Mtg w//Tick Segerblom -Rescheduling
Date: Tuesday, September 24, 2024 10:20:31 AM
Attachments: [image001.png](#)

Hi Gloria,

Thank you for available dates and times to reschedule today's meeting. We will confirm with George and let you know. I sent you the cancelation calendar for today.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Sent: Tuesday, September 24, 2024 10:13 AM
To: Ala Gray <agray@gcgarciainc.com>
Cc: Andrea Cole <acole@gcgarciainc.com>; Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Subject: RE: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Today Mtg w//Tick Segerblom -Rescheduling

Good morning,

It's not a problem. Here is the Commissioner's availability:

9/30 – 3:00 p.m.
10/1 – 1:30 p.m.
10/3 – 11 or 11:30 a.m.
10/8 – 1:00 or 1:30 p.m.

Hope George feels well soon.

Gloria

Gloria Wells

Executive Assistant to
Clark County Commission Chair Tick Segerblom
500 S. Grand Central Parkway
Las Vegas, NV
Office: (702) 455-3500

Office Hours: Monday–Thursday: 7:30–5:30 p.m.



From: Ala Gray <agray@gcgarciainc.com>

Sent: Tuesday, September 24, 2024 9:41 AM

To: Gloria Wells <Gloria.Wells@clarkcountynv.gov>

Cc: Andrea Cole <acole@gcgarciainc.com>

Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Today Mtg w//Tick Segerblom
-Rescheduling

Importance: High

Good morning Gloria,

Unfortunately, George is not feeling well today, he is out of the office, so we are rescheduling all his meetings. We apologize for any inconvenience, and we want to ask if we can reschedule today's meeting with Commissioner Segerblom. Would you please provide the next couple of available dates and times to reschedule today's meeting?

Thank you.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Ala Gray

Sent: Tuesday, September 17, 2024 2:54 PM

To: 'Gloria Wells' <Gloria.Wells@clarkcountynv.gov>

Cc: Andrea Cole <acole@gcgarciainc.com>

Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom

Thank you very much!

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Gloria Wells <Gloria.Wells@clarkcountynv.gov>

Sent: Tuesday, September 17, 2024 2:52 PM
To: Ala Gray <agray@gcgarciainc.com>
Cc: Andrea Cole <acole@gcgarciainc.com>
Subject: RE: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom

The 24th is still open at 2:00 p.m.

Gloria

Gloria Wells

Executive Assistant to
Clark County Commission Chair Tick Segerblom
500 S. Grand Central Parkway
Las Vegas, NV
Office: (702) 455-3500
Office Hours: Monday–Thursday: 7:30–5:30 p.m.



From: Ala Gray <agray@gcgarciainc.com>
Sent: Tuesday, September 17, 2024 1:39 PM
To: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Cc: Andrea Cole <acole@gcgarciainc.com>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom

Hi Gloria,

I'm sorry. Per conversation between George and our client, they would like to change 09/23/24 to 09/24/24 at 2pm if it's still available. Please advise. Thank you.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Ala Gray
Sent: Monday, September 16, 2024 9:43 AM
To: 'Gloria Wells' <Gloria.Wells@clarkcountynv.gov>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom on 09/23/24

Thank you,
Have a wonderful Monday!

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcfgarciainc.com>

From: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Sent: Monday, September 16, 2024 9:38 AM
To: Ala Gray <agray@gcfgarciainc.com>
Subject: RE: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom on 09/23/24

Thank you.

Gloria

Gloria Wells

Executive Assistant to
Clark County Commission Chair Tick Segerblom
500 S. Grand Central Parkway
Las Vegas, NV
Office: (702) 455-3500
Office Hours: Monday-Thursday: 7:30-5:30 p.m.



From: Ala Gray <agray@gcfgarciainc.com>
Sent: Monday, September 16, 2024 9:14 AM
To: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Cc: Andrea Cole <acole@gcfgarciainc.com>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom on 09/23/24

Hi Gloria,

Thank you. September 23 at 10:00 am would work. I sent you our calendar invite.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcfgarciainc.com>

From: Gloria Wells <Gloria.Wells@clarkcountynv.gov>

Sent: Monday, September 16, 2024 9:02 AM

To: Ala Gray <agray@gcgarciainc.com>

Cc: Andrea Cole <acole@gcgarciainc.com>

Subject: RE: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Setting up briefing w/Tick Segerblom for 10/02/24 BCC

Good morning,

Commissioner Segerblom has the following availability:

9/18 – 1:30

9/23 – 10 a.m. or noon

9/24 – 2:00

Thank you.

Gloria

Gloria Wells

Executive Assistant to
Clark County Commission Chair Tick Segerblom
500 S. Grand Central Parkway
Las Vegas, NV
Office: (702) 455-3500
Office Hours: Monday-Thursday: 7:30-5:30 p.m.



From: Ala Gray <agray@gcgarciainc.com>

Sent: Monday, September 16, 2024 8:22 AM

To: Gloria Wells <Gloria.Wells@clarkcountynv.gov>

Cc: Andrea Cole <acole@gcgarciainc.com>

Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Setting up briefing w/Tick Segerblom for 10/02/24 BCC

Good morning Gloria,

I hope you had a nice weekend. Just following up on a couple of available dates and times for next week for the briefing. Please let me know. Thank you.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014

Office (702) 435-9909
<https://gcfgarciainc.com>

From: Ala Gray
Sent: Thursday, September 12, 2024 3:30 PM
To: 'Gloria Wells' <Gloria.Wells@clarkcountynv.gov>
Cc: Andrea Cole <acole@gcfgarciainc.com>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Setting up briefing w/Tick Segerblom for 10/02/24 BCC

Hi Gloria,

Since you close tomorrow, wanted to follow up to see if you had a chance to look for the week of September 23 if anything is available. Thank you.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcfgarciainc.com>

From: Ala Gray
Sent: Thursday, September 12, 2024 10:14 AM
To: 'Gloria Wells' <Gloria.Wells@clarkcountynv.gov>
Cc: Andrea Cole <acole@gcfgarciainc.com>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Setting up briefing w/Tick Segerblom for 10/02/24 BCC

Hi Gloria,

Thank you for your response. I look forward to hearing from you today.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcfgarciainc.com>

From: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Sent: Thursday, September 12, 2024 9:54 AM
To: Ala Gray <agray@gcfgarciainc.com>
Cc: Andrea Cole <acole@gcfgarciainc.com>

Subject: RE: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Setting up briefing w/Tick Segerblom for 10/02/24 BCC

Hi Ala,

I received your email yesterday. We've been out of the office. I will get back to you soon.

Thank you.

Gloria

Gloria Wells

Executive Assistant to
Clark County Commission Chair Tick Segerblom
500 S. Grand Central Parkway
Las Vegas, NV
Office: (702) 455-3500
Office Hours: Monday-Thursday: 7:30-5:30 p.m.



From: Ala Gray <agray@gcgarciainc.com>

Sent: Wednesday, September 11, 2024 11:39 AM

To: Gloria Wells <Gloria.Wells@clarkcountynv.gov>

Cc: Andrea Cole <acole@gcgarciainc.com>

Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Setting up briefing w/Tick Segerblom for 10/02/24 BCC

Good morning Gloria,

I hope you are doing well. We would like to set up a briefing with Commissioner Segerblom for the item that is on the 10/02/24 Board of County Commissioners meeting. Would you please see if something is available for the week of September 23? Thank you.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: [Sami Real](#)
To: [Beatriz Martinez](#)
Cc: [Jennifer Ammerman](#); [Tick Segerblom](#)
Subject: RE: HOLD Items VS-24-0277 and WS-24-0276
Date: Thursday, October 31, 2024 11:39:24 AM
Attachments: [image001.png](#)

Perfect.
Thank you!

Sami R. Real
Director, Department of Comprehensive Planning
Ph: (702) 455-3129
Business Hours: Mon. – Thurs., 7:30am to 5:30pm

From: Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Sent: Thursday, October 31, 2024 11:39 AM
To: Sami Real <Sami.Real@ClarkCountyNV.gov>
Cc: Jennifer Ammerman <jad@ClarkCountyNV.gov>; Tick Segerblom <Tsegerblom@ClarkCountyNV.gov>
Subject: RE: HOLD Items VS-24-0277 and WS-24-0276

Sorry about that! I will be to the second meeting in November.

Thank you!

Beatriz Martinez

Community Liaison | District E, Commissioner Tick Segerblom
500 S. Grand Central Parkway, 6th Floor, Las Vegas, NV 89155
Email: Beatriz.Martinez@ClarkCountyNV.gov
Office: 702.455.0560



From: Sami Real <Sami.Real@ClarkCountyNV.gov>
Sent: Thursday, October 31, 2024 11:37 AM
To: Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Cc: Jennifer Ammerman <jad@ClarkCountyNV.gov>; Tick Segerblom <Tsegerblom@ClarkCountyNV.gov>
Subject: RE: HOLD Items VS-24-0277 and WS-24-0276

Bea..
How long will these items be held for???
No date? Second meeting in November? Or???

Sami R. Real
Director, Department of Comprehensive Planning
Ph: (702) 455-3129
Business Hours: Mon. – Thurs., 7:30am to 5:30pm

From: Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Sent: Thursday, October 31, 2024 11:23 AM
To: Sami Real <Sami.Real@ClarkCountyNV.gov>
Cc: Jennifer Ammerman <jad@ClarkCountyNV.gov>; Tick Segerblom <Tsegerblom@ClarkCountyNV.gov>
Subject: HOLD Items VS-24-0277 and WS-24-0276

Hi Sami,

Commissioner Segerblom would like to hold items VS-24-0277 and WS-24-0276, we have made the consultant aware of the hold.

Thank you,

Beatriz Martinez
Community Liaison | District E, Commissioner Tick Segerblom
500 S. Grand Central Parkway, 6th Floor, Las Vegas, NV 89155
Email: Beatriz.Martinez@ClarkCountyNV.gov
Office: 702.455.0560



From: [Gloria Wells](#)
To: [Ala Gray](#)
Cc: [Andrea Cole](#); [Beatriz Martinez](#)
Subject: RE: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom -Rescheduling
Date: Thursday, September 26, 2024 10:37:18 AM
Attachments: [image001.png](#)

perfect

Gloria

Gloria Wells

Executive Assistant to
Clark County Commission Chair Tick Segerblom
500 S. Grand Central Parkway
Las Vegas, NV
Office: (702) 455-3500
Office Hours: Monday-Thursday: 7:30-5:30 p.m.



From: Ala Gray <agray@gcgarciainc.com>
Sent: Thursday, September 26, 2024 10:19 AM
To: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Cc: Andrea Cole <acole@gcgarciainc.com>; Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom - Rescheduling

Good morning Gloria,

November 4th at 1:00pm would work. Thank you.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Sent: Thursday, September 26, 2024 10:09 AM
To: Ala Gray <agray@gcgarciainc.com>
Cc: Andrea Cole <acole@gcgarciainc.com>; Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Subject: RE: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom - Rescheduling

Good morning Ala,

Here is some availability for the Commissioner:

10/29 – 10 a.m. – noon or 2-3:00 p.m.

10/30 – anytime

10/31 – 10:00 a.m., 1-3:00 p.m.

11/4 – 1:00 p.m.

Thank you.

Gloria

Gloria Wells

Executive Assistant to
Clark County Commission Chair Tick Segerblom
500 S. Grand Central Parkway
Las Vegas, NV
Office: (702) 455-3500
Office Hours: Monday-Thursday: 7:30-5:30 p.m.



From: Ala Gray <agray@gcgarciainc.com>

Sent: Tuesday, September 24, 2024 4:09 PM

To: Gloria Wells <Gloria.Wells@clarkcountynv.gov>

Cc: Andrea Cole <acole@gcgarciainc.com>; Beatriz Martinez
<Beatriz.Martinez@ClarkCountyNV.gov>

Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom - Rescheduling

Gloria,

We have requested the continuance for these applications from the 10/02/24 meeting to the 11/06/24 meeting. So, for this reason, we would like to hold the briefing with Commissioner Segerblom close to 11/06/24. Can you please see if anything is available in the week of 10/28/24 or 11/04/24 or 11/05/24? Thank you for your time and help.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Ala Gray
Sent: Tuesday, September 24, 2024 10:20 AM
To: 'Gloria Wells' <Gloria.Wells@clarkcountynv.gov>
Cc: Andrea Cole <acole@gcgarciainc.com>; Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Today Mtg w//Tick Segerblom -Rescheduling

Hi Gloria,

Thank you for available dates and times to reschedule today's meeting. We will confirm with George and let you know. I sent you the cancelation calendar for today.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Sent: Tuesday, September 24, 2024 10:13 AM
To: Ala Gray <agray@gcgarciainc.com>
Cc: Andrea Cole <acole@gcgarciainc.com>; Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Subject: RE: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Today Mtg w//Tick Segerblom -Rescheduling

Good morning,

It's not a problem. Here is the Commissioner's availability:

9/30 – 3:00 p.m.
10/1 – 1:30 p.m.
10/3 – 11 or 11:30 a.m.
10/8 – 1:00 or 1:30 p.m.

Hope George feels well soon.

Gloria

Gloria Wells
Executive Assistant to
Clark County Commission Chair Tick Segerblom

500 S. Grand Central Parkway
Las Vegas, NV
Office: (702) 455-3500
Office Hours: Monday–Thursday: 7:30–5:30 p.m.



From: Ala Gray <agray@gcgarciainc.com>
Sent: Tuesday, September 24, 2024 9:41 AM
To: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Cc: Andrea Cole <acole@gcgarciainc.com>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Today Mtg w//Tick Segerblom
-Rescheduling
Importance: High

Good morning Gloria,

Unfortunately, George is not feeling well today, he is out of the office, so we are rescheduling all his meetings. We apologize for any inconvenience, and we want to ask if we can reschedule today's meeting with Commissioner Segerblom. Would you please provide the next couple of available dates and times to reschedule today's meeting?

Thank you.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Ala Gray
Sent: Tuesday, September 17, 2024 2:54 PM
To: 'Gloria Wells' <Gloria.Wells@clarkcountynv.gov>
Cc: Andrea Cole <acole@gcgarciainc.com>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom

Thank you very much!

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909

<https://gcgarciainc.com>

From: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Sent: Tuesday, September 17, 2024 2:52 PM
To: Ala Gray <agray@gcgarciainc.com>
Cc: Andrea Cole <acole@gcgarciainc.com>
Subject: RE: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom

The 24th is still open at 2:00 p.m.

Gloria

Gloria Wells

Executive Assistant to
Clark County Commission Chair Tick Segerblom
500 S. Grand Central Parkway
Las Vegas, NV
Office: (702) 455-3500
Office Hours: Monday-Thursday: 7:30-5:30 p.m.



From: Ala Gray <agray@gcgarciainc.com>
Sent: Tuesday, September 17, 2024 1:39 PM
To: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Cc: Andrea Cole <acole@gcgarciainc.com>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom

Hi Gloria,

I'm sorry. Per conversation between George and our client, they would like to change 09/23/24 to 09/24/24 at 2pm if it's still available. Please advise. Thank you.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Ala Gray
Sent: Monday, September 16, 2024 9:43 AM
To: 'Gloria Wells' <Gloria.Wells@clarkcountynv.gov>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom on 09/23/24

Thank you,
Have a wonderful Monday!

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
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To: Ala Gray <agray@gcgarciainc.com>
Subject: RE: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom on 09/23/24

Thank you.

Gloria

Gloria Wells

Executive Assistant to
Clark County Commission Chair Tick Segerblom
500 S. Grand Central Parkway
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From: Ala Gray <agray@gcgarciainc.com>
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Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom on 09/23/24

Hi Gloria,

Thank you. September 23 at 10:00 am would work. I sent you our calendar invite.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.

1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Sent: Monday, September 16, 2024 9:02 AM
To: Ala Gray <agray@gcgarciainc.com>
Cc: Andrea Cole <acole@gcgarciainc.com>
Subject: RE: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Setting up briefing w/Tick Segerblom for 10/02/24 BCC

Good morning,

Commissioner Segerblom has the following availability:

9/18 – 1:30
9/23 – 10 a.m. or noon
9/24 – 2:00

Thank you.

Gloria

Gloria Wells

Executive Assistant to
Clark County Commission Chair Tick Segerblom
500 S. Grand Central Parkway
Las Vegas, NV
Office: (702) 455-3500
Office Hours: Monday–Thursday: 7:30–5:30 p.m.



From: Ala Gray <agray@gcgarciainc.com>
Sent: Monday, September 16, 2024 8:22 AM
To: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Cc: Andrea Cole <acole@gcgarciainc.com>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Setting up briefing w/Tick Segerblom for 10/02/24 BCC

Good morning Gloria,

I hope you had a nice weekend. Just following up on a couple of available dates and times for next week for the briefing. Please let me know. Thank you.

Ala Gray,

Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Ala Gray
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Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Setting up briefing w/Tick Segerblom for 10/02/24 BCC

Hi Gloria,

Since you close tomorrow, wanted to follow up to see if you had a chance to look for the week of September 23 if anything is available. Thank you.

Ala Gray,
Associate Planner
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Henderson, NV 89014
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<https://gcgarciainc.com>

From: Ala Gray
Sent: Thursday, September 12, 2024 10:14 AM
To: 'Gloria Wells' <Gloria.Wells@clarkcountynv.gov>
Cc: Andrea Cole <acole@gcgarciainc.com>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Setting up briefing w/Tick Segerblom for 10/02/24 BCC

Hi Gloria,

Thank you for your response. I look forward to hearing from you today.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Sent: Thursday, September 12, 2024 9:54 AM
To: Ala Gray <agray@gcgarciainc.com>
Cc: Andrea Cole <acole@gcgarciainc.com>
Subject: RE: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Setting up briefing w/Tick Segerblom for 10/02/24 BCC

Hi Ala,

I received your email yesterday. We've been out of the office. I will get back to you soon.

Thank you.

Gloria

Gloria Wells

Executive Assistant to
Clark County Commission Chair Tick Segerblom
500 S. Grand Central Parkway
Las Vegas, NV
Office: (702) 455-3500
Office Hours: Monday-Thursday: 7:30-5:30 p.m.



From: Ala Gray <agray@gcgarciainc.com>
Sent: Wednesday, September 11, 2024 11:39 AM
To: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Cc: Andrea Cole <acole@gcgarciainc.com>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Setting up briefing w/Tick Segerblom for 10/02/24 BCC

Good morning Gloria,

I hope you are doing well. We would like to set up a briefing with Commissioner Segerblom for the item that is on the 10/02/24 Board of County Commissioners meeting. Would you please see if something is available for the week of September 23? Thank you.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: [Beatriz Martinez](#)
To: [Ala Gray](#)
Cc: [Gloria Wells](#); ggarcia@gcgarciainc.com
Subject: FW: HOLD Items VS-24-0277 and WS-24-0276
Date: Thursday, October 31, 2024 11:29:00 AM
Attachments: [image001.png](#)

FYI for your records.

Beatriz Martinez

Community Liaison | District E, Commissioner Tick Segerblom

500 S. Grand Central Parkway, 6th Floor, Las Vegas, NV 89155

Email: Beatriz.Martinez@ClarkCountyNV.gov

Office: 702.455.0560



From: Beatriz Martinez
Sent: Thursday, October 31, 2024 11:22 AM
To: ggarcia@gcgarciainc.com
Cc: Tick Segerblom <Tsegerblom@ClarkCountyNV.gov>
Subject: RE: HOLD Items VS-24-0277 and WS-24-0276

Hi George

The Commissioner will be requesting to hold the item. Let me know if you have any questions

Thank you,

Beatriz Martinez

Community Liaison | District E, Commissioner Tick Segerblom

500 S. Grand Central Parkway, 6th Floor, Las Vegas, NV 89155

Email: Beatriz.Martinez@ClarkCountyNV.gov

Office: 702.455.0560



From: Beatriz Martinez
Sent: Wednesday, October 30, 2024 9:16 AM
To: ggarcia@gcgarciainc.com
Cc: Tick Segerblom <Tsegerblom@ClarkCountyNV.gov>
Subject: HOLD Items VS-24-0277 and WS-24-0276

Good morning George,

The Commissioner would like to hold items VS-24-0277 and WS-24-0276 to the November 20 BCC meeting, is that ok with the applicant?

Thank you,

Beatriz Martinez

Community Liaison | District E, Commissioner Tick Segerblom

500 S. Grand Central Parkway, 6th Floor, Las Vegas, NV 89155

Email: Beatriz.Martinez@ClarkCountyNV.gov

Office: 702.455.0560



From: [Beatriz Martinez](#)
To: [Jesus Ruiz](#)
Subject: RE: LEDGE BCC Action - Nellis & Happy Valley
Date: Wednesday, November 13, 2024 10:51:00 AM
Attachments: [image002.png](#)

Yes, that is correct. The applicant's consultant passed away unexpectedly so the Commissioner wanted to hold it for two more weeks.

Thank you,

Beatriz Martinez

Community Liaison | District E, Commissioner Tick Segerblom

500 S. Grand Central Parkway, 6th Floor, Las Vegas, NV 89155

Email: Beatriz.Martinez@ClarkCountyNV.gov

Office: 702.455.0560



From: Jesus Ruiz <Jesus.Ruiz@ClarkCountyNV.gov>
Sent: Wednesday, November 13, 2024 7:31 AM
To: Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Subject: FW: LEDGE BCC Action - Nellis & Happy Valley

Ms., Beatriz,

Can you confirm that the hearing for 3125 S. Nellis Blvd. was pushed back to 11-20-24.

Please and thank you in advance.

Jesus Ruiz

Code Enforcement Officer, Clark County

service integrity respect accountability excellence leadership

From: Andrea Cole <acole@gcgarciainc.com>
Sent: Wednesday, November 6, 2024 4:31 PM
To: Jesus Ruiz <Jesus.Ruiz@ClarkCountyNV.gov>
Subject: LEDGE BCC Action - Nellis & Happy Valley

Officer Ruiz,

The applications were continued at the request of the Commissioner from today's BCC hearing to the 11/20/24 hearing date.

If you have any questions please feel free to contact me at the number listed

below.

Thanks and Best Regards.

Andrea Cole, Project Coordination Manager
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
(702) 435-9909 Phone
(702) 435-0457 Fax
acole@gcgarciainc.com E-mail
<https://gcgarciainc.com> Website

From: Jesus Ruiz <Jesus.Ruiz@ClarkCountyNV.gov>
Sent: Friday, October 4, 2024 2:18 PM
To: Andrea Cole <acole@gcgarciainc.com>
Cc: George Garcia <ggarcia@gcgarciainc.com>
Subject: RE: LEDGE BCC Action - Nellis & Happy Valley

I am sure we are well aware that this has gone on well past what was agreed upon after the appeal hearing. I am waiting to hear back from the commissioners office as well before I talk to my supervisor about the case.

Jesus Ruiz

Code Enforcement Officer, Clark County

service integrity respect accountability excellence leadership

From: Andrea Cole <acole@gcgarciainc.com>
Sent: Friday, October 4, 2024 2:14 PM
To: Jesus Ruiz <Jesus.Ruiz@ClarkCountyNV.gov>
Cc: George Garcia <ggarcia@gcgarciainc.com>
Subject: LEDGE BCC Action - Nellis & Happy Valley

Good Afternoon Officer Ruiz,

I hope you are doing well! We are continuing to work with the Commissioner and his office on the site. The applications were continued from the 10/02/24 BCC meeting to 11/06/24.

If you have any questions please feel free to contact me at the number listed below.

Thanks and Best Regards.

Andrea Cole, Project Coordination Manager

G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
(702) 435-9909 Phone
(702) 435-0457 Fax
acole@gcgarciainc.com E-mail
<https://gcgarciainc.com> Website

From: Jesus Ruiz <Jesus.Ruiz@ClarkCountyNV.gov>
Sent: Friday, October 4, 2024 2:08:44 PM
To: George Garcia <ggarcia@gcgarciainc.com>
Subject: RE: LEDGE BCC Action - Nellis & Happy Valley

Sir,

Can I get an update on your meeting on 10-2-24.

Please and thank you.

Jesus Ruiz

Code Enforcement Officer, Clark County

service integrity respect accountability excellence leadership

From: George Garcia <ggarcia@gcgarciainc.com>
Sent: Wednesday, September 4, 2024 4:19 PM
To: Jesus Ruiz <Jesus.Ruiz@ClarkCountyNV.gov>
Subject: Re: LEDGE BCC Action - Nellis & Happy Valley

Oct 2nd

Sent via the Samsung Galaxy S22 Ultra 5G, an AT&T 5G smartphone
Get [Outlook for Android](#)

From: Jesus Ruiz <Jesus.Ruiz@ClarkCountyNV.gov>
Sent: Wednesday, September 4, 2024 4:05:53 PM
To: George Garcia <ggarcia@gcgarciainc.com>
Subject: RE: LEDGE BCC Action - Nellis & Happy Valley
Do you have a date for the next BCC meeting?

Jesus Ruiz

Code Enforcement Officer, Clark County

service integrity respect accountability excellence leadership

From: George Garcia <ggarcia@gcgarciainc.com>

Sent: Wednesday, September 4, 2024 1:40 PM

To: Jesus Ruiz <Jesus.Ruiz@ClarkCountyNV.gov>

Cc: Andrea Cole <acole@gcgarciainc.com>; Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>

Subject: LEDGE BCC Action - Nellis & Happy Valley

Officer Ruiz,

Today the BCC continued our item for 30 days. We are still working with the Commissioner's office.

Call/rely with any comments or questions you may have.

George Garcia

Sent via the Samsung Galaxy S22 Ultra 5G, an AT&T 5G smartphone

Get [Outlook for Android](#)

From: [Beatriz Martinez](#)
To: [Melissa Eure](#)
Cc: [Andrea Cole](#)
Subject: RE: Nellis & Happy Valley WS-24-0276
Date: Thursday, November 21, 2024 4:04:00 PM
Attachments: [image001.png](#)

Hi Melissa,

I spoke to Code Enforcement on the issue and they will give the applicant a couple of months to comply as long as the applicant is making process on remediating the site. Code will probably be making monthly status checks on the property to check on the progress.

Beatriz Martinez

Community Liaison | District E, Commissioner Tick Segerblom

500 S. Grand Central Parkway, 6th Floor, Las Vegas, NV 89155

Email: Beatriz.Martinez@ClarkCountyNV.gov

Office: 702.455.0560



From: Melissa Eure <meure@gcgarciainc.com>
Sent: Thursday, November 21, 2024 1:53 PM
To: Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Cc: Andrea Cole <acole@gcgarciainc.com>
Subject: Nellis & Happy Valley WS-24-0276

Hi Beatriz,

We had told the code enforcement officer that we would update him after the meeting on the status of the approval. I have a feeling that once we do that, he will quickly move on to looking to enforce fines. Would it be appropriate to have you reach out to him and copy me? Or should we reach out with you copied on it that way you can reach out to him afterwards to make sure that he stands down as discussed for the next few months?

Just trying to figure out how to make this as little of a headache as possible.

Thank You,

Melissa Eure

President/Director of Planning

G.C. Garcia, Inc.

1055 Whitney Ranch Dr., Suite 210

Henderson, NV 89014
(702) 435-9909 Phone
(702) 435-0457 Fax
E-mail meure@gcgarciainc.com
Website <https://gcgarciainc.com>

From: [Andrea Cole](#)
To: [Jesus Ruiz](#)
Cc: [Melissa Eure](#); [Beatriz Martinez](#)
Subject: LEDGE BCC Action - Nellis & Happy Valley
Date: Monday, November 25, 2024 4:42:30 PM

The contact is Rob Lauer, email is roblauer@protonmail.com & phone number is (702) 271-4436.

If you have any questions please feel free to contact me at the number listed below.

Thanks and Best Regards.

Andrea Cole, Project Coordination Manager
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
(702) 435-9909 Phone
(702) 435-0457 Fax
acole@gcgarciainc.com E-mail
<https://gcgarciainc.com> Website

From: Jesus Ruiz <Jesus.Ruiz@ClarkCountyNV.gov>
Sent: Friday, November 22, 2024 12:26 PM
To: Andrea Cole <acole@gcgarciainc.com>
Cc: Melissa Eure <meure@gcgarciainc.com>; Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Subject: RE: LEDGE BCC Action - Nellis & Happy Valley

Understood. I will wait to hear back from the commissioners office on some of the details/directives given to correct the violation.

Who will be my point of contact for the property owner after today?

Jesus Ruiz

Code Enforcement Officer, Clark County

service integrity respect accountability excellence leadership

From: Andrea Cole <acole@gcgarciainc.com>
Sent: Friday, November 22, 2024 9:01 AM
To: Jesus Ruiz <Jesus.Ruiz@ClarkCountyNV.gov>
Cc: Melissa Eure <meure@gcgarciainc.com>; Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Subject: LEDGE BCC Action - Nellis & Happy Valley

Officer Ruiz,

The applications were denied without prejudice at the 11/20/24 Board of County Commissioners meeting.

If you have any questions please feel free to contact me at the number listed below.

Thanks and Best Regards.

Andrea Cole, Project Coordination Manager

G.C. Garcia, Inc.

1055 Whitney Ranch Dr., Suite 210

Henderson, NV 89014

(702) 435-9909 Phone

(702) 435-0457 Fax

acole@gcgarciainc.com E-mail

<https://gcgarciainc.com> Website

From: [Ala Gray](#)
To: [Gloria Wells](#)
Cc: [Andrea Cole](#); [Beatriz Martinez](#)
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom 11/04/24
Date: Monday, September 30, 2024 10:06:56 AM
Attachments: [image001.png](#)

I'll go ahead and send the calendar invite so we both have it on the schedule.
Please let me know if you will have any changes.
Have a great day!

Ala Gray
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Sent: Monday, September 30, 2024 9:59 AM
To: Ala Gray <agray@gcgarciainc.com>
Cc: Andrea Cole <acole@gcgarciainc.com>; Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Subject: RE: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom 11/04/24

If you like, but we already have it on the calendar.

Gloria

Gloria Wells

Executive Assistant to
Clark County Commission Chair Tick Segerblom
500 S. Grand Central Parkway
Las Vegas, NV
Office: (702) 455-3500
Office Hours: Monday-Thursday: 7:30-5:30 p.m.



From: Ala Gray <agray@gcgarciainc.com>
Sent: Monday, September 30, 2024 9:45 AM
To: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Cc: Andrea Cole <acole@gcgarciainc.com>; Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom 11/04/24

Good morning Gloria,

I hope you had a nice weekend. Would you like me to send you our calendar invite for 11/04/24?

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Sent: Thursday, September 26, 2024 10:37 AM
To: Ala Gray <agray@gcgarciainc.com>
Cc: Andrea Cole <acole@gcgarciainc.com>; Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Subject: RE: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom - Rescheduling

perfect

Gloria

Gloria Wells

Executive Assistant to
Clark County Commission Chair Tick Segerblom
500 S. Grand Central Parkway
Las Vegas, NV
Office: (702) 455-3500
Office Hours: Monday-Thursday: 7:30-5:30 p.m.



From: Ala Gray <agray@gcgarciainc.com>
Sent: Thursday, September 26, 2024 10:19 AM
To: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Cc: Andrea Cole <acole@gcgarciainc.com>; Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom - Rescheduling

Good morning Gloria,

November 4th at 1:00pm would work. Thank you.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Sent: Thursday, September 26, 2024 10:09 AM
To: Ala Gray <agray@gcgarciainc.com>
Cc: Andrea Cole <acole@gcgarciainc.com>; Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Subject: RE: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom - Rescheduling

Good morning Ala,

Here is some availability for the Commissioner:

10/29 – 10 a.m. – noon or 2-3:00 p.m.
10/30 – anytime
10/31 – 10:00 a.m., 1-3:99 p.m.
11/4 – 1:00 p.m.

Thank you.

Gloria

Gloria Wells

Executive Assistant to
Clark County Commission Chair Tick Segerblom
500 S. Grand Central Parkway
Las Vegas, NV
Office: (702) 455-3500
Office Hours: Monday–Thursday: 7:30–5:30 p.m.



From: Ala Gray <agray@gcgarciainc.com>
Sent: Tuesday, September 24, 2024 4:09 PM
To: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Cc: Andrea Cole <acole@gcgarciainc.com>; Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom -

Rescheduling

Gloria,

We have requested the continuance for these applications from the 10/02/24 meeting to the 11/06/24 meeting. So, for this reason, we would like to hold the briefing with Commissioner Segerblom close to 11/06/24. Can you please see if anything is available in the week of 10/28/24 or 11/04/24 or 11/05/24? Thank you for your time and help.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Ala Gray
Sent: Tuesday, September 24, 2024 10:20 AM
To: 'Gloria Wells' <Gloria.Wells@clarkcountynv.gov>
Cc: Andrea Cole <acole@gcgarciainc.com>; Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Today Mtg w//Tick Segerblom -Rescheduling

Hi Gloria,

Thank you for available dates and times to reschedule today's meeting. We will confirm with George and let you know. I sent you the cancelation calendar for today.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Sent: Tuesday, September 24, 2024 10:13 AM
To: Ala Gray <agray@gcgarciainc.com>
Cc: Andrea Cole <acole@gcgarciainc.com>; Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Subject: RE: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Today Mtg w//Tick

Segerblom -Rescheduling

Good morning,

It's not a problem. Here is the Commissioner's availability:

9/30 – 3:00 p.m.

10/1 – 1:30 p.m.

10/3 – 11 or 11:30 a.m.

10/8 – 1:00 or 1:30 p.m.

Hope George feels well soon.

Gloria

Gloria Wells

Executive Assistant to
Clark County Commission Chair Tick Segerblom
500 S. Grand Central Parkway
Las Vegas, NV
Office: (702) 455-3500
Office Hours: Monday–Thursday: 7:30–5:30 p.m.



From: Ala Gray <agray@gcgarciainc.com>

Sent: Tuesday, September 24, 2024 9:41 AM

To: Gloria Wells <Gloria.Wells@clarkcountynv.gov>

Cc: Andrea Cole <acole@gcgarciainc.com>

Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Today Mtg w//Tick Segerblom -Rescheduling

Importance: High

Good morning Gloria,

Unfortunately, George is not feeling well today, he is out of the office, so we are rescheduling all his meetings. We apologize for any inconvenience, and we want to ask if we can reschedule today's meeting with Commissioner Segerblom. Would you please provide the next couple of available dates and times to reschedule today's meeting?

Thank you.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014

Office (702) 435-9909
<https://gcfgarciainc.com>

From: Ala Gray
Sent: Tuesday, September 17, 2024 2:54 PM
To: 'Gloria Wells' <Gloria.Wells@clarkcountynv.gov>
Cc: Andrea Cole <acole@gcfgarciainc.com>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom

Thank you very much!

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcfgarciainc.com>

From: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Sent: Tuesday, September 17, 2024 2:52 PM
To: Ala Gray <agray@gcfgarciainc.com>
Cc: Andrea Cole <acole@gcfgarciainc.com>
Subject: RE: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom

The 24th is still open at 2:00 p.m.

Gloria

Gloria Wells

Executive Assistant to
Clark County Commission Chair Tick Segerblom
500 S. Grand Central Parkway
Las Vegas, NV
Office: (702) 455-3500
Office Hours: Monday–Thursday: 7:30–5:30 p.m.



From: Ala Gray <agray@gcfgarciainc.com>
Sent: Tuesday, September 17, 2024 1:39 PM
To: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Cc: Andrea Cole <acole@gcfgarciainc.com>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom

Hi Gloria,

I'm sorry. Per conversation between George and our client, they would like to change 09/23/24 to 09/24/24 at 2pm if it's still available. Please advise. Thank you.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Ala Gray
Sent: Monday, September 16, 2024 9:43 AM
To: 'Gloria Wells' <Gloria.Wells@clarkcountynv.gov>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom on 09/23/24

Thank you,
Have a wonderful Monday!

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Sent: Monday, September 16, 2024 9:38 AM
To: Ala Gray <agray@gcgarciainc.com>
Subject: RE: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom on 09/23/24

Thank you.

Gloria

Gloria Wells

Executive Assistant to
Clark County Commission Chair Tick Segerblom
500 S. Grand Central Parkway
Las Vegas, NV
Office: (702) 455-3500
Office Hours: Monday-Thursday: 7:30-5:30 p.m.



From: Ala Gray <agray@gcgarciainc.com>
Sent: Monday, September 16, 2024 9:14 AM
To: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Cc: Andrea Cole <acole@gcgarciainc.com>
Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Mtg w//Tick Segerblom on 09/23/24

Hi Gloria,

Thank you. September 23 at 10:00 am would work. I sent you our calendar invite.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Gloria Wells <Gloria.Wells@clarkcountynv.gov>
Sent: Monday, September 16, 2024 9:02 AM
To: Ala Gray <agray@gcgarciainc.com>
Cc: Andrea Cole <acole@gcgarciainc.com>
Subject: RE: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Setting up briefing w/Tick Segerblom for 10/02/24 BCC

Good morning,

Commissioner Segerblom has the following availability:

9/18 – 1:30
9/23 – 10 a.m. or noon
9/24 – 2:00

Thank you.

Gloria

Gloria Wells

Executive Assistant to
Clark County Commission Chair Tick Segerblom
500 S. Grand Central Parkway
Las Vegas, NV
Office: (702) 455-3500

Office Hours: Monday-Thursday: 7:30-5:30 p.m.



From: Ala Gray <agray@gcgarciainc.com>

Sent: Monday, September 16, 2024 8:22 AM

To: Gloria Wells <Gloria.Wells@clarkcountynv.gov>

Cc: Andrea Cole <acole@gcgarciainc.com>

Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Setting up briefing w/Tick Segerblom for 10/02/24 BCC

Good morning Gloria,

I hope you had a nice weekend. Just following up on a couple of available dates and times for next week for the briefing. Please let me know. Thank you.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Ala Gray

Sent: Thursday, September 12, 2024 3:30 PM

To: 'Gloria Wells' <Gloria.Wells@clarkcountynv.gov>

Cc: Andrea Cole <acole@gcgarciainc.com>

Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Setting up briefing w/Tick Segerblom for 10/02/24 BCC

Hi Gloria,

Since you close tomorrow, wanted to follow up to see if you had a chance to look for the week of September 23 if anything is available. Thank you.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Ala Gray

Sent: Thursday, September 12, 2024 10:14 AM

To: 'Gloria Wells' <Gloria.Wells@clarkcountynv.gov>

Cc: Andrea Cole <acole@gcgarciainc.com>

Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Setting up briefing w/Tick Segerblom for 10/02/24 BCC

Hi Gloria,

Thank you for your response. I look forward to hearing from you today.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: Gloria Wells <Gloria.Wells@clarkcountynv.gov>

Sent: Thursday, September 12, 2024 9:54 AM

To: Ala Gray <agray@gcgarciainc.com>

Cc: Andrea Cole <acole@gcgarciainc.com>

Subject: RE: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Setting up briefing w/Tick Segerblom for 10/02/24 BCC

Hi Ala,

I received your email yesterday. We've been out of the office. I will get back to you soon.

Thank you.

Gloria

Gloria Wells

Executive Assistant to
Clark County Commission Chair Tick Segerblom
500 S. Grand Central Parkway
Las Vegas, NV

Office: (702) 455-3500

Office Hours: Monday–Thursday: 7:30–5:30 p.m.



From: Ala Gray <agray@gcgarciainc.com>

Sent: Wednesday, September 11, 2024 11:39 AM

To: Gloria Wells <Gloria.Wells@clarkcountynv.gov>

Cc: Andrea Cole <acole@gcgarciainc.com>

Subject: LEDGE Nellis & Happy Valley (WS-24-0276 & VS-24-0277) RE: Setting up briefing w/Tick Segerblom for 10/02/24 BCC

Good morning Gloria,

I hope you are doing well. We would like to set up a briefing with Commissioner Segerblom for the item that is on the 10/02/24 Board of County Commissioners meeting. Would you please see if something is available for the week of September 23? Thank you.

Ala Gray,
Associate Planner
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
Office (702) 435-9909
<https://gcgarciainc.com>

From: [Beatriz Martinez](#)
To: [Andrea Cole](#)
Cc: [Melissa Eure](#)
Subject: RE: Nellis & Happy Valley- Air Quality
Date: Wednesday, January 29, 2025 9:40:00 AM
Attachments: [image001.png](#)

Hi Andrea,

No update, I would suggest the owner follows the direction the department has provided him.

Beatriz Martinez

Community Liaison | District E, Commissioner Tick Segerblom

500 S. Grand Central Parkway, 6th Floor, Las Vegas, NV 89155

Email: Beatriz.Martinez@ClarkCountyNV.gov

Office: 702.455.0560



From: Andrea Cole <acole@gcgarciainc.com>
Sent: Wednesday, January 29, 2025 9:39 AM
To: Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Cc: Melissa Eure <meure@gcgarciainc.com>
Subject: Nellis & Happy Valley- Air Quality

Good Morning Beatriz,

I hope your week is going well! I just wanted to follow up on the below to see if there is any update. Please advise when you have a moment.

If you have any questions please feel free to contact me at the number listed below.

Thanks and Best Regards.

Andrea Cole, Project Coordination Manager
G.C. Garcia, Inc.
1055 Whitney Ranch Dr., Suite 210
Henderson, NV 89014
(702) 435-9909 Phone
(702) 435-0457 Fax
acole@gcgarciainc.com E-mail
<https://gcgarciainc.com> Website

From: Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>

Sent: Tuesday, January 14, 2025 2:59 PM
To: Melissa Eure <meure@gcgarciainc.com>
Cc: Andrea Cole <acole@gcgarciainc.com>
Subject: RE: Nellis & Happy Valley- Air Quality

Hi!

Unfortunately I have not. I will circle back with them.

Beatriz Martinez

Community Liaison | District E, Commissioner Tick Segerblom

500 S. Grand Central Parkway, 6th Floor, Las Vegas, NV 89155

Email: Beatriz.Martinez@ClarkCountyNV.gov

Office: 702.455.0560



From: Melissa Eure <meure@gcgarciainc.com>
Sent: Tuesday, January 14, 2025 1:24 PM
To: Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Cc: Andrea Cole <acole@gcgarciainc.com>
Subject: RE: Nellis & Happy Valley- Air Quality

Hi Beatriz,

I hope you had a happy holiday and a very happy new year's! I just wanted to check in on the below and see if you had heard anything back from Air Quality? I haven't heard from the client, so I'm assuming he hasn't received any additional letters but still wanted to follow up.

Thank You,

Melissa Eure

President/Director of Planning

From: Beatriz Martinez <Beatriz.Martinez@ClarkCountyNV.gov>
Sent: Thursday, December 12, 2024 2:36 PM
To: Melissa Eure <meure@gcgarciainc.com>
Cc: Andrea Cole <acole@gcgarciainc.com>; Robert Lauer (roblauer@protonmail.com) <roblauer@protonmail.com>
Subject: RE: Nellis & Happy Valley- Air Quality

Hi Melissa,

I am still waiting on a response from Air Quality. I know they did send an email out to Robert yesterday but they are doing some research.

Thank you,

Beatriz Martinez

Community Liaison | District E, Commissioner Tick Segerblom

500 S. Grand Central Parkway, 6th Floor, Las Vegas, NV 89155

Email: Beatriz.Martinez@ClarkCountyNV.gov

Office: 702.455.0560



From: Melissa Eure

Sent: Tuesday, December 10, 2024 12:20 PM

To: Beatriz Martinez

Cc: Andrea Cole ; Robert Lauer (roblauer@protonmail.com)

Subject: Nellis & Happy Valley- Air Quality

Hi Beatriz,

I hope you've had a good start to your week. The client for the Nellis & Happy Valley issue hasn't had any issues with code enforcement, but he is getting constant emails/calls from Air Quality. He was willing to submit for a dust permit, but was told he couldn't because the project wasn't approved. I know the Commissioner is granting him the additional time and you were able to let code enforcement know about the situation. Would you be able to reach out to Air Quality as well and let them know what is going so that they understand?

Thank You,

Melissa Eure

President/Director of Planning

G.C. Garcia, Inc.

1055 Whitney Ranch Dr., Suite 210

Henderson, NV 89014

(702) 435-9909 Phone

(702) 435-0457 Fax

E-mail meure@gcgarciainc.com

Website <https://gcgarciainc.com>



4701 W. Russell Road 2nd Floor
Las Vegas, NV 89118-2231
Phone: (702) 455-5942 • Fax: (702) 383-9994
Marci Henson, Director

April 24, 2025

Cara Monday

Re: Records Request Submitted on April 14, 2025
Requested NOV's from 4/14/2023 to 4/14/2025

Dear Mr. / Ms. Monday

Enclosed are the documents/files you requested above. Notices of Noncompliance issued from 4/14/2023 thru 3/31/2025 have been uploaded. No NOV's issued during this time frame. If you have any questions or concerns, please call us at (702) 455-5942 for assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "John Hill", is written over a faint, circular official stamp.

John Hill, Operations Manager
DES Division of Air Quality



4701 W. Russell Road 2nd Floor
Las Vegas, NV 89118-2231
Phone: (702) 455-5942 • Fax: (702) 383-9994
Marci Henson, Director

April 16, 2025

Amy Sugden

Sugden Law

Re: Records Request Submitted on April 10, 2025
Requested NOV's from 1/1/2024 to 4/10/2025

Dear Mr. / Ms. Sugden

Enclosed are the documents/files you requested. Notices of Noncompliance issued from 1/1/2024 thru 3/31/2025 have been uploaded. No NOV's issued during this time frame. If you have any questions or concerns, please call us at (702) 455-5942 for assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "J Hill", is written over a faint, larger signature that appears to read "John Hill".

John Hill, Operations Manager
DES Division of Air Quality



7749 2783 5671

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	DEMETER INVESTMENTS LLC	Date: Jan 24, 2024
Mailing Address:	5520 W Harold Gatty Dr., Salt Lake City, UT 84116	
Assessor's Parcels:	123-28-801-004	
Property Location:	NWC of Ann Rd & Sloan Ln	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Richard Wyse at 702-277-1187 or by email at richard.wyse@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	9.42	Complaint No.:	75681, 75682
Complaint Received:	Yes	Note:	Dry, loose, powdery
Soil Condition:	Unstable	Other:	
Disturbance Factors:	Vehicular Travel, Equipment Storage	Generated By:	Unknown
Fugitive Dust Observed:	No	Percent Silt Content:	
Photography:	Yes	Percent Opacity:	
Silt Content Test:	N/A	Approved By:	Andrew Kirk
Opacity Test:	N/A		

Inspector Notes: I conducted a complaint investigation and observed over 5,000 square feet of unpaved parking/storage being used on parcel #123-28-801-004 located North West of Ann Road & Sloan Lane. There were over 50 semi-truck trailers parked on this parcel. This unpaved parking/storage lot was created after January 1, 2003, which is not in compliance with AQR 92.3.1. I took photos of the sites to document the current conditions. A Notice of Noncompliance (NON) will be issued to the Property Owner. The NON will instruct the property owner to pave the parcel or remove all equipment storage/materials and vehicles within 30 days from the receipt of NON and to stabilize all soils immediately.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ **Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.**
 - **Including the cities of Las Vegas, North Las Vegas and Henderson.**
- ❖ **Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.**
 - **Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.**
- ❖ **An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:**
 - **New use or change of existing use.**
 - **Improvements or expansion of existing lot/yard.**
 - **Paving exemptions or delays have expired their time limit and paving is now required.**

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) **Paving may not apply to rural public parking facilities such as trailheads and campgrounds.**
 - ◆ **Must be located outside the Las Vegas Valley BLM Disposal Boundary**
 - 2) **Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.**
 - ◆ **All access, parking and loading areas used by on-road vehicles shall be paved.**
 - 3) **Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.**
 - ◆ **All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.**
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - **Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.**

April 2016



7749 3091 6403

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	Ziegler Michael G	Date: Jan 24, 2024
Mailing Address:	1960 Leonard Lane, Las Vegas, NV 89108	
Assessor's Parcels:	138-24-702-001	
Property Location:	5095 West Lake Mead Boulevard	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.46		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	dry, loose and powdery
Disturbance Factors:	Vehicular Travel, Material Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a Re-inspection and observed an unpaved storage yard on 138-24-702-001. The yard consisted of over 5,000 square feet of trucks, cars, and materials. As of January 10, 2024, all necessary control measures to meet AQRs have not been implemented since the original Notice of Non-Compliance (NON) was sent to the Property Owner on November 30, 2024.

Following the issuance of this NON, and a request for more time by the owner, an extension until April 5, 2024, to stabilize the soils and vacate the parcel (reduce the disturbed area to under 5,000 square feet) has been granted. Failure to implement all necessary control measures by April 5, 2024, may result in a Notice of Violation (NOV) with civil monetary penalties.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ **Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.**
 - **Including the cities of Las Vegas, North Las Vegas and Henderson.**
- ❖ **Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.**
 - **Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.**
- ❖ **An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:**
 - **New use or change of existing use.**
 - **Improvements or expansion of existing lot/yard.**
 - **Paving exemptions or delays have expired their time limit and paving is now required.**

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) **Paving may not apply to rural public parking facilities such as trailheads and campgrounds.**
 - ◆ **Must be located outside the Las Vegas Valley BLM Disposal Boundary**
 - 2) **Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.**
 - ◆ **All access, parking and loading areas used by on-road vehicles shall be paved.**
 - 3) **Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.**
 - ◆ **All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.**
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - **Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.**

April 2016



Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	EWING INVESTMENTS	Date: Jan 16, 2024
Mailing Address:	1400 NORTH A STREET, LAS VEGAS, NV 89106-3220	
Assessor's Parcels:	139-02-802-016	
Property Location:	2102 E ALEXANDER ROAD, NORTH LAS VEGAS 89030	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	4.04		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	dry, loose, and powdery
Disturbance Factors:	Parking, Vehicular Travel, Storage	Other:	N/A
Fugitive Dust Observed:	No	Generated By:	N/A
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved landscaping storage yard greater than 5,000 square feet on APN 139-02-802-016. There were over one hundred truck/trailers, service trucks and boats throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



7749 3109 5862

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	2 MORCO L L P	Date: Jan 24, 2024
Mailing Address:	11710 West Tioga Street, Boise, ID 83709	
Assessor's Parcels:	139-17-301-003	
Property Location:	NW of Citizen Avenue & Simmons Street	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.64		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	dry, loose and powdery
Disturbance Factors:	Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a Re-inspection on APN 139-17-301-003 and observed an unpaved storage yard. I observed over two dozen rubber-tire service trucks, work vehicles, outhouses, nine-yard trash container and trailers stored on dirt. As of January 9, 2024, all necessary control measures to meet AQRs have not been implemented since the original Notice of Non-Compliance (NON) was sent to the Property Owner on December 6, 2023.

Following the issuance of this NON, failure to implement all necessary control measures by February 9, 2024, may result in a Notice of Violation (NOV) with civil monetary penalties.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	Mejia Hermes Etal and Mejia Miquirray Revocable Living Trust	Date: Jan 24, 2024
Mailing Address:	3260 W. Richmar Avenue, Las Vegas, NV, NV 89139	
Assessor's Parcels:	140-20-301-002	
Property Location:	4383 E. Lake Mead Blvd	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	1.13		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel
Disturbance Factors:	Parking, Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved landscaping storage yard greater than 5,000 square feet on APN 140-20-301-002. There were approximately one dozen truck/trailers, passenger vehicle and service trucks throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



7748 2771 4807

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Pre) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	Tonopah & Tidewater Railroad Co	Date: Jan 16, 2024
Mailing Address:	4680 N Cimarron Rd, Las Vegas, NV 89129	
Assessor's Parcels:	161-07-103-014, 161-07-103-016	
Property Location:	SW of Stratford Avenue and Glen Avenue	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), property owners/operators shall implement and maintain control measures to prevent fugitive dust on any unpaved parking lot or storage yard established before January 1, 2003, that is equal to or greater than 5,000 square feet.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance. You may resolve this matter by implementing one or more of the control measures described in AQR 92.3.4 or by discontinuing use of this parcel as a parking lot/storage yard and returning all soils to a stable condition in accordance with AQR 92.4.

Within 30 days of receiving this notice, you must have implemented one or more of the control measures described in AQR 92.3.4. You may also discontinue the use of this parcel by removing all equipment and materials from the property and stabilizing the soil in accordance with AQR 92.4.

Failure to comply with the provisions of AQR Section 92 may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Upon receipt of this Noncompliance Notice, immediately contact Canduella Rowsell at 725-377-4270 or by email at canduella.rowsell@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action.

Section 92 (Pre) Inspection Form – Summary

Acreage:	0.92		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	dry, loose, powdery
Disturbance Factors:	Parking, Vehicular Travel, Equipment Storage, Salvage Yard	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Andrew Kirk

I conducted a routine patrol inspection and observed over 5,000 square feet of unpaved parking/storage being used on parcel #16107103016 and 16107103014 located southwest of Stratford Ave and Glen Avenue. There were multiple semi-trucks and trailers parked on these parcels. These unpaved parking/storage lots were created after January 1, 2003, which is not in compliance with AQR 92.3.1. I took photos of the sites to document the current conditions. A Notice of Noncompliance (NON) will be issued to the Property Owner. The NON will instruct the property owner to pave both parcels or remove all equipment storage/materials and vehicles within 30 days from the receipt of NON and to stabilize all soils immediately.

PPLRL_2194



Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994



7748 2939 8764

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	USA and County of Clark (Pk & Rec) Lease	Date: Jan 16, 2024
Mailing Address:	500 S GRAND CENTRAL PKWY, LAS VEGAS, NV, NV 89155	
Assessor's Parcels:	176-29-601-025	
Property Location:	8800 Sparkling Chandon Dr., Las Vegas, NV 89178	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	20.00		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel, dirt
Disturbance Factors:	Vehicular Travel, Equipment Storage	Other:	N/A
Fugitive Dust Observed:	No	Generated By:	N/A
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a re-inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 176-29-601-025 that contained two conex boxes, two nine-yard storage containers, three trailers, three work trucks, multiple metal lamp posts and landscaping materials. As of January 9, 2024, all necessary control measures to meet Air Quality Regulations (AQRs) have not been implemented since the original Notice of Non-Compliance (NON) was sent to the property owner on November 2, 2023.

This storage yard was created after January 1, 2003, which is a violation of AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	BENCHMARK CONTRACTING INC	Date: Feb 22, 2024
Mailing Address:	5553 SUMAC RIDGE CT, LAS VEGAS, NV 89149-4020	
Assessor's Parcels:	138-12-111-004	
Property Location:	3820 N JONES BLVD	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.63		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	dry, powdery, loose soils
Disturbance Factors:	Parking, Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:	Approved By: Satyra George		

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 138-12-111-004. There was heavy construction equipment, traffic cones/safety equipment, metal beams, three service vehicles and other material throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	ROQUE PATRICIA GOMEZ	Date: Feb 22, 2024
Mailing Address:	3600 BEESON CT, LAS VEGAS, NV 89130	
Assessor's Parcels:	138-12-612-001	
Property Location:	3600 BEESON CT	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.54		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	dry, loose and powdery
Disturbance Factors:	Parking, Vehicular Travel, Material Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved landscaping equipment/vehicle storage yard greater than 5,000 square feet on APN 138-12-612-001. There were approximately one dozen service truck/trailers, construction equipment and landscaping material throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	VEGAS VISION GROUP L L C	Date: Feb 12, 2024
Mailing Address:	2000 STOCKTON AVE, LAS VEGAS, NV 89104	
Assessor's Parcels:	138-12-801-012	
Property Location:	NW of RANCHO DR./CHEYENNE AVE.	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.69		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel, dirt, rain
Disturbance Factors:	Parking, Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 138-12-801-012. There were dozens of trucks, trailers, passenger vehicles, tow trucks and motor homes throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
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 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	PIERRO'S LANDSCAPE & MAINTENANCE L L C	Date: Feb 12, 2024
Mailing Address:	5852 THAI COAST ST, LAS VEGAS, NV 89130	
Assessor's Parcels:	138-12-810-012	
Property Location:	5249 RICKY ROAD, LAS VEGAS	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	1.24		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel, rain
Disturbance Factors:	Parking, Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved landscaping equipment/vehicle storage yard greater than 5,000 square feet on APN 138-12-810-012. There were dozens of landscaping service trucks, trailers, and equipment pieces throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
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 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	LINDA PROPERTIES	Date: Feb 12, 2024
Mailing Address:	10217 IMPERIAL POINTE AVE, LAS VEGAS, NV 89134	
Assessor's Parcels:	138-12-810-013	
Property Location:	5300 RICKY ROAD, LAS VEGAS	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	1.30		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel, asphalt millings, rain
Disturbance Factors:	Parking, Vehicular Travel, Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved landscaping equipment/vehicle storage yard greater than 5,000 square feet on APN 138-12-810-013. There were over one dozen truck/trailers, passenger vehicles, construction and service trucks throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	CHIRINO LEONARDO M and CORTES MAGDALENA RAMIREZ	Date: Feb 12, 2024
Mailing Address:	5807 SHEILA AVE, LAS VEGAS, NV 89108	
Assessor's Parcels:	138-13-310-037	
Property Location:	5807 SHEILA AVE	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.45		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	rain
Disturbance Factors:	Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved vehicle and material storage yard greater than 5,000 square feet on APN 138-13-310-037. There were approximately two dozen passenger vehicles, trailers and boats throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ **Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.**
 - **Including the cities of Las Vegas, North Las Vegas and Henderson.**
- ❖ **Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.**
 - **Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.**
- ❖ **An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:**
 - **New use or change of existing use.**
 - **Improvements or expansion of existing lot/yard.**
 - **Paving exemptions or delays have expired their time limit and paving is now required.**

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) **Paving may not apply to rural public parking facilities such as trailheads and campgrounds.**
 - ◆ **Must be located outside the Las Vegas Valley BLM Disposal Boundary**
 - 2) **Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.**
 - ◆ **All access, parking and loading areas used by on-road vehicles shall be paved.**
 - 3) **Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.**
 - ◆ **All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.**
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - **Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.**

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	MENDOZA CLAUDIA CALIXTO and MARTIN JOSE FRANCISCO	Date: Feb 22, 2024
Mailing Address:	820 ROCK SPRINGS DR, LAS VEGAS, NV 89128	
Assessor's Parcels:	138-24-305-018	
Property Location:	1841 N MICHAEL WAY	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.42		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	dry, loose and powdery
Disturbance Factors:	Parking, Vehicular Travel, Material Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved masonry material storage yard greater than 5,000 square feet on APN 138-24-305-018. There were over one dozen brick pallets, one nine-yard trash container, pallet truck, wood beams, service trucks and other material throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	M E C INC	Date: Feb 12, 2024
Mailing Address:	4090 W HACIENDA AVE # 100, LAS VEGAS, NV 89118	
Assessor's Parcels:	139-10-603-003	
Property Location:	116 E GOWAN RD, NORTH LAS VEGAS	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	4.44		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel, dirt, rain
Disturbance Factors:	Parking, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved vehicle storage yard greater than 5,000 square feet on APN 139-10-603-003. There were dozens of passenger vehicles, trucks and truck trailers throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	IGLESIA EVANGELICA N J D L A D D	Date: Feb 12, 2024
Mailing Address:	2727 CIVIC CENTER DR., NORTH LAS VEGAS, NV 89030	
Assessor's Parcels:	139-14-710-028	
Property Location:	2727 CIVIC CENTER DR., NORTH LAS VEGAS	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.00	
Complaint Received:	No	Complaint No.:
Soil Condition:	Stable	Note: gravel, dirt, rain
Disturbance Factors:	Parking, Vehicular Travel, Storage, Equipment Storage	Other:
Fugitive Dust Observed:	No	Generated By: Unknown
Photography:	Yes	
Silt Content Test:	N/A	Percent Silt Content:
Opacity Test:	N/A	Percent Opacity:
Inspector Notes:		Approved By: Satyra George

I conducted a routine inspection and observed an unpaved landscaping equipment/vehicle storage yard greater than 5,000 square feet on APN 139-14-710-028. There were over one dozen haul trucks, trailers, construction vehicles and service trucks throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	ANDRADE-MORENO FAMILY TRUST ETAL ANDRADE EFRAIN CARREON TRS	Date: Feb 13, 2024
Mailing Address:	4304 WEST LA MADRE WAY, LAS VEGAS, NV 89031	
Assessor's Parcels:	139-17-301-011	
Property Location:	SWC of CITIZEN AVE/SIMMONS ST, NORTH LAS VEGAS	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	1.00	
Complaint Received:	No	Complaint No.:
Soil Condition:	Stable	Note: gravel, dirt, rain
Disturbance Factors:	Parking, Material Storage, Equipment Storage	Other:
Fugitive Dust Observed:	No	Generated By: Unknown
Photography:	Yes	
Silt Content Test:	N/A	Percent Silt Content:
Opacity Test:	N/A	Percent Opacity:
Inspector Notes:		Approved By: Satyra George

I conducted a routine inspection and observed an unpaved heavy equipment/construction material storage yard greater than 5,000 square feet on APN 139-17-301-011. There were dozens of pieces of heavy construction equipment, haul trucks, trailers, storage containers and passenger vehicles throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



7752 7596 1604

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	INZUNZA JUAN MANUEL	Date: Feb 22, 2024
Mailing Address:	3900 SIX GUN RD, NORTH LAS VEGAS, NV 89032	
Assessor's Parcels:	140-19-601-019	
Property Location:	4000 E LAKE MEAD BLVD	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.48		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	Dry, Loose, Powdery
Disturbance Factors:	Parking, Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 140-19-601-019. There were approximately two dozen vehicles and conex boxes throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



7753 2931 9284

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Pre) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	KELL LN TRUST	Date: Feb 27, 2024
Mailing Address:	5151 Kell Ln, Las Vegas, NV 89156	
Assessor's Parcels:	140-21-401-003	
Property Location:	5151 Kell Ln	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), property owners/operators shall implement and maintain control measures to prevent fugitive dust on any unpaved parking lot or storage yard established before January 1, 2003, that is equal to or greater than 5,000 square feet.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance. You may resolve this matter by implementing one or more of the control measures described in AQR 92.3.4 or by discontinuing use of this parcel as a parking lot/storage yard and returning all soils to a stable condition in accordance with AQR 92.4.

Within 30 days of receiving this notice, you must have implemented one or more of the control measures described in AQR 92.3.4. You may also discontinue the use of this parcel by removing all equipment and materials from the property and stabilizing the soil in accordance with AQR 92.4.

Failure to comply with the provisions of AQR Section 92 may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Upon receipt of this Noncompliance Notice, immediately contact Noel Crandall at 702-455-1658 or by email at crandall@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action.

Section 92 (Pre) Inspection Form – Summary

Acreage:	1.01		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	Could not determine the soils condition, area fenced in, looked stable from recent rains.
Disturbance Factors:	Vehicular Travel, Storage	Other:	storage of vehicles.
Fugitive Dust Observed:	No	Generated By:	NA
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage lot on parcel 140-21-401-003. There were approximately 10 tractors, 1 tractor trailer, a boat, and approximately 3 cars parked throughout the parcel. This storage lot was created after January 1, 2003, which is not in compliance with AQR 92.3.1.



Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

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Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	Seabass Realty LLC	Date: Feb 29, 2024
Mailing Address:	PO Box 786, Carroll, IA 51401	
Assessor's Parcels:	177-02-603-026, 177-02-603-017	
Property Location:	2050 E. Maule Avenue & 2076 E. Maule Avenue, Las Vegas, NV 89119	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Canduella Rowsell at 725-377-4270 or by email at canduella.rowsell@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.92		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	
Disturbance Factors:		Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved parking lot on parcels #177-02-603-026 and 177-02-603-017 located at 2076 E Maule Ave and 2050 E. Maule Ave, Las Vegas, NV 89119. There were 8 tour buses parked on-site on unpaved areas over 5,000 square feet. This parking lot was created after January 1, 2003, which is not in compliance with AQR 92.3.1. There were no workers present onsite. I also took photos of the site. I will be issuing a Notice of Noncompliance to the parcels owner to remove the buses or pave the parking lot.



Air Quality Regulations: Section 92 CONTROL MEASURES

Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

❖ Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	PANCIROV GREGORY T & CYNTHIA M FAMILY TRUST and PANCIROV GREGORY T & CYNTHIA M TRS	Date: Feb 12, 2024
Mailing Address:	444 East Warm Springs Road, STE 120, Las Vegas, NV 89119	
Assessor's Parcels:	177-05-202-002	
Property Location:	Southeast of Valley View Blvd./Martin Ave., Las Vegas 89118	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.98	
Complaint Received:	No	Complaint No.:
Soil Condition:	Stable	Note: recent rain
Disturbance Factors:	Vehicular Travel, Storage	Other:
Fugitive Dust Observed:	No	Generated By: Unknown
Photography:	Yes	
Silt Content Test:	N/A	Percent Silt Content:
Opacity Test:	N/A	Percent Opacity:
Inspector Notes:		Approved By: Satyra George

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 177-05-202-002. There were approximately eight 53-foot long truck trailers throughout the parcel. This storage yard was created after January 1, 2003, which is a violation of AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Previously, a Notice of Non-Compliance was issued to the landowner on December 6, 2023, for an unpaved storage yard greater than 5,000 sq. ft. The sight was brought into compliance on January 8, 2024, because the area used for parking/storage was under 5,000 sq. ft. at that time. However, the site has since once again exceeded the 5,000 sq. ft. limitation.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	NEVADA POWER COMPANY	Date: Mar 21, 2024
Mailing Address:	PO Box 98910, Las Vegas, NV 89193-8910	
Assessor's Parcels:	123-22-801-022	
Property Location:	6580 E CENTENNIAL PKWY	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Noel Crandall at 702-455-1658 or by email at crandall@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	3.99	Complaint No.:	
Complaint Received:	No	Note:	Dry and powdery
Soil Condition:	Unstable	Other:	
Disturbance Factors:	Vehicular Travel	Generated By:	Unknown
Fugitive Dust Observed:	No	Percent Silt Content:	
Photography:	Yes	Percent Opacity:	
Silt Content Test:		Approved By:	Satyra George
Opacity Test:			
Inspector Notes:			

I conducted a routine inspection and observed an unpaved parking lot on parcel 123-22-801-022. There were approximately 4 RVs parked throughout the parcel. This parking lot was created after January 1, 2003, which is not in compliance with AQR 92.3.1. I conducted a Soil Stabilization Test in accordance with AQR Section 90.4.1.1., which failed.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ **Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.**
 - **Including the cities of Las Vegas, North Las Vegas and Henderson.**
- ❖ **Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.**
 - **Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.**
- ❖ **An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:**
 - **New use or change of existing use.**
 - **Improvements or expansion of existing lot/yard.**
 - **Paving exemptions or delays have expired their time limit and paving is now required.**

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) **Paving may not apply to rural public parking facilities such as trailheads and campgrounds.**
 - ◆ **Must be located outside the Las Vegas Valley BLM Disposal Boundary**
 - 2) **Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.**
 - ◆ **All access, parking and loading areas used by on-road vehicles shall be paved.**
 - 3) **Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.**
 - ◆ **All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.**
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - **Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.**

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	GEAR NORTHGATE 4 L L C	Date: Mar 4, 2024
Mailing Address:	5251 DTC PKWY STE 1000, GREENWOOD VILLAGE, CO 80111	
Assessor's Parcels:	123-29-310-008	
Property Location:	SWC of TROPICAL PARKWAY/PUEBLA STREET, LAS VEGAS 89115	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	13.25		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel
Disturbance Factors:	Parking, Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 123-29-310-008. There were approximately two dozen RVs stored throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ **Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.**
 - **Including the cities of Las Vegas, North Las Vegas and Henderson.**
- ❖ **Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.**
 - **Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.**
- ❖ **An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:**
 - **New use or change of existing use.**
 - **Improvements or expansion of existing lot/yard.**
 - **Paving exemptions or delays have expired their time limit and paving is now required.**

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) **Paving may not apply to rural public parking facilities such as trailheads and campgrounds.**
 - ◆ **Must be located outside the Las Vegas Valley BLM Disposal Boundary**
 - 2) **Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.**
 - ◆ **All access, parking and loading areas used by on-road vehicles shall be paved.**
 - 3) **Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.**
 - ◆ **All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.**
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - **Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.**

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	Gonzalez-Garden Carlos and Gonzalez Maria G	Date: Mar 6, 2024
Mailing Address:	5420 N 5th Street, North Las Vegas, NV, NV 89081	
Assessor's Parcels:	124-35-103-003	
Property Location:	5420 North 5th Street, North Las Vegas, NV 89031	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	1.90		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	asphalt millings and dry, loose & powdery
Disturbance Factors:	Parking, Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 124-35-103-003. There were approximately 16 semi-trucks, semi-truck trailers, motor homes and passenger vehicles throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
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- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
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Control Measures:

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 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
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 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	BISMI SERIES HOLDINGS	Date: Mar 4, 2024
Mailing Address:	13861 ADARE MANOR, FRISCO, TX 75035	
Assessor's Parcels:	125-27-410-008	
Property Location:	SW of Tenaya Way and Skypoint Drive, Las Vegas 89130	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	1.03		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel, dirt
Disturbance Factors:	Parking, Vehicular Travel, Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 125-27-410-008. There were approximately six nine-yard trash trailers, three RV's, one service truck and six passenger vehicles throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ **Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.**
 - **Including the cities of Las Vegas, North Las Vegas and Henderson.**
- ❖ **Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.**
 - **Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.**
- ❖ **An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:**
 - **New use or change of existing use.**
 - **Improvements or expansion of existing lot/yard.**
 - **Paving exemptions or delays have expired their time limit and paving is now required.**

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) **Paving may not apply to rural public parking facilities such as trailheads and campgrounds.**
 - ◆ **Must be located outside the Las Vegas Valley BLM Disposal Boundary**
 - 2) **Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.**
 - ◆ **All access, parking and loading areas used by on-road vehicles shall be paved.**
 - 3) **Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.**
 - ◆ **All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.**
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - **Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.**

April 2016



7755 1937 8987

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	MAGGARD WESLEY & CAMILLE	Date: Mar 12, 2024
Mailing Address:	7714 WEST LONE MOUNTAIN ROAD, LAS VEGAS, NV 89129	
Assessor's Parcels:	125-33-803-020	
Property Location:	7714 WEST LONE MOUNTAIN ROAD	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	1.06	
Complaint Received:	No	Complaint No.:
Soil Condition:	Unstable	Note: dry, loose and powdery
Disturbance Factors:	Parking, Vehicular Travel, Storage, Material Storage, Equipment Storage	Other:
Fugitive Dust Observed:	No	Generated By: Unknown
Photography:	Yes	
Silt Content Test:	N/A	Percent Silt Content:
Opacity Test:	N/A	Percent Opacity:
Inspector Notes:		Approved By: Satyra George

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 125-33-803-020. There were approximately two skit steers, four passenger vehicles, three work service vehicles, one nine-yard trash container, two tool sheds and over one dozen stacks of pallets and construction materials throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	ADVANCED TRUCK & TRAILER L L C	Date: Mar 12, 2024
Mailing Address:	1114 GEORGE AVE, NORTH LAS VEGAS, NV 89030	
Assessor's Parcels:	139-11-302-001	
Property Location:	SEC of GOWAN ROAD & DONNA STREET, NORTH LAS VEGAS	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.58		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	asphalt millings, gravel
Disturbance Factors:	Parking, Vehicular Travel, Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 139-11-302-001. There were approximately two dozen water trucks, a water tank, front end loaders, shovels, accordion lifts, a work-site office trailer and other pieces construction related material throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



7755 1741 3085

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	Herrera Ramon Loya & Teresa Jean Reifer	Date: Mar 12, 2024
Mailing Address:	1835 Mt. Hood Street, LAS VEGAS NV, NV 89156	
Assessor's Parcels:	140-20-101-001	
Property Location:	4625 E. Carey Avenue, North Las Vegas, NV	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	2.33		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel
Disturbance Factors:	Parking, Vehicular Travel, Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 140-20-101-001. There were over a dozen semi-trucks, semi-truck trailers, belly dumps, tilt dumps, passenger vehicles and construction equipment throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



7755 1868 7354

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	PENA VICTOR & MARIA	Date: Mar 12, 2024
Mailing Address:	3825 JUDSON AVE, LAS VEGAS, NV 89115	
Assessor's Parcels:	140-20-610-002	
Property Location:	4735 JUDSON AVE	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.90		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel
Disturbance Factors:	Parking, Vehicular Travel, Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 140-20-610-002. There were over one dozen semi-trucks, semi-truck trailers, conex boxes, equipment and passenger vehicles throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



7755 1886 2091

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	DUTTS REAL ESTATE HOLDING L L C	Date: Mar 12, 2024
Mailing Address:	1160 SAX FIFTH AVE, HENDERSON, NV 89052	
Assessor's Parcels:	140-20-610-017	
Property Location:	5083 JUDSON AVE	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.89		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	asphalt millings and dry, loose & powdery soils
Disturbance Factors:	Parking, Vehicular Travel, Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 140-20-610-017. There were approximately five trucks, two flat-bed trailers, pallets of material and other construction material strewn across the storage area. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
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 - Improvements or expansion of existing lot/yard.
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*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

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 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
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 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



7755 1793 7741

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	STIMPSON KENNETH O	Date: Mar 12, 2024
Mailing Address:	7723 VILLA ANDRADE AVE, LAS VEGAS, NV 89131	
Assessor's Parcels:	140-20-610-040	
Property Location:	2140 MARION DR	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.86		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	dry, loose and powdery soils; gravel
Disturbance Factors:	Parking, Vehicular Travel, Material Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 140-20-610-040. There were approximately 16 semi-trucks, semi-truck trailers, motor homes and passenger vehicles throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ **Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.**
 - **Including the cities of Las Vegas, North Las Vegas and Henderson.**
- ❖ **Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.**
 - **Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.**
- ❖ **An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:**
 - **New use or change of existing use.**
 - **Improvements or expansion of existing lot/yard.**
 - **Paving exemptions or delays have expired their time limit and paving is now required.**

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) **Paving may not apply to rural public parking facilities such as trailheads and campgrounds.**
 - ◆ **Must be located outside the Las Vegas Valley BLM Disposal Boundary**
 - 2) **Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.**
 - ◆ **All access, parking and loading areas used by on-road vehicles shall be paved.**
 - 3) **Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.**
 - ◆ **All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.**
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - **Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.**

April 2016



7755 1641 2380

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	ZUFFA RE LLC	Date: Mar 12, 2024
Mailing Address:	6650 S TORREY PINES DR, LAS VEGAS, NV 89118	
Assessor's Parcels:	176-02-101-020, 176-02-101-022	
Property Location:	SWC of SUNSET ROAD/TORREY PINES, LAS VEGAS 89118	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	9.34		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	dry, loose and powdery
Disturbance Factors:	Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APNs 176-02-101-020 & 022. There were approximately two dozen trucks and truck trailers throughout the parcels. This unpaved storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	Provident Realty & Development Corp	Date: Mar 12, 2024
Mailing Address:	4007 Toulon Court, Merced, CA 95348	
Assessor's Parcels:	177-28-301-007	
Property Location:	10160 S LAS VEGAS BLVD, Las Vegas, NV 89183	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Canduella Rowsell at 725-377-4270 or by email at canduella.rowsell@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	2.53		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	Dry, Loose, Powdery
Disturbance Factors:	Parking, Vehicular Travel	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved parking lot on parcel #177-28-301-007 located at 10160 S. Las Vegas Blvd, Las Vegas, NV 89183. There were 5 semis and trailers parked on-site on unpaved areas over 5,000 square feet and approximately 0.37 acres of dry, loose, and powdery site soils. This parking lot was created after January 1, 2003, which is not in compliance with AQR 92.3.1. There were no workers present onsite. I also took photos of the site. I will be issuing a Notice of Noncompliance to the parcel owner to immediately stabilize all site soils and to remove the semis or meet Section 92 Control Measures for the parking lot.



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	O S I 4825 E. CAREY AVE LLC	Date: Apr 23, 2024
Mailing Address:	800 BRICKELL AVE STE 904, MIAMI, FL 33131	
Assessor's Parcels:	140-20-501-006	
Property Location:	4825 Carey Ave., Las Vegas 89115	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	4.45		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel, Type II
Disturbance Factors:	Parking, Vehicular Travel, Material Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved vehicle storage yard greater than 5,000 square feet on APN 140-20-501-006. There were dozens of work service vehicles, construction materials and trailers throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ **Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.**
 - **Including the cities of Las Vegas, North Las Vegas and Henderson.**
- ❖ **Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.**
 - **Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.**
- ❖ **An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:**
 - **New use or change of existing use.**
 - **Improvements or expansion of existing lot/yard.**
 - **Paving exemptions or delays have expired their time limit and paving is now required.**

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) **Paving may not apply to rural public parking facilities such as trailheads and campgrounds.**
 - ◆ **Must be located outside the Las Vegas Valley BLM Disposal Boundary**
 - 2) **Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.**
 - ◆ **All access, parking and loading areas used by on-road vehicles shall be paved.**
 - 3) **Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.**
 - ◆ **All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.**
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - **Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.**

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	WEATHERS VERONICA L	Date: Apr 23, 2024
Mailing Address:	7448 Redbreast Ct., N Las Vegas, NV 89084	
Assessor's Parcels:	140-21-305-014	
Property Location:	NEC Kell Ln. and Betty Ln.	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Noel Crandall at 702-455-1658 or by email at crandall@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	1.01		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	0.41 acres of unstable soils
Disturbance Factors:	Parking, Vehicular Travel	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection of parcel 140-21-305-014 and observed an unpaved parking lot. There were tractor trailers and tractors parked on the lot disturbing over 18,000 Sq. Ft. This parking lot was created after January 1, 2003, which is not in compliance with AQR 92.3.1. I conducted a Soil Stabilization Test in accordance with AQR Section 90.4.1.1., which failed. I took photos of the vehicles and will begin routine inspections of the site.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ **Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.**
 - **Including the cities of Las Vegas, North Las Vegas and Henderson.**
- ❖ **Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.**
 - **Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.**
- ❖ **An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:**
 - **New use or change of existing use.**
 - **Improvements or expansion of existing lot/yard.**
 - **Paving exemptions or delays have expired their time limit and paving is now required.**

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) **Paving may not apply to rural public parking facilities such as trailheads and campgrounds.**
 - ◆ **Must be located outside the Las Vegas Valley BLM Disposal Boundary**
 - 2) **Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.**
 - ◆ **All access, parking and loading areas used by on-road vehicles shall be paved.**
 - 3) **Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.**
 - ◆ **All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.**
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - **Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.**

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	ESCRIBA SASHA	Date: Apr 11, 2024
Mailing Address:	9720 TRAIL RIDER DRIVE, LAS VEGAS, NV 89117	
Assessor's Parcels:	175-14-702-003	
Property Location:	SOUTHEAST OF BLUE DIAMOND ROAD/FORTNEY ROAD, LAS VEGAS, NV 89161	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.66		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	dry, loose and powdery
Disturbance Factors:	Parking, Vehicular Travel, Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 175-14-702-003. There were approximately nine Conex boxes, five cars, four trailers and various other materials throughout the parcel. This unpaved storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	SILVER MULE L L C	Date: Apr 30, 2024
Mailing Address:	PO BOX 91330, HENDERSON, NV 89009-1330	
Assessor's Parcels:	179-33-110-032, 179-33-110-031	
Property Location:	820 SAN EDUARDO AVE., HENDERSON 89002	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	1.83		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel
Disturbance Factors:	Parking, Vehicular Travel, Material Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved equipment/vehicle storage yard greater than 5,000 square feet on APNs 179-33-110-031 & 179-33-110-032. There were hundreds of pieces of construction material, vehicles, trailers and construction equipment throughout the parcels. These storage yards were created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations: Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
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- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	BENITEZ-SALDANA JOEL	Date: Apr 30, 2024
Mailing Address:	828 SANTA HELENA AVENUE, HENDERSON, NV 89002	
Assessor's Parcels:	179-33-210-043	
Property Location:	828 SANTA HELENA AVE., HENDERSON 89002	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.92		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel
Disturbance Factors:	Parking, Vehicular Travel, Material Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 179-33-210-043. There were two work vehicles, one front end loader/backhoe, multiple boxes of stone pavers, pallets of construction materials and one trailer throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	FLOWERS BAKING CO HENDERSON LLC	Date: Apr 24, 2024
Mailing Address:	1919 FLOWERS CIRCLE, THOMASVILLE, GA 31757	
Assessor's Parcels:	179-34-204-002	
Property Location:	501 CONESTOGA WAY, HENDERSON, NV 89002	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	22.69		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	dry, loose and powery
Disturbance Factors:	Parking, Vehicular Travel, Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	Yes	Generated By:	winds
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 179-34-204-002. There were over half-a dozen semi-trucks, semi-truck trailers, nine-yard trash containers, construction equipment and materials throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	TRONSON GORDON LIVING TRUST and TRONSON GORDON TRS	Date: Apr 23, 2024
Mailing Address:	1215 SAN EDUARDO AVE, HENDERSON, NV 89002-9437	
Assessor's Parcels:	179-34-310-003	
Property Location:	1211 SAN EDUARDO AVE, HENDERSON 89002	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.97		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel
Disturbance Factors:	Parking, Vehicular Travel, Storage, Material Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved vehicle storage yard greater than 5,000 square feet on APN 179-34-310-003. There were approximately half-a dozen passenger vehicles, half-a dozen trailers, construction equipment materials and haul truck throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ **Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.**
 - **Including the cities of Las Vegas, North Las Vegas and Henderson.**
- ❖ **Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.**
 - **Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.**
- ❖ **An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:**
 - **New use or change of existing use.**
 - **Improvements or expansion of existing lot/yard.**
 - **Paving exemptions or delays have expired their time limit and paving is now required.**

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) **Paving may not apply to rural public parking facilities such as trailheads and campgrounds.**
 - ◆ **Must be located outside the Las Vegas Valley BLM Disposal Boundary**
 - 2) **Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.**
 - ◆ **All access, parking and loading areas used by on-road vehicles shall be paved.**
 - 3) **Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.**
 - ◆ **All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.**
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - **Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.**

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	FRAME NANCY L FAMILY TRUST and FRAME NANCY L TRS	Date: May 16, 2024
Mailing Address:	220 S MAGIC WAY, HENDERSON, NV 89015-4857	
Assessor's Parcels:	179-16-603-001	
Property Location:	220 S MAGIC WAY	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	3.44		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel
Disturbance Factors:	Parking, Vehicular Travel, Storage, Material Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved equipment/vehicle storage yard greater than 5,000 square feet on APN 179-16-603-001. There were two water trucks, various stockpiles of construction materials, skid steer, two diesel generators, cougar/screen, a pickup truck, multiple haul trucks and one storage garage throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	R & V PROPERTIES L L C	Date: May 20, 2024
Mailing Address:	3521 Perching Bird Ln, North Las Vegas, NV, NV 89084	
Assessor's Parcels:	125-24-601-006	
Property Location:	6900 Unicorn St., Las Vegas	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Nahulu Kahananui at 725-272-3550 or by email at nahulu.kahananui@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	1.16		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	Sporadic dry, loose, powdery site soil
Disturbance Factors:	Storage, Material Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Andrew Kirk

I conducted a routine inspection and observed multiple areas of dry loose, powdery site soils and an unpaved parking/storage lot, greater than 5,000 sq. ft. in size, being used on parcel #125-24-601-006 located at 6900 Unicorn St. There were multiple small Conex boxes, construction materials, a telehandler, and various parked vehicles and trailers on the parcel. This unpaved parking/storage lot was created after January 1, 2003, which is not in compliance with AQR 92.3.1. I took photos of the site to document the current conditions and spoke with Adalberto Rivera, Property Owner, and informed him of Air Quality's Section 92 Regulation. I directed Mr. Rivera to either remove all items from the parcel and block access, pave the areas that will be used for parking/storage, or to keep the unpaved storage under 5,000 sq. ft. in size. I advised Mr. Rivera that if he will be keeping the unpaved area under 5,000 sq. ft. in size, then the area must have clean gravel applied and all other areas must have access blocked. A Notice of Noncompliance is being issued to R & V Properties, LLC.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	COLEMAN ST LLC	Date: May 9, 2024
Mailing Address:	3246 COLEMAN ST, NORTH LAS VEGAS, NV 89032	
Assessor's Parcels:	138-12-710-059, 138-12-810-011	
Property Location:	SWC of Ricky Road/Thom Blvd., Las Vegas	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	1.42	
Complaint Received:	No	Complaint No.:
Soil Condition:	Stable	Note: gravel
Disturbance Factors:	Parking, Vehicular Travel, Storage, Equipment Storage	Other:
Fugitive Dust Observed:	No	Generated By: Unknown
Photography:	Yes	
Silt Content Test:	N/A	Percent Silt Content:
Opacity Test:	N/A	Percent Opacity:
Inspector Notes:		Approved By: Satyra George

I conducted a routine inspection and observed an unpaved equipment/vehicle storage yards greater than 5,000 square feet on APN 138-12-710-059 and 138-12-810-011. There were about a dozen vehicles, pieces of construction material and construction equipment throughout the parcel.

The storage yards are not in compliance with AQR Section 92. APN 138-12-710-059 was created after January 1, 2003, which is out of compliance with AQR Section 92.3.1. APN 138-12-810-011 is either out of compliance with AQR Section 92.3.1 if there is no land use allowing unpaved parking prior to January 1, 2003, or out of compliance with AQR 92.3.2 if no such land use exists.

Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
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 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

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 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



7764 8933 1897

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	CASAS BONITAS LV LLC	Date: May 14, 2024
Mailing Address:	1003 HOLLOWBLUFF AVE., NORTH LAS VEGAS, NV 89031	
Assessor's Parcels:	139-19-703-004	
Property Location:	1889 CYPRESS TRL	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.63		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	dry, loose and powdery soils
Disturbance Factors:	Parking, Vehicular Travel, Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 139-19-703-004. There were approximately two passenger vehicles, one utility service truck, four scrapers, one 10,000 gallon water truck, one flat-bed trailer hauling a water truck tank and one rubber-tired front-end loader throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	Ryan & Danielle Sprague Family Trust Ryan G & Danielle T TRS	Date: May 15, 2024
Mailing Address:	733 Mooney Drive, Monterey Park, CA 91755	
Assessor's Parcels:	139-19-812-019	
Property Location:	1775 North Rancho Drive, Las Vegas 89106	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	1.25		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	dry, loose and powdery soils
Disturbance Factors:	Parking, Vehicular Travel, Storage, Material Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard over 5,000 square feet on parcel 139-19-812-019. There were approximately one dozen trailers, pallets with materials, over one dozen wooden crates of material and multiple storage containers throughout the parcel. This unpaved storage yard was created after January 1, 2003, which is not in compliance with AQR 92.3.1 Please contact me to discuss your Compliance Plan.

Previously, a Notice of Non-Compliance was issued to the landowner on June 6, 2023, for an unpaved storage yard greater than 5,000 sq. ft. The sight was brought into compliance on September 20, 2023, because the unpaved area used for parking/storage was under 5,000 sq. ft. at that time. However, the site has since once again exceeded the 5,000 sq. ft. limitation.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ **Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.**
 - **Including the cities of Las Vegas, North Las Vegas and Henderson.**
- ❖ **Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.**
 - **Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.**
- ❖ **An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:**
 - **New use or change of existing use.**
 - **Improvements or expansion of existing lot/yard.**
 - **Paving exemptions or delays have expired their time limit and paving is now required.**

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) **Paving may not apply to rural public parking facilities such as trailheads and campgrounds.**
 - ◆ **Must be located outside the Las Vegas Valley BLM Disposal Boundary**
 - 2) **Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.**
 - ◆ **All access, parking and loading areas used by on-road vehicles shall be paved.**
 - 3) **Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.**
 - ◆ **All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.**
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - **Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.**

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	N V D D HOLDING R P 7 L L C	Date: May 16, 2024
Mailing Address:	4830 E CARTIER AVE, LAS VEGAS, NV 89115	
Assessor's Parcels:	140-20-610-001	
Property Location:	2164 MARION DR	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.86		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel, secure fence
Disturbance Factors:	Parking, Vehicular Travel, Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 140-20-610-001. There were approximately two dozen passenger vehicles, 52" foot tractor trailers, utility service truck, haul truck and forklift throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	FRAME NANCY L FAMILY TRUST and FRAME NANCY L TRS	Date: May 16, 2024
Mailing Address:	220 S MAGIC WAY, HENDERSON, NV 89015-4857	
Assessor's Parcels:	179-16-603-001	
Property Location:	220 S MAGIC WAY	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	3.44	
Complaint Received:	No	Complaint No.:
Soil Condition:	Stable	Note: gravel
Disturbance Factors:	Parking, Vehicular Travel, Storage, Material Storage, Equipment Storage	Other:
Fugitive Dust Observed:	No	Generated By: Unknown
Photography:	Yes	
Silt Content Test:	N/A	Percent Silt Content:
Opacity Test:	N/A	Percent Opacity:
Inspector Notes:		Approved By: Satyra George

I conducted a routine inspection and observed an unpaved equipment/vehicle storage yard greater than 5,000 square feet on APN 179-16-603-001. There were two water trucks, various stockpiles of construction materials, skid steer, two diesel generators, cougar/screen, a pickup truck, multiple haul trucks and one storage garage throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	F G INDEPENDENT HAULING INC	Date: Jun 25, 2024
Mailing Address:	6929 HORIZON GLEN CT, North Las Vegas, NV 89084	
Assessor's Parcels:	123-34-310-018, 123-34-310-015, 123-34-310-014, 123-34-310-029, 123-34-310-033	
Property Location:	SEC of N Las Vegas Blvd & Beesley Dr., NORTH LAS VEGAS 89115	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	1.00		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	ashalt millings
Disturbance Factors:	Parking, Vehicular Travel, Storage, Material Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed five unpaved storage yards, each greater than 5,000 square feet on APNS 123-34-310-014, -015, -018, -029, & -033. There were over four dozen passenger vehicles, 52" foot trailers, utility service trucks, haul trucks, and forklifts throughout the parcels. APNS 123-34-310-014, -015, and -018 were inspected and photographed on 06/25/2024. APNs 123-34-310-029 & -033 were inspected and photographed after these two APNs were observed on 6/25/24. These storage yards were created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Mayor
John J. Lee

City Manager
Ryann Juden

Council Members
Isaac E. Barron
Pamela A. Goynes-Brown
Scott Black
Richard J. Cherchio



Land Development & Community Services
Marc Jordan, Director

Building & Fire Safety Division

2250 Las Vegas Boulevard, North · Suite #125 · North Las Vegas, Nevada 89030

Telephone: (702) 633-1577 Fax: (702) 633-5278 · TDD: (800) 326-6868

www.cityofnorthlasvegas.com

January 30, 2019

Temporary fence used to enclose vacant land to prevent trespassing for the purpose of dust control is permitted with the following conditions.

1. A fence is not temporary when a site is developed
2. No storage of any kind is allowed
3. Any fence taller than 6 feet in height will require a building permit
4. The temporary fencing shall be chain-link only.
5. Barbed wire, razor wire, or electric fencing is not permitted
6. A grading permit from Public Works is required for any berms constructed on the site

Marc Jordan, Director
Land Development and Community Services

Dale Daffern, Director
Public Works



Section 92 (Pre) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	NELSON LIVING TRUST and NELSON RICHARD A & NANCY O TRS	Date: Jun 12, 2024
Mailing Address:	18532 AQUINO WAY, SARATOGA, CA 95070	
Assessor's Parcels:	139-10-603-005	
Property Location:	412 EAST GOWAN ROAD	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), property owners/operators shall implement and maintain control measures to prevent fugitive dust on any unpaved parking lot or storage yard established before January 1, 2003, that is equal to or greater than 5,000 square feet.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance. You may resolve this matter by implementing one or more of the control measures described in AQR 92.3.4 or by discontinuing use of this parcel as a parking lot/storage yard and returning all soils to a stable condition in accordance with AQR 92.4.

Within 30 days of receiving this notice, you must have implemented one or more of the control measures described in AQR 92.3.4. You may also discontinue the use of this parcel by removing all equipment and materials from the property and stabilizing the soil in accordance with AQR 92.4.

Failure to comply with the provisions of AQR Section 92 may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action.

Section 92 (Pre) Inspection Form – Summary

Acreage:	4.45	
Complaint Received:	No	Complaint No.:
Soil Condition:	Unstable	Note: dry, loose and powdery soils
Disturbance Factors:	Parking, Vehicular Travel, Equipment Storage	Other:
Fugitive Dust Observed:	No	Generated By: Unknown
Photography:	Yes	
Silt Content Test:	N/A	Percent Silt Content:
Opacity Test:	N/A	Percent Opacity:
Inspector Notes:		Approved By: Katrinka Byers

I conducted a Complaint (#76013) investigation of fugitive dust emissions from APN 139-10-603-005 and observed the site to be in non-compliance. I met and spoke on-site with Assistant Site Supervisor James Donnelly and discussed the Anonymous Complaint. The site is covered with layers of loose, dry and powdery dirt. I directed Mr. Donnelly to immediately stabilize all site soils. I will issue the property owner a AQR Section 92 Notice of Non-compliance to remove all dry, loose and powdery soils so compliance with Section 92 can be verified: Mr. Donnelly indicated the site was paved underneath the soils. They will need to meet AQR Section 92, Unpaved Parking/Storage Requirements, Pre-1/1/03.



7769 0675 1750

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	CECO ENTERPRISES L L C	Date: Jun 6, 2024
Mailing Address:	3300 ST ROSE PKWY, HENDERSON, NV 89052	
Assessor's Parcels:	177-35-110-002	
Property Location:	1385 E CACTUS AVE, HENDERSON, NV 89183	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	44.74	
Complaint Received:	No	Complaint No.:
Soil Condition:	Unstable	Note: dry, loose and powdery
Disturbance Factors:	Parking, Vehicular Travel, Storage, Equipment Storage	Other:
Fugitive Dust Observed:	Yes	Generated By: vehicular transit
Photography:	Yes	
Silt Content Test:	N/A	Percent Silt Content:
Opacity Test:	N/A	Percent Opacity:
Inspector Notes:		Approved By: Satyra George

I conducted a routine inspection and observed an unpaved storage yard lot over 5,000 sq. ft. on APN 177-35-110-002 created after 1/1/03. There were dozens of rubber-tired construction vehicles and equipment stored on-site on unpaved dry, loose and powdery soils, which is a violation of AQR Section 92.3.1 Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

❖ Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



Signs

Signs or notices required for the purpose of preventing soil disturbance of unauthorized access that result in fugitive dust or nuisance conditions will not require a sign permit.

Lot Maintenance

1. Property owners are required to maintain their properties in compliance with the adopted ordinances (trash and rubbish are not allowed to accumulate and/or must be removed).
2. You may wish to design your fence in a manner that trash will not accumulate.

Lot Grading

Lots may not be graded without an approved hydrology study and grading permit. The homeowner may wish to cover the property with gravel to prevent fugitive dust and may do so if the natural terrain is not disturbed. Washes and low flow areas may not be filled in.



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Pre) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	MIRANDA FAVIOLA and MARQUEZ HOMERO MERAZ	Date: Jul 2, 2024
Mailing Address:	7019 ALABASTER PEAK ST, Las Vegas, NV 89166	
Assessor's Parcels:	126-08-801-002	
Property Location:	Kyle Canyon Rd & Reymore St	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), property owners/operators shall implement and maintain control measures to prevent fugitive dust on any unpaved parking lot or storage yard established before January 1, 2003, that is equal to or greater than 5,000 square feet.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance. You may resolve this matter by implementing one or more of the control measures described in AQR 92.3.4 or by discontinuing use of this parcel as a parking lot/storage yard and returning all soils to a stable condition in accordance with AQR 92.4.

Within 30 days of receiving this notice, you must have implemented one or more of the control measures described in AQR 92.3.4. You may also discontinue the use of this parcel by removing all equipment and materials from the property and stabilizing the soil in accordance with AQR 92.4.

Failure to comply with the provisions of AQR Section 92 may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Upon receipt of this Noncompliance Notice, immediately contact Heath Richards at 702-249-4325 or by email at heath@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action.

Section 92 (Pre) Inspection Form – Summary

Acreage:	3.27		
Complaint Received:	Yes	Complaint No.:	76066
Soil Condition:	Stable	Note:	
Disturbance Factors:	Parking, Vehicular Travel, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Andrew Kirk

I conducted a Vacant Land Inspection on parcel 126-08-801-002, and observed an unpaved storage yard over 5,000 square feet that was created after January 1, 2003. There were approximately 8 construction vehicles, construction equipment and trailers parked throughout the parcel. A Post 2003 Section 92 Vacant Land Notice of Noncompliance is being issued to the property owner.



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	KELL LN TRUST	Date: Jul 10, 2024
Mailing Address:	5151 Kell Ln, Las Vegas, NV 89156	
Assessor's Parcels:	140-21-401-003	
Property Location:	5151 Kell Lane, CC Sunrise Manor - 89156	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Noel Crandall at 702-455-1658 or by email at crandall@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	1.01	Complaint No.:	
Complaint Received:	No	Note:	
Soil Condition:	Stable	Other:	Vehicles, tractor trailers, and Semi trucks.
Disturbance Factors:	Equipment Storage	Generated By:	Unknown
Fugitive Dust Observed:	No	Percent Silt Content:	
Photography:	Yes	Percent Opacity:	
Silt Content Test:	N/A	Approved By:	Satyra George
Opacity Test:	N/A		

Inspector Notes:

I conducted a routine inspection and observed an unpaved storage lot on parcel 140-21-401-003. There were approximately 10 tractors, 1 tractor trailer, one boat, and approximately 3 cars parked throughout the parcel. This parking lot was created after January 1, 2003, which is not in compliance with AQR 92.3.1.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	TUCKER MICHAEL L	Date: Jul 2, 2024
Mailing Address:	10232 GLEN ORA AVE, LAS VEGAS, NV 89134	
Assessor's Parcels:	191-19-601-002	
Property Location:	14055 Hinson St., Sloan, NV 89054	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	2.00		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	gravel and dry, loose and powdery soils
Disturbance Factors:	Parking, Vehicular Travel, Storage, Material Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved equipment/vehicle storage yard greater than 5,000 square feet on APN 191-19-601-002. There were approximately one dozen passenger vehicles, pieces of heavy construction equipment, service trucks, port-a potties, stacks of construction, equipment and motor homes on-site. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ **Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.**
 - **Including the cities of Las Vegas, North Las Vegas and Henderson.**
- ❖ **Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.**
 - **Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.**
- ❖ **An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:**
 - **New use or change of existing use.**
 - **Improvements or expansion of existing lot/yard.**
 - **Paving exemptions or delays have expired their time limit and paving is now required.**

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) **Paving may not apply to rural public parking facilities such as trailheads and campgrounds.**
 - ◆ **Must be located outside the Las Vegas Valley BLM Disposal Boundary**
 - 2) **Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.**
 - ◆ **All access, parking and loading areas used by on-road vehicles shall be paved.**
 - 3) **Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.**
 - ◆ **All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.**
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - **Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.**

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	CHEVEZ JOSE DANIEL ROMERO AND RIVAS AURA ELIZABETH	Date: Aug 5, 2024
Mailing Address:	1712 BRACKEN AVE., LAS VEGAS, NV 89104	
Assessor's Parcels:	161-07-110-029	
Property Location:	SW Startford Ave. & Glen Ave., CC Sunrise Manor - 89121	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.00		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	chat
Disturbance Factors:	Parking, Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 161-07-110-029. There were approximately two dozen 52" truck cabs and trailers throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ **Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.**
 - **Including the cities of Las Vegas, North Las Vegas and Henderson.**
- ❖ **Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.**
 - **Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.**
- ❖ **An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:**
 - **New use or change of existing use.**
 - **Improvements or expansion of existing lot/yard.**
 - **Paving exemptions or delays have expired their time limit and paving is now required.**

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) **Paving may not apply to rural public parking facilities such as trailheads and campgrounds.**
 - ◆ **Must be located outside the Las Vegas Valley BLM Disposal Boundary**
 - 2) **Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.**
 - ◆ **All access, parking and loading areas used by on-road vehicles shall be paved.**
 - 3) **Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.**
 - ◆ **All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.**
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - **Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.**

April 2016



Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	G V R COMMERCIAL LAND L L C	Date: Aug 21, 2024
Mailing Address:	2360 CORPORATE CIR # 330, HENDERSON, NV 89074	
Assessor's Parcels:	178-19-210-009	
Property Location:	2215 VILLAGE VIEW DR., HENDERSON - 89052	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	1.08		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel and patches of dirt
Disturbance Factors:	Parking, Vehicular Travel, Storage, Material Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 178-19-210-009 containing one landscaping pick-up truck and trailer, two nine-yard trash containers, dozens of clay panting pots, multiple material stockpiles and multiple tire tracks. This storage yard was created after 1/1/03, which is a violation of AQR Section 92.3.1. If needed, I photographed the landscaping contractor service truck with company logo working on-site. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.



City of Henderson
Department of Building and Fire Safety
240 Water Street, P.O. Box 95050
Henderson, NV 89009-5050
(702)267-3600 Fax (702)267-3601

Requirements to Obtain a Building Permit

Chain Link Fence

The following are required to obtain a Building Permit for a chain link fence:

1. A completed Building Permit Application must be submitted. The form may be obtained from the Building Department
2. A site drawing showing the subject property and location of the fence to be constructed. The plan should indicate the length and height of each section of fence. The chain link fence shall not exceed six feet in height.
3. The fence shall be designed in such a manner that existing drainage will not be altered in any fashion. As an alternate, Hydrology Studies and a Grading Plan may be submitted.
4. A structural detail of the construction of the fence is not required unless the fence is unusually tall.
5. Building Permit and review fees. The fees may be estimated by completing the permit fee calculation on the Building Permit Application.

Masonry (Concrete) Fence

The following are required to obtain a Building Permit for a masonry fence:

1. A completed Building Permit Application must be submitted. The form may be obtained from the Building Department
2. A site drawing showing the subject property and location of the fence to be constructed. The plan should indicate the length and height of each section of fence. The fence shall be a maximum of six feet except in the required front yard setback where the maximum is 32 inches.
3. The fence shall be designed in such a manner that existing drainage will not be altered in any fashion. As an alternate, Hydrology Studies and a Grading Plan may be submitted.
4. A structural detail of the construction of the fence including footings, reinforcement, dimensions, etc. As an alternate, the city will provide a standard fence wall detail that may be used.
5. Building Permit and review fees. The fees may be estimated by completing the permit fee calculation on the Building Permit Application.
6. If future development is impending, different wall options may be considered.
7. Masonry fences cannot be constructed on vacant property.



Signs

Signs or notices required for the purpose of preventing soil disturbance of unauthorized access that result in fugitive dust of nuisance conditions will not require a sign permit.

Lot Maintenance

1. Property owners are required to maintain their properties in compliance with the adopted ordinances (trash and rubbish are not allowed to accumulate and/or must be removed).
2. You may wish to design your fence in a manner that trash will not accumulate.

Lot Grading

Lots may not be graded without an approved hydrology study and grading permit. The homeowner may wish to cover the property with gravel to prevent fugitive dust and may do so if the natural terrain is not disturbed. Washes and low flow areas may not be filled in.



Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	TONOPAH & TIDEWATER RAILROAD CO/ TRUMAN	Date: Sep 5, 2024
Mailing Address:	4680 N. Cimarron Road, Las Vegas, NV 89129	
Assessor's Parcels:	161-07-103-015, 161-07-103-016, 161-07-103-014	
Property Location:	2596 STRATFORD AVE Jurisdiction: CC Sunrise Manor - 89121	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Andrew Kirk at 702-306-0257 or by email at andrew.kirk@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	4.11		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	RAP applied to unpaved parking areas and storage
Disturbance Factors:	Parking, Vehicular Travel, Storage, Material Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a Vacant Land Inspection on parcel #161-07-103-015 (3.19 acres) & 161-07-103-014 (.46 acres), 161-07-103-016 (.46 acres), due to the expiration of the DCOP 57148 that expired on August 29, 2024. During my inspection, I observed a new unpaved storage yard created with approximately two dozen semi-trucks, PVC pipes, stand tanks, construction vehicles, three mechanical maintenance bays, and multiple Connex boxes and material stored inside the 4.11 acres of the fenced parcels. I observed the soil was treated with Recycled Asphalt (RAP). I determined that parcel #161-07-103-015, 161-07-103-014, and 161-07-103-016 to be operating out of compliance with Clark County Air Quality Regulations (CCAQRs) Section 92. I am issuing a Notice of Noncompliance to the property owner to remove all equipment and materials stored onsite within 30 days of receipt of this notice. Failure to comply may result in the issuance of a Notice of Violation (NOV), which may include civil penalties.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ **Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.**
 - **Including the cities of Las Vegas, North Las Vegas and Henderson.**
- ❖ **Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.**
 - **Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.**
- ❖ **An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:**
 - **New use or change of existing use.**
 - **Improvements or expansion of existing lot/yard.**
 - **Paving exemptions or delays have expired their time limit and paving is now required.**

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) **Paving may not apply to rural public parking facilities such as trailheads and campgrounds.**
 - ◆ **Must be located outside the Las Vegas Valley BLM Disposal Boundary**
 - 2) **Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.**
 - ◆ **All access, parking and loading areas used by on-road vehicles shall be paved.**
 - 3) **Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.**
 - ◆ **All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.**
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - **Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.**

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	BARRIENTOS EMMANUEL and CAZARES BELEM	Date: Sep 18, 2024
Mailing Address:	4940 EL CAPITAN WAY, LAS VEGAS, NV 89149	
Assessor's Parcels:	161-08-810-069	
Property Location:	4877 LINDA AVE, CC Sunrise Manor - 89121	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.70		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel
Disturbance Factors:	Parking, Vehicular Travel, Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 161-08-810-069 containing over one dozen nine-yard trash containers, trucks and passenger vehicles. This storage yard was created after 1/1/03, which is a violation of AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



7789 4758 3797

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	PALM PROPERTIES, LLC.	Date: Sep 18, 2024
Mailing Address:	6050 S FORT APACHE RD, # 100, LAS VEGAS, NV 89148	
Assessor's Parcels:	161-08-810-083, 161-08-810-082	
Property Location:	3125 SOUTH NELLIS BLVD. - CC SUNRISE MANOR - 89121	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	2.83		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel
Disturbance Factors:	Parking, Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APNs 161-08-810-082 and -083 containing over two dozen trucks, trailers, service trucks and passenger vehicles. This storage yard was created after 1/1/03, which is a violation of AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	STEVENS CLARENCE SCOTT and MITIKU-COTTON MESKEREM G	Date: Oct 10, 2024
Mailing Address:	6800 BRADLEY RD., LAS VEGAS, NV 89131-2836	
Assessor's Parcels:	125-24-203-018	
Property Location:	6800 BRADLEY RD., LAS VEGAS - 89131	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.57		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	soil, chat, pea gravel
Disturbance Factors:	Vehicular Travel, Material Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 125-24-203-018 containing dozens of pallets of materials, as well as material containers. This storage yard was created after 1/1/03 and is subject to AQR 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ **Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.**
 - **Including the cities of Las Vegas, North Las Vegas and Henderson.**
- ❖ **Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.**
 - **Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.**
- ❖ **An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:**
 - **New use or change of existing use.**
 - **Improvements or expansion of existing lot/yard.**
 - **Paving exemptions or delays have expired their time limit and paving is now required.**

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) **Paving may not apply to rural public parking facilities such as trailheads and campgrounds.**
 - ◆ **Must be located outside the Las Vegas Valley BLM Disposal Boundary**
 - 2) **Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.**
 - ◆ **All access, parking and loading areas used by on-road vehicles shall be paved.**
 - 3) **Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.**
 - ◆ **All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.**
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - **Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.**

April 2016



7791 6288 6159

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Pre) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	ARIANA PROPERTIES L L C	Date: Oct 2, 2024
Mailing Address:	2776 CULLODEN AVE, HENDERSON, NV 89044	
Assessor's Parcels:	161-07-102-007	
Property Location:	3535 BOULDER HWY CC Sunrise Manor - 89121	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), property owners/operators shall implement and maintain control measures to prevent fugitive dust on any unpaved parking lot or storage yard established before January 1, 2003, that is equal to or greater than 5,000 square feet.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance. You may resolve this matter by implementing one or more of the control measures described in AQR 92.3.4 or by discontinuing use of this parcel as a parking lot/storage yard and returning all soils to a stable condition in accordance with AQR 92.4.

Within 30 days of receiving this notice, you must have implemented one or more of the control measures described in AQR 92.3.4. You may also discontinue the use of this parcel by removing all equipment and materials from the property and stabilizing the soil in accordance with AQR 92.4.

Failure to comply with the provisions of AQR Section 92 may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action.

Section 92 (Pre) Inspection Form – Summary

Acreage:	2.43		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	dry, loose and powdery
Disturbance Factors:	Parking, Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 161-07-102-007 containing over two dozen nine-yard trash containers, trucks, trailers, passenger vehicles and various construction materials This storage yard was created before 1/1/03 and is subject to AQR 92.3.2. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.



7791 6009 9382

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	GONZALEZ MARCELINO	Date: Oct 2, 2024
Mailing Address:	2524 DALHART AVE, LAS VEGAS, NV 89121	
Assessor's Parcels:	161-07-110-008, 161-07-110-009, 161-07-110-010	
Property Location:	SOUTH and WEST OF THE INTERSECTION OF GLEN AVE. & McLAURINE AVE., CC Sunrise Manor - 89121	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.00		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	dry, loose and powdery
Disturbance Factors:	Parking, Vehicular Travel, Storage, Material Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APNs 161-07-110-008, -009 and -010 containing over two dozen nine-yard trash containers, trucks, trailers and passenger vehicles. This storage yard was created after 1/1/03, which is a violation of AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



7794 6251 9633

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Pre) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	SILVER CITY M H C L L C	Date: Oct 17, 2024
Mailing Address:	9111 CROSS PARK DR # D200 # 103U, KNOXVILLE, TN 37923	
Assessor's Parcels:	162-01-703-007	
Property Location:	1615 S. MOJAVE ROAD - CC Sunrise Manor - 89104	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), property owners/operators shall implement and maintain control measures to prevent fugitive dust on any unpaved parking lot or storage yard established before January 1, 2003, that is equal to or greater than 5,000 square feet.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance. You may resolve this matter by implementing one or more of the control measures described in AQR 92.3.4 or by discontinuing use of this parcel as a parking lot/storage yard and returning all soils to a stable condition in accordance with AQR 92.4.

Within 30 days of receiving this notice, you must have implemented one or more of the control measures described in AQR 92.3.4. You may also discontinue the use of this parcel by removing all equipment and materials from the property and stabilizing the soil in accordance with AQR 92.4.

Failure to comply with the provisions of AQR Section 92 may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action.

Section 92 (Pre) Inspection Form – Summary

Acreage:	3.27		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	dry, loose and powdery
Disturbance Factors:	Parking, Vehicular Travel, Storage, Material Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 162-01-703-007. The site contains dozens of motor homes, multiple trailers, trucks, Conex boxes, passenger vehicles and other materials. This storage yard was created before January 1, 2003, and is not in compliance with AQR 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.



7792 6840 1517

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Pre) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	C D C LAND L L C SERIES D	Date: Oct 11, 2024
Mailing Address:	60 Corporate Park Drive, Henderson, NV 89074	
Assessor's Parcels:	176-23-401-015	
Property Location:	6665 W GARY AVE	Jurisdiction: CC

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), property owners/operators shall implement and maintain control measures to prevent fugitive dust on any unpaved parking lot or storage yard established before January 1, 2003, that is equal to or greater than 5,000 square feet.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance. You may resolve this matter by implementing one or more of the control measures described in AQR 92.3.4 or by discontinuing use of this parcel as a parking lot/storage yard and returning all soils to a stable condition in accordance with AQR 92.4.

Within 30 days of receiving this notice, you must have implemented one or more of the control measures described in AQR 92.3.4. You may also discontinue the use of this parcel by removing all equipment and materials from the property and stabilizing the soil in accordance with AQR 92.4.

Failure to comply with the provisions of AQR Section 92 may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Upon receipt of this Noncompliance Notice, immediately contact Katrinka Byers at 702-249-6093 or by email at katrinka.chapek@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action.

Section 92 (Pre) Inspection Form – Summary

Acreage:	2.06	Complaint No.:	76370
Complaint Received:	Yes	Note:	Dry, loose and powdery site soils
Soil Condition:	Unstable	Other:	Parking large haul vehicles on unpaved lot
Disturbance Factors:	Vehicular Travel	Generated By:	Haul Trucks driving and parking on lot
Fugitive Dust Observed:	Yes	Percent Silt Content:	
Photography:	Yes	Percent Opacity:	
Silt Content Test:	N/A	Approved By:	Satyra George
Opacity Test:	N/A		
Inspector Notes:			

I conducted a complaint investigation for an unpaved parking lot located on parcel#176-23-401-015 with haul trucks parking on the lot creating dust. I observed several haul trucks parked on the unpaved lot with winds approximately 5-10 mph creating fugitive dust blowing onto Gary Street. I observed no control measures applied to the unpaved parking lot at this time. A Notice of Non-Compliance with a possible NOV is being issued to the land owner to apply one of the following control measures per Section 92.3.4: a) Pave, b) Alternative Asphalt (must be approved by Air Quality Supervisor) c) Uniformly apply and maintain clean gravel to a depth of two inches, d) Apply and maintain an alternative control measure with prior written approval from the Control Officer.

PPLRL_2304



Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994



Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	STEP UP INVESTMENTS L L C	Date: Oct 23, 2024
Mailing Address:	P.O. BOX 751496, LAS VEGAS, NV 89136	
Assessor's Parcels:	178-12-401-007	
Property Location:	SEC of Fourth Street/Avenue H, CC Unincorporated - 89015	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	3.76		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	recycled asphalt
Disturbance Factors:	Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 178-12-401-007 containing over a dozen truck trailers. This storage yard was created after 1/1/03 and is subject to AQR 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ **Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.**
 - **Including the cities of Las Vegas, North Las Vegas and Henderson.**
- ❖ **Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.**
 - **Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.**
- ❖ **An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:**
 - **New use or change of existing use.**
 - **Improvements or expansion of existing lot/yard.**
 - **Paving exemptions or delays have expired their time limit and paving is now required.**

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) **Paving may not apply to rural public parking facilities such as trailheads and campgrounds.**
 - ◆ **Must be located outside the Las Vegas Valley BLM Disposal Boundary**
 - 2) **Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.**
 - ◆ **All access, parking and loading areas used by on-road vehicles shall be paved.**
 - 3) **Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.**
 - ◆ **All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.**
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - **Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.**

April 2016



7700 4743 6771

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	RODRIGUEZ FERNANDO GOMEZ	Date: Nov 6, 2024
Mailing Address:	6212 GLACIER AVE, Las Vegas, NV 89156	
Assessor's Parcels:	161-18-510-032	
Property Location:	West of Backstage Blvd. and Rayment Drive, CC Paradise - 89121	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.39	
Complaint Received:	No	Complaint No.:
Soil Condition:	Unstable	Note: dry, loose and powdery
Disturbance Factors:	Parking, Vehicular Travel, Storage	Other:
Fugitive Dust Observed:	No	Generated By: Unknown
Photography:	Yes	
Silt Content Test:	N/A	Percent Silt Content:
Opacity Test:	N/A	Percent Opacity:
Inspector Notes:		Approved By: Satyra George

I conducted a routine inspection and observed an unpaved storage yard on APN 161-18-510-032. There were over one dozen trucks, trailers, passenger vehicles and various other materials throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR 92.3.1. Please contact me to discuss your plan to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	MEXICAN GOLD & OIL TRUST and PARADISE HILLS TRUST	Date: Nov 6, 2024
Mailing Address:	5040 PARK GROVE CT, LAS VEGAS, NV 89120	
Assessor's Parcels:	161-18-510-034	
Property Location:	East of the intersection of Sandhill Road and Raymert Drive, CC Paradise - 89121	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.30		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	dry, loose and powdery
Disturbance Factors:	Parking, Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard on APN 161-18-510-034. There were approximately one dozen trucks, trailers, passenger vehicles, motor homes and various other materials throughout the parcel. This storage yard was created post January 1, 2003, which is not in compliance with AQR 92.3.1. Please contact me to discuss your plan to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	A K E MORONES L L C SERIES 5 and MACKENZIE SCOTT	Date: Nov 25, 2024
Mailing Address:	1962 LA VANTE AVE, LAS VEGAS, NV 89169	
Assessor's Parcels:	161-18-510-030	
Property Location:	SWC of Backstage Blvd. and Raymert Drive, CC Paradise - 89121	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.00		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	dry, loose and powdery
Disturbance Factors:	Parking, Vehicular Travel, Storage, Material Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard on APN 161-18-510-030. There were over one dozen trucks, trailers, passenger vehicles and various other materials throughout the parcel. Approximately 5,400 square feet, one-quarter of the lot, is stabilized with pavement/RAP, as measured on the September 2021 OpenDoor image of the site. This storage yard was created after January 1, 2003, which is not in compliance with AQR 92.3.1. Please contact me to discuss your plan to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	VEGAS COMMANDER LEASING CO	Date: Nov 6, 2024
Mailing Address:	1780 S MOJAVE RD, LAS VEGAS, NV 89104-4505	
Assessor's Parcels:	162-01-602-013	
Property Location:	1780 S MOJAVE RD	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	5.75		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	dry, loose and powdery
Disturbance Factors:	Parking, Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard on APN 161-07-102-007. There were dozens of pallets, over two dozen 52' trailers and trucks parked throughout the parcel. This storage yard was created after 1/1/03 which is not in compliance with AQR 92.3.1. Please contact me to discuss your plan to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	MIRANDA FAVIOLA and MARQUEZ HOMERO MERAZ	Date: Dec 13, 2024
Mailing Address:	7019 ALABASTER PEAK ST, Las Vegas, NV 89166	
Assessor's Parcels:	126-08-801-002	
Property Location:	Kyle Canyon Rd & Reymore St Jurisdiction: CC Lower Kyle Canyon	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Damon Lindsay at 702-455-0151 or by email at damon.lindsay@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	3.27	
Complaint Received:	No	Complaint No.:
Soil Condition:	Stable	Note:
Disturbance Factors:	Parking, Vehicular Travel, Material Storage, Equipment Storage	Other:
Fugitive Dust Observed:	No	Generated By: Unknown
Photography:	Yes	
Silt Content Test:	N/A	Percent Silt Content:
Opacity Test:	N/A	Percent Opacity:
Inspector Notes:		Approved By: Satyra George

I conducted a Vacant Land Inspection on parcel 126-08-801-002, and observed an unpaved storage yard over 5,000 square feet that was created after January 1, 2003. There was stockpiling, staging, construction vehicles, construction equipment and trailers parked throughout the parcel. A Post 2003 Section 92 Vacant Land Notice of Noncompliance is being issued to the property owner.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ **Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.**
 - **Including the cities of Las Vegas, North Las Vegas and Henderson.**
- ❖ **Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.**
 - **Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.**
- ❖ **An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:**
 - **New use or change of existing use.**
 - **Improvements or expansion of existing lot/yard.**
 - **Paving exemptions or delays have expired their time limit and paving is now required.**

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) **Paving may not apply to rural public parking facilities such as trailheads and campgrounds.**
 - ◆ **Must be located outside the Las Vegas Valley BLM Disposal Boundary**
 - 2) **Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.**
 - ◆ **All access, parking and loading areas used by on-road vehicles shall be paved.**
 - 3) **Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.**
 - ◆ **All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.**
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - **Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.**

April 2016



Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	COLLINS 12K LLC	Date: Dec 13, 2024
Mailing Address:	4485 RIVIERA RIDGE AVE, Las Vegas, NV 89115	
Assessor's Parcels:	126-09-501-017	
Property Location:	North of intersection of Kyle Canyon Road and Elvis Alive Drive Jurisdiction: CC Lower Kyle Canyon	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Damon Lindsay at 702-455-0151 or by email at damon.lindsay@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	2.55	
Complaint Received:	No	Complaint No.:
Soil Condition:	Stable	Note:
Disturbance Factors:	Vehicular Travel, Storage, Material Storage	Other:
Fugitive Dust Observed:	No	Generated By: Unknown
Photography:	Yes	
Silt Content Test:	N/A	Percent Silt Content:
Opacity Test:	N/A	Percent Opacity:
Inspector Notes:		Approved By: Satyra George

I conducted a Vacant Land Inspection on parcel 126-09-501-017, and observed an unpaved storage yard over 5,000 square feet that was created after January 1, 2003. There was stockpiling, staging, and trailers parked throughout the parcel. A Post 2003 Section 92 Vacant Land Notice of Noncompliance is being issued to the property owner.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ **Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.**
 - **Including the cities of Las Vegas, North Las Vegas and Henderson.**
- ❖ **Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.**
 - **Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.**
- ❖ **An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:**
 - **New use or change of existing use.**
 - **Improvements or expansion of existing lot/yard.**
 - **Paving exemptions or delays have expired their time limit and paving is now required.**

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) **Paving may not apply to rural public parking facilities such as trailheads and campgrounds.**
 - ◆ **Must be located outside the Las Vegas Valley BLM Disposal Boundary**
 - 2) **Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.**
 - ◆ **All access, parking and loading areas used by on-road vehicles shall be paved.**
 - 3) **Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.**
 - ◆ **All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.**
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - **Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.**

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	TONOPAH & TIDEWATER RAILROAD CO/ TRUMAN	Date: Dec 5, 2024
Mailing Address:	4680 N. Cimarron Road, Las Vegas, NV 89129	
Assessor's Parcels:	161-07-103-015, 161-07-103-014, 161-07-103-016	
Property Location:	2596 STRATFORD AVE Jurisdiction: CC Sunrise Manor - 89121	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Andrew Kirk at 702-306-0257 or by email at andrew.kirk@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	4.11		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	Soils had recently been watered prior to my inspection
Disturbance Factors:	Parking, Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted an unpaved parking/storage yard inspection on parcel #161-07-103-015 (3.19 acres), 161-07-103-014 (.46 acres), and 161-07-103-016 (.46 acres), due to the expiration of Dust Control Operating Permit (DCOP) #57148 on August 29, 2024. During this inspection, I observed an active unpaved parking/storage yard containing dozens of trucks, some heavy equipment, three mechanical maintenance bays, multiple Connex boxes, and miscellaneous materials being stored inside this 4.11 acre facility surrounded by fencing on the western, southern, and northern ends. Multiple people were observed working within the maintenance bays and portable offices and vehicles were seen entering/exiting the property. Based on all of this, I determined that parcel #161-07-103-014, 161-07-103-015, and 161-07-103-016 were out of compliance with Clark County Air Quality Regulations (CCAQRs) Section 92. I am issuing a Notice of Noncompliance (NON) with possible Notice of Violation (NOV) to the property owner to pave the entire site or remove all vehicles, equipment, and materials stored onsite within 30 days of receipt of this notice.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	TAJALLI HAMID R	Date: Dec 11, 2024
Mailing Address:	7844 DESERT BELL AVE, LAS VEGAS, NV 89128-7996	
Assessor's Parcels:	161-18-510-054	
Property Location:	3909 E DESERT INN RD., CC Paradise - 89121	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.00		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	gravel, soils
Disturbance Factors:	Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard on APN 161-18-510-054. There were over two dozen trucks and passenger vehicles stored throughout the parcel. This storage yard was created post January 1, 2003, which is not in compliance with AQR 92.3.1. Please contact me to discuss your plan to bring your sites into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ **Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.**
 - **Including the cities of Las Vegas, North Las Vegas and Henderson.**
- ❖ **Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.**
 - **Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.**
- ❖ **An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:**
 - **New use or change of existing use.**
 - **Improvements or expansion of existing lot/yard.**
 - **Paving exemptions or delays have expired their time limit and paving is now required.**

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) **Paving may not apply to rural public parking facilities such as trailheads and campgrounds.**
 - ◆ **Must be located outside the Las Vegas Valley BLM Disposal Boundary**
 - 2) **Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.**
 - ◆ **All access, parking and loading areas used by on-road vehicles shall be paved.**
 - 3) **Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.**
 - ◆ **All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.**
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - **Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.**

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	KANDEL SCOTT M	Date: Dec 11, 2024
Mailing Address:	3905 TIORA ST, Las Vegas, NV 89129	
Assessor's Parcels:	161-27-302-001, 161-27-311-003	
Property Location:	6000 Clark Street - CC Whitney - 89122	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.37	
Complaint Received:	No	Complaint No.:
Soil Condition:	Unstable	Note: dry, loose and powdery
Disturbance Factors:	Parking, Vehicular Travel, Storage, Equipment Storage	Other:
Fugitive Dust Observed:	No	Generated By: Unknown
Photography:	Yes	
Silt Content Test:	N/A	Percent Silt Content:
Opacity Test:	N/A	Percent Opacity:
Inspector Notes:		Approved By: Satyra George

I conducted a routine inspection and observed an unpaved storage yard on APNs 161-27-302-001 & -003. There were over one dozen trucks, trailers, containers, passenger vehicles and dozens of portable toilets throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR 92.3.1. Please contact me to discuss your plan to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ **Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.**
 - **Including the cities of Las Vegas, North Las Vegas and Henderson.**
- ❖ **Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.**
 - **Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.**
- ❖ **An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:**
 - **New use or change of existing use.**
 - **Improvements or expansion of existing lot/yard.**
 - **Paving exemptions or delays have expired their time limit and paving is now required.**

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) **Paving may not apply to rural public parking facilities such as trailheads and campgrounds.**
 - ◆ **Must be located outside the Las Vegas Valley BLM Disposal Boundary**
 - 2) **Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.**
 - ◆ **All access, parking and loading areas used by on-road vehicles shall be paved.**
 - 3) **Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.**
 - ◆ **All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.**
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - **Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.**

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	DANIELS LAS VEGAS L L C	Date: Dec 12, 2024
Mailing Address:	12313 PORTSMOUTH TERR, LAKEWOOD RANCH, FL 34211	
Assessor's Parcels:	161-27-306-005, 161-27-311-015	
Property Location:	6080 BOULDER HWY, CC Whitney - 89122	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	4.48		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	Type II, gravel
Disturbance Factors:	Parking, Vehicular Travel, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard on APNs 161-27-306-005 & 161-27-311-015. There are dozens of trucks and trailers throughout the parcels. These storage yards were created post January 1, 2003, which is not in compliance with AQR 92.3.1. Please contact me to discuss your plan to bring your sites into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	DHALAI NAGI	Date: Dec 11, 2024
Mailing Address:	6583 AMERICAN BEAUTY AVE, LAS VEGAS, NV 89142	
Assessor's Parcels:	161-27-312-002	
Property Location:	6046 BOULDER HWY., CC Whitney - 89122	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.24		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel
Disturbance Factors:	Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard on APN 161-27-312-002. There were approximately one dozen trucks trailers throughout the parcel. This storage yards was created post January 1, 2003, which is not in compliance with AQR 92.3.1. Please contact me to discuss your plan to bring your sites into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	BAYVIEW ACQUISITIONS L L C	Date: Dec 11, 2024
Mailing Address:	74 HUNT VALLEY TRL, HENDERSON, NV 89052	
Assessor's Parcels:	161-28-510-033	
Property Location:	5717 BOULDER HWY., CC Whitney - 89122	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.71		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	dry, loose and powdery
Disturbance Factors:	Parking, Vehicular Travel, Storage, Material Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard on APN 161-28-510-033. There were approximately one dozen trucks, trailers, passenger vehicles and mobile homes throughout the parcel. This storage yard was created post January 1, 2003, which is not in compliance with AQR 92.3.1. Please contact me to discuss your plan to bring your sites into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
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 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	AMALIA L L C	Date: Dec 11, 2024
Mailing Address:	5810 MISSOURI, LAS VEGAS, NV 89122	
Assessor's Parcels:	161-28-611-003	
Property Location:	SE of Missouri St./Stephanie St., CC Whitney - 89122	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.23		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel
Disturbance Factors:	Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard on APN 161-28-611-003. There are over a dozen trucks and passenger vehicles throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR 92.3.1. Please contact me to discuss your plan to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	Dewey & Decatur LLC	Date: Dec 2, 2024
Mailing Address:	5130 Mountain Top Circle, Las Vegas, NV, NV 89148	
Assessor's Parcels:	162-30-401-001	
Property Location:	NEC of Decatur Blvd./Dewey Dr., Las Vegas 89118	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	8.14		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	dry, powdery soils
Disturbance Factors:	Parking, Vehicular Travel, Material Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a re-inspection and observed an unpaved storage yard on APN 162-30-401-001. I observed over two dozen automobiles, dozens of pallets of materials and other construction materials covering an area over 5,000 sq. ft. DCOP 57422, covering a portion of parcel, was issued on November 29, 2023, to apply pavement for a parking/outside material storage lot, due to it being a Post January 1, 2003, unpaved storage lot. There is no construction activity on-site, no paving has been done, the permit has expired, and the permittee's DCOP renewal application has been denied due to failure to meet Section 92 Requirements.

A Section 92 Notice of Non-compliance is being issued to remove all unpaved parking/storage over 5,000 square feet throughout the parcel within 30 days.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ **Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.**
 - **Including the cities of Las Vegas, North Las Vegas and Henderson.**
- ❖ **Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.**
 - **Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.**
- ❖ **An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:**
 - **New use or change of existing use.**
 - **Improvements or expansion of existing lot/yard.**
 - **Paving exemptions or delays have expired their time limit and paving is now required.**

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) **Paving may not apply to rural public parking facilities such as trailheads and campgrounds.**
 - ◆ **Must be located outside the Las Vegas Valley BLM Disposal Boundary**
 - 2) **Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.**
 - ◆ **All access, parking and loading areas used by on-road vehicles shall be paved.**
 - 3) **Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.**
 - ◆ **All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.**
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - **Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.**

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	REPUBLIC SILVER STATE DISPOSAL	Date: Dec 11, 2024
Mailing Address:	REPUBLIC SILVER STATE DISPOSAL C/O PPTY TAX DEPT PO BOX 29246, PHOENIX, AZ 85038-9246	
Assessor's Parcels:	178-02-701-006	
Property Location:	SEC of Sunset Road & Eastgate Road, Henderson - 89011	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	5.83		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	dry, loose and powdery
Disturbance Factors:	Material Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard on APN 178-02-701-006. There were approximately two dozen nine-yard containers on the northern part of the parcel: these containers are in the 50,000 sq. ft. area on the north side of the parcel. This storage yard was created post January 1, 2003, which is not in compliance with AQR 92.3.1. Please contact me to discuss your plan to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	CHRISTY LORRETTA S and MEZA CHRISTY JO	Date: Dec 11, 2024
Mailing Address:	5039 TITANIUM AVE, LAS VEGAS, NV 89120-1578	
Assessor's Parcels:	161-28-510-023	
Property Location:	5675 BOULDER HWY., CC Whitney - 89122	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.99		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	dry, loose and powdery
Disturbance Factors:	Parking, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard on APN161-28-510-023. There were dozens of passenger vehicles and trucks throughout the parcel. This storage yards was created post January 1, 2003, which is not in compliance with AQR 92.3.1. Please contact me to discuss your plan to bring your sites into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	Lewis Thanh	Date: Jan 6, 2025
Mailing Address:	5066 Pearlite Ave., Las Vegas, NV 89120	
Assessor's Parcels:	140-20-610-009	
Property Location:	4925 Judson Ave - CC Sunrise Manor	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.89		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	dirt, Type II
Disturbance Factors:	Parking, Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted an inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 140-20-610-009. There were dozens of passenger vehicles, service trucks, flatbed tow trucks and truck trailers on-site. As of January 6, 2025, all necessary control measures to meet Air Quality Regulations (AQRs) have not been implemented since the original Notice of Non-Compliance (NON) was sent to the property owner on November 21, 2022. DCOP 56200, a Section 92 Conditional renewal, was issued on February 16, 2024, and expired December 27, 2024. I informed the Responsible Official, Mr. Gia Nguyen, I will send a Section 92 Notice of Non-compliance to the landowner, Ms. Than Lewis, to remove everything from the site or restrict on-site materials to an area no larger than 5,000 square feet on clean gravel, by February 6, 2025. Mr. Nguyen stated he understood and would comply.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	CITY OF HENDERSON	Date: Jan 15, 2025
Mailing Address:	240 WATER ST., HENDERSON, NV 89009-5050	
Assessor's Parcels:	178-01-102-008	
Property Location:	2101 MOSER DR., HENDERSON - 89011	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Satyra George at 702-455-1609 or by email at satyra.george@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	34.67		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	some of it is stabilized with gravel and RAP
Disturbance Factors:	Parking, Material Storage	Other:	some of it is stabilized with gravel and RAP, while other areas have unstable soils created by frequent travel
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APN 178-01-102-008. There were over three dozen rubber-tire vehicles, heavy construction equipment, service trucks, and various construction materials on-site. This storage yard was created after 1/1/03 and is subject to AQR 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.3.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments, and Code Enforcement within Clark County, City of Las Vegas, City of Henderson, and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use, and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.
 - Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement, or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trail heads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate, or similar bulk materials.
 - ◆ All access, parking, and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking, and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and sign-off by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

January 2025



City of Henderson
Department of Building and Fire Safety
240 Water Street, P.O. Box 95050
Henderson, NV 89009-5050
(702)267-3600 Fax (702)267-3601

Requirements to Obtain a Building Permit

Chain Link Fence

The following are required to obtain a Building Permit for a chain link fence:

1. A completed Building Permit Application must be submitted. The form may be obtained from the Building Department
2. A site drawing showing the subject property and location of the fence to be constructed. The plan should indicate the length and height of each section of fence. The chain link fence shall not exceed six feet in height.
3. The fence shall be designed in such a manner that existing drainage will not be altered in any fashion. As an alternate, Hydrology Studies and a Grading Plan may be submitted.
4. A structural detail of the construction of the fence is not required unless the fence is unusually tall.
5. Building Permit and review fees. The fees may be estimated by completing the permit fee calculation on the Building Permit Application.

Masonry (Concrete) Fence

The following are required to obtain a Building Permit for a masonry fence:

1. A completed Building Permit Application must be submitted. The form may be obtained from the Building Department
2. A site drawing showing the subject property and location of the fence to be constructed. The plan should indicate the length and height of each section of fence. The fence shall be a maximum of six feet except in the required front yard setback where the maximum is 32 inches.
3. The fence shall be designed in such a manner that existing drainage will not be altered in any fashion. As an alternate, Hydrology Studies and a Grading Plan may be submitted.
4. A structural detail of the construction of the fence including footings, reinforcement, dimensions, etc. As an alternate, the city will provide a standard fence wall detail that may be used.
5. Building Permit and review fees. The fees may be estimated by completing the permit fee calculation on the Building Permit Application.
6. If future development is impending, different wall options may be considered.
7. Masonry fences cannot be constructed on vacant property.



Signs

Signs or notices required for the purpose of preventing soil disturbance of unauthorized access that result in fugitive dust of nuisance conditions will not require a sign permit.

Lot Maintenance

1. Property owners are required to maintain their properties in compliance with the adopted ordinances (trash and rubbish are not allowed to accumulate and/or must be removed).
2. You may wish to design your fence in a manner that trash will not accumulate.

Lot Grading

Lots may not be graded without an approved hydrology study and grading permit. The homeowner may wish to cover the property with gravel to prevent fugitive dust and may do so if the natural terrain is not disturbed. Washes and low flow areas may not be filled in.



Section 92 (Pre) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	1800 MOJAVE PARTNERS L L C C/O ALTERRA PROPERTY GROUP	Date: Jan 23, 2025
Mailing Address:	414 S 16TH ST., STE. 100, PHILADELPHIA, PA 19146	
Assessor's Parcels:	162-01-703-024	
Property Location:	1800 S Mojave Rd, Las Vegas, NV 89104	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), property owners/operators shall implement and maintain control measures to prevent fugitive dust on any unpaved parking lot or storage yard established before January 1, 2003, that is equal to or greater than 5,000 square feet.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance. You may resolve this matter by implementing one or more of the control measures described in AQR 92.3.4 or by discontinuing use of this parcel as a parking lot/storage yard and returning all soils to a stable condition in accordance with AQR 92.4.

Within 30 days of receiving this notice, you must have implemented one or more of the control measures described in AQR 92.3.4. You may also discontinue the use of this parcel by removing all equipment and materials from the property and stabilizing the soil in accordance with AQR 92.4.

Failure to comply with the provisions of AQR Section 92 may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action.

Section 92 (Pre) Inspection Form – Summary

Acreage:	2.73		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	dry, powdery soil
Disturbance Factors:	Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard over 5,000 square feet on APN 162-01-703-024. This storage yard was created pre-January 1, 2003, and does not apply at least one control measures listed in Air Quality Regulations (AQRs) 92.3.4. There are half-a dozen trucks on-site, but this site is actively used for truck trailer storage with dozens of trailers on-site as various times of the year. Please contact me to discuss your plan to bring your sites into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.3.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments, and Code Enforcement within Clark County, City of Las Vegas, City of Henderson, and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use, and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.
 - Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement, or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trail heads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate, or similar bulk materials.
 - ◆ All access, parking, and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking, and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and sign-off by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

January 2025



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	PRICE RYAN INC	Date: Feb 11, 2025
Mailing Address:	1610 Nevada Hwy, Boulder City, NV 89005-1903	
Assessor's Parcels:	178-12-504-004	
Property Location:	118 King St. Henderson	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.40		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel
Disturbance Factors:	Parking, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Katrinka Byers

I conducted a routine inspection and observed an unpaved storage yard on APN 178-12-504-004. There were over one dozen boats, trailers and motor homes stored throughout the parcel. this storage yard was created after January 1, 2003, which is not in compliance with AQR 92.3.1. Please contact me to discuss your plan to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.3.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ **Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.**
 - **Including the cities of Las Vegas, North Las Vegas and Henderson.**
- ❖ **Development Services, Building Departments, and Code Enforcement within Clark County, City of Las Vegas, City of Henderson, and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.**
 - **Please check with the appropriate local agency for additional requirements, regulations, land use, and zoning.**
- ❖ **An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:**
 - **New use or change of existing use.**
 - **Improvements or expansion of existing lot/yard.**
 - **Paving exemptions or delays have expired their time limit and paving is now required.**
 - **Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.**

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement, or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) **Paving may not apply to rural public parking facilities such as trail heads and campgrounds.**
 - ◆ **Must be located outside the Las Vegas Valley BLM Disposal Boundary**
 - 2) **Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate, or similar bulk materials.**
 - ◆ **All access, parking, and loading areas used by on-road vehicles shall be paved.**
 - 3) **Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.**
 - ◆ **All access, parking, and loading areas used primarily by rubber tired vehicles shall be paved.**
 - **Approval for exceptions 1 – 3 above requires review and sign-off by the local entity's development services or building department and DAQ.**
 - **Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.**

January 2025



City of Henderson
Department of Building and Fire Safety
240 Water Street, P.O. Box 95050
Henderson, NV 89009-5050
(702)267-3600 Fax (702)267-3601

Requirements to Obtain a Building Permit

Chain Link Fence

The following are required to obtain a Building Permit for a chain link fence:

1. A completed Building Permit Application must be submitted. The form may be obtained from the Building Department
2. A site drawing showing the subject property and location of the fence to be constructed. The plan should indicate the length and height of each section of fence. The chain link fence shall not exceed six feet in height.
3. The fence shall be designed in such a manner that existing drainage will not be altered in any fashion. As an alternate, Hydrology Studies and a Grading Plan may be submitted.
4. A structural detail of the construction of the fence is not required unless the fence is unusually tall.
5. Building Permit and review fees. The fees may be estimated by completing the permit fee calculation on the Building Permit Application.

Masonry (Concrete) Fence

The following are required to obtain a Building Permit for a masonry fence:

1. A completed Building Permit Application must be submitted. The form may be obtained from the Building Department
2. A site drawing showing the subject property and location of the fence to be constructed. The plan should indicate the length and height of each section of fence. The fence shall be a maximum of six feet except in the required front yard setback where the maximum is 32 inches.
3. The fence shall be designed in such a manner that existing drainage will not be altered in any fashion. As an alternate, Hydrology Studies and a Grading Plan may be submitted.
4. A structural detail of the construction of the fence including footings, reinforcement, dimensions, etc. As an alternate, the city will provide a standard fence wall detail that may be used.
5. Building Permit and review fees. The fees may be estimated by completing the permit fee calculation on the Building Permit Application.
6. If future development is impending, different wall options may be considered.
7. Masonry fences cannot be constructed on vacant property.



Signs

Signs or notices required for the purpose of preventing soil disturbance of unauthorized access that result in fugitive dust of nuisance conditions will not require a sign permit.

Lot Maintenance

1. Property owners are required to maintain their properties in compliance with the adopted ordinances (trash and rubbish are not allowed to accumulate and/or must be removed).
2. You may wish to design your fence in a manner that trash will not accumulate.

Lot Grading

Lots may not be graded without an approved hydrology study and grading permit. The homeowner may wish to cover the property with gravel to prevent fugitive dust and may do so if the natural terrain is not disturbed. Washes and low flow areas may not be filled in.



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	3975 HACIENDA L L C	Date: Feb 11, 2025
Mailing Address:	4025 JACOBS LADDER TR, HAYDEN LAKE, ID 83835	
Assessor's Parcels:	162-30-701-011, 162-30-701-012	
Property Location:	3975 W Hacienda Ave and 4055 W HACIENDA AVE, CC Paradise - 89118	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	4.32		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel, covered in layer of dirt
Disturbance Factors:	Parking, Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed unstable soil conditions on unpaved storage yards greater than 5,000 square feet on APNs 162-30-701-011 & -012. There were approximately two dozen trucks/trailers and dozens of passenger vehicles on-site. These storage yards were created after January 1, 2003, and not in compliance with AQR 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.3.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments, and Code Enforcement within Clark County, City of Las Vegas, City of Henderson, and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use, and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.
 - Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement, or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trail heads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate, or similar bulk materials.
 - ◆ All access, parking, and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking, and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and sign-off by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

January 2025



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	LOPEZ ALBERTO FLORES & VERONICA	Date: Feb 24, 2025
Mailing Address:	6120 SHELTER CREEK, LAS VEGAS, NV 89110	
Assessor's Parcels:	140-20-101-004, 140-20-101-002	
Property Location:	4684 E CAREY AVE, CC Sunrise Manor - 89115	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.98		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel, Type II
Disturbance Factors:	Parking, Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard over 5,000 square feet on APNs 140-20-101-002 & -004. There were dozens of passenger vehicles stored throughout each of the parcels. These storage yards were created after January 1, 2003, which is not in compliance with AQR 92.3.1. Please contact me to discuss your plan to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.3.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments, and Code Enforcement within Clark County, City of Las Vegas, City of Henderson, and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use, and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.
 - Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement, or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trail heads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate, or similar bulk materials.
 - ◆ All access, parking, and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking, and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and sign-off by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

January 2025



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	NEW MARION L L C	Date: Feb 25, 2025
Mailing Address:	9337 Canyon Shadow Lane, Las Vegas, NV 89117-7126	
Assessor's Parcels:	140-20-202-004	
Property Location:	NW Marion Dr/Lake Mead - CC Sunrise Manor	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	3.38		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	dry, loose and powdery
Disturbance Factors:	Parking, Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard over 5,000 square feet on APN 140-20-202-004. There were dozens of passenger vehicles and portable toilets stored throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR 92.3.1. Please contact me to discuss your plan to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.3.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments, and Code Enforcement within Clark County, City of Las Vegas, City of Henderson, and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use, and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.
 - Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement, or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trail heads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate, or similar bulk materials.
 - ◆ All access, parking, and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking, and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and sign-off by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

January 2025



Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	2925 FREMONT HOLDINGS L L C	Date: Feb 13, 2025
Mailing Address:	5201S TORREY PINES DR UNIT 1244, LAS VEGAS, NV 89118	
Assessor's Parcels:	162-01-202-014	
Property Location:	2909 FREMONT ST, CC Sunrise Manor - 89104	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.46		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	crusted
Disturbance Factors:	Parking, Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Katrinka Byers

I conducted a routine inspection and observed an unpaved storage yard over 5,000 square feet on APN 162-01-202-014. There were dozens of passenger vehicles stored throughout each of the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR 92.3.1. Please contact me to discuss your plan to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.3.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments, and Code Enforcement within Clark County, City of Las Vegas, City of Henderson, and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use, and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.
 - Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement, or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trail heads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate, or similar bulk materials.
 - ◆ All access, parking, and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking, and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and sign-off by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

January 2025



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	REY DE AUTOS TRUST and KABOLI RAMON STEVE TRS	Date: Feb 12, 2025
Mailing Address:	2434 PING DR., HENDERSON, NV 89074	
Assessor's Parcels:	178-01-312-027, 178-01-312-026	
Property Location:	1717 PALM ST., HENDERSON - 89011	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.32		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel
Disturbance Factors:	Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Katrinka Byers

I conducted a routine inspection and observed an unpaved storage yard over 5,000 square feet on APNs 178-01-312-026 & -027. There were dozens of passenger vehicles stored throughout each of the two parcels. These storage yards was created after January 1, 2003, which is not in compliance with AQR 92.3.1. Please contact me to discuss your plan to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.3.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ **Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.**
 - **Including the cities of Las Vegas, North Las Vegas and Henderson.**
- ❖ **Development Services, Building Departments, and Code Enforcement within Clark County, City of Las Vegas, City of Henderson, and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.**
 - **Please check with the appropriate local agency for additional requirements, regulations, land use, and zoning.**
- ❖ **An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:**
 - **New use or change of existing use.**
 - **Improvements or expansion of existing lot/yard.**
 - **Paving exemptions or delays have expired their time limit and paving is now required.**
 - **Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.**

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement, or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) **Paving may not apply to rural public parking facilities such as trail heads and campgrounds.**
 - ◆ **Must be located outside the Las Vegas Valley BLM Disposal Boundary**
 - 2) **Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate, or similar bulk materials.**
 - ◆ **All access, parking, and loading areas used by on-road vehicles shall be paved.**
 - 3) **Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.**
 - ◆ **All access, parking, and loading areas used primarily by rubber tired vehicles shall be paved.**
 - **Approval for exceptions 1 – 3 above requires review and sign-off by the local entity's development services or building department and DAQ.**
 - **Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.**

January 2025



City of Henderson
Department of Building and Fire Safety
240 Water Street, P.O. Box 95050
Henderson, NV 89009-5050
(702)267-3600 Fax (702)267-3601

Requirements to Obtain a Building Permit

Chain Link Fence

The following are required to obtain a Building Permit for a chain link fence:

1. A completed Building Permit Application must be submitted. The form may be obtained from the Building Department
2. A site drawing showing the subject property and location of the fence to be constructed. The plan should indicate the length and height of each section of fence. The chain link fence shall not exceed six feet in height.
3. The fence shall be designed in such a manner that existing drainage will not be altered in any fashion. As an alternate, Hydrology Studies and a Grading Plan may be submitted.
4. A structural detail of the construction of the fence is not required unless the fence is unusually tall.
5. Building Permit and review fees. The fees may be estimated by completing the permit fee calculation on the Building Permit Application.

Masonry (Concrete) Fence

The following are required to obtain a Building Permit for a masonry fence:

1. A completed Building Permit Application must be submitted. The form may be obtained from the Building Department
2. A site drawing showing the subject property and location of the fence to be constructed. The plan should indicate the length and height of each section of fence. The fence shall be a maximum of six feet except in the required front yard setback where the maximum is 32 inches.
3. The fence shall be designed in such a manner that existing drainage will not be altered in any fashion. As an alternate, Hydrology Studies and a Grading Plan may be submitted.
4. A structural detail of the construction of the fence including footings, reinforcement, dimensions, etc. As an alternate, the city will provide a standard fence wall detail that may be used.
5. Building Permit and review fees. The fees may be estimated by completing the permit fee calculation on the Building Permit Application.
6. If future development is impending, different wall options may be considered.
7. Masonry fences cannot be constructed on vacant property.



Signs

Signs or notices required for the purpose of preventing soil disturbance of unauthorized access that result in fugitive dust of nuisance conditions will not require a sign permit.

Lot Maintenance

1. Property owners are required to maintain their properties in compliance with the adopted ordinances (trash and rubbish are not allowed to accumulate and/or must be removed).
2. You may wish to design your fence in a manner that trash will not accumulate.

Lot Grading

Lots may not be graded without an approved hydrology study and grading permit. The homeowner may wish to cover the property with gravel to prevent fugitive dust and may do so if the natural terrain is not disturbed. Washes and low flow areas may not be filled in.



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	SUNSET PROPERTY 1 L L C ALL CITY AUTO BODY INC LEASE	Date: Feb 12, 2025
Mailing Address:	3446 W HACIENDA AVE, LAS VEGAS NV, NV 891181729	
Assessor's Parcels:	178-02-202-018	
Property Location:	700 W Sunset Rd., Henderson - 89011	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	2.50		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel
Disturbance Factors:	Parking, Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Katrinka Byers

I conducted a routine inspection and observed an unpaved storage yard on APN 178-02-202-018. There were over two dozen boats, passenger cars, trailers and motor homes stored throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR 92.3.1. Please contact me to discuss your plan to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.3.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments, and Code Enforcement within Clark County, City of Las Vegas, City of Henderson, and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use, and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.
 - Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement, or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trail heads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate, or similar bulk materials.
 - ◆ All access, parking, and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking, and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and sign-off by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

January 2025



City of Henderson
Department of Building and Fire Safety
240 Water Street, P.O. Box 95050
Henderson, NV 89009-5050
(702)267-3600 Fax (702)267-3601

Requirements to Obtain a Building Permit

Chain Link Fence

The following are required to obtain a Building Permit for a chain link fence:

1. A completed Building Permit Application must be submitted. The form may be obtained from the Building Department
2. A site drawing showing the subject property and location of the fence to be constructed. The plan should indicate the length and height of each section of fence. The chain link fence shall not exceed six feet in height.
3. The fence shall be designed in such a manner that existing drainage will not be altered in any fashion. As an alternate, Hydrology Studies and a Grading Plan may be submitted.
4. A structural detail of the construction of the fence is not required unless the fence is unusually tall.
5. Building Permit and review fees. The fees may be estimated by completing the permit fee calculation on the Building Permit Application.

Masonry (Concrete) Fence

The following are required to obtain a Building Permit for a masonry fence:

1. A completed Building Permit Application must be submitted. The form may be obtained from the Building Department
2. A site drawing showing the subject property and location of the fence to be constructed. The plan should indicate the length and height of each section of fence. The fence shall be a maximum of six feet except in the required front yard setback where the maximum is 32 inches.
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4. A structural detail of the construction of the fence including footings, reinforcement, dimensions, etc. As an alternate, the city will provide a standard fence wall detail that may be used.
5. Building Permit and review fees. The fees may be estimated by completing the permit fee calculation on the Building Permit Application.
6. If future development is impending, different wall options may be considered.
7. Masonry fences cannot be constructed on vacant property.



Signs

Signs or notices required for the purpose of preventing soil disturbance of unauthorized access that result in fugitive dust of nuisance conditions will not require a sign permit.

Lot Maintenance

1. Property owners are required to maintain their properties in compliance with the adopted ordinances (trash and rubbish are not allowed to accumulate and/or must be removed).
2. You may wish to design your fence in a manner that trash will not accumulate.

Lot Grading

Lots may not be graded without an approved hydrology study and grading permit. The homeowner may wish to cover the property with gravel to prevent fugitive dust and may do so if the natural terrain is not disturbed. Washes and low flow areas may not be filled in.



Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	NICOLA AMPAC I & II L P C/O NICOLA WLTH REAL EST ACQ LTD ETAL	Date: Feb 12, 2025
Mailing Address:	1508 W BROADWAY 5TH FLR, VANCOUVER, BC V6J 1W8	
Assessor's Parcels:	178-14-111-029	
Property Location:	931 AMERICAN PACIFIC DR., Henderson - 89014	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	13.59	
Complaint Received:	No	Complaint No.:
Soil Condition:	Stable	Note: gravel
Disturbance Factors:	Parking, Vehicular Travel, Storage, Material Storage, Equipment Storage	Other:
Fugitive Dust Observed:	No	Generated By: Unknown
Photography:	Yes	
Silt Content Test:	N/A	Percent Silt Content:
Opacity Test:	N/A	Percent Opacity:
Inspector Notes:	Approved By: Katrinka Byers	

I conducted a routine inspection and observed an unpaved storage yard on APN 178-14-111-029. There were over three dozen passenger cars, pieces of construction equipment, boats, trailers and motor homes stored throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR 92.3.1. Please contact me to discuss your plan to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.3.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments, and Code Enforcement within Clark County, City of Las Vegas, City of Henderson, and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use, and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.
 - Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement, or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trail heads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate, or similar bulk materials.
 - ◆ All access, parking, and loading areas used by on-road vehicles shall be paved.
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 - ◆ All access, parking, and loading areas used primarily by rubber tired vehicles shall be paved.
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 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

January 2025



City of Henderson
Department of Building and Fire Safety
240 Water Street, P.O. Box 95050
Henderson, NV 89009-5050
(702)267-3600 Fax (702)267-3601

Requirements to Obtain a Building Permit

Chain Link Fence

The following are required to obtain a Building Permit for a chain link fence:

1. A completed Building Permit Application must be submitted. The form may be obtained from the Building Department
2. A site drawing showing the subject property and location of the fence to be constructed. The plan should indicate the length and height of each section of fence. The chain link fence shall not exceed six feet in height.
3. The fence shall be designed in such a manner that existing drainage will not be altered in any fashion. As an alternate, Hydrology Studies and a Grading Plan may be submitted.
4. A structural detail of the construction of the fence is not required unless the fence is unusually tall.
5. Building Permit and review fees. The fees may be estimated by completing the permit fee calculation on the Building Permit Application.

Masonry (Concrete) Fence

The following are required to obtain a Building Permit for a masonry fence:

1. A completed Building Permit Application must be submitted. The form may be obtained from the Building Department
2. A site drawing showing the subject property and location of the fence to be constructed. The plan should indicate the length and height of each section of fence. The fence shall be a maximum of six feet except in the required front yard setback where the maximum is 32 inches.
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5. Building Permit and review fees. The fees may be estimated by completing the permit fee calculation on the Building Permit Application.
6. If future development is impending, different wall options may be considered.
7. Masonry fences cannot be constructed on vacant property.



Signs

Signs or notices required for the purpose of preventing soil disturbance of unauthorized access that result in fugitive dust of nuisance conditions will not require a sign permit.

Lot Maintenance

1. Property owners are required to maintain their properties in compliance with the adopted ordinances (trash and rubbish are not allowed to accumulate and/or must be removed).
2. You may wish to design your fence in a manner that trash will not accumulate.

Lot Grading

Lots may not be graded without an approved hydrology study and grading permit. The homeowner may wish to cover the property with gravel to prevent fugitive dust and may do so if the natural terrain is not disturbed. Washes and low flow areas may not be filled in.



7724 4052 5375

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	OCEAN SPRAY CRANBERRIES INC C/O M BRUMFIELD	Date: Feb 6, 2025
Mailing Address:	1301 AMERICAN PACIFIC DR., HENDERSON, NV 89074-8806	
Assessor's Parcels:	178-15-110-002	
Property Location:	1301 American Pacific Dr., Henderson - 89074	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.00		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel
Disturbance Factors:	Parking, Vehicular Travel, Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard over 5,000 square feet on APN 178-15-110-002. There were dozens of pieces of construction site vehicles, buggies, emergency lights, trailers, construction equipment, and various other construction materials throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR 92.3.1. Please contact me to discuss your plan to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.3.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
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January 2025



City of Henderson
Department of Building and Fire Safety
240 Water Street, P.O. Box 95050
Henderson, NV 89009-5050
(702)267-3600 Fax (702)267-3601

Requirements to Obtain a Building Permit

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Signs

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Lot Maintenance

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Lot Grading

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7724 3706 0127

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	FURBER DEVELOPMENT	Date: Feb 6, 2025
Mailing Address:	2341 DEERFIELD DR., FORT MILL, SC 29715-8298	
Assessor's Parcels:	178-15-111-019	
Property Location:	175 PACIFIC CENTER DR, Henderson - 89074	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	2.33		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Unstable	Note:	dry, loose, powdery, possible rap covered in layers of dirt
Disturbance Factors:	Parking, Vehicular Travel, Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard over 5,000 square feet on APN 178-15-111-019. There are over a dozen trailers, forklifts, and various pieces of rubber-tired construction vehicles on-site. This storage yard was created post-January 1, 2003, and is not in compliance with Air Quality Regulations (AQRs) 92.3.1. Please contact me to discuss your plan to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.3.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments, and Code Enforcement within Clark County, City of Las Vegas, City of Henderson, and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use, and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.
 - Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement, or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trail heads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate, or similar bulk materials.
 - ◆ All access, parking, and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking, and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and sign-off by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

January 2025



City of Henderson
Department of Building and Fire Safety
240 Water Street, P.O. Box 95050
Henderson, NV 89009-5050
(702)267-3600 Fax (702)267-3601

Requirements to Obtain a Building Permit

Chain Link Fence

The following are required to obtain a Building Permit for a chain link fence:

1. A completed Building Permit Application must be submitted. The form may be obtained from the Building Department
2. A site drawing showing the subject property and location of the fence to be constructed. The plan should indicate the length and height of each section of fence. The chain link fence shall not exceed six feet in height.
3. The fence shall be designed in such a manner that existing drainage will not be altered in any fashion. As an alternate, Hydrology Studies and a Grading Plan may be submitted.
4. A structural detail of the construction of the fence is not required unless the fence is unusually tall.
5. Building Permit and review fees. The fees may be estimated by completing the permit fee calculation on the Building Permit Application.

Masonry (Concrete) Fence

The following are required to obtain a Building Permit for a masonry fence:

1. A completed Building Permit Application must be submitted. The form may be obtained from the Building Department
2. A site drawing showing the subject property and location of the fence to be constructed. The plan should indicate the length and height of each section of fence. The fence shall be a maximum of six feet except in the required front yard setback where the maximum is 32 inches.
3. The fence shall be designed in such a manner that existing drainage will not be altered in any fashion. As an alternate, Hydrology Studies and a Grading Plan may be submitted.
4. A structural detail of the construction of the fence including footings, reinforcement, dimensions, etc. As an alternate, the city will provide a standard fence wall detail that may be used.
5. Building Permit and review fees. The fees may be estimated by completing the permit fee calculation on the Building Permit Application.
6. If future development is impending, different wall options may be considered.
7. Masonry fences cannot be constructed on vacant property.



Signs

Signs or notices required for the purpose of preventing soil disturbance of unauthorized access that result in fugitive dust of nuisance conditions will not require a sign permit.

Lot Maintenance

1. Property owners are required to maintain their properties in compliance with the adopted ordinances (trash and rubbish are not allowed to accumulate and/or must be removed).
2. You may wish to design your fence in a manner that trash will not accumulate.

Lot Grading

Lots may not be graded without an approved hydrology study and grading permit. The homeowner may wish to cover the property with gravel to prevent fugitive dust and may do so if the natural terrain is not disturbed. Washes and low flow areas may not be filled in.



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	SCHOOL BOARD OF TRUSTEES	Date: Feb 6, 2025
Mailing Address:	1180 MILITARY TRIBUTE PL, Henderson, NV 89074	
Assessor's Parcels:	178-15-202-001, 178-15-210-004	
Property Location:	S & SW of Intersection of Pacific Center Drive/Center Point Drive, Henderson - 89074	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	10.85	
Complaint Received:	No	Complaint No.:
Soil Condition:	Unstable	Note: dry, loose and powdery
Disturbance Factors:	Parking, Vehicular Travel, Storage, Equipment Storage	Other:
Fugitive Dust Observed:	No	Generated By: Unknown
Photography:	Yes	
Silt Content Test:	N/A	Percent Silt Content:
Opacity Test:	N/A	Percent Opacity:
Inspector Notes:		Approved By: Satyra George

I conducted a routine inspection and observed unpaved storage yards over 5,000 square feet on APN 178-15-202-001 & 178-15-210-004. There are dozens of trailers, portable school trailers and other pieces of construction equipment throughout the parcels. These storage yards were created post January 1, 2003, which is not in compliance with AQR 92.3.1. Please contact me to discuss your plan to bring your sites into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.3.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments, and Code Enforcement within Clark County, City of Las Vegas, City of Henderson, and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use, and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.
 - Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement, or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trail heads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate, or similar bulk materials.
 - ◆ All access, parking, and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking, and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and sign-off by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

January 2025



City of Henderson
Department of Building and Fire Safety
240 Water Street, P.O. Box 95050
Henderson, NV 89009-5050
(702)267-3600 Fax (702)267-3601

Requirements to Obtain a Building Permit

Chain Link Fence

The following are required to obtain a Building Permit for a chain link fence:

1. A completed Building Permit Application must be submitted. The form may be obtained from the Building Department
2. A site drawing showing the subject property and location of the fence to be constructed. The plan should indicate the length and height of each section of fence. The chain link fence shall not exceed six feet in height.
3. The fence shall be designed in such a manner that existing drainage will not be altered in any fashion. As an alternate, Hydrology Studies and a Grading Plan may be submitted.
4. A structural detail of the construction of the fence is not required unless the fence is unusually tall.
5. Building Permit and review fees. The fees may be estimated by completing the permit fee calculation on the Building Permit Application.

Masonry (Concrete) Fence

The following are required to obtain a Building Permit for a masonry fence:

1. A completed Building Permit Application must be submitted. The form may be obtained from the Building Department
2. A site drawing showing the subject property and location of the fence to be constructed. The plan should indicate the length and height of each section of fence. The fence shall be a maximum of six feet except in the required front yard setback where the maximum is 32 inches.
3. The fence shall be designed in such a manner that existing drainage will not be altered in any fashion. As an alternate, Hydrology Studies and a Grading Plan may be submitted.
4. A structural detail of the construction of the fence including footings, reinforcement, dimensions, etc. As an alternate, the city will provide a standard fence wall detail that may be used.
5. Building Permit and review fees. The fees may be estimated by completing the permit fee calculation on the Building Permit Application.
6. If future development is impending, different wall options may be considered.
7. Masonry fences cannot be constructed on vacant property.



Signs

Signs or notices required for the purpose of preventing soil disturbance of unauthorized access that result in fugitive dust of nuisance conditions will not require a sign permit.

Lot Maintenance

1. Property owners are required to maintain their properties in compliance with the adopted ordinances (trash and rubbish are not allowed to accumulate and/or must be removed).
2. You may wish to design your fence in a manner that trash will not accumulate.

Lot Grading

Lots may not be graded without an approved hydrology study and grading permit. The homeowner may wish to cover the property with gravel to prevent fugitive dust and may do so if the natural terrain is not disturbed. Washes and low flow areas may not be filled in.



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	FIRETRUCKS UNLIMITED 1181 CENTERPOINT L L C	Date: Feb 6, 2025
Mailing Address:	15410 US HWY 231, UNION GROVE, AL 35175	
Assessor's Parcels:	178-15-511-055	
Property Location:	1179 CENTER POINT DR., HENDERSON - 89074	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	0.98	
Complaint Received:	No	Complaint No.:
Soil Condition:	Stable	Note: gravel
Disturbance Factors:	Parking, Vehicular Travel, Storage	Other:
Fugitive Dust Observed:	No	Generated By: Unknown
Photography:	Yes	
Silt Content Test:	N/A	Percent Silt Content:
Opacity Test:	N/A	Percent Opacity:
Inspector Notes:		Approved By: Andrew Kirk

I conducted a routine inspection and observed an unpaved storage yard on APN 178-15-511-055. There were approximately two dozen fire trucks stored throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR 92.3.1. Please contact me to discuss your plan to bring your site into compliance with Air Quality Regulations.



City of Henderson
Department of Building and Fire Safety
240 Water Street, P.O. Box 95050
Henderson, NV 89009-5050
(702)267-3600 Fax (702)267-3601

Requirements to Obtain a Building Permit

Chain Link Fence

The following are required to obtain a Building Permit for a chain link fence:

1. A completed Building Permit Application must be submitted. The form may be obtained from the Building Department
2. A site drawing showing the subject property and location of the fence to be constructed. The plan should indicate the length and height of each section of fence. The chain link fence shall not exceed six feet in height.
3. The fence shall be designed in such a manner that existing drainage will not be altered in any fashion. As an alternate, Hydrology Studies and a Grading Plan may be submitted.
4. A structural detail of the construction of the fence is not required unless the fence is unusually tall.
5. Building Permit and review fees. The fees may be estimated by completing the permit fee calculation on the Building Permit Application.

Masonry (Concrete) Fence

The following are required to obtain a Building Permit for a masonry fence:

1. A completed Building Permit Application must be submitted. The form may be obtained from the Building Department
2. A site drawing showing the subject property and location of the fence to be constructed. The plan should indicate the length and height of each section of fence. The fence shall be a maximum of six feet except in the required front yard setback where the maximum is 32 inches.
3. The fence shall be designed in such a manner that existing drainage will not be altered in any fashion. As an alternate, Hydrology Studies and a Grading Plan may be submitted.
4. A structural detail of the construction of the fence including footings, reinforcement, dimensions, etc. As an alternate, the city will provide a standard fence wall detail that may be used.
5. Building Permit and review fees. The fees may be estimated by completing the permit fee calculation on the Building Permit Application.
6. If future development is impending, different wall options may be considered.
7. Masonry fences cannot be constructed on vacant property.



Signs

Signs or notices required for the purpose of preventing soil disturbance of unauthorized access that result in fugitive dust of nuisance conditions will not require a sign permit.

Lot Maintenance

1. Property owners are required to maintain their properties in compliance with the adopted ordinances (trash and rubbish are not allowed to accumulate and/or must be removed).
2. You may wish to design your fence in a manner that trash will not accumulate.

Lot Grading

Lots may not be graded without an approved hydrology study and grading permit. The homeowner may wish to cover the property with gravel to prevent fugitive dust and may do so if the natural terrain is not disturbed. Washes and low flow areas may not be filled in.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.3.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments, and Code Enforcement within Clark County, City of Las Vegas, City of Henderson, and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use, and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.
 - Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement, or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trail heads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate, or similar bulk materials.
 - ◆ All access, parking, and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking, and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and sign-off by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

January 2025



8802 2652 6970

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	Series C and D of EMA HOLDINGS, LLC	Date: Mar 25, 2025
Mailing Address:	74 HUNT VALLEY TRL., Henderson, NV 89052	
Assessor's Parcels:	140-08-501-002, 140-08-501-001	
Property Location:	4229 N LAS VEGAS BLVD., CC Sunrise Manor - 89115	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	5.71		
Complaint Received:	Yes	Complaint No.:	76831
Soil Condition:	Stable	Note:	asphalt millings
Disturbance Factors:	Parking, Vehicular Travel, Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a Complaint investigation, Complaint #76831, and observed an unpaved storage yard over 5,000 square feet on APNs 140-08-501-001 & -002. There was approximately three dozen passenger vehicles and haul trucks/trailers on-site. This storage yard was created after January 1, 2003, which is not in compliance with AQR 92.3.1. Please contact me to discuss your plan to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.3.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
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- ❖ Development Services, Building Departments, and Code Enforcement within Clark County, City of Las Vegas, City of Henderson, and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
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 - New use or change of existing use.
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 - Paving exemptions or delays have expired their time limit and paving is now required.
 - Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement, or brick pavers.
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 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

January 2025



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Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	S A M I M I L L C	Date: Mar 12, 2025
Mailing Address:	2479 FIELD ROSE DR., SALT LAKE CITY, UT 84121-1571	
Assessor's Parcels:	177-28-101-023	
Property Location:	NEC of Las Vegas Blvd./Le Baron Ave., CC - Enterprise - 89183	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	1.09		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel
Disturbance Factors:	Parking	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved parking lot over 5,000 square feet on APN 177-28-101-023. There are over half-a dozen cars and trucks & trailers parked throughout the parcel. This parking lot was created after January 1, 2003, which is not in compliance with AQR 92.3.1. Please contact me to discuss your plan to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.3.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
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- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.
 - Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

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 - 1) Paving may not apply to rural public parking facilities such as trail heads and campgrounds.
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 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate, or similar bulk materials.
 - ◆ All access, parking, and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking, and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and sign-off by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

January 2025



7728 4197 9400

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	SALOMONSON FAMILY TRUST	Date: Mar 12, 2025
Mailing Address:	10780 GILES ST., LAS VEGAS, NV 89183	
Assessor's Parcels:	177-33-201-011	
Property Location:	10780 GILES ST., CC Enterprise - 89183	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	1.12		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel
Disturbance Factors:	Parking, Vehicular Travel, Storage, Equipment Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard over 5,000 square feet on APN 177-33-201-011. There were dozens of stacks of various pieces of construction material and about one dozen vehicles throughout the parcel. This storage yard was created after January 1, 2003, which is not in compliance with AQR 92.3.1. Please contact me to discuss your plan to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.3.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments, and Code Enforcement within Clark County, City of Las Vegas, City of Henderson, and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use, and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.
 - Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement, or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trail heads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate, or similar bulk materials.
 - ◆ All access, parking, and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking, and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and sign-off by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

January 2025

2014- 2023 EPA DUST STANDARDS

In 2014, the EPA's primary (health-based) standard for PM₁₀ (particulate matter with a diameter of 10 microns or less) remained at 150 µg/m³ for a 24-hour period, with an area meeting the standard if it doesn't exceed this level more than once per year on average over a three-year period.

Pm₁₀ maximum allowed levels on average is 150 µg/m³

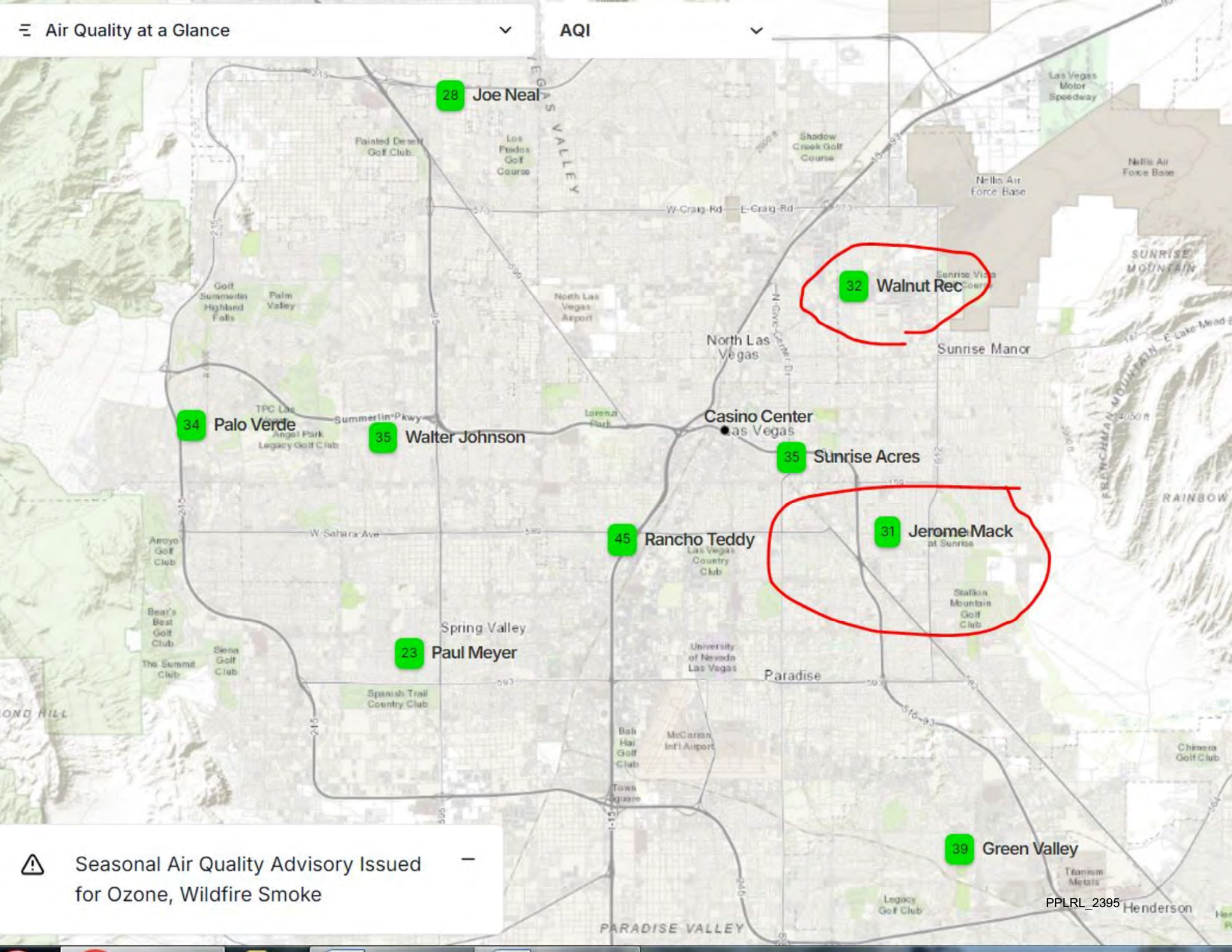
Clark County Air Quality Walnut Recording Station average by month and year

	Jan	Feb	March	April	May	June	July	August	Sept	Oct	Nov	Dec
2021	42	42	45	39	46	46	34					
2022	41	50	38	54	58	42	33	36	58	45	29	38
2023	19	36	19	38	35	33	45	26	32	41	42	42
2024	30	18	23	24	30	38	37	34	46	47	27	43

<https://desaqmonitoring.clarkcountynv.gov/>

Clark County Air Quality Jerome Mack Recording Station average by month and year

	Jan	Feb	March	April	May	June	July	August	Sept	Oct	Nov	Dec
2021	37	32	30	41	34	31	26	35	33	34	44	33
2022	40	48	35	48	57	37	26	30	53	44	32	42
2023	22	37	19	37	30	30	37	21	35	41	44	53
2024	39	22	23	25	32	39	38	31	44	50	35	57



⚠ Seasonal Air Quality Advisory Issued
for Ozone, Wildfire Smoke



4701 W. Russell Road 2nd Floor
Las Vegas, NV 89118-2231
Phone: (702) 455-5942 • Fax: (702) 383-9994
Marci Henson, Director

April 30, 2025

FEDERAL EXPRESS TRK #8809 2782 5429

Rajwinder S. Dhaliwal, Managing Manager

E-mail: raj@milestoneconst.us

Dhanminder K. Dhaliwal, Managing Manager

Palm Properties, LLC

6050 South Fort Apache Road, Suite 100

Las Vegas, NV 89148

FEDERAL EXPRESS TRK #8809 2805 6000

Robert Lauer

E-mail: roblauer@pm.me

3125 South Nellis Boulevard

Las Vegas, NV 89121

FEDERAL EXPRESS TRK #8809 2824 7158

Amy L. Sugden, Esq.

E-mail: amy@sugdenlaw.com

375 East Warm Springs Road, Suite 104

Las Vegas, NV 89119

NOTICE OF VIOLATION #10150

Clark County Department of Environment and Sustainability, Division of Air Quality (**Air Quality**) provides this notice to Palm Properties, LLC (**Palm Properties**) and Robert Lauer (**Lauer**), individually, for the violation of the Clark County Air Quality Regulations (**AQRs**) as alleged below and recommends a civil penalty of Fifteen Thousand and no/100 Dollars (\$15,000.00) be assessed as shown in the penalty calculation table attached hereto as **Exhibit A** and incorporated herein.

I. FACTS

- A. Palm Properties owns approximately 2.83 acres of unpaved parcels of vacant land located at 3125 South Nellis Boulevard, in Clark County, Nevada (Assessor's Parcel Numbers 161-08-810-082 and 161-08-810-083)(**Property**) in Hydrographic Area 212. The property is being utilized as an unpaved parking lot/storage yard by Lauer.

- B. Air Quality Specialist Allan Gutierrez (**Gutierrez**) discovered the alleged violation while performing a routine inspection on September 18, 2024, and follow up inspections on November 19, 2024, December 5, 2024, and January 9, February 24, and March 18, 2025, at the Property.
- C. On September 18, 2024, at approximately 8:45 a.m., Gutierrez arrived at the Property to conduct a routine inspection. The inspection report is attached hereto as **Exhibit B** and incorporated herein. During the inspection, Gutierrez observed an unpaved parking lot/storage yard greater than 5,000 square feet that contained over two dozen trucks, trailers, service trucks and passenger vehicles in violation of AQR Section 92, as shown in Photographs 1 through 4 attached hereto as **Exhibit C** and incorporated herein. Gutierrez identified the storage yard was created after January 1, 2003. Accordingly, Gutierrez issued a Notice of Noncompliance (**NON**) to Palm Properties. The NON is attached hereto as **Exhibit D** and incorporated herein. The NON was mailed through FedEx and delivered on October 2, 2024. Gutierrez concluded the inspection at approximately 8:55 a.m.
- D. On October 3, 2024, at approximately 9:16 a.m., Gutierrez sent an email to Rob Lauer (**Lauer**), Tenant of the Property, discussing their conversation from the previous day about his observations of noncompliance and the issuance of a NON for the Property. Gutierrez stated, as per their conversation, that Lauer was in the process of securing the Land Use Agreement to pave the Property. Gutierrez requested all documentation regarding the Land Use Agreement application, and the application number issued through Clark County Department of Comprehensive Planning be submitted by October 10, 2024. The email correspondence is attached hereto as **Exhibit E** and incorporated herein.
- E. On October 8, 2024, at approximately 4:09 p.m., Gutierrez received an email from Lauer providing the design review case number and vacation case number, DR/WS-24-0276 and VS-24-0277, respectively, and an Administrative Appeal Hearing Order (**Exh. E**) from the Public Response Office.
- F. On October 9, 2024, at approximately 1:05 p.m., Gutierrez sent an email to Lauer granting Palm Properties and Lauer 180 days from the delivery date of the NON to comply with the NON by paving or vacating the Property. The extension would allow time for the property owners to secure all applicable Land Use Agreements/Entitlements/Permits required to pave the Property. Gutierrez issued a deadline of March 31, 2025, to comply with AQRs (**Exh. E**).
- G. On October 17, 2024, Gutierrez sent the previous email approving an extension to Rajwinder Dhaliwal (**Dhaliwal**), Managing Member for Palm Properties. Lauer responded and provided a letter and site plan from GC Garcia, Lauer's consultant, stating they are running entitlements applications through the County Planning Department and Hearings Process for a Waiver of Development Standards and Design Review. The case number for the applications is DR/WS-24-0276 and was scheduled to be reviewed by the Board of County Commissioners (**BCC**) Meeting on November 6, 2024. The email correspondence, letter, and site plan from GC Garcia are attached hereto as **Exhibit F** and incorporated herein.

- H. On November 19, 2024, at approximately 1:10 p.m., Gutierrez arrived at the Property to conduct a follow up inspection. The inspection report is attached hereto as **Exhibit G** and incorporated herein. During the inspection, Gutierrez observed an unpaved parking lot/storage yard greater than 5,000 square feet that contained over a dozen trailers and trucks, as shown in Photographs 5 through 8 (**Exh. C**), and Map 1, attached hereto as **Exhibit H** and incorporated herein. Gutierrez also observed that all necessary control measures to meet AQRs have not been implemented since the NON was delivered to Palm Properties on October 2, 2024. Gutierrez concluded the inspection at approximately 1:20 p.m.
- I. On November 20, 2024, at approximately 9:11 a.m., Gutierrez sent an email to Dhaliwal requesting an update on the site Land Use application, DR/WS 24-0276, for a truck parking lot that was scheduled to go before the BCC on November 6, 2024. The email correspondence is attached hereto as **Exhibit I** and incorporated herein.
- J. On December 4, 2024, at approximately 2:11 p.m., Gutierrez sent a follow up email to Dhaliwal requesting an update on the site Land Use application, DR/WS 24-0276, for a truck parking lot that was scheduled to go before the BCC on November 20, 2024. Lauer responded, on the same day, that they were waiting on the written notice of the BCC decision, and that code enforcement and other agencies were to hold all actions for at least six months (**Exh. I**).
- K. On December 5, 2024, at approximately 11:35 a.m., Gutierrez arrived at the Property to conduct a follow up inspection. The inspection report is attached hereto as **Exhibit J** and incorporated herein. During the inspection, Gutierrez observed an unpaved storage yard greater than 5,000 square feet that contained over a dozen trailers and trucks, as shown in Photographs 9 through 12 (**Exh. C**). Gutierrez also observed that all necessary control measures to meet AQRs have not been implemented since the NON was delivered to Palm Properties on October 2, 2024. Gutierrez concluded the inspection at approximately 11:55 a.m.
- L. On December 9, 2024, at approximately 10:42 a.m., Gutierrez sent an email notifying Dhaliwal and Lauer that the Clark County Zoning Commissioner meeting on November 20, 2024, denied the waiver of development standards and design review for a truck parking lot on the Property. Lauer previously stated in an email that Commissioner Segerblom would instruct agencies to hold actions for six months. Gutierrez requested a written record of this direction. Otherwise, Palm Properties and Lauer were required to vacate the site or reduce the storage area to 5,000 square feet or less by January 8, 2025. The email correspondence is attached hereto as **Exhibit K** and incorporated herein. Lauer responded, on the same day, that he would appeal Gutierrez's actions. The email correspondence is attached hereto as **Exhibit L** and incorporated herein.
- M. On December 10, 2024, at approximately 10:25 a.m., Senior Air Quality Specialist Satyra George (**George**) responded to Lauer's email (**Exh. L**) requesting clarification on appealing Gutierrez's actions since a Notice of Violation (**NOV**) was not issued for the Property as of yet. George stated that Air Quality has an Administrative Appeal Order (**Exh. E**) that includes a six month stay order to the Public Response Office, not with Air Quality Regulations, which had expired on July 15, 2024. George stated that Air Quality gives 30 days for a property owner to come into compliance when paving is not an option due to Zoning or Public Works

limitations. George re-iterated the deadline of January 8, 2025, to reduce parking/storage to under 5,000 square feet or vacate the parcel, as noted in Gutierrez's email (**Exh. K**). Lauer responded, on the same day, that the six-month stay applied to all county enforcements while they are filing an administrative appeal of the BCC ruling. George responded, later that day, that the administrative process referenced in the Administrative Appeal Order has no jurisdiction over the enforcement of AQRs since Air Quality has its own administrative process for the adjudication of NOVs of AQRs, which are heard before the Air Pollution Control Hearing Office.

- N. On December 13, 2024, at approximately 2:53 p.m., Lauer sent an email to Geoge attaching the Petition for Judicial Review of the BCC ruling. Lauer requested that all further demands regarding vacating the property be forwarded to his attorney. The email correspondence is attached hereto as **Exhibit M** and incorporated herein.
- O. On December 19, 2024, at approximately 8:50 a.m., George sent an email to Amy Sugden (**Sugden**), attorney representing Lauer and Palm Properties, regarding the unpaved storage yard/parking lot currently used for truck parking on the Property. George stated the Property was out of compliance with AQR Section 92 and described the actions that needed to be taken by March 31, 2025. If the Property continued to be out of compliance after March 31, 2025, the Notice of Violation would be issued to the owner and/or operator of the Property with recommended penalties of \$500 per day beginning January 8, 2025, which was the deadline provided in the previous email (**Exh. L**). Sugden replied, on the same day, that she will work on the matter. The email correspondence is attached hereto as **Exhibit N** and incorporated herein.
- P. On January 9, 2025, at approximately 10:20 a.m., Gutierrez arrived at the Property to conduct a follow up inspection. The inspection report is attached hereto as **Exhibit O** and incorporated herein. During the inspection, Gutierrez observed an unpaved storage yard greater than 5,000 square feet that contained over a dozen trailers and trucks, as shown in Photographs 13 through 16 (**Exh. C**). Gutierrez also observed that all necessary control measures to meet AQRs have not been implemented since the NON was delivered to Palm Properties on October 2, 2024. Gutierrez concluded the inspection at approximately 10:30 a.m.
- Q. On February 24, 2025, at approximately 9:25 a.m., Gutierrez arrived at the Property to conduct a follow up inspection. The inspection report is attached hereto as **Exhibit P** and incorporated herein. During the inspection, Gutierrez observed an unpaved storage yard greater than 5,000 square feet that contained over a dozen trailers and trucks, as shown in Photographs 17 through 20 (**Exh. C**), and Map 2, attached hereto as **Exhibit Q** and incorporated herein. Gutierrez also observed that all necessary control measures to meet AQRs have not been implemented since the NON was sent to Palm Properties. Gutierrez concluded the inspection at approximately 9:35 a.m.
- R. On March 4, 2025, at approximately 5:02 p.m., George sent a courtesy email to Sugden regarding her clients' upcoming deadline of March 31, 2025. George stated that Gutierrez observed the Property was still being used for unpaved parking/storage and requested an update. The email correspondence is attached hereto as **Exhibit R** and incorporated herein.

- S. On March 18, 2025, at approximately 10:00 a.m., Gutierrez arrived at the Property to conduct a follow up inspection. The inspection report is attached hereto as **Exhibit S** and incorporated herein. During the inspection, Gutierrez observed an unpaved storage yard greater than 5,000 square feet that contained over a dozen trailers and trucks, as shown in Photographs 25 through 28 (**Exh. C**). Gutierrez also observed that all necessary control measures to meet AQRs have not been implemented since the NON was delivered to Palm Properties on October 2, 2024. Gutierrez concluded the inspection at approximately 10:20 a.m.
- T. On March 19, 2025, at approximately 4:42 p.m., George sent a follow up email to Sugden in regards to the email sent on March 4, 2025 (**Exh. R**). The email correspondence is attached hereto as **Exhibit T** and incorporated herein.
- U. On March 20, 2025, at approximately 12:11 a.m., Sugden responded that they are waiting for the administrative record to be reviewed before updating Air Quality on the Petition for Judicial Review that is pending. The email correspondence is attached hereto as **Exhibit T** and incorporated herein.
- V. As of March 31, 2025, Palm Properties and Lauer have not met the requirements of the NON issued on September 18, 2024, and the Property is out of compliance with AQRs. This enforcement action includes 30 days of noncompliance from January 9, 2025, through and including February 7, 2025. Documented noncompliance after February 7, 2025, may be considered in a future NOV.

II. APPLICABLE LAW

AQR Section 8.1 states:

“All PERSONS owning, operating, or in control of any equipment or property who shall cause, permit, or participate in, any violation of these Regulations shall be individually and collectively liable to any penalty or punishment imposed by and under these Regulations.”

AQR Section 92.3.1 states:

“New Parking Lots or Storage Areas

- (a) New parking lots constructed after January 1, 2003, or constructed with public access after December 31, 2024, at a stationary source, as applicable, in Hydrographic Areas 212, 216, or 217; in any other hydrographic area upon its being designated as nonattainment for PM₁₀; or in any other hydrographic area that becomes subject to a PM₁₀ maintenance plan, as defined under 42 U.S.C. 7505a, must be paved.
- (b) New storage areas constructed after January 1, 2003, or constructed with public access after December 31, 2024, at a stationary source, as applicable, in Hydrographic Areas 212, 216, or 217; in any other hydrographic area upon its being designated as nonattainment for PM₁₀; or in any other hydrographic area that becomes subject to a PM₁₀ maintenance plan,

as defined under 42 U.S.C. 7505a, must comply with the control measures described in Sections 92.3.4 (a), (b) or (d).”

AQR Section 9.1.a states:

“Penalties for Violation of Regulation

(a) Any person who is determined to be in violation of an applicable Nevada Revised Statute or any provision of these Regulations, shall pay a civil penalty levied by the Hearing Officer, or the Hearing Board upon appeal, of not more than \$10,000 per day, per violation. These violations include, but are not limited to any of the following:

- (1) Failure to comply with requirements to obtain a permit.
- (2) Failure to comply with a permit condition.
- (3) Failure to pay an applicable fee or to meet a filing requirement.
- (4) Failure to grant entry, to allow or perform inspection, or perform monitoring activities.”

III. VIOLATION(S)

Violation 1:

By operating an unpaved parking lot/storage yard on the Property from January 9, 2025 through March 9, 2025, Palm Properties and Lauer violated AQR Section 92.3.1.

IV. RECOMMENDED CIVIL PENALTY

Pursuant to AQR Section 9.1, any person who violates any provision of the AQRs, including any permit condition; is guilty of a civil offense and shall pay a civil penalty not to exceed \$10,000 per violation. Each day of violation constitutes a separate offense.

Air Quality considered the following in calculating the recommended penalty:

- 30 days of noncompliance from January 9, 2025, through February 7, 2025. Documented noncompliance after February 7, 2025, may be considered in a future NOV.

Air Quality recommends a civil penalty in the amount of \$15,000.00 (**Exh. A**).


V. HEARING

Air Quality has scheduled a hearing for **Thursday, May 22, 2025, at 9:00 a.m.** before the Air Pollution Control Hearing Officer to adjudicate the alleged violation(s) and, if appropriate, to levy the recommended penalty. Please complete the enclosed **“Notice of Violation Response Form”** and return it to Air Quality by May 8, 2025. At the hearing, the Hearing Officer will hear evidence

on the alleged violation(s) and render a decision. The hearing will be held at the Clark County Building Services Presentation Room, located at 4701 West Russell Road, Las Vegas, Nevada.

If you intend to present any documentary evidence at the hearing, please provide copies of your evidence to Air Quality with the completed Notice of Violation Response Form. If you fail to provide copies of your evidence prior to the hearing, please be advised that Air Quality may request a continuance to have time to review any evidence you bring to the hearing, which will result in the hearing being postponed and rescheduled to a later date.

If the Hearing Officer finds you in violation and levies a penalty, Air Quality staff will mail the Hearing Officer's order to you along with instructions on remittance of the penalty.


Shibi Paul (Apr 30, 2025 15:31 PDT)

Shibi Paul
Compliance and Enforcement Manager

Exhibits:

- A. Penalty Calculation Table, NOV #10150
- B. Air Quality Inspection Report #142877, dated September 18, 2024
- C. Digital Photographs 1 through 28
- D. Air Quality Notice of Noncompliance for September 18, 2024
- E. Email Correspondence dated October 3 through October 9, 2024
- F. Email Correspondence dated October 17, 2024
- G. Air Quality Inspection Report #144390, dated November 19, 2024
- H. Map 1: Showing over 5,000 square feet of unpaved parking, aerial flight date October 1, 2024
- I. Email Correspondence dated November 20 and December 4, 2024
- J. Air Quality Inspection Report #144875, dated December 5, 2024
- K. Email Correspondence dated December 9, 2024
- L. Email Correspondence dated December 10, 2024
- M. Email Correspondence dated December 13, 2024
- N. Email Correspondence dated December 19, 2024
- O. Air Quality Inspection Report #145663, dated January 9, 2025
- P. Air Quality Inspection Report #147954, dated February 24, 2025
- Q. Map 2: Showing over 5,000 square feet of unpaved parking, aerial flight date January 29, 2025
- R. Email Correspondence dated March 4, 2025
- S. Air Quality Inspection Report #147955, dated March 18, 2025
- T. Email Correspondence dated March 19, 2025
- U. Email Correspondence dated March 20, 2025

sl

Exhibit A

NOV # 10150
Penalty Calculation Table
Palm Properties, LLC and Robert Lauer, Individually



4701 W. Russell Road 2nd Floor
Las Vegas, NV 89118-2231
Phone: (702) 455-5942 • Fax: (702) 383-9994
Marci Henson, Director

Viol.	Date(s)	Violation Description	AQR Section	Exhibit / Evidence	Base Penalty	Days	Aggravating Description	Agg. Factor	Agg. Amount	Penalty
1	1/9/2025 through and including 2/7/2025	Operated an unpaved parking lot/storage yard.	92.3.1	Exh. C, Photos 1 thru 28 Exh. H, Map 1 Exh. Q, Map 2	\$ 500	30	N/A	0%	\$ -	\$ 15,000
Total Penalty:										\$ 15,000

Regulatory maximum: \$10,000 per day, per violation
[AQR Section 9.1 & NRS 445B.640]



Exhibit B

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

INSPECTION REPORT No. 142877

Date:	Start Time:	End Time:	Specialist:
Sep 18, 2024	8:45 AM	8:55 AM	Allan Gutierrez
Parcels:	161-08-810-083, 161-08-810-082		
Location Description:	3125 SOUTH NELLIS BLVD. - CC SUNRISE MANOR - 89121		
Inspection Type:	Observed Problem	Complaint No.:	
AQR Section:	92: Unpaved Parking Lots/Storage Areas - Post 1/1/2003		
Observations:			
Current Land Use Agreement:			
Soil Condition:	Stable	Note:	gravel
Disturbance Factors:	Parking, Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	
Control Measures Implemented: N/A			
Control Measures:		Other:	
Tests Performed:			
Drop Ball Test:	N/A	Area #1:	Area #2: Area #3:
Rock Test:	N/A	Percent:	
Silt Content:	N/A	Percent:	
Opacity:	N/A	Percent:	
Photography:	Yes	Traffic Count (ADT):	N/A
Inspector Notes:		Reviewed By: Satyra George	
I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APNs 161-08-810-082 and -083 containing over two dozen trucks, trailers, service trucks and passenger vehicles. This storage yard was created after 1/1/03, which is a violation of AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.			
Action Taken:		Issued NON With Possible NOV	

Exhibit C

Digital Photographs

Responsible Parties: **Palm Properties, LLC and Rob Lauer**

Parcel(s): **161-08-810-082 and 161-08-810-083** Photos taken by: **Allan Gutierrez**



Photograph # 1

Alleged Violation # 1

View looking north at parcel 161-08-810-083, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 2

Alleged Violation # 1

View looking northwest at parcels 161-08-810-082 and -083, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 3

Alleged Violation # 1

View looking southwest at parcel 161-08-810-082, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 4

Alleged Violation # 1

View looking southeast at parcel 161-08-810-083, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 5

Alleged Violation # 1

View looking northeast at parcel 161-08-810-083, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 6

Alleged Violation # 1

View looking southeast at parcel 161-08-810-083, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 7

Alleged Violation # 1

View looking southwest on parcel 161-08-810-082, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 8

Alleged Violation # 1

View looking west on parcel 161-08-810-082, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 9

Alleged Violation # 1

View looking south at parcel 161-08-810-083, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 10

Alleged Violation # 1

View looking southwest on parcel 161-08-810-082, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.

Digital Photographs



Photograph # 11

Alleged Violation # 1

View looking northeast at parcel 161-08-810-083, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 12

Alleged Violation # 1

View looking southwest on parcel 161-08-810-082, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 13

Alleged Violation # 1

View looking south on parcel 161-08-810-082, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 14

Alleged Violation # 1

View looking southeast on parcel 161-08-810-083, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 15

Alleged Violation # 1

View looking northeast on parcel 161-08-810-083, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 16

Alleged Violation # 1

View looking west on parcel 161-08-810-082, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 17

Alleged Violation # 1

View looking northeast on parcel 161-08-810-083, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 18

Alleged Violation # 1

View looking west on parcel 161-08-810-082, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 19

Alleged Violation # 1

View looking southwest on parcel 161-08-810-082, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 20

Alleged Violation # 1

View looking southeast on parcel 161-08-810-083, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.

Digital Photographs



Photograph # 21

Alleged Violation # 1

View looking southwest on parcel 161-08-810-082, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 22

Alleged Violation # 1

View looking northeast on parcel 161-08-810-083, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 23

Alleged Violation # 1

View looking southwest on parcel 161-08-810-082, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 24

Alleged Violation # 1

View looking northeast on parcel 161-08-810-083, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 25

Alleged Violation # 1

View looking southwest at parcel 161-08-810-082, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 26

Alleged Violation # 1

View looking west at parcel 161-08-810-082, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 27

Alleged Violation # 1

View looking north at parcel 161-08-810-083, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 28

Alleged Violation # 1

View looking north at parcel 161-08-810-083, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Exhibit D

7789 4758 3797

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	PALM PROPERTIES, LLC.	Date: Sep 18, 2024
Mailing Address:	6050 S FORT APACHE RD, # 100, LAS VEGAS, NV 89148	
Assessor's Parcels:	161-08-810-083, 161-08-810-082	
Property Location:	3125 SOUTH NELLIS BLVD. - CC SUNRISE MANOR - 89121	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	2.83		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel
Disturbance Factors:	Parking, Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APNs 161-08-810-082 and -083 containing over two dozen trucks, trailers, service trucks and passenger vehicles. This storage yard was created after 1/1/03, which is a violation of AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ **Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.**
 - **Including the cities of Las Vegas, North Las Vegas and Henderson.**
- ❖ **Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.**
 - **Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.**
- ❖ **An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:**
 - **New use or change of existing use.**
 - **Improvements or expansion of existing lot/yard.**
 - **Paving exemptions or delays have expired their time limit and paving is now required.**

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) **Paving may not apply to rural public parking facilities such as trailheads and campgrounds.**
 - ◆ **Must be located outside the Las Vegas Valley BLM Disposal Boundary**
 - 2) **Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.**
 - ◆ **All access, parking and loading areas used by on-road vehicles shall be paved.**
 - 3) **Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.**
 - ◆ **All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.**
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - **Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.**

April 2016



April 28, 2025

Dear Customer,

The following is the proof-of-delivery for tracking number: 778947583797

Delivery Information:			
Status:	Delivered	Delivered To:	
Signed for by:	B.Brandy	Delivery Location:	
Service type:	FedEx Standard Overnight		
Special Handling:	Deliver Weekday; No Signature Required		LAS VEGAS, NV,
		Delivery date:	Oct 2, 2024 13:54
Shipping Information:			
Tracking number:	778947583797	Ship Date:	Oct 1, 2024
		Weight:	
Recipient:		Shipper:	
LAS VEGAS, NV, US,		LAS VEGAS, NV, US,	
Reference	161-08-810-083		

FedEx Express proof-of-delivery details appear below; however, no signature is currently available for this shipment. Please check again later for a signature.

Exhibit E

From: [Allan Gutierrez](#)
To: [Rob Lauer](#)
Cc: [Satyra George](#)
Subject: RE: APNs 161-08-810-082, -083/Section 92 Post 1/1/03 Notice of non-compliance
Date: Wednesday, October 9, 2024 1:05:00 PM

Hello Mr. Lauer,

The AQR Section 92 Notice of Non-compliance (NON) directs Property Owners to resolve the NON within 30 days of issuance. The Property Owner needs to pave or vacate the site – remove all vehicles and block site access - within 30 days.

The NON issued to APNs 161-08-810-082 & -083 was delivered on 10/2/24.

DAQ, however, grants Landowners more time - up to 180 days - if the site will be paved. This should be ample time to secure all applicable Land Use Agreements/Entitlements/Permits needed to pave the site.

DAQ directs Landowners to vacate their sites in 30 days if the required permits to pave are not received 180 days after issuance of the NON.

180 days from the NON delivery date is March 30, 2025.

You have until March 31, 2025, to come into compliance with Air Quality Regulations through measures such as reducing parking/storage to under 5,000 square feet or vacating the parcel until such time as the parcel can be paved.

Please contact me if you have any questions.

Thank you.

Allan F. Gutierrez, Jr.
Air Quality Specialist II
Department of Environment and Sustainability
Division of Air Quality
4701 W. Russell Road, Ste. 200
Las Vegas, NV 89118
gutierre@clarkcountynv.gov
Office: 702.455.1679
Cellular: 702.370.2199

From: Rob lauer <centurywest1@hotmail.com>
Sent: Tuesday, October 8, 2024 4:09 PM
To: Allan Gutierrez <Gutierre@ClarkCountyNV.gov>
Subject: Re: APNs 161-08-810-082, -083/Section 92 Post 1/1/03 Notice of non-compliance

Mr. Gutierrez,

Here is our design review case # and our vacation case #-----> DR/WS-24-0276, VS-24-0277.
I also provided you with the court restraining order against the county while we process our application which does apply to your office as well

Thank you

Rob Lauer

From: Allan Gutierrez <Gutierre@ClarkCountyNV.gov>
Sent: Thursday, October 3, 2024 11:16 AM
To: Rob lauer <centurywest1@hotmail.com>
Cc: Satyra George <Satyra.George@ClarkCountyNV.gov>
Subject: RE: APNs 161-08-810-082, -083/Section 92 Post 1/1/03 Notice of non-compliance

Hello Rob.

I stated down below, I am requesting, by **10/10/24**, all documentation regarding your Land Use Agreement application, and the application number, with the Clark County Department of Comprehensive Planning.

Please contact me if you have nay questions.

Thank you.

Allan F. Gutierrez, Jr.
Air Quality Specialist II
Department of Environment and Sustainability
Division of Air Quality
4701 W. Russell Road, Ste. 200
Las Vegas, NV 89118
gutierre@clarkcountynv.gov
Office: 702.455.1679
Cellular: 702.370.2199

From: Rob lauer <centurywest1@hotmail.com>
Sent: Thursday, October 3, 2024 9:23 AM

To: Allan Gutierrez <Gutierre@ClarkCountyNV.gov>

Subject: Re: APNs 161-08-810-082, -083/Section 92 Post 1/1/03 Notice of non-compliance

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From: Allan Gutierrez <Gutierre@ClarkCountyNV.gov>

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To: centurywest1@hotmail.com <centurywest1@hotmail.com>

Cc: Satyra George <Satyra.George@ClarkCountyNV.gov>

Subject: APNs 161-08-810-082, -083/Section 92 Post 1/1/03 Notice of non-compliance

Hello Rob.

It was nice speaking with you yesterday to discuss your Notice of Non-compliance issued for APNs161-08-810-082 and -083.

In our conversation yesterday, you stated you are in the process of securing the Land Use Agreement to pave your parcels, APNs161-08-810-082 and -083.

I am requesting, by **10/10/24**, all documentation regarding your Land Use Agreement application, and the application number, with the Clark County Department of Comprehensive Planning.

We also discussed the option of applying the alternative asphalt paving method as a short-term, cost saving alternative.

As I stated before, application of this method requires a meeting with the Compliance Supervisor, and a Dust Control Operating Permit, approved by the Compliance Supervisor after this meeting.

Please contact me if you have any questions.

Thank you.

Allan F. Gutierrez, Jr.

Air Quality Specialist II

Department of Environment and Sustainability

Division of Air Quality

4701 W. Russell Road, Ste. 200

Las Vegas, NV 89118

gutierre@clarkcountynv.gov

Office: 702.455.1679

Cellular: 702.370.2199

1 **ADMINISTRATIVE APPEAL HEARING**

2 **CLARK COUNTY, NEVADA**

3 In the Matter of Administrative Citation Issued to:

4 Palm Properties, LLC
5 Attn.: Raj Dhaliwal
6 6050 S. Fort Apache Rd., #100
Las Vegas, NV 89148

CASE NO.: CE23-05369

7 Robert Lauer, Authorized Representative
8 Leading Edge Ventures
Centurywest1@hotmail.com

9 Violation Location: 3125 S. Nellis Blvd.
10 Violation Parcel No: 161-08-810-083

ORDER

11 The above-entitled matter came on for an Appeal Hearing on January 10, 2024, at the
12 request of Robert Lauer at Leading Edge Ventures, the Tenant/Property Manager at the property
13 located at 3125 S. Nellis Blvd. Las Vegas, NV ("Property"). Mr. Lauer stated under oath that he is
14 the authorized representative ("Authorized Representative") of the owner of the Property, Raj
15 Dhaliwal and Palm Properties, LLC ("Owner"), for purposes of the appeal of the Administrative
16 Citation issued to Owner by Public Response Office ("PRO") on November 15, 2023.

17 More specifically, Owner was served with an Administrative Citation on November 15,
18 2023, in the amount of (\$100.00) ¹ for illegal, unsafe and unsightly maintenance of the Property,
19 including but not limited to unpermitted outside storage of commercial and non-commercial
20 vehicles on unpaved surface, occupied recreational vehicles, junk equipment, junk materials, solid
21 waste and debris, causing a nuisance in the community.

22 Appearances were made at the Appeal Hearing by the Owner's Authorized Representative,
23 Robert Lauer, and also George Garcia, a planning consultant from GC Garcia, Inc., Clark County
24 Code Enforcement Officer, J. Ruiz, ("Officer Ruiz"), and Lieutenant L. Mann ("Lt. Mann").
25

26
27 ¹ The total amount of the fine related to the Administrative Citation is \$225.00, inclusive of a \$125.00
28 inspection fee which is not subject to the request for an appeal hearing; *See*, Chapter 1.16 of the CCC.

1 At the commencement of the Appeal Hearing, the undersigned was advised by the parties
2 that an agreement had been reached between the Owner, by and through its Authorized
3 Representative, and Clark County Code Enforcement, by and through Officer Ruiz and Lt. Mann.

4 The terms and conditions of the parties' agreement and stipulation are as follows:

5 1. The appeal of the Administration Citation, dated November 15, 2023, has been
6 *withdrawn* by Owner by and through its Authorized Representative, Robert Lauer, and the fine
7 amount related to the Administrative Citation (i.e., \$100.00), which is currently on deposit with
8 Clark County, shall be retained by the County.

9 2. In consideration of the withdrawal of the appeal of the Administrative Citation, and
10 based on the representations made by Owner's Authorized Representative, as well as George
11 Garcia, the planning consultant from GC Garcia, Inc., that they are actively engaged in efforts to
12 abate the violations at the Property (e.g., upcoming meetings with Clark County Comprehensive
13 Planning Department, obtaining applicable permits, etc.), PRO has agreed to refrain from taking
14 any further enforcement action against Owner and the Property for a period of six (6) months, to
15 and including July 15, 2024, as long as:

16
17 (a) On a monthly basis, Owner and/or its Authorized Representative, Robert
18 Lauer, keep Officer Ruiz and/or PRO apprised of the status of the progress
19 of its efforts to abate the violations at the Property;

20 (b) PRO reserves the right to conduct follow up inspections of the Property to
21 assess the extent of any improvements to the existing violations, and/or to
22 determine whether there are any *new* violations at the Property, which are
23 not subject to the agreed upon six (6) month stay of enforcement actions by
24 the County; and

25 (c) PRO further reserves the right to exercise any and all of its lawful
26 enforcement options to correct the violations at the Property, including
27 assessment of additional fines, in the event the County deems no meaningful
28 action is taken by Owner or its Authorized Representative, Robert Lauer, to
remediate the violations.

1 Based upon the foregoing stipulation and agreement reached at the Appeal Hearing between
2 PRO and the Owner, by and through its Authorized Representative, Robert Lauer, and good cause
3 appearing therefore,

4 **IT IS HEREBY ORDERED** that the Owners' appeal of the Administrative Citation issued
5 on November 15, 2023, is **DENIED**, as the appeal has been voluntarily withdrawn by the Owner by
6 and through its Authorized Representative, Robert Lauer, and the fine amount related to the said
7 Administrative Citation (i.e., \$100.00), which amount is currently on deposit with Clark County,
8 shall be retained by the County.

9 **IT IS HEREBY FURTHER ORDERED** that Clark County may exercise its right to take
10 further enforcement options, including but not limited to, issuance of additional administrative
11 citations and escalating fines and/or abatement related costs assessed against Owners in the event
12 Owners fail to comply with the terms and conditions agreed to by Owners.

13 Dated this 15th day of January, 2024.

14 
15 Holly Stoberski, Appeal Hearing Officer
16
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Exhibit F

From: [Rob lauer](#)
To: [Allan Gutierrez](#)
Subject: Re: APNs 161-08-810-082, -083/Section 92 Post 1/1/03 Notice of non-compliance
Date: Thursday, October 17, 2024 2:10:19 PM
Attachments: [Ltr-Air Quality \(Allan F. Gutierrez\) RE entitlements applications in process, 10-17-24.pdf](#)

Mr. Gutierrez,

If our response is insufficient then we can appeal your citation to the same hearing judge for review. The law was made crystal clear by the judge at the hearing, as long as we are processing the application for entitlements in good faith any such enforcement action shall be stayed.

Regards,
Rob Lauer

From: Allan Gutierrez <Gutierre@ClarkCountyNV.gov>
Sent: Thursday, October 17, 2024 9:52 AM
To: Raj <raj@milestoneconst.us>
Cc: Rob lauer <centurywest1@hotmail.com>; Satyra George <Satyra.George@ClarkCountyNV.gov>
Subject: FW: APNs 161-08-810-082, -083/Section 92 Post 1/1/03 Notice of non-compliance

Good morning Raj.

It was nice talking to you again.

As the managing partner of Palm Properties, LLC. and the property owner, I am including you, in these and future emails, regarding the 10/2/24 Notice of Noncompliance issued to your properties, APN 161-08-810-082 & -083.

On 10/3/24, I requested from Mr. Lauer, your property tenant, to submit by 10/10/24, documentation regarding the site's Land Use Agreement application and application number: this email is included below.

Once the site has a Land Use Agreement, the property owner can apply for a Dust Control Operating Permit to pave the site.

Please contact me if you have any other questions.

Thank you.

Allan F. Gutierrez, Jr.
Air Quality Specialist II

Department of Environment and Sustainability
Division of Air Quality
4701 W. Russell Road, Ste. 200
Las Vegas, NV 89118
gutierre@clarkcountynv.gov
Office: 702.455.1679
Cellular: 702.370.2199

From: Rob lauer <centurywest1@hotmail.com>
Sent: Tuesday, October 8, 2024 4:09 PM
To: Allan Gutierrez <Gutierre@ClarkCountyNV.gov>
Subject: Re: APNs 161-08-810-082, -083/Section 92 Post 1/1/03 Notice of non-compliance

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I also provided you with the court restraining order against the county while we process our application which does apply to your office as well

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Office: 702.455.1679
Cellular: 702.370.2199

From: raj@milestoneconst.us
To: [Allan Gutierrez](#)
Cc: "Rob lauer"; [Satyra George](#)
Subject: RE: APNs 161-08-810-082, -083/Section 92 Post 1/1/03 Notice of non-compliance
Date: Thursday, October 17, 2024 2:44:24 PM

Hi Allan,

I talk to Mr. Rob today, he will send you the paperwork he have regarding the land use application.

Let me know if you have any question.
Thanks,

Raj Dhaliwal

Cell: (702) 429-7354

From: Allan Gutierrez <Gutierre@ClarkCountyNV.gov>
Sent: Thursday, October 17, 2024 9:52 AM
To: Raj <raj@milestoneconst.us>
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From: [Rob lauer](#)
To: [Allan Gutierrez](#)
Subject: Re: APNs 161-08-810-082, -083/Section 92 Post 1/1/03 Notice of non-compliance
Date: Thursday, October 17, 2024 3:05:46 PM
Attachments: [Ltr-Air Quality \(Allan F. Gutierrez\) RE entitlements applications in process, 10-17-24.pdf](#)

From: Allan Gutierrez <Gutierre@ClarkCountyNV.gov>
Sent: Thursday, October 17, 2024 2:57 PM
To: raj@milestoneconst.us <raj@milestoneconst.us>
Cc: 'Rob lauer' <centurywest1@hotmail.com>; Satyra George <Satyra.George@ClarkCountyNV.gov>
Subject: RE: APNs 161-08-810-082, -083/Section 92 Post 1/1/03 Notice of non-compliance

Raj,

I appreciate your assistance.

These documents need to be submitted by October 24, 2024.

Thank you.

Allan F. Gutierrez, Jr.
Air Quality Specialist II
Department of Environment and Sustainability
Division of Air Quality
4701 W. Russell Road, Ste. 200
Las Vegas, NV 89118
gutierre@clarkcountynv.gov
Office: 702.455.1679
Cellular: 702.370.2199

From: raj@milestoneconst.us <raj@milestoneconst.us>
Sent: Thursday, October 17, 2024 2:44 PM
To: Allan Gutierrez <Gutierre@ClarkCountyNV.gov>
Cc: 'Rob lauer' <centurywest1@hotmail.com>; Satyra George <Satyra.George@ClarkCountyNV.gov>
Subject: RE: APNs 161-08-810-082, -083/Section 92 Post 1/1/03 Notice of non-compliance

Hi Allan,

I talk to Mr. Rob today, he will send you the paperwork he have regarding the land use application.

Let me know if you have any question.

Thanks,

Raj Dhaliwal

Cell: (702) 429-7354

From: Allan Gutierrez <Gutierre@ClarkCountyNV.gov>

Sent: Thursday, October 17, 2024 9:52 AM

To: Raj <raj@milestoneconst.us>

Cc: Rob lauer <centurywest1@hotmail.com>; Satyra George <Satyra.George@ClarkCountyNV.gov>

Subject: FW: APNs 161-08-810-082, -083/Section 92 Post 1/1/03 Notice of non-compliance

Good morning Raj.

It was nice talking to you again.

As the managing partner of Palm Properties, LLC. and the property owner, I am including you, in these and future emails, regarding the 10/2/24 Notice of Noncompliance issued to your properties, APN 161-08-810-082 & -083.

On 10/3/24, I requested from Mr. Lauer, your property tenant, to submit by 10/10/24, documentation regarding the site's Land Use Agreement application and application number: this email is included below.

Once the site has a Land Use Agreement, the property owner can apply for a Dust Control Operating Permit to pave the site.

Please contact me if you have any other questions.

Thank you.

Allan F. Gutierrez, Jr.

Air Quality Specialist II

Department of Environment and Sustainability

Division of Air Quality

4701 W. Russell Road, Ste. 200

Las Vegas, NV 89118

gutierre@clarkcountynv.gov

Office: 702.455.1679

Cellular: 702.370.2199

From: Rob lauer <centurywest1@hotmail.com>

Sent: Tuesday, October 8, 2024 4:09 PM

To: Allan Gutierrez <Gutierre@ClarkCountyNV.gov>

Subject: Re: APNs 161-08-810-082, -083/Section 92 Post 1/1/03 Notice of non-compliance

Mr. Gutierrez,

Here is our design review case # and our vacation case #-----> DR/WS-24-0276, VS-24-0277.

I also provided you with the court restraining order against the county while we process our application which does apply to your office as well

Thank you

Rob Lauer

From: Allan Gutierrez <Gutierre@ClarkCountyNV.gov>

Sent: Thursday, October 3, 2024 11:16 AM

To: Rob lauer <centurywest1@hotmail.com>

Cc: Satyra George <Satyra.George@ClarkCountyNV.gov>

Subject: RE: APNs 161-08-810-082, -083/Section 92 Post 1/1/03 Notice of non-compliance

Hello Rob.

I stated down below, I am requesting, by **10/10/24**, all documentation regarding your Land Use Agreement application, and the application number, with the Clark County Department of Comprehensive Planning.

Please contact me if you have nay questions.

Thank you.

Allan F. Gutierrez, Jr.

Air Quality Specialist II

Department of Environment and Sustainability

Division of Air Quality

4701 W. Russell Road, Ste. 200

Las Vegas, NV 89118

gutierre@clarkcountynv.gov

Office: 702.455.1679

Cellular: 702.370.2199

From: Rob lauer <centurywest1@hotmail.com>

Sent: Thursday, October 3, 2024 9:23 AM

To: Allan Gutierrez <Gutierre@ClarkCountyNV.gov>

Subject: Re: APNs 161-08-810-082, -083/Section 92 Post 1/1/03 Notice of non-compliance

Our plans are approved t this time subject a waiver for the Happy Valley Driveway.

From: Allan Gutierrez <Gutierre@ClarkCountyNV.gov>

Sent: Thursday, October 3, 2024 9:16 AM

To: centurywest1@hotmail.com <centurywest1@hotmail.com>

Cc: Satyra George <Satyra.George@ClarkCountyNV.gov>

Subject: APNs 161-08-810-082, -083/Section 92 Post 1/1/03 Notice of non-compliance

Hello Rob.

It was nice speaking with you yesterday to discuss your Notice of Non-compliance issued for APNs161-08-810-082 and -083.

In our conversation yesterday, you stated you are in the process of securing the Land Use Agreement to pave your parcels, APNs161-08-810-082 and -083.

I am requesting, by **10/10/24**, all documentation regarding your Land Use Agreement application, and the application number, with the Clark County Department of Comprehensive Planning.

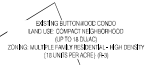
We also discussed the option of applying the alternative asphalt paving method as a short-term, cost saving alternative.

As I stated before, application of this method requires a meeting with the Compliance Supervisor, and a Dust Control Operating Permit, approved by the Compliance Supervisor after this meeting.

Please contact me if you have any questions.

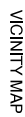
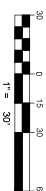
Thank you.

Allan F. Gutierrez, Jr.
Air Quality Specialist II
Department of Environment and Sustainability
Division of Air Quality
4701 W. Russell Road, Ste. 200
Las Vegas, NV 89118
gutierre@clarkcountynv.gov
Office: 702.455.1679
Cellular: 702.370.2199



GENERAL NOTES

1. Landscape shall conform to requirements of tree spacing and plant material, Chapter 30.65 (Clark County).
2. The proposed landscaping and plants are conceptual only, a detailed Landscape Plan will be prepared by a licensed landscape architect as a part of the final engineering plan.
3. Plants may be substituted if not allowed per SNRC regional plant list.



From: [Rob Iauer](#)
To: [Allan Gutierrez](#)
Subject: site plan
Date: Thursday, October 17, 2024 3:29:05 PM
Attachments: [161-08-810-083-site-4-LS \(2\) xxx.pdf](#)



October 17, 2024

Allan F. Gutierrez, Jr.
Air Quality Specialist II
Department of Environment and Sustainability
Division of Air Quality
4701 W. Russell Road, Ste. 200
Las Vegas, NV 89118

RE: Entitlements Applications in Process for DR/WS-24-0276
Nellis & Happy Valley APN#s: 161-08-810-082 & -083

Dear Mr. Gutierrez,

On behalf of our client, Leading Edge Ventures, LLC, we are currently running entitlements applications through the County Planning Department and Hearings Process for a WAIVER OF DEVELOPMENT STANDARDS to modify residential adjacency standards and a DESIGN REVIEW to allow a proposed commercial truck parking lot on two lots consisting of approximately 2.83 acres located on the southwest corner of Happy Valley Avenue and Nellis Boulevard within Sunrise Manor. The case number for those applications are DR/WS-24-0276 and are currently scheduled for the November 6, 2024 Board of County Commissioners Meeting.

Please do not hesitate to contact us if you have any questions or need additional information.

Sincerely,

George Garcia
Founder



A Planning & Development Services Corporation

1055 Whitney Ranch Dr., Suite 210, Henderson, NV 89014
Telephone: (702) 435-9909 Facsimile: (702) 435-0457 E-Mail: ggarcia@gcgarciainc.com

PPLRL_2444



Exhibit G

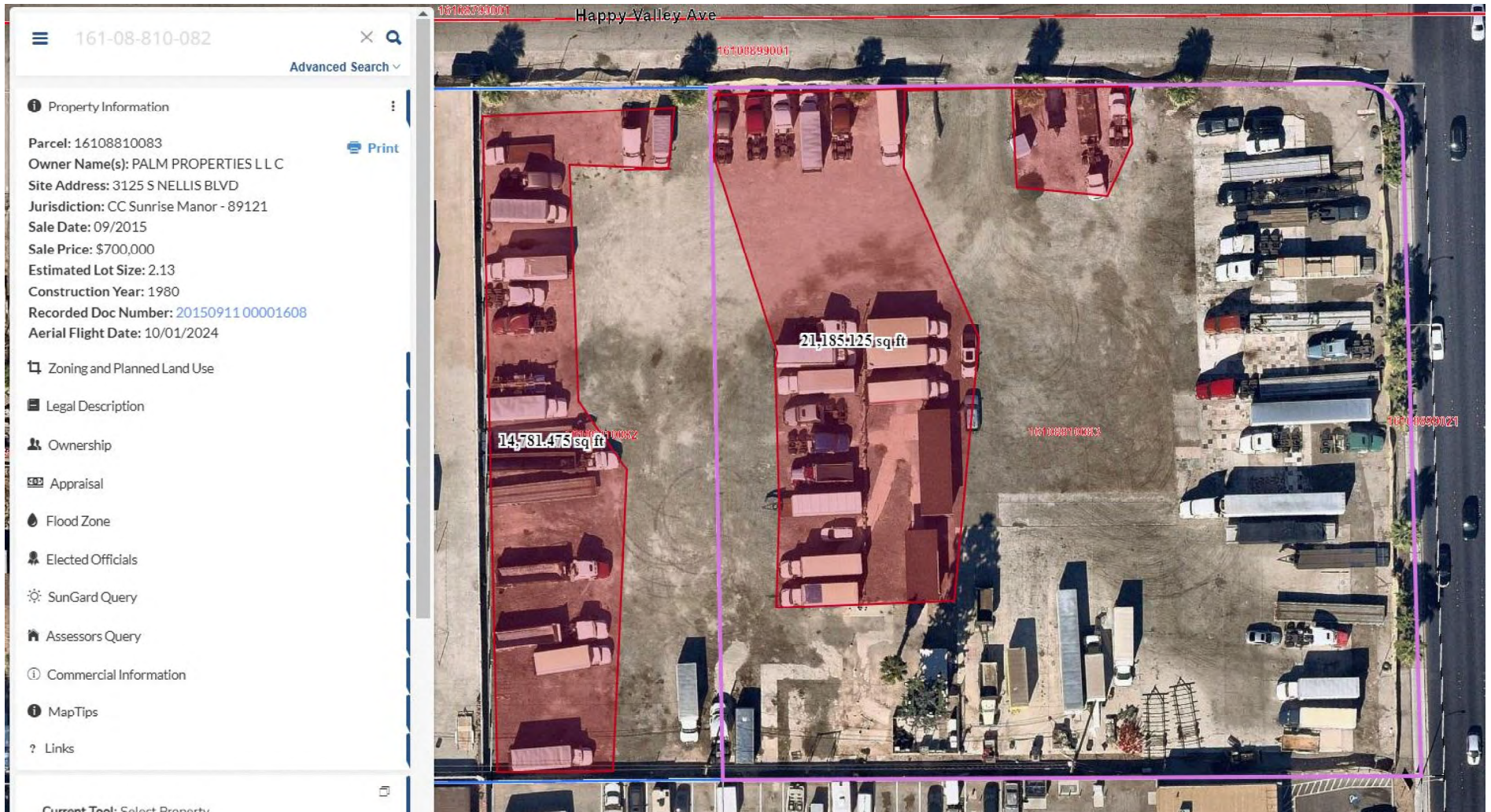
Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

INSPECTION REPORT No. 144390

Date:	Start Time:	End Time:	Specialist:
Nov 19, 2024	1:10 PM	1:20 PM	Allan Gutierrez
Parcels:	161-08-810-082, 161-08-810-083		
Location Description:	3125 SOUTH NELLIS BLVD. - CC SUNRISE MANOR - 89121		
Inspection Type:	Re-inspection	Complaint No.:	
AQR Section:	92: Unpaved Parking Lots/Storage Areas - Post 1/1/2003		
Observations:			
Current Land Use Agreement:			
Soil Condition:	Stable	Note:	gravel
Disturbance Factors:	Parking, Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	
Control Measures Implemented: Yes			
Control Measures:		Other:	secure perimeter gate
Tests Performed:			
Drop Ball Test:	N/A	Area #1:	Area #2: Area #3:
Rock Test:	N/A	Percent:	
Silt Content:	N/A	Percent:	
Opacity:	N/A	Percent:	
Photography:	Yes	Traffic Count (ADT):	N/A
Inspector Notes:			
Reviewed By: Satyra George			
I conducted a re-inspection and observed an unpaved storage yard on APNs 161-08-810-082 & -083. Each parcel has an unpaved storage yard over 5,000 square feet containing over a dozen trailers and trucks. As of November 19, 2024, all necessary control measures to meet AQRs have not been implemented since the original Notice of Non-Compliance (NON) was sent to the Property Owner on October 2, 2024.			
The Land owner, Mr. Raj Dhaliwal, has a site land use permit application for a paved truck parking lot before the Board of County Commissioners for approval November 20, 2024. I will contact Mr. Dhaliwal for an update tomorrow.			
Action Taken:	Follow-up for Possible NOV		

APNs 161-08-810-082 & 161-08-810-083
Responsible Parties: Palm Properties, LLC and Rob Lauer, Individually

Exhibit H



PPLRL_2446

MAP 1 - Showing over 5,000 square feet of unpaved parking, aerial flight date October 1, 2024

Exhibit I

From: [Rob lauer](#)
To: [Allan Gutierrez](#)
Subject: Re: APNs 161-08-810-082, -083/Section 92 Post 1/1/03 Notice of non-compliance
Date: Wednesday, December 4, 2024 3:07:30 PM

Mr. Gutierrez,

Even though the Clark County Staff recommended approving the site plan it was subject to approval by the BOC for a waiver for the "existing" driveway on Happy Valley.

Even though **Commissioner Segerblom** said he would support the project he changed his position at the last second.

We are waiting for the written notice of the decision which we certainly plan on appealing forthwith.

Commissioner Segerblom said he would instructor code enforcement and other agencies to hold all actions for at least 6 months

Rob

From: Allan Gutierrez <Gutierre@ClarkCountyNV.gov>
Sent: Wednesday, December 4, 2024 2:11 PM
To: raj@milestoneconst.us <raj@milestoneconst.us>
Cc: Rob lauer <centurywest1@hotmail.com>; Satyra George <Satyra.George@ClarkCountyNV.gov>
Subject: FW: APNs 161-08-810-082, -083/Section 92 Post 1/1/03 Notice of non-compliance

Good afternoon Raj.

I am sending this email because my November 20, 2024 email below was unanswered.

Please provide update on the site Land Use applications, DR/WS 24-0276, for a truck parking/parking lot, which were scheduled to go before the Clark County Board of County Commissioners on November 20, 2024.

Please note any use of the site will have to comply with any applicable Air Quality Standards for paving.

Please let me know by December 6, 2024.

Thank you.

Allan F. Gutierrez, Jr.
Air Quality Specialist II
Department of Environment and Sustainability
Division of Air Quality
4701 W. Russell Road, Ste. 200
Las Vegas, NV 89118
gutierre@clarkcountynv.gov
Office: 702.455.1679
Cellular: 702.370.2199

From: Allan Gutierrez
Sent: Wednesday, November 20, 2024 9:11 AM
To: raj@milestoneconst.us
Cc: 'Rob lauer' <centurywest1@hotmail.com>; Satyra George <Satyra.George@ClarkCountyNV.gov>
Subject: RE: APNs 161-08-810-082, -083/Section 92 Post 1/1/03 Notice of non-compliance

Good morning Raj.

I am asking for an update on the site Land Use applications, DR/WS 24-0276, for a truck parking/parking lot, which were scheduled to go before the Board of County Commissioners on November 6, 2024.

Please note any use of the site will have to comply with any applicable Air Quality Standards for paving.

Please let me know by the end of the day.

Thank you.

Allan F. Gutierrez, Jr.
Air Quality Specialist II
Department of Environment and Sustainability
Division of Air Quality
4701 W. Russell Road, Ste. 200
Las Vegas, NV 89118
gutierre@clarkcountynv.gov
Office: 702.455.1679
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From: raj@milestoneconst.us <raj@milestoneconst.us>
Sent: Thursday, October 17, 2024 2:44 PM
To: Allan Gutierrez <Gutierre@ClarkCountyNV.gov>
Cc: 'Rob lauer' <centurywest1@hotmail.com>; Satyra George <Satyra.George@ClarkCountyNV.gov>
Subject: RE: APNs 161-08-810-082, -083/Section 92 Post 1/1/03 Notice of non-compliance

Hi Allan,

I talk to Mr. Rob today, he will send you the paperwork he have regarding the land use application.

Let me know if you have any question.

Thanks,

Raj Dhaliwal

Cell: (702) 429-7354

From: Allan Gutierrez <Gutierre@ClarkCountyNV.gov>
Sent: Thursday, October 17, 2024 9:52 AM
To: Raj <raj@milestoneconst.us>
Cc: Rob lauer <centurywest1@hotmail.com>; Satyra George <Satyra.George@ClarkCountyNV.gov>
Subject: FW: APNs 161-08-810-082, -083/Section 92 Post 1/1/03 Notice of non-compliance

Good morning Raj.

It was nice talking to you again.

As the managing partner of Palm Properties, LLC. and the property owner, I am including you, in these and future emails, regarding the 10/2/24 Notice of Noncompliance issued to your properties, APN 161-08-810-082 & -083.

On 10/3/24, I requested from Mr. Lauer, your property tenant, to submit by 10/10/24, documentation regarding the site's Land Use Agreement application and application number: this email is included below.

Once the site has a Land Use Agreement, the property owner can apply for a Dust Control Operating Permit to pave the site.

Please contact me if you have any other questions.

Thank you.

Allan F. Gutierrez, Jr.
Air Quality Specialist II
Department of Environment and Sustainability
Division of Air Quality
4701 W. Russell Road, Ste. 200
Las Vegas, NV 89118
gutierre@clarkcountynv.gov
Office: 702.455.1679
Cellular: 702.370.2199

From: Rob lauer <centurywest1@hotmail.com>
Sent: Tuesday, October 8, 2024 4:09 PM
To: Allan Gutierrez <Gutierre@ClarkCountyNV.gov>
Subject: Re: APNs 161-08-810-082, -083/Section 92 Post 1/1/03 Notice of non-compliance

Mr. Gutierrez,

Here is our design review case # and our vacation case #-----> DR/WS-24-0276, VS-24-0277.
I also provided you with the court restraining order against the county while we process our application which does apply to your office as well
Thank you
Rob Lauer

From: Allan Gutierrez <Gutierre@ClarkCountyNV.gov>
Sent: Thursday, October 3, 2024 11:16 AM
To: Rob lauer <centurywest1@hotmail.com>
Cc: Satyra George <Satyra.George@ClarkCountyNV.gov>
Subject: RE: APNs 161-08-810-082, -083/Section 92 Post 1/1/03 Notice of non-compliance

Hello Rob.

I stated down below, I am requesting, by **10/10/24**, all documentation regarding your Land Use Agreement application, and the application number, with the Clark County Department of Comprehensive Planning.

Please contact me if you have nay questions.

Thank you.

Allan F. Gutierrez, Jr.
Air Quality Specialist II

Department of Environment and Sustainability
Division of Air Quality
4701 W. Russell Road, Ste. 200
Las Vegas, NV 89118
gutierre@clarkcountynv.gov
Office: 702.455.1679
Cellular: 702.370.2199

From: Rob lauer <centurywest1@hotmail.com>
Sent: Thursday, October 3, 2024 9:23 AM
To: Allan Gutierrez <Gutierre@ClarkCountyNV.gov>
Subject: Re: APNs 161-08-810-082, -083/Section 92 Post 1/1/03 Notice of non-compliance

Our plans are approved t this time subject a waiver for the Happy Valley Driveway.

From: Allan Gutierrez <Gutierre@ClarkCountyNV.gov>
Sent: Thursday, October 3, 2024 9:16 AM
To: centurywest1@hotmail.com <centurywest1@hotmail.com>
Cc: Satyra George <Satyra.George@ClarkCountyNV.gov>
Subject: APNs 161-08-810-082, -083/Section 92 Post 1/1/03 Notice of non-compliance

Hello Rob.

It was nice speaking with you yesterday to discuss your Notice of Non-compliance issued for APNs161-08-810-082 and -083.

In our conversation yesterday, you stated you are in the process of securing the Land Use Agreement to pave your parcels, APNs161-08-810-082 and -083.

I am requesting, by **10/10/24**, all documentation regarding your Land Use Agreement application, and the application number, with the Clark County Department of Comprehensive Planning.

We also discussed the option of applying the alternative asphalt paving method as a short-term, cost saving alternative.

As I stated before, application of this method requires a meeting with the Compliance Supervisor, and a Dust Control Operating Permit, approved by the Compliance Supervisor after this meeting.

Please contact me if you have any questions.

Thank you.

Allan F. Gutierrez, Jr.
Air Quality Specialist II
Department of Environment and Sustainability
Division of Air Quality
4701 W. Russell Road, Ste. 200
Las Vegas, NV 89118
gutierre@clarkcountynv.gov
Office: 702.455.1679
Cellular: 702.370.2199



Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Exhibit J

INSPECTION REPORT

No. 144875

Date:	Start Time:	End Time:	Specialist:
Dec 5, 2024	11:35 AM	11:55 AM	Allan Gutierrez
Parcels:	161-08-810-082, 161-08-810-083		
Location Description:	3125 SOUTH NELLIS BLVD. - CC SUNRISE MANOR - 89121		
Inspection Type:	Re-inspection	Complaint No.:	
AQR Section:	92: Unpaved Parking Lots/Storage Areas - Post 1/1/2003		
Observations:			
Current Land Use Agreement:	No		
Soil Condition:	Stable	Note:	gravel
Disturbance Factors:	Parking, Vehicular Travel, Storage		Other:
Fugitive Dust Observed:	No	Generated By:	
Control Measures Implemented: Yes			
Control Measures:	Other: secure perimeter gate		
Tests Performed:			
Drop Ball Test:	N/A	Area #1:	Area #2: Area #3:
Rock Test:	N/A	Percent:	
Silt Content:	N/A	Percent:	
Opacity:	N/A	Percent:	
Photography:	Yes	Traffic Count (ADT):	N/A
Inspector Notes:		Reviewed By:	Satyra George
I conducted a re-inspection and observed an unpaved storage yard on APNs 161-08-810-082 & -083. Each parcel has an unpaved storage yard over 5,000 square feet containing over a dozen trailers and trucks. As of December 5, 2024, all necessary control measures to meet AQRs have not been implemented since the original Notice of Non-Compliance (NON) was sent to the Property Owner on October 2, 2024.			
The Site land use permit application for a paved truck parking lot before the Board of County Commissioners was denied on November 20, 2024. I issued an email to Mr. Dhaliwal and Mr. Rob Lauer to vacate site within 30 days (January 8, 2025) of receipt of the email.			
Action Taken:	Follow-up for Possible NOV		

Exhibit K

From: [Allan Gutierrez](#)
To: raj@milestoneconst.us
Cc: [Rob Lauer](#); [Satyra George](#)
Subject: RE: APNs 161-08-810-082, -083/Section 92 Post 1/1/03 Notice of non-compliance
Date: Monday, December 9, 2024 10:42:00 AM

Good morning Mr. Lauer,

The Clark County Zoning Commissioner meeting of November 20, 2024 moved to deny, on APNs 161-08-810-082 & -083, the waivers of the development standards and the design review for a truck parking lot, and stated it is not the appropriate location for a truck parking lot, and it has been operating illegally for several years.

The meeting discussing this lot here: [Clark County Zoning Commission on 2024-11-20 9:00 AM](#). It's discussed at about the 1:20 mark.

Please provide a written record of any instructions directing government agencies to hold actions for 6 months, or within 30 days from receipt of this email, per AQR Section 92, vacate the site or reduce the storage area to 5,000 square feet or less, on 0.25 to 3.0 inch diameter clean gravel, with less than 6% silt content.

Please respond you acknowledge and understand this email.

Thank you.

Allan F. Gutierrez, Jr.
Air Quality Specialist II
Department of Environment and Sustainability
Division of Air Quality
4701 W. Russell Road, Ste. 200
Las Vegas, NV 89118
gutierre@clarkcountynv.gov
Office: 702.455.1679
Cellular: 702.370.2199

Exhibit L

From: [Satyra George](#)
To: [Rob Lauer](#)
Subject: Re: APNs 161-08-810-082, -083/Section 92 Post 1/1/03 Notice of non-compliance
Date: Tuesday, December 10, 2024 3:14:51 PM
Attachments: [Outlook-cid_image0.png](#)
[Outlook-cid_image0.png](#)

Good afternoon Mr. Lauer,

APNs 161-08-810-082 and APNs 161-08-810-083 have until January 8, 2025, to come into compliance with Air Quality Regulations (AQRs) Section 92. Failure to come into compliance with Air Quality Regulations may result in a Notice of Violation as outlined in the original NON issued for these parcels. Please let me know if there are any further questions or concerns about what is required to bring the parcels back into compliance.

Public Response Office (PRO) and Dept of Environment and Sustainability, Division of Air Quality (DAQ) are two separate Clark County Departments enforcing their own respective rules. The attached Order is not related to and does not apply to DAQ or the enforcement of AQRs. The administrative process referenced in the Order has no jurisdiction over the enforcement of AQRs. DAQ has its own administrative process for the adjudication of Notices of Violation of AQRs which are heard before the Air Pollution Control Hearing Officer.

Sincerely,

Satyra George | Sr. Air Quality Specialist
Clark County Department of Environment & Sustainability
Division of Air Quality

702-455-1609 (office), 702-758-6153 (mobile)

My working hours are Monday – Thursday, 7:00 AM – 5:30 PM



For Dust Control Applications and Forms, click on this link: [Dust Control Permitting Portal, Forms & Requirements](#).

From: Rob Lauer <centurywest1@hotmail.com>
Sent: Tuesday, December 10, 2024 11:35 AM
To: Satyra George <Satyra.George@ClarkCountyNV.gov>
Subject: Re: APNs 161-08-810-082, -083/Section 92 Post 1/1/03 Notice of non-compliance

Mr. George,

We have an agreement with Commissioner Segerblom to stay any enforcement for six months.

In addition, we have 30 days from the BOC to file an administrative appeal.

The 6 months Stay issued Jan 24 applies to all your county enforcements and is in effect as long as we are moving forward in the process according to the judge's ruling.

If necessary, we will seek a new stay while we appeal the BOD ruling.

Please let me know if that will be necessary.

Thank you

Rob Lauer

From: Satyra George <Satyra.George@ClarkCountyNV.gov>

Sent: Tuesday, December 10, 2024 10:25 AM

To: centurywest1@hotmail.com <centurywest1@hotmail.com>; raj@milestoneconst.us <raj@milestoneconst.us>

Cc: Allan Gutierrez <Gutierre@ClarkCountyNV.gov>

Subject: Re: APNs 161-08-810-082, -083/Section 92 Post 1/1/03 Notice of non-compliance

Good morning Rob Lauer,

Allan Gutierrez informed me, as his Senior Air Quality Specialist, of your e-mail below. Can you please clarify what you mean by appeal his actions?

Air Quality has not yet issued a Notice of Violation for this property to appeal. Currently Air Quality has an Administrative Appeal Order, provided in regards to this property, which includes a 6 month stay order to the Public Response Office, not Air Quality Regulations, which expired on July 15, 2024. Air Quality Specialist Allan Gutierrez has worked with you since December 3, 2024, to give you time to go through the Clark County Zoning Process in order to get the proper approvals to pave an outdoor truck parking lot. If there is a new official stay or Administrative Appeal Order, which includes a stay of Air Quality Regulations or Enforcement, please provide it so that Air Quality can abide by the terms of the stay.

On November 20, 2024, the Clark County Zoning Commissioner meeting voted to not approve the waivers of development standards and design review for a truck parking lot associated with APNs 161-08-810-082 and 161-08-810-083, which are currently out of compliance with Air Quality Regulations Section 92 for unpaved parking/storage. When paving is not an option due to Zoning or Public Works limitations, Air Quality gives 30 days, the same amount of time provided in the original Notice of Non-Compliance (NON) issued to you, for a property owner to come into compliance. This gives you until January 8, 2025, to reduce parking/storage to under 5,000 square feet or vacate a parcel as described in Gutierrez's December 9, 2024 e-mail. Failure to do so may result in a Notice of Violation as outlined in the original NON issued for this parcel.

Here are the [Section 92 Regulations](#) for your review. Please respond by December 17, 2024, with your clarification, any relevant stay or Administrative Appeal Order, and confirm you understand what is needed to come into compliance with Air Quality Regulations. Feel free to reach out to me by e-mail or phone with questions or concerns. Have a great day.

SECTION 92: FUGITIVE DUST FROM UNPAVED PARKING LOTS AND STORAGE AREAS - Clark County, Nevada

Amended 08/03/21 92-2 CC Air Quality Regulations 92.0 Fugitive Dust from Unpaved Parking Lots and Storage Areas . 92.1 Applicability (a) The provisions of this regulation shall apply to Unpaved Parking Lots

webfiles.clarkcountynv.gov

Sincerely,

Satyra George | Sr. Air Quality Specialist
Clark County Department of Environment & Sustainability
Division of Air Quality

702-455-1609 (office), 702-758-6153 (mobile)

*My **working** hours are Monday – Thursday, 7:00 AM – 5:30 PM*



For Dust Control Applications and Forms, click on this link: [Dust Control Permitting Portal, Forms & Requirements.](#)

From: Rob lauer <centurywest1@hotmail.com>

Sent: Monday, December 9, 2024 12:25 PM

To: Allan Gutierrez <Gutierre@ClarkCountyNV.gov>

Subject: Re: APNs 161-08-810-082, -083/Section 92 Post 1/1/03 Notice of non-compliance

Mr. Gutierrez,

I respectfully would like to appeal your actions.

Please provide any forms and instructions to appeal your actions.

Rob lauer

Leading Edge Ventures

From: Allan Gutierrez <Gutierre@ClarkCountyNV.gov>

Sent: Monday, December 9, 2024 10:42 AM

To: raj@milestoneconst.us <raj@milestoneconst.us>

Cc: Rob lauer <centurywest1@hotmail.com>; Satyra George <Satyra.George@ClarkCountyNV.gov>

Subject: RE: APNs 161-08-810-082, -083/Section 92 Post 1/1/03 Notice of non-compliance

Good morning Mr. Lauer,

The Clark County Zoning Commissioner meeting of November 20, 2024 moved to deny, on APNs 161-08-810-082 & -083, the waivers of the development standards and the design review for a truck parking lot, and stated it is not the appropriate location for a truck parking lot, and it has been operating illegally for several years.

The meeting discussing this lot here: [Clark County Zoning Commission on 2024-11-20 9:00 AM](#). It's discussed at about the 1:20 mark.

Please provide a written record of any instructions directing government agencies to hold actions for 6 months, or within 30 days from receipt of this email, per AQR Section 92, vacate the site or reduce the storage area to 5,000 square feet or less, on 0.25 to 3.0 inch diameter clean gravel, with less than 6% silt content.

Please respond you acknowledge and understand this email.

Thank you.

Allan F. Gutierrez, Jr.

Air Quality Specialist II

Department of Environment and Sustainability

Division of Air Quality

4701 W. Russell Road, Ste. 200

Las Vegas, NV 89118

gutierre@clarkcountynv.gov

Office: 702.455.1679


Cellular: 702.370.2199

Re: APNs 161-08-810-082, -083/Section 92 Post 1/1/03 Notice of non-compliance

From Rob lauer <centurywest1@hotmail.com>

Date Fri 12/13/2024 2:53 PM

To Satyra George <Satyra.George@ClarkCountyNV.gov>

 1 attachment (176 KB)

Petition for Judicial Review (Lauer).pdf;

Mr. George,

Please take notice that we filed a lawsuit seeking judicial review of the BOC denial.

Please direct any and all further demands to my attorney regarding your demands that I vacate the premises.

Regards,
Rob Lauer

From: Satyra George <Satyra.George@ClarkCountyNV.gov>

Sent: Tuesday, December 10, 2024 10:25 AM

To: centurywest1@hotmail.com <centurywest1@hotmail.com>; raj@milestoneconst.us <raj@milestoneconst.us>

Cc: Allan Gutierrez <Gutierre@ClarkCountyNV.gov>

Subject: Re: APNs 161-08-810-082, -083/Section 92 Post 1/1/03 Notice of non-compliance

Good morning Rob Lauer,

Allan Gutierrez informed me, as his Senior Air Quality Specialist, of your e-mail below. Can you please clarify what you mean by appeal his actions?

Air Quality has not yet issued a Notice of Violation for this property to appeal. Currently Air Quality has an Administrative Appeal Order, provided in regards to this property, which includes a 6 month stay order to the Public Response Office, not Air Quality Regulations, which expired on July 15, 2024. Air Quality Specialist Allan Gutierrez has worked with you since December 3, 2024, to give you time to go through the Clark County Zoning Process in order to get the proper approvals to pave an outdoor truck parking lot. If there is a new official stay or Administrative Appeal Order, which includes a stay of Air Quality Regulations or Enforcement, please provide it so that Air Quality can abide by the terms of the stay.

On November 20, 2024, the Clark County Zoning Commissioner meeting voted to not approve the waivers of development standards and design review for a truck parking lot associated with APNs 161-08-810-082 and 161-08-810-083, which are currently out of compliance with Air Quality Regulations Section 92 for unpaved parking/storage. When paving is not an option due to Zoning or Public Works limitations, Air Quality gives 30 days, the same amount of time provided in the original Notice of Non-Compliance (NON) issued to you, for a property

PPLRL_2459

owner to come into compliance. This gives you until January 8, 2025, to reduce parking/storage to under 5,000 square feet or vacate a parcel as described in Gutierrez's December 9, 2024 e-mail. Failure to do so may result in a Notice of Violation as outlined in the original NON issued for this parcel.

Here are the [Section 92 Regulations](#) for your review. Please respond by December 17, 2024, with your clarification, any relevant stay or Administrative Appeal Order, and confirm you understand what is needed to come into compliance with Air Quality Regulations. Feel free to reach out to me by e-mail or phone with questions or concerns. Have a great day.

SECTION 92: FUGITIVE DUST FROM UNPAVED PARKING LOTS AND STORAGE AREAS - Clark County, Nevada

Amended 08/03/21 92-2 CC Air Quality Regulations 92.0 Fugitive Dust from Unpaved Parking Lots and Storage Areas . 92.1 Applicability (a) The provisions of this regulation shall apply to Unpaved Parking Lots

webfiles.clarkcountynv.gov

Sincerely,

Satyra George | Sr. Air Quality Specialist
Clark County Department of Environment & Sustainability
Division of Air Quality

702-455-1609 (office), 702-758-6153 (mobile)

My working hours are Monday – Thursday, 7:00 AM – 5:30 PM



For Dust Control Applications and Forms, click on this link: [Dust Control Permitting Portal, Forms & Requirements](#).

From: Rob lauer <centurywest1@hotmail.com>

Sent: Monday, December 9, 2024 12:25 PM

To: Allan Gutierrez <Gutierre@ClarkCountyNV.gov>

Subject: Re: APNs 161-08-810-082, -083/Section 92 Post 1/1/03 Notice of non-compliance

Mr. Gutierrez,

I respectfully would like to appeal your actions.

Please provide any forms and instructions to appeal your actions.

Rob lauer

Leading Edge Ventures

From: Allan Gutierrez <Gutierre@ClarkCountyNV.gov>

Sent: Monday, December 9, 2024 10:42 AM

To: raj@milestoneconst.us <raj@milestoneconst.us>

Cc: Rob lauer <centurywest1@hotmail.com>; Satyra George <Satyra.George@ClarkCountyNV.gov>

Subject: RE: APNs 161-08-810-082, -083/Section 92 Post 1/1/03 Notice of non-compliance

Good morning Mr. Lauer,

The Clark County Zoning Commissioner meeting of November 20, 2024 moved to deny, on APNs 161-08-810-082 & -083, the waivers of the development standards and the design review for a truck parking lot, and stated it is not the appropriate location for a truck parking lot, and it has been operating illegally for several years.

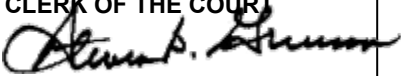
The meeting discussing this lot here: [Clark County Zoning Commission on 2024-11-20 9:00 AM](#). It's discussed at about the 1:20 mark.

Please provide a written record of any instructions directing government agencies to hold actions for 6 months, or within 30 days from receipt of this email, per AQR Section 92, vacate the site or reduce the storage area to 5,000 square feet or less, on 0.25 to 3.0 inch diameter clean gravel, with less than 6% silt content.

Please respond you acknowledge and understand this email.

Thank you.

Allan F. Gutierrez, Jr.
Air Quality Specialist II
Department of Environment and Sustainability
Division of Air Quality
4701 W. Russell Road, Ste. 200
Las Vegas, NV 89118
gutierre@clarkcountynv.gov
Office: 702.455.1679
Cellular: 702.370.2199



PTJR
SUGDEN LAW
Amy L. Sugden,
Nevada Bar No. 9983
375 E. Warm Springs. Ste. 104
Las Vegas, Nevada 89119
Telephone: (702) 625-3605
Email: amy@sugdenlaw.com

CASE NO: ~~A240794J~~
Department 22

Attorney for Petitioners

**EIGHTH JUDICIAL DISTRICT COURT
CLARK COUNTY, NEVADA**

PALM PROPERTIES, LLC; a Nevada limited liability company; LEADING EDGE VENTURES, LLC, a Nevada limited liability company; ROBERT LAUER, an individual,)	Case No.:
)	Dept. No:
Petitioners,)	
)	PETITION FOR JUDICIAL REVIEW
v.)	
)	
COUNTY OF CLARK, a political subdivision of the State of Nevada, et al.,)	
)	
Respondent.)	

Petitioners, PALM PROPERTIES, LLC, LEADING EDGE VENTURES, LLC, and ROBERT LAUER, by and through their attorney, AMY L. SUGDEN, of SUGDEN LAW, hereby petition this Court, pursuant to NRS 278.0233, NRS 278.0235, and NRS 278.3195 for review of the County of Clark’s denial of Petitioners’ land use applications, identified as VS-24-0277 and WS-24-0276 and corresponding December 3, 2024 Notice of Final Action regarding the same (“NOFA”).

PARTIES AND JURISDICTION

1
2 1. Petitioner, Palm Properties, LLC, (hereinafter, “Palm Properties”) is a Nevada limited
3 liability company formed and existing under the laws of the State of Nevada.

4 2. Petitioner, Leading Edge Ventures, LLC, (hereinafter, “Leading Edge”) is a Nevada
5 limited liability company formed and existing under the laws of the State of Nevada.
6

7 3. Petitioner, Robert Lauer, (hereinafter, “Lauer”) is a natural person residing in Clark
8 County, Nevada.

9 4. Respondent, the County of Clark (hereinafter, the “County” or “Clark County”), is a
10 political subdivision of the State of Nevada, et al.

11 5. This Court has subject matter jurisdiction over this matter pursuant to NRS 278.0233,
12 NRS 278.023, and NRS 278.3195 for judicial review of the County’s denial of VS-24-0277 and WS-
13 24-0276.
14

15 6. The amount of actual damages suffered by Petitioners pursuant to NRS 278.0233(1)(a)
16 exceeds \$15,000.00.
17

GENERAL ALLEGATIONS

18
19 1. Palm Properties is the owner of real property located 3125 South Nellis Blvd, Las
20 Vegas, NV, 89121 and identified as Clark County Assessor Parcel Numbers 161-08-810-083 (2.13 +/-
21 acres) and 161-08-810-082 (0.70 +/- acres)(collectively, the “Subject Property”).

22 2. Lauer is the lessee of the Subject Property and has contracted with Palm Properties for
23 purchase of the Subject Property to himself and/or his assignee, which includes his company, Leading
24 Edge.
25

26 3. Petitioners collectively initiated the process to vacate and abandon a portion of right of
27 way adjacent to the Subject Property, identified as “VS-24-0277”, and sought a waiver of development
28

standards with a design review for a proposed commercial truck parking lot in CG (Commercial General Zone), identified as “WS-24-0276” (hereinafter, VS-24-0277 and WS-24-0276 are collectively referred to as the “Land Use Application”).

4. After successfully undergoing the extensive pre-planning submittal process and pre-planning meetings, the Land Use Application went before Clark County Staff, who voted to recommend approval. Notably, Staff confirmed that the parking lot for commercial trucks in a CG zone is permitted use.

5. In many of the meetings with Clark County Commissioner Tick Segerblom regarding the pending Land Use Applications, Commissioner Segerblom expressed his support for the Petitioner’s Land Use Applications.

6. Thereafter, after many continuances, the Land Use Application was ultimately put to vote on November 20, 2024 and denied after Commissioner Segerblom recommended denial. The Notice of Final Action was filed with the Clark County Clerk, Commission Division, on December 3, 2024 (“NOFA”).

7. This denial surprised Petitioners given his prior expression of support for their project and Land Use Applications.

8. The County’s denial of the Land Use Application and issuance of the NOFA is arbitrary.

9. The County’s denial of the Land Use Application and issuance of the NOFA is capricious.

10. The County’s denial of the Land Use Application and issuance of the NOFA lacks support in the form of substantial evidence.

//

11. As a result of the foregoing, Petitioners have been unable to develop and/or make use the Subject Property as intend, resulting in a loss of significant revenue. The damages claimed as a result of the denial of the Land Use Application well exceed the \$15,000.00 jurisdictional threshold.

12. Petitioners now file this Petition for Judicial Review to appeal the County's NOFA as the denial of the Land Use Application is arbitrary, capricious and unlawful.

PRAYER FOR RELIEF

WHEREFORE, Petitioners prays for judgment against the Respondent as hereinafter set forth:

1. Judicial Review overturning the County's November 20, 2024 denial of VS-254-0277 and WS-24-0276 and the corresponding NOFA;

2. Issuance of actual damages suffered as a result to be determined in accordance with evidence performed herein pursuant to NRS 278.0233;

3. For reasonable attorney's fees and costs incurred herein;

4. Statutory interest on all monies and damages awarded herein; and

5. For any further and additional relief that this Court may deem appropriate.

DATED this 12th day of December, 2024

SUGDEN LAW

By: /s/ Amy L. Sugden
AMY L. SUGDEN, ESQ.
Nevada Bar No. 9983
375 E. Warm Springs, Ste. 104
Las Vegas, Nevada 89119
Telephone: (702) 625-3605

Attorney for Petitioners

Exhibit N



Re: APNs 161-08-810-082, -083 AQR Section 92 Non-Compliance

From Amy Sugden <amy@sugdenlaw.com>
Date Thu 12/19/2024 1:09 PM
To Satyra George <Satyra.George@ClarkCountyNV.gov>
Cc Catherine Jorgenson <catherine.jorgenson@clarkcountydandv.gov>

I'm sorry I just realized I transposed the letters in your name when I was hitting send! Apologies, Satyra.

From: Amy Sugden <amy@sugdenlaw.com>
Date: Thursday, December 19, 2024 at 1:08 PM
To: Satyra George <Satyra.George@ClarkCountyNV.gov>
Cc: Catherine Jorgenson <catherine.jorgenson@clarkcountydandv.gov>
Subject: Re: APNs 161-08-810-082, -083 AQR Section 92 Non-Compliance

Thank you, Satyra for the email and information.

I am working on this matter and will get in touch with Ms. Jorgenson after the New Year (and before January 8, 2025) to discuss.

Happy Holidays!
Amy



Amy L. Sugden, Esq.
375 E. Warm Springs Road, Suite 104
Las Vegas, Nevada 89119
(702) 625-3605 Tel
www.sugdenlaw.com

This e-mail communication is a confidential attorney-client communication intended only for the person named above. If you are not the person named above, or the employee or agent responsible for delivery of the following information, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately. Also, please e-mail the sender that you have received the communication in error. Thank you.

From: Satyra George <Satyra.George@ClarkCountyNV.gov>
Date: Thursday, December 19, 2024 at 8:50 AM

PPLRL_2466

To: Amy Sugden <amy@sugdenlaw.com>
Cc: Catherine Jorgenson <catherine.jorgenson@clarkcountydav.gov>
Subject: APNs 161-08-810-082, -083 AQR Section 92 Non-Compliance
Good morning Amy L. Sugden, Esq.,

This email is a result of e-mail exchanges between your clients and myself, regarding the unpaved storage yard/parking lot currently used for truck parking on parcel numbers 161-08-810-082 and 161-08-810-083 (Property). Continuous parking or storage on unpaved lots after January 1, 2003, is prohibited by Air Quality Regulation (AQR) Section 92. The Property is not in compliance with this regulation.

To avoid the issuance of a Notice of Violation pursuant to AQR Section 92 and comply with soil stabilization standards in AQR Section 90, the following actions must be taken by March 31, 2025:

- 1) Reduce all unpaved parking or storage areas on the Property to 5,000 sq. ft. or less,
- 2) Stabilize the remaining site soils, and
- 3) Notify Air Quality once items one and two have been completed for a final inspection.

If the Property continues to be operated as an unpaved storage yard/parking lot greater than 5,000 square feet after March 31, 2025, Air Quality may issue a Notice of Violation to the owner and/or operator of the Property with potential recommended penalties of \$500 per day beginning January 8, 2025, the deadline provided in an email dated December 10, 2024.

If circumstances change prior to March 31, 2025 related to paving the Property, please notify us immediately.

If you have any questions or would like to discuss further, please contact Deputy District Attorney Catherine Jorgenson at (702) 455-4761.

Regards,

Satyra George | Sr. Air Quality Specialist

Clark County Department of Environment & Sustainability

Division of Air Quality

702-455-1609 (office), 702-758-6153 (mobile)

My working hours are Monday – Thursday, 7:00 AM – 5:30 PM



For Dust Control Applications and Forms, click on this link: [Dust Control Permitting Portal, Forms & Requirements.](#)



Exhibit O

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

INSPECTION REPORT

No. 145663

Date:	Start Time:	End Time:	Specialist:
Jan 9, 2025	10:20 AM	10:30 AM	Allan Gutierrez
Parcels:	161-08-810-083, 161-08-810-082		
Location Description:	3125 SOUTH NELLIS BLVD. - CC SUNRISE MANOR - 89121		
Inspection Type:	Re-inspection	Complaint No.:	
AQR Section:	92: Unpaved Parking Lots/Storage Areas - Post 1/1/2003		
Observations:			
Current Land Use Agreement:	No		
Soil Condition:	Stable	Note:	gravel
Disturbance Factors:	Parking, Vehicular Travel, Storage		Other:
Fugitive Dust Observed:	No	Generated By:	
Control Measures Implemented: Yes			
Control Measures:	Other: secure perimeter gate, gravel		
Tests Performed:			
Drop Ball Test:	N/A	Area #1:	Area #2: Area #3:
Rock Test:	N/A	Percent:	
Silt Content:	N/A	Percent:	
Opacity:	N/A	Percent:	
Photography:	Yes	Traffic Count (ADT):	N/A
Inspector Notes:		Reviewed By:	Satyra George
I conducted a re-inspection and observed an unpaved storage yard on APNs 161-08-810-082 & -083. Each parcel has an unpaved storage yard over 5,000 square feet containing over a dozen trailers and trucks. As of January 9, 2025, all necessary control measures to meet AQRs have not been implemented since the original Notice of Non-Compliance (NON) was sent to the Property Owner on October 2, 2024.			
I issued an email to Mr. Dhaliwal and Mr. Rob Lauer to vacate site within 30 days (January 8, 2025) of receipt of the email.			
Action Taken:	Follow-up for Possible NOV		



Exhibit P

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

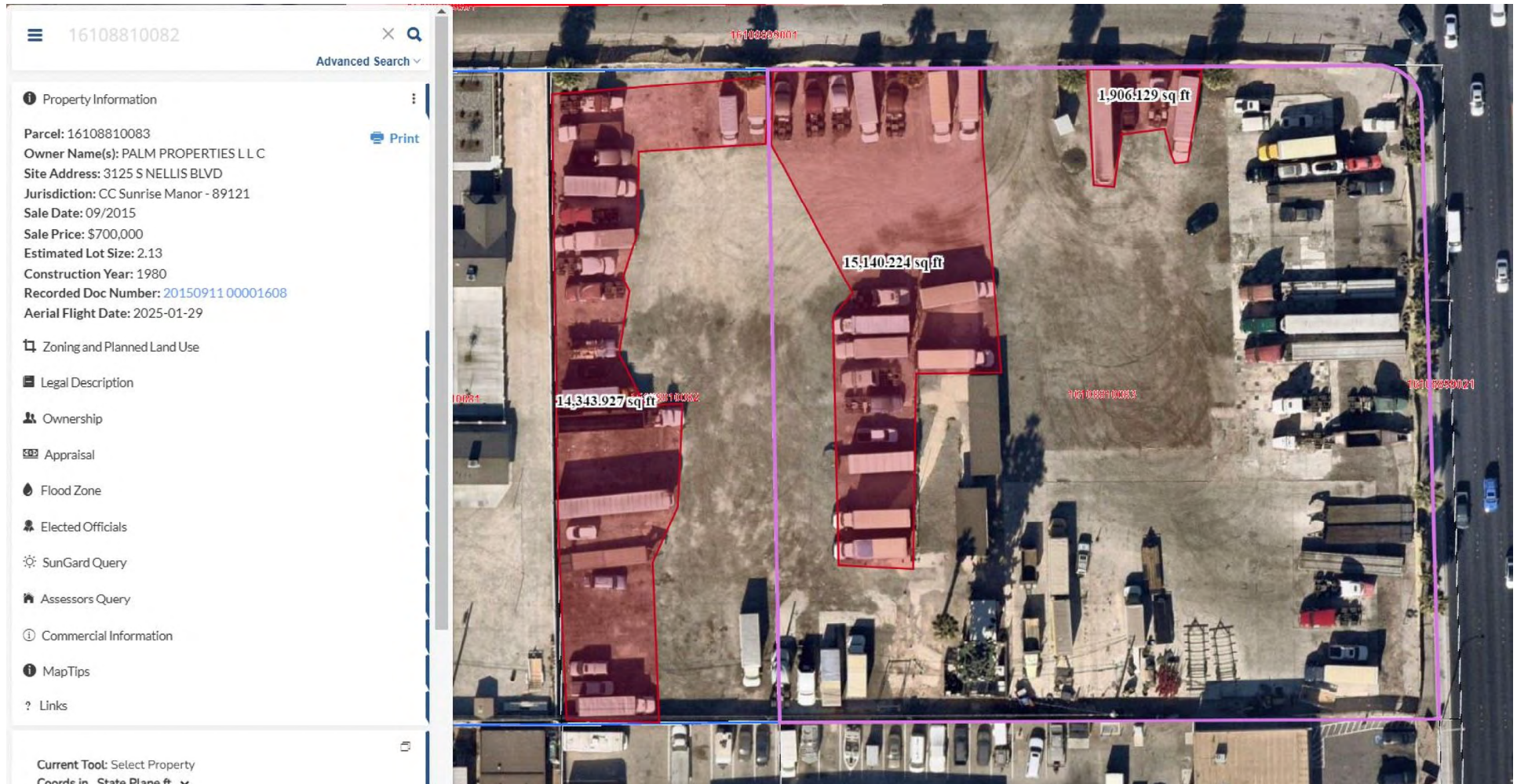
INSPECTION REPORT

No. 147954

Date:	Start Time:	End Time:	Specialist:
Feb 24, 2025	9:25 AM	9:35 AM	Allan Gutierrez
Parcels:	161-08-810-083, 161-08-810-082		
Location Description:	3125 SOUTH NELLIS BLVD. - CC SUNRISE MANOR - 89121		
Inspection Type:	Re-inspection	Complaint No.:	
AQR Section:	92: Unpaved Parking Lots/Storage Areas - Post 1/1/2003		
Observations:			
Current Land Use Agreement:	No		
Soil Condition:	Stable	Note:	gravel
Disturbance Factors:	Parking, Vehicular Travel, Storage		Other:
Fugitive Dust Observed:	No	Generated By:	
Control Measures Implemented: Yes			
Control Measures:	Other: secure gate, gravel		
Tests Performed:			
Drop Ball Test:	N/A	Area #1:	Area #2: Area #3:
Rock Test:	N/A	Percent:	
Silt Content:	N/A	Percent:	
Opacity:	N/A	Percent:	
Photography:	Yes	Traffic Count (ADT):	N/A
Inspector Notes:			
Reviewed By: Satyra George			
I conducted a re-inspection and observed an unpaved storage yard on APNs 161-08-810-082 & -083. Each parcel has an unpaved storage yard over 5,000 square feet containing over a dozen trailers and trucks. As of February 24, 2025, all necessary control measures to meet AQRs have not been implemented since the original Notice of Non-Compliance (NON) was sent to the Property Owner.			
An email was sent December 9, 2024, to Mr. Raj Dhaliwal, the Land Owner, and Mr. Rob Lauer, Property Manager, to meet compliance by January 8, 2025. An extension was granted until March 31, 2025.			
Action Taken:	Follow-up for Possible NOV		

APNs 161-08-810-082 & 161-08-810-083
Responsible Parties: Palm Properties, LLC and Rob Lauer, Individually

Exhibit Q



MAP 2 - Showing over 5,000 square feet of unpaved parking, aerial flight date January 29, 2025

Exhibit R

From: [Satyra George](#)
To: [Amy Sugden](#)
Cc: [Timothy Allen](#); [Allan Gutierrez](#); [David Dean](#)
Subject: Re: APNs 161-08-810-082, -083 AQR Section 92 Non-Compliance
Date: Tuesday, March 4, 2025 5:02:52 PM
Attachments: [Outlook-cid_image0.png](#)
[image001.png](#)
[Outlook-cid_image0.png](#)

Good afternoon Amy L. Sugden, Esq.,

This is a courtesy reminder of your clients' upcoming March 31, 2025 deadline. Our inspector observed parcels 161-08-810-082 and 161-08-810-083 are still in use. Are there updates on their current plan to bring the site into compliance by March 31st?

In addition, we have a new Deputy District Attorney, Timothy Jay Allen, who I am CC'ing in this e-mail and can be reached at (702) 455-4761. Please contact him rather than Attorney Catherine Jorgenson. Have a great day!

Sincerely,

Satyra George | Sr. Air Quality Specialist
Clark County Department of Environment & Sustainability
Division of Air Quality

702-455-1609 (office), 702-758-6153 (mobile)

My working hours are Monday – Thursday, 7:00 AM – 5:30 PM



For Dust Control Applications and Forms, click on this link: [Dust Control Permitting Portal, Forms & Requirements](#).

From: Amy Sugden <amy@sugdenlaw.com>
Sent: Thursday, December 19, 2024 1:08 PM
To: Satyra George <Satyra.George@ClarkCountyNV.gov>
Cc: Catherine Jorgenson <catherine.jorgenson@clarkcountydav.gov>
Subject: Re: APNs 161-08-810-082, -083 AQR Section 92 Non-Compliance

Thank you, Satrya for the email and information.

I am working on this matter and will get in touch with Ms. Jorgenson after the New Year (and before January 8, 2025) to discuss.

Happy Holidays!
Amy



Amy L. Sugden, Esq.
375 E. Warm Springs Road, Suite 104
Las Vegas, Nevada 89119
(702) 625-3605 Tel
www.sugdenlaw.com

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From: Satyra George <Satyra.George@ClarkCountyNV.gov>
Date: Thursday, December 19, 2024 at 8:50 AM
To: Amy Sugden <amy@sugdenlaw.com>
Cc: Catherine Jorgenson <catherine.jorgenson@clarkcountydav.gov>
Subject: APNs 161-08-810-082, -083 AQR Section 92 Non-Compliance

Good morning Amy L. Sugden, Esq.,

This email is a result of e-mail exchanges between your clients and myself, regarding the unpaved storage yard/parking lot currently used for truck parking on parcel numbers 161-08-810-082 and 161-08-810-083 (Property). Continuous parking or storage on unpaved lots after January 1, 2003, is prohibited by Air Quality Regulation (AQR) Section 92. The Property is not in compliance with this regulation.

To avoid the issuance of a Notice of Violation pursuant to AQR Section 92 and comply with soil stabilization standards in AQR Section 90, the following actions must be taken by March 31, 2025:

- 1) Reduce all unpaved parking or storage areas on the Property to 5,000 sq. ft. or less,
- 2) Stabilize the remaining site soils, and
- 3) Notify Air Quality once items one and two have been completed for a final inspection.

If the Property continues to be operated as an unpaved storage yard/parking lot greater than 5,000

square feet after March 31, 2025, Air Quality may issue a Notice of Violation to the owner and/or operator of the Property with potential recommended penalties of \$500 per day beginning January 8, 2025, the deadline provided in an email dated December 10, 2024. If circumstances change prior to March 31, 2025 related to paving the Property, please notify us immediately.

If you have any questions or would like to discuss further, please contact Deputy District Attorney Catherine Jorgenson at (702) 455-4761.

Regards,

Satyra George | Sr. Air Quality Specialist
Clark County Department of Environment & Sustainability
Division of Air Quality

702-455-1609 (office), 702-758-6153 (mobile)

My working hours are Monday – Thursday, 7:00 AM – 5:30 PM



For Dust Control Applications and Forms, click on this link: [Dust Control Permitting Portal, Forms & Requirements](#).



Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Exhibit S

INSPECTION REPORT

No. 147955

Date:	Start Time:	End Time:	Specialist:
Mar 18, 2025	10:00 AM	10:20 AM	Allan Gutierrez
Parcels:	161-08-810-082, 161-08-810-083		
Location Description:	3125 SOUTH NELLIS BLVD. - CC SUNRISE MANOR - 89121		
Inspection Type:	Re-inspection	Complaint No.:	
AQR Section:	92: Unpaved Parking Lots/Storage Areas - Post 1/1/2003		
Observations:			
Current Land Use Agreement:	No		
Soil Condition:	Stable	Note:	gravel
Disturbance Factors:	Parking, Vehicular Travel, Storage		Other:
Fugitive Dust Observed:	No	Generated By:	
Control Measures Implemented: Yes			
Control Measures:	Other: secure gate, gravel		
Tests Performed:			
Drop Ball Test:	N/A	Area #1:	Area #2: Area #3:
Rock Test:	N/A	Percent:	
Silt Content:	N/A	Percent:	
Opacity:	N/A	Percent:	
Photography:	Yes	Traffic Count (ADT):	N/A
Inspector Notes:		Reviewed By: Satyra George	
I conducted a re-inspection and observed an unpaved storage yard on APNs 161-08-810-082 & -083. Each parcel has an unpaved storage yard over 5,000 square feet containing over a dozen trailers and trucks. As of March 18, 2025, all necessary control measures to meet AQRs have not been implemented since the original Notice of Non-Compliance (NON) was sent to the Property Owner on October 2, 2024.			
An email was sent December 9, 2024 to Mr. Raj Dhaliwal, the Land Owner, and Mr. Rob Lauer, Property Manager, to meet compliance by January 8, 2025. An extension to meet compliance by March 31, 2025, was granted.			
Action Taken:	Follow-up for Possible NOV		

Exhibit T

From: [Satyra George](#)
To: [Amy Sugden](#)
Cc: [Timothy Allen](#); [Allan Gutierrez](#); [David Dean](#)
Subject: Re: APNs 161-08-810-082, -083 AQR Section 92 Non-Compliance
Date: Wednesday, March 19, 2025 4:42:52 PM
Attachments: [Outlook-cid_image0.png](#)
[image001.png](#)
[Outlook-cid_image0.png](#)
[Outlook-cid_image0.png](#)

Good afternoon Amy L. Sugden, Esq.,

I am following-up as I have not received a response to the e-mail below. Have a great day.

Sincerely,

Satyra George | Sr. Air Quality Specialist
Clark County Department of Environment & Sustainability
Division of Air Quality

702-455-1609 (office), 702-758-6153 (mobile)

My working hours are Monday – Thursday, 7:00 AM – 5:30 PM



For Dust Control Applications and Forms, click on this link: [Dust Control Permitting Portal, Forms & Requirements](#).

From: Satyra George
Sent: Tuesday, March 4, 2025 5:02 PM
To: Amy Sugden
Cc: Timothy Allen; Allan Gutierrez; David Dean
Subject: Re: APNs 161-08-810-082, -083 AQR Section 92 Non-Compliance

Good afternoon Amy L. Sugden, Esq.,

This is a courtesy reminder of your clients' upcoming March 31, 2025 deadline. Our inspector observed parcels 161-08-810-082 and 161-08-810-083 are still in use. Are there updates on their current plan to bring the site into compliance by March 31st?

In addition, we have a new Deputy District Attorney, Timothy Jay Allen, who I am CC'ing in this e-mail and can be reached at (702) 455-4761. Please contact him rather than Attorney Catherine Jorgenson. Have a great day!

Sincerely,

Satyra George | Sr. Air Quality Specialist
Clark County Department of Environment & Sustainability
Division of Air Quality

702-455-1609 (office), 702-758-6153 (mobile)

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For Dust Control Applications and Forms, click on this link: [Dust Control Permitting Portal, Forms & Requirements.](#)

From: Amy Sugden <amy@sugdenlaw.com>
Sent: Thursday, December 19, 2024 1:08 PM
To: Satyra George <Satyra.George@ClarkCountyNV.gov>
Cc: Catherine Jorgenson <catherine.jorgenson@clarkcountydans.gov>
Subject: Re: APNs 161-08-810-082, -083 AQR Section 92 Non-Compliance

Thank you, Satyra for the email and information.

I am working on this matter and will get in touch with Ms. Jorgenson after the New Year (and before January 8, 2025) to discuss.

Happy Holidays!

Amy



Amy L. Sugden, Esq.
375 E. Warm Springs Road, Suite 104
Las Vegas, Nevada 89119
(702) 625-3605 Tel
www.sugdenlaw.com

This e-mail communication is a confidential attorney-client communication intended only for the person named above. If you are not the person named above, or the employee or agent responsible for delivery of the following information, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately. Also, please e-mail the sender that you have received the communication in error. Thank you.

From: Satyra George <Satyra.George@ClarkCountyNV.gov>
Date: Thursday, December 19, 2024 at 8:50 AM
To: Amy Sugden <amy@sugdenlaw.com>
Cc: Catherine Jorgenson <catherine.jorgenson@clarkcountydav.gov>
Subject: APNs 161-08-810-082, -083 AQR Section 92 Non-Compliance

Good morning Amy L. Sugden, Esq.,

This email is a result of e-mail exchanges between your clients and myself, regarding the unpaved storage yard/parking lot currently used for truck parking on parcel numbers 161-08-810-082 and 161-08-810-083 (Property). Continuous parking or storage on unpaved lots after January 1, 2003, is prohibited by Air Quality Regulation (AQR) Section 92. The Property is not in compliance with this regulation.

To avoid the issuance of a Notice of Violation pursuant to AQR Section 92 and comply with soil stabilization standards in AQR Section 90, the following actions must be taken by March 31, 2025:

- 1) Reduce all unpaved parking or storage areas on the Property to 5,000 sq. ft. or less,
- 2) Stabilize the remaining site soils, and
- 3) Notify Air Quality once items one and two have been completed for a final inspection.

If the Property continues to be operated as an unpaved storage yard/parking lot greater than 5,000 square feet after March 31, 2025, Air Quality may issue a Notice of Violation to the owner and/or operator of the Property with potential recommended penalties of \$500 per day beginning January 8, 2025, the deadline provided in an email dated December 10, 2024. If circumstances change prior to March 31, 2025 related to paving the Property, please notify us immediately.

If you have any questions or would like to discuss further, please contact Deputy District Attorney Catherine Jorgenson at (702) 455-4761.

Regards,

Satyra George | Sr. Air Quality Specialist
Clark County Department of Environment & Sustainability
Division of Air Quality

702-455-1609 (office), 702-758-6153 (mobile)

My working hours are Monday – Thursday, 7:00 AM – 5:30 PM



For Dust Control Applications and Forms, click on this link: [Dust Control Permitting Portal, Forms & Requirements.](#)

Exhibit U



RE: APNs 161-08-810-082, -083 AQR Section 92 Non-Compliance

From Timothy Allen <Timothy.Allen@clarkcountydانv.gov>

Date Thu 3/20/2025 9:43 AM

To Amy Sugden <amy@sugdenlaw.com>; Satyra George <Satyra.George@ClarkCountyNV.gov>

Cc Allan Gutierrez <Gutierre@ClarkCountyNV.gov>; David Dean <Dean@ClarkCountyNV.gov>

Hi All,

My understanding is that the deadline in question here is to stop having a dirt parking lot for trucks or an NOV will be issued.

If there is a deadline in a petition for review my office is happy to review a request for continuance. However, if there is a deadline set by DAQ for compliance with air quality laws, that is not something I will grant a continuance for. I think that is something Satyra George can consider. However, given the circumstances of this case, I am not sure why DAQ would give an extension if the air quality laws are actively being violated and are harming the Air Quality in Clark County. Further, even if the petition is granted, it would not affect the current violations that are ongoing on the property regarding the parking of trucks on a dirt lot. Even if someone is planning to pave a parking lot in the future, that does not allow them to continue to park on dirt while they are working towards paving. Bottom line is that the property owner should stop letting trucks park on the dirt lot immediately, or fines for all of the past violations will be issued.

Thank you,

Timothy Jay Allen

Deputy District Attorney, Office of the District Attorney – Civil Division

500 S. Grand Central Parkway, 5th Floor

Las Vegas, Nevada 89155

Tel: (702) 455-4761

Fax: (702) 382-5178

Timothy.Allen@ClarkCountyDANV.gov

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From: Amy Sugden <amy@sugdenlaw.com>

Sent: Thursday, March 20, 2025 12:11 AM

To: Satyra George <Satyra.George@ClarkCountyNV.gov>

Cc: Timothy Allen <Timothy.Allen@clarkcountydانv.gov>; Allan Gutierrez <Gutierre@ClarkCountyNV.gov>; David Dean <Dean@ClarkCountyNV.gov>

Subject: Re: APNs 161-08-810-082, -083 AQR Section 92 Non-Compliance

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Thank you so much Satyra, for the follow up. I was trying to determine when the administrative record for review would be completed so I'd better be able to update your office on the PJR matter that is pending.

I will reach out to Mr. Allen as we would like to request a continuance of the March 31, deadline (as I previously had contemplated with Ms. Jorgensen as well)

Amy

From: Satyra George <Satyra.George@ClarkCountyNV.gov>
Date: Thursday, March 20, 2025 at 12:43 AM
To: Amy Sugden <amy@sugdenlaw.com>
Cc: Timothy Allen <timothy.allen@clarkcountydav.gov>, Allan Gutierrez <Gutierre@ClarkCountyNV.gov>, David Dean <Dean@ClarkCountyNV.gov>
Subject: Re: APNs 161-08-810-082, -083 AQR Section 92 Non-Compliance

Good afternoon Amy L. Sugden, Esq.,

I am following-up as I have not received a response to the e-mail below. Have a great day.

Sincerely,

Satyra George | Sr. Air Quality Specialist

Clark County Department of Environment & Sustainability

Division of Air Quality

702-455-1609 (office), 702-758-6153 (mobile)

My working hours are Monday – Thursday, 7:00 AM – 5:30 PM



For Dust Control Applications and Forms, click on this link: [Dust Control Permitting Portal, Forms & Requirements.](#)

From: Satyra George
Sent: Tuesday, March 4, 2025 5:02 PM
To: Amy Sugden
Cc: Timothy Allen; Allan Gutierrez; David Dean
Subject: Re: APNs 161-08-810-082, -083 AQR Section 92 Non-Compliance

Good afternoon Amy L. Sugden, Esq.,

PPLRL_2480

This is a courtesy reminder of your clients' upcoming March 31, 2025 deadline. Our inspector observed parcels 161-08-810-082 and 161-08-810-083 are still in use. Are there updates on their current plan to bring the site into compliance by March 31st?

In addition, we have a new Deputy District Attorney, Timothy Jay Allen, who I am CC'ing in this e-mail and can be reached at (702) 455-4761. Please contact him rather than Attorney Catherine Jorgenson. Have a great day!

Sincerely,

Satya George | Sr. Air Quality Specialist

Clark County Department of Environment & Sustainability

Division of Air Quality

702-455-1609 (office), 702-758-6153 (mobile)

My working hours are Monday – Thursday, 7:00 AM – 5:30 PM



For Dust Control Applications and Forms, click on this link: [Dust Control Permitting Portal, Forms & Requirements.](#)

From: Amy Sugden <amy@sugdenlaw.com>
Sent: Thursday, December 19, 2024 1:08 PM
To: Satya George <Satya.George@ClarkCountyNV.gov>
Cc: Catherine Jorgenson <catherine.jorgenson@clarkcountynv.gov>
Subject: Re: APNs 161-08-810-082, -083 AQR Section 92 Non-Compliance

Thank you, Satya for the email and information.

I am working on this matter and will get in touch with Ms. Jorgenson after the New Year (and before January 8, 2025) to discuss.

Happy Holidays!

Amy



Amy L. Sugden, Esq.

375 E. Warm Springs Road, Suite 104

Las Vegas, Nevada 89119

(702) 625-3605 Tel

www.sugdenlaw.com

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From: Satyra George <Satyra.George@ClarkCountyNV.gov>

Date: Thursday, December 19, 2024 at 8:50 AM

To: Amy Sugden <amy@sugdenlaw.com>

Cc: Catherine Jorgenson <catherine.jorgenson@clarkcountydav.gov>

Subject: APNs 161-08-810-082, -083 AQR Section 92 Non-Compliance

Good morning Amy L. Sugden, Esq.,

This email is a result of e-mail exchanges between your clients and myself, regarding the unpaved storage yard/parking lot currently used for truck parking on parcel numbers 161-08-810-082 and 161-08-810-083 (Property). Continuous parking or storage on unpaved lots after January 1, 2003, is prohibited by Air Quality Regulation (AQR) Section 92. The Property is not in compliance with this regulation.

To avoid the issuance of a Notice of Violation pursuant to AQR Section 92 and comply with soil stabilization standards in AQR Section 90, the following actions must be taken by March 31, 2025:

- 1) Reduce all unpaved parking or storage areas on the Property to 5,000 sq. ft. or less,
- 2) Stabilize the remaining site soils, and
- 3) Notify Air Quality once items one and two have been completed for a final inspection.

If the Property continues to be operated as an unpaved storage yard/parking lot greater than 5,000 square feet after March 31, 2025, Air Quality may issue a Notice of Violation to the owner and/or operator of the Property with potential recommended penalties of \$500 per day beginning January 8, 2025, the deadline provided in an email dated December 10, 2024.

If circumstances change prior to March 31, 2025 related to paving the Property, please notify us immediately.

If you have any questions or would like to discuss further, please contact Deputy District Attorney Catherine Jorgenson at (702) 455-4761.

Regards,

Satyra George | Sr. Air Quality Specialist

Clark County Department of Environment & Sustainability

Division of Air Quality

702-455-1609 (office), 702-758-6153 (mobile)

My working hours are Monday – Thursday, 7:00 AM – 5:30 PM



For Dust Control Applications and Forms, click on this link: [Dust Control Permitting Portal, Forms & Requirements](#).

From: [Timothy Allen](#)
To: [Amy Sugden](#)
Cc: [AQ Enforcement](#)
Subject: RE: Corrected DA Email Information: NOV #10150, Palm Properties, LLC and Robert Lauer, Individually - 3125 South Nellis Boulevard (Assessor's Parcel Numbers 161-08-810-082 and 161-08-810-083)
Date: Wednesday, May 14, 2025 2:40:07 PM
Attachments: [image001.png](#)
[image002.png](#)

No problem, we will move it to the next hearing and Pamela Thompson will send you the date and time for the next hearing.

Thank you,

Timothy Jay Allen

Deputy District Attorney, Office of the District Attorney – Civil Division

500 S. Grand Central Parkway, 5th Floor

Las Vegas, Nevada 89155

Tel: (702) 455-4761

Fax: (702) 382-5178

Timothy.Allen@ClarkCountyDANV.gov

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From: Amy Sugden <amy@sugdenlaw.com>
Sent: Wednesday, May 14, 2025 2:38 PM
To: Timothy Allen <Timothy.Allen@clarkcountydانv.gov>
Cc: AQ Enforcement <aqenforcement@clarkcountynv.gov>
Subject: Re: Corrected DA Email Information: NOV #10150, Palm Properties, LLC and Robert Lauer, Individually - 3125 South Nellis Boulevard (Assessor's Parcel Numbers 161-08-810-082 and 161-08-810-083)

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Thank you, Mr. Allen. I really appreciate you checking with your client; unfortunately, I don't think I can make it there by 10:15 a.m. (the school is in Henderson and so I think it'll take 20-25 min to get there).

I'm sorry for the inconvenience and would like to continue to the next hearing date (pending my client's availability to attend). Can you please let me know when that is? I tried to look online but wasn't successful.

Thank you again,
Amy

From: Timothy Allen <Timothy.Allen@clarkcountydav.gov>
Date: Wednesday, May 14, 2025 at 1:01 PM
To: Amy Sugden <amy@sugdenlaw.com>
Cc: AQ Enforcement <aqenforcement@clarkcountynv.gov>
Subject: RE: Corrected DA Email Information: NOV #10150, Palm Properties, LLC and Robert Lauer, Individually - 3125 South Nellis Boulevard (Assessor's Parcel Numbers 161-08-810-082 and 161-08-810-083)

Hi Mrs. Sugden,

I spoke with my client, they are ok with calling your case last, they expect it to be called at around 10:15am, there are two other contested cases that would be heard first.

If you don't think that is enough time to attend we can continue it to the next hearing officer meeting.

Thank you,

Timothy Jay Allen

Deputy District Attorney, Office of the District Attorney – Civil Division
500 S. Grand Central Parkway, 5th Floor
Las Vegas, Nevada 89155
Tel: (702) 455-4761
Fax: (702) 382-5178
Timothy.Allen@ClarkCountyDANV.gov

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From: Amy Sugden <amy@sugdenlaw.com>
Sent: Wednesday, May 14, 2025 10:43 AM
To: Timothy Allen <Timothy.Allen@clarkcountydav.gov>
Cc: AQ Enforcement <aqenforcement@clarkcountynv.gov>
Subject: FW: Corrected DA Email Information: NOV #10150, Palm Properties, LLC and Robert Lauer, Individually - 3125 South Nellis Boulevard (Assessor's Parcel Numbers 161-08-810-082 and 161-08-810-083)

CAUTION: This email originated from an **External Source**. Please **use caution** before opening attachments, clicking links, or responding to this email. **Do not sign-in with your DA account credentials.**

Hello Mr. Allen,

I just found out my son's 5th grade graduation is at 9 a.m. next Thursday, May 22 – the same time as the hearing on this violation.

Would you be amenable to a later start time that day so I can attend the ceremony at his school? Or a brief continuance of the hearing?

Thank you,
Amy

From: Amy Sugden <amy@sugdenlaw.com>

Date: Monday, May 12, 2025 at 11:31 AM

To: AQ Enforcement <AQEnforcement@ClarkCountyNV.gov>, raj@milestoneconst.us <raj@milestoneconst.us>, roblauer@pm.me <roblauer@pm.me>

Subject: Re: Corrected DA Email Information: NOV #10150, Palm Properties, LLC and Robert Lauer, Individually - 3125 South Nellis Boulevard (Assessor's Parcel Numbers 161-08-810-082 and 161-08-810-083)

Yes, I am, and will do so.

Thank you,
Amy

From: AQ Enforcement <AQEnforcement@ClarkCountyNV.gov>

Date: Monday, May 12, 2025 at 9:26 AM

To: Amy Sugden <amy@sugdenlaw.com>, raj@milestoneconst.us <raj@milestoneconst.us>, roblauer@pm.me <roblauer@pm.me>

Subject: Corrected DA Email Information: NOV #10150, Palm Properties, LLC and Robert Lauer, Individually - 3125 South Nellis Boulevard (Assessor's Parcel Numbers 161-08-810-082 and 161-08-810-083)

No worries.

Will you be the legal representative for Palm Properties, LLC and Robert Lauer?

If so, all communications from this point on will be sent to you directly, and if you have any further questions regarding NOV #10150 please direct them to Air Quality's representative: Timothy Jay Allen, Deputy District Attorney for the Office of the District Attorney/Civil Division of Clark County, Nevada via e-mail at timothy.allen@clarkcountydacountyda.com , or call 702.455.4761 , and cc: me.

Thank you,

Pamela R. Thompson

Pamela R. Thompson, Senior Secretary
Department of Environment and Sustainability,
Division of Air Quality
4701 West Russell Road, Suite 200
Las Vegas, NV 89118

Office #: 702.455.3126

Fax #: 702.383.9994

E-mail: Pamela.Thompson@clarkcountynv.gov

Clark County Offices are closed on Fridays.

Website for the Compliance & Enforcement Section:

https://www.clarkcountynv.gov/government/departments/environment_and_sustainability/compliance/index.php

From: Amy Sugden <amy@sugdenlaw.com>

Sent: Thursday, May 8, 2025 5:08 PM

To: AQ Enforcement <AQEnforcement@ClarkCountyNV.gov>; raj@milestoneconst.us; roblauer@pm.me

Subject: Re: Please Correct the NRF: NOV #10150, Palm Properties, LLC and Robert Lauer, Individually - 3125 South Nellis Boulevard (Assessor's Parcel Numbers 161-08-810-082 and 161-08-810-083)

My apologies – I didn't think of myself as an Official so thought that was to be directed to whom I was responding

Attached is the revised NRF!

Thanks,

Amy

From: AQ Enforcement <AQEnforcement@ClarkCountyNV.gov>

Date: Thursday, May 8, 2025 at 4:55 PM

To: Amy Sugden <amy@sugdenlaw.com>, raj@milestoneconst.us
<raj@milestoneconst.us>, roblauer@pm.me <roblauer@pm.me>

Subject: Please Correct the NRF: NOV #10150, Palm Properties, LLC and Robert Lauer, Individually - 3125 South Nellis Boulevard (Assessor's Parcel Numbers 161-08-810-082 and 161-08-810-083)

Good afternoon Ms. Sugden,

Thank you for your response to NOV #10150 and all its attachments. Please correct the Notice of Violation Response Form (NRF) to read your name as the Responsible Official and your contact information and send it back to me via email, or simply reply to this email and attach the corrected NRF and resign it then I will forward this information to all parties involved with this NOV.

Responsible Official:	<u>Pam Thompson</u>
Title:	<u>Senior Secretary</u>
Phone Number:	<u>702.455.3126</u>
Email Address:	<u>Pamela.Thompson@clarkcountynv.gov</u>
Mailing Address:	<u>4701 West Russell Road, Suite 200</u> <u>Las Vegas, NV 89118</u>

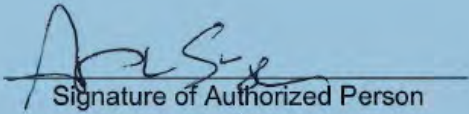
Please check applicable boxes below

☐ **We do not contest the Notice of Violation (Attendance is not required)**
We accept responsibility for this violation. Instructions for payment of the recommended penalty will be provided after the Hearing Officer meeting.

☒ **We are contesting the Notice of Violation and request to appear before the Hearing Officer (Attendance by the Responsible Official or a representative of the company is strongly recommended to contest the violation)**
Please attach a written explanation, including supporting documentation, of why you are contesting the NOV. This information will be provided to the Hearing Officer prior to the Hearing.

We will be contesting the:

☐ Facts
☐ Penalty
☒ Both


Signature of Authorized Person
Date: 5/8/25

Any further questions, please let me know.

Thank you,

Pamela R. Thompson

Pamela R. Thompson, Senior Secretary
Department of Environment and Sustainability,
Division of Air Quality
4701 West Russell Road, Suite 200
Las Vegas, NV 89118

Office #: 702.455.3126

Fax #: 702.383.9994

E-mail: Pamela.Thompson@clarkcountynv.gov

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Website for the Compliance & Enforcement Section:

https://www.clarkcountynv.gov/government/departments/environment_and_sustainability/compliance/index.php

From: Amy Sugden <amy@sugdenlaw.com>

Sent: Thursday, May 8, 2025 4:30 PM

To: AQ Enforcement <AQEnforcement@ClarkCountyNV.gov>; raj@milestoneconst.us; roblauer@pm.me

Subject: Re: NRF is Due NOV #10150, Palm Properties, LLC and Robert Lauer, Individually - 3125 South Nellis Boulevard (Assessor's Parcel Numbers 161-08-810-082 and 161-08-810-083)

Thank you!

Attached please find the following:

1. Notice of Violation Response Form
2. Written Explanation providing why the NOV is being contested
3. Exhibits 1-6 in support thereof

Some of the exhibits are large so I am going to have to break up to send in multiple emails. If you can kindly confirm receipt of the foregoing items, I would appreciate it!

Amy

From: AQ Enforcement <AQEnforcement@ClarkCountyNV.gov>

Date: Thursday, May 8, 2025 at 10:44 AM

To: Amy Sugden <amy@sugdenlaw.com>, raj@milestoneconst.us
<raj@milestoneconst.us>, roblauer@pm.me <roblauer@pm.me>

Subject: RE: NRF is Due NOV #10150, Palm Properties, LLC and Robert Lauer, Individually - 3125 South Nellis Boulevard (Assessor's Parcel Numbers 161-08-810-082 and 161-08-810-083)

No worries Ms. Sugden. Thank you for the update.

Thank you,

Pamela R. Thompson

Pamela R. Thompson, Senior Secretary
Department of Environment and Sustainability,

Division of Air Quality
4701 West Russell Road, Suite 200
Las Vegas, NV 89118

Office #: 702.455.3126
Fax #: 702.383.9994
E-mail: Pamela.Thompson@clarkcountynv.gov

Clark County Offices are closed on Fridays.

Website for the Compliance & Enforcement Section:

https://www.clarkcountynv.gov/government/departments/environment_and_sustainability/compliance/index.php

From: Amy Sugden <amy@sugdenlaw.com>
Sent: Thursday, May 8, 2025 8:47 AM
To: AQ Enforcement <AQEnforcement@ClarkCountyNV.gov>; raj@milestoneconst.us; roblauer@pm.me
Subject: Re: NRF is Due NOV #10150, Palm Properties, LLC and Robert Lauer, Individually - 3125 South Nellis Boulevard (Assessor's Parcel Numbers 161-08-810-082 and 161-08-810-083)

Thank you, Ms. Thompson,

I have been out of the office but the response contesting the Notice of Violation will be submitted today.

Sincerely,



Amy L. Sugden, Esq.
375 E. Warm Springs Road, Suite 104
Las Vegas, Nevada 89119
(702) 625-3605 Tel
www.sugdenlaw.com

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From: AQ Enforcement <AQEnforcement@ClarkCountyNV.gov>

Date: Thursday, May 8, 2025 at 8:16 AM

To: raj@milestoneconst.us <raj@milestoneconst.us>, roblauer@pm.me <roblauer@pm.me>, Amy Sugden <amy@sugdenlaw.com>

Subject: NRF is Due NOV #10150, Palm Properties, LLC and Robert Lauer, Individually - 3125 South Nellis Boulevard (Assessor's Parcel Numbers 161-08-810-082 and 161-08-810-083)

The attached Notice of Violation Response Form (NRF) is due.

Please complete the attached NRF and email it back to my attention by the end of the day, Thursday, May 8, 2025.

If you are contesting the NOV, please provide Air Quality with a written explanation, including supporting documentation, if any, of why you are contesting the NOV mentioned. This information will be provided to the Hearing Officer prior to the Hearing. You can simply attach your explanation to this email.

Any questions please let me know.

Thank you,

Pamela R. Thompson

Pamela R. Thompson, Senior Secretary
Department of Environment and Sustainability,
Division of Air Quality
4701 West Russell Road, Suite 200
Las Vegas, NV 89118

Office #: 702.455.3126

Fax #: 702.383.9994

E-mail: Pamela.Thompson@clarkcountynv.gov

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Website for the Compliance & Enforcement Section:

https://www.clarkcountynv.gov/government/departments/environment_and_sustainability/compliance/index.php

From: AQ Enforcement

Sent: Wednesday, April 30, 2025 4:05 PM

To: raj@milestoneconst.us; roblauer@pm.me; amy@sugdenlaw.com

Subject: NOV #10150, Palm Properties, LLC and Robert Lauer, Individually - 3125 South Nellis Boulevard (Assessor's Parcel Numbers 161-08-810-082 and 161-08-810-083)

Importance: High

[V_00000_10150_20250430_00F_NOV.pdf](#)
[V_00000_10150_YYYYMMDD_00F_NRF.pdf](#)
[SECT 7.pdf](#)

The attached Notice of Violation (NOV), Notice of Violation Response Form (NRF), and AQR Section 7 (Amended 01/21/2020) was resent via OneDrive due to size of the document, which was also mailed via Federal Express today.

Please confirm receipt and reply to this email stating you received the attached NOV.

Thank you,

Pamela R. Thompson

Pamela Thompson, Senior Secretary

Department of Environment and Sustainability,

Division of Air Quality

4701 West Russell Road, Suite 200

Las Vegas, NV 89118

Office #: 702.455.3126

Fax #: 702.383.9994

E-mail: Pamela.Thompson@clarkcountynv.gov

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https://www.clarkcountynv.gov/government/departments/environment_and_sustainability/compliance/index.php



DES
**DEPARTMENT OF ENVIRONMENT
AND SUSTAINABILITY**



4701 W. Russell Road 2nd Floor
Las Vegas, NV 89118-2231
Phone: (702) 455-5942 • Fax: (702) 383-9994
Marci Henson, Director

May 22, 2025

VIA E-MAIL ONLY

Amy L. Sugden, Esq.

E-mail: amy@sugdenlaw.com

Sugden Law Office

375 East Warm Springs Road, Suite 104

Las Vegas, NV 89119

**Re: Granted Continuance to Palm Properties, LLC and Robert Lauer
Notice of Violation (NOV) #10150
Assessor's Parcel Numbers 161-08-810-082 and 161-08-810-083 - 3125 South Nellis Boulevard**

Dear Ms. Sugden:

The Hearing Officer continued the above matter to be heard before the Air Pollution Control Hearing Officer at approximately 9:00 a.m. on July 17, 2025, **in the Presentation Room at the Clark County Building Department, 4701 West Russell Road, Main Entrance, Las Vegas.** (Use the double doors at the entrance closest to Ullom Drive on the northwest side of the parking lot.) If you plan to present any additional documentation at the hearing, either send me the document(s) electronically before the scheduled hearing or kindly bring six copies for distribution to the Hearing Officer and staff.

If you have any questions regarding this case, please contact Timothy Jay Allen, Deputy District Attorney for the Office of the District Attorney/Civil Division of Clark County, Nevada via e-mail at timothy.allen@clarkcountyanv.gov , or call 702.455.4761.

Sincerely,

Pamela R. Thompson, Sr. Secretary
Enforcement Division

PRT:pt

Cc: Timothy Jay Allen, Clark County DA/Civil Div. E-mail: timothy.allen@clarkcountyanv.gov



4701 W. Russell Road 2nd Floor
Las Vegas, NV 89118-2231
Phone: (702) 455-5942 • Fax: (702) 383-9994
Marci Henson, Director

June 25, 2025

FEDERAL EXPRESS TRK #8823 0868 6676
Rajwinder S. Dhaliwal, Managing Manager
E-mail: raj@milestoneconst.us
Dhanminder K. Dhaliwal, Managing Manager
Palm Properties, LLC
6050 South Fort Apache Road, Suite 100
Las Vegas, NV 89148

FEDERAL EXPRESS TRK #8823 0877 0544
Robert Lauer
E-mail: roblauer@pm.me
3125 South Nellis Boulevard
Las Vegas, NV 89121

FEDERAL EXPRESS TRK #8823 0883 8268
Amy L. Sugden, Esq.
E-mail: amy@sugdenlaw.com
375 East Warm Springs Road, Suite 104
Las Vegas, NV 89119

NOTICE OF VIOLATION #10163

Clark County Department of Environment and Sustainability, Division of Air Quality (**Air Quality**) provides this notice to Palm Properties, LLC (**Palm Properties**) and Robert Lauer (**Lauer**), individually, for the violation of the Clark County Air Quality Regulations (**AQRs**) as alleged below and recommends a civil penalty of Fifteen Thousand and no/100 Dollars (\$15,000.00) be assessed as shown in the penalty calculation table attached hereto as **Exhibit A** and incorporated herein.

I. FACTS

- A. Palm Properties owns approximately 2.83 acres of unpaved parcels of vacant land located at 3125 South Nellis Boulevard, in Clark County, Nevada (Assessor's Parcel Numbers 161-08-810-082 and 161-08-810-083) (**Property**) in Hydrographic Area 212. The property is being utilized as an unpaved parking lot/storage yard by Lauer.

- B. Air Quality Specialist Allan Gutierrez (**Gutierrez**) discovered the alleged violation while performing follow-up inspections on January 9, February 24, March 18, April 2, and May 6, and May 27, 2025, and a complaint investigation on April 15, 2025, at the Property.
- C. On September 18, 2024, Air Quality issued a Notice of Noncompliance (**NON**) to Palm Properties and Lauer for operating an unpaved parking lot/storage yard greater than 5,000 square feet that contained over two dozen trucks, trailers, service trucks and passenger vehicles in violation of AQR Section 92. The NON is attached hereto as **Exhibit B** and incorporated herein. The NON was delivered to Palm Properties on October 2, 2024.
- D. Between October 3, 2024, and January 9, 2025, Gutierrez performed inspections and communicated with Rajwinder Dhaliwal (**Dhaliwal**), Managing Member of Palm Properties, Lauer, and Amy Sugden (**Sugden**), attorney representing Lauer and Palm Properties. These inspections and communications are the subject of a previous enforcement action. Noncompliance from January 9, 2025, through and including February 7, 2025, was included in the previous enforcement action.
- E. On January 9, 2025, at approximately 10:20 a.m., Gutierrez arrived at the Property to conduct a follow up inspection. The inspection report is attached hereto as **Exhibit C** and incorporated herein. During the inspection, Gutierrez observed an unpaved storage yard greater than 5,000 square feet that contained over a dozen trailers and trucks, as shown in Photographs 1 and 2, attached hereto as **Exhibit D** and incorporated herein. Gutierrez also observed that all necessary control measures to meet AQRs have not been implemented since the NON was delivered to Palm Properties on October 2, 2024. Gutierrez concluded the inspection at approximately 10:30 a.m.
- F. On February 24, 2025, at approximately 9:25 a.m., Gutierrez arrived at the Property to conduct a follow up inspection. The inspection report is attached hereto as **Exhibit E** and incorporated herein. During the inspection, Gutierrez observed an unpaved storage yard greater than 5,000 square feet that contained over a dozen trailers and trucks, as shown in Photographs 3 through 6 (**Exh. D**), and Map 1 attached hereto as **Exhibit F** and incorporated herein. Gutierrez also observed that all necessary control measures to meet AQRs have not been implemented since the NON was sent to Palm Properties. Gutierrez concluded the inspection at approximately 9:35 a.m.
- G. Gutierrez visited the Property on March 4 and 13, 2025 and observed an unpaved storage yard greater than 5,000 square feet that contained over a dozen trailers and trucks, as shown in Photographs 7 through 10 (**Exh. D**).
- H. On March 4, 2025, at approximately 5:02 p.m., George sent a courtesy email to Sugden regarding her clients' upcoming deadline of March 31, 2025. George stated that Gutierrez observed the Property was still being used for unpaved parking/storage and requested an update. The email correspondence is attached hereto as **Exhibit G** and incorporated herein.
- I. On March 18, 2025, at approximately 10:00 a.m., Gutierrez arrived at the Property to conduct a follow up inspection. The inspection report is attached hereto as **Exhibit H** and incorporated

herein. During the inspection, Gutierrez observed an unpaved storage yard greater than 5,000 square feet that contained over a dozen trailers and trucks, as shown in Photographs 11 through 14 (**Exh. D**). Gutierrez also observed that all necessary control measures to meet AQRs have not been implemented since the NON was delivered to Palm Properties on October 2, 2024. Gutierrez concluded the inspection at approximately 10:20 a.m.

- J. On March 19, 2025, at approximately 4:42 p.m., George sent a follow up email to Sugden in regard to the email sent on March 4, 2025 (**Exh. G**).
- K. On April 2, 2025, at approximately 11:30 a.m., Gutierrez arrived at the Property to conduct a follow-up inspection. The inspection report is attached hereto as **Exhibit I** and incorporated herein. During the inspection, Gutierrez observed an unpaved storage yard greater than 5,000 square feet that contained over a dozen trailers and trucks, as shown in Photographs 15 through 18 (**Exh. D**). Gutierrez also observed that all necessary control measures to meet AQRs have not been implemented since the NON was delivered to Palm Properties on October 2, 2024. Gutierrez concluded the inspection at approximately 11:40 a.m.
- L. On April 3, 2025, at approximately 2:27 p.m., Air Quality Supervisor David Dean emailed Lauer to reiterate that unpaved parking or storage yards are a violation of AQR Section 92 and explained that land use approvals and paving are required before anything is parked or stored on the parcel. The email correspondence is attached hereto as **Exhibit J** and incorporated herein.
- M. Gutierrez visited the Property on April 7, 2025, and observed an unpaved storage yard greater than 5,000 square feet that contained over a dozen trailers and trucks, as shown in Photographs 19 and 20 (**Exh. D**).
- N. On April 14, 2025, at approximately 3:57 p.m., Air Quality received a complaint (#76919) alleging an unpaved truck parking yard was operating without the required permits at the Property. The complaint report is attached hereto as **Exhibit K** and incorporated herein.
- O. On April 15, 2025, at approximately 9:30 a.m., Gutierrez arrived at the Property to investigate the complaint. The inspection report is attached hereto as **Exhibit L** and incorporated herein. During the investigation, Gutierrez observed a storage yard greater than 5,000 square feet that contained approximately two dozen trailers and trucks, as shown in Photographs 21 and 22 (**Exh. D**). Gutierrez also observed the Property was not in compliance since the NON was delivered to Palm Properties on October 2, 2024. Gutierrez concluded the inspection at approximately 9:45 a.m.
- P. On May 6, 2025, at approximately 10:15 a.m., Gutierrez arrived at the Property to conduct a follow up inspection. The inspection report is attached hereto as **Exhibit M** and incorporated herein. During the inspection, Gutierrez observed an unpaved storage yard greater than 5,000 square feet that contained over a dozen trailers and trucks, as shown in Photographs 23 through 26 (**Exh. D**). Gutierrez also observed that all necessary control measures to meet AQRs have not been implemented since the NON was delivered to Palm Properties on October 2, 2024. Gutierrez concluded the inspection at approximately 10:25 a.m.

- Q. Gutierrez visited the Property on May 13 and 19, 2025 and observed an unpaved storage yard greater than 5,000 square feet that contained over a dozen trailers and trucks, as shown in Photographs 27 through 30 (**Exh. D**).
- R. On May 27, 2025, at approximately 9:15 a.m., Gutierrez arrived at the Property to conduct a follow-up inspection. The inspection report is attached hereto as **Exhibit N** and incorporated herein. During the inspection, Gutierrez observed an unpaved storage yard greater than 5,000 square feet that contained over a dozen trailers and trucks, as shown in Photographs 31 through 34 (**Exh. D**). Gutierrez also observed that all necessary control measures to meet AQRs have not been implemented since the NON was delivered to Palm Properties on October 2, 2024. Gutierrez concluded the inspection at approximately 9:30 a.m.

At approximately 9:37 a.m., on the same day, Lauer sent an email directing Gutierrez to cease and desist all enforcement actions until the PJR was adjudicated. The email correspondence is attached hereto as **Exhibit O** and incorporated herein.

- S. As of May 27, 2025, Palm Properties and Lauer have not met the requirements of the NON issued on September 18, 2024, and the Property is out of compliance with AQRs. This enforcement action includes 30 days of noncompliance from February 8, 2025, through and including March 9, 2025. Documented noncompliance after March 9, 2025, may be considered in a future NOV.

II. APPLICABLE LAW

AQR Section 8.1 states:

“All PERSONS owning, operating, or in control of any equipment or property who shall cause, permit, or participate in, any violation of these Regulations shall be individually and collectively liable to any penalty or punishment imposed by and under these Regulations.”

AQR Section 92.3.1 states:

“New Parking Lots or Storage Areas

- (a) New parking lots constructed after January 1, 2003, or constructed with public access after December 31, 2024, at a stationary source, as applicable, in Hydrographic Areas 212, 216, or 217; in any other hydrographic area upon its being designated as nonattainment for PM₁₀; or in any other hydrographic area that becomes subject to a PM₁₀ maintenance plan, as defined under 42 U.S.C. 7505a, must be paved.
- (b) New storage areas constructed after January 1, 2003, or constructed with public access after December 31, 2024, at a stationary source, as applicable, in Hydrographic Areas 212, 216, or 217; in any other hydrographic area upon its being designated as nonattainment for PM₁₀; or in any other hydrographic area that becomes subject to a PM₁₀ maintenance plan,

as defined under 42 U.S.C. 7505a, must comply with the control measures described in Sections 92.3.4 (a), (b) or (d).”

AQR Section 9.1.a states:

“Penalties for Violation of Regulation

(a) Any person who is determined to be in violation of an applicable Nevada Revised Statute or any provision of these Regulations, shall pay a civil penalty levied by the Hearing Officer, or the Hearing Board upon appeal, of not more than \$10,000 per day, per violation. These violations include, but are not limited to any of the following:

- (1) Failure to comply with requirements to obtain a permit.
- (2) Failure to comply with a permit condition.
- (3) Failure to pay an applicable fee or to meet a filing requirement.
- (4) Failure to grant entry, to allow or perform inspection, or perform monitoring activities.”

III. VIOLATION(S)

Violation 1:

By operating an unpaved parking lot/storage yard on the Property from February 8, 2025, through May 27, 2025, Palm Properties and Lauer violated AQR Section 92.3.1.

IV. RECOMMENDED CIVIL PENALTY

Pursuant to AQR Section 9.1, any person who violates any provision of the AQRs, including any permit condition; is guilty of a civil offense and shall pay a civil penalty not to exceed \$10,000 per violation. Each day of violation constitutes a separate offense.

Air Quality considered the following in calculating the recommended penalty:

- 30 days of noncompliance from February 8, 2025, through and including March 9, 2025. Documented noncompliance after March 9, 2025, may be considered in a future NOV.

Air Quality recommends a civil penalty in the amount of \$15,000.00 (**Exh. A**).

V. HEARING

Air Quality has scheduled a hearing for **Thursday, July 17, 2025, at 9:00 a.m.** before the Air Pollution Control Hearing Officer to adjudicate the alleged violation(s) and, if appropriate, to levy the recommended penalty. Please complete the enclosed **“Notice of Violation Response Form”** and return it to Air Quality by July 3, 2025. At the hearing, the Hearing Officer will hear evidence

on the alleged violation(s) and render a decision. The hearing will be held at the Clark County Building Services Presentation Room, located at 4701 West Russell Road, Las Vegas, Nevada.

If you intend to present any documentary evidence at the hearing, please provide copies of your evidence to Air Quality with the completed Notice of Violation Response Form. If you fail to provide copies of your evidence prior to the hearing, please be advised that Air Quality may request a continuance to have time to review any evidence you bring to the hearing, which will result in the hearing being postponed and rescheduled to a later date.

If the Hearing Officer finds you in violation and levies a penalty, Air Quality staff will mail the Hearing Officer's order to you along with instructions on remittance of the penalty.

Shibi Paul
Shibi Paul (Jun 25, 2025 15:25 PDT)

Shibi Paul
Compliance and Enforcement Manager

Exhibits:

- A. Penalty Calculation Table, NOV #10163
- B. Air Quality Notice of Noncompliance for September 18, 2024
- C. Air Quality Inspection Report #145663, dated January 9, 2025
- D. Digital Photographs 1 through 34
- E. Air Quality Inspection Report #147954, dated February 24, 2025
- F. Map 1: Showing over 5,000 square feet of unpaved parking, aerial flight dated January 29, 2025
- G. Email Correspondence for December 19, 2024, through March 19, 2025
- H. Air Quality Inspection Report #147955, dated March 18, 2025
- I. Air Quality Inspection Report #148173, dated April 2, 2025
- J. Email Correspondence for April 3, 2025, through April 10, 2025
- K. Air Quality Complaint Report #76919, dated April 14, 2025
- L. Air Quality Inspection Report #148511, dated April 15, 2025
- M. Air Quality Inspection Report #149147, dated May 6, 2025
- N. Air Quality Inspection Report #149866, dated May 27, 2025
- O. Email Correspondence for May 27, 2025

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Exhibit A

NOV # 10163
Penalty Calculation Table
Palm Properties, LLC and Robert Lauer, Individually



4701 W. Russell Road 2nd Floor
Las Vegas, NV 89118-2231
Phone: (702) 455-5942 • Fax: (702) 383-9994
Marci Henson, Director

Viol.	Date(s)	Violation Description	AQR Section	Exhibit / Evidence	Base Penalty	Days	Aggravating Description	Agg. Factor	Agg. Amount	Penalty
1	2/8/2025 through and including 3/9/2025	Operated an unpaved parking lot/storage yard.	92.3.1	Exh. D, Photos 1 thru 34 Exh. F, Map 1	\$ 500	30	N/A	0%	\$ -	\$ 15,000

Total Penalty: \$ 15,000

Regulatory maximum: \$10,000 per day, per violation
[AQR Section 9.1 & NRS 445B.640]



EXHIBIT B

7789 4758 3797

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	PALM PROPERTIES, LLC.	Date: Sep 18, 2024
Mailing Address:	6050 S FORT APACHE RD, # 100, LAS VEGAS, NV 89148	
Assessor's Parcels:	161-08-810-083, 161-08-810-082	
Property Location:	3125 SOUTH NELLIS BLVD. - CC SUNRISE MANOR - 89121	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Allan Gutierrez at 702-370-2199 or by email at gutierre@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	2.83		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	gravel
Disturbance Factors:	Parking, Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted a routine inspection and observed an unpaved storage yard greater than 5,000 square feet on APNs 161-08-810-082 and -083 containing over two dozen trucks, trailers, service trucks and passenger vehicles. This storage yard was created after 1/1/03, which is a violation of AQR Section 92.3.1. Please contact me to discuss what action plan you propose in order to bring your site into compliance with Air Quality Regulations.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ **Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.**
 - **Including the cities of Las Vegas, North Las Vegas and Henderson.**
- ❖ **Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.**
 - **Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.**
- ❖ **An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:**
 - **New use or change of existing use.**
 - **Improvements or expansion of existing lot/yard.**
 - **Paving exemptions or delays have expired their time limit and paving is now required.**

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ **Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.**
 - **Paving is the only option available with the possible exception of:**
 - 1) **Paving may not apply to rural public parking facilities such as trailheads and campgrounds.**
 - ◆ **Must be located outside the Las Vegas Valley BLM Disposal Boundary**
 - 2) **Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.**
 - ◆ **All access, parking and loading areas used by on-road vehicles shall be paved.**
 - 3) **Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.**
 - ◆ **All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.**
 - **Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.**
 - **Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.**

April 2016



April 28, 2025

Dear Customer,

The following is the proof-of-delivery for tracking number: 778947583797

Delivery Information:			
Status:	Delivered	Delivered To:	
Signed for by:	B.Brandy	Delivery Location:	
Service type:	FedEx Standard Overnight		
Special Handling:	Deliver Weekday; No Signature Required		LAS VEGAS, NV,
		Delivery date:	Oct 2, 2024 13:54
Shipping Information:			
Tracking number:	778947583797	Ship Date:	Oct 1, 2024
		Weight:	
Recipient:		Shipper:	
LAS VEGAS, NV, US,		LAS VEGAS, NV, US,	
Reference	161-08-810-083		

FedEx Express proof-of-delivery details appear below; however, no signature is currently available for this shipment. Please check again later for a signature.



EXHIBIT C

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

INSPECTION REPORT

No. 145663

Date:	Start Time:	End Time:	Specialist:
Jan 9, 2025	10:20 AM	10:30 AM	Allan Gutierrez
Parcels:	161-08-810-083, 161-08-810-082		
Location Description:	3125 SOUTH NELLIS BLVD. - CC SUNRISE MANOR - 89121		
Inspection Type:	Re-inspection	Complaint No.:	
AQR Section:	92: Unpaved Parking Lots/Storage Areas - Post 1/1/2003		
Observations:			
Current Land Use Agreement:	No		
Soil Condition:	Stable	Note:	gravel
Disturbance Factors:	Parking, Vehicular Travel, Storage		Other:
Fugitive Dust Observed:	No	Generated By:	
Control Measures Implemented: Yes			
Control Measures:	Other: secure perimeter gate, gravel		
Tests Performed:			
Drop Ball Test:	N/A	Area #1:	Area #2: Area #3:
Rock Test:	N/A	Percent:	
Silt Content:	N/A	Percent:	
Opacity:	N/A	Percent:	
Photography:	Yes	Traffic Count (ADT):	N/A
Inspector Notes:		Reviewed By:	Satyra George
I conducted a re-inspection and observed an unpaved storage yard on APNs 161-08-810-082 & -083. Each parcel has an unpaved storage yard over 5,000 square feet containing over a dozen trailers and trucks. As of January 9, 2025, all necessary control measures to meet AQRs have not been implemented since the original Notice of Non-Compliance (NON) was sent to the Property Owner on October 2, 2024.			
I issued an email to Mr. Dhaliwal and Mr. Rob Lauer to vacate site within 30 days (January 8, 2025) of receipt of the email.			
Action Taken:	Follow-up for Possible NOV		

EXHIBIT D

Digital Photographs

Responsible Parties: **Palm Properties, LLC and Rob Lauer**

Parcel(s): **161-08-810-082 and 161-08-810-083** Photos taken by: **Allan Gutierrez**



Photograph # 1

Alleged Violation # 1

View looking south on parcel 161-08-810-082, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 2

Alleged Violation # 1

View looking northeast on parcel 161-08-810-083, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 3

Alleged Violation # 1

View looking northeast on parcel 161-08-810-083, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 4

Alleged Violation # 1

View looking west on parcel 161-08-810-082, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 5

Alleged Violation # 1

View looking southwest on parcel 161-08-810-082, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 6

Alleged Violation # 1

View looking southeast on parcel 161-08-810-083, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 7

Alleged Violation # 1

View looking southwest on parcel 161-08-810-082, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 8

Alleged Violation # 1

View looking northeast on parcel 161-08-810-083, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 9

Alleged Violation # 1

View looking southwest on parcel 161-08-810-082, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 10

Alleged Violation # 1

View looking northeast on parcel 161-08-810-082, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 11

Alleged Violation # 1

View looking southwest on parcel 161-08-810-082, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 12

Alleged Violation # 1

View looking west on parcel 161-08-810-082, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 13

Alleged Violation # 1

View looking northwest on parcel 161-08-810-083, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 14

Alleged Violation # 1

View looking north on parcel 161-08-810-083, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 15

Alleged Violation # 1

View looking west on parcel 161-08-810-082, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 16

Alleged Violation # 1

View looking north on parcel 161-08-810-083, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 17

Alleged Violation # 1

View looking west on parcel 161-08-810-082, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 18

Alleged Violation # 1

View looking north on parcel 161-08-810-083, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 19

Alleged Violation # 1

View looking northeast on parcel 161-08-810-083, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 20

Alleged Violation # 1

View looking west on parcel 161-08-810-082, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 21

Alleged Violation # 1

View looking southeast at parcel 161-08-810-083 from Happy Valley Ave., an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 22

Alleged Violation # 1

View looking southwest on parcel 161-08-810-082, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 23

Alleged Violation # 1

View looking south on parcel 161-08-810-082, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer



Photograph # 24

Alleged Violation # 1

View looking south on parcel 161-08-810-083, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 25

Alleged Violation # 1

View looking southwest on parcel 161-08-810-082, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 26

Alleged Violation # 1

View looking south on parcel 161-08-810-083, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 27

Alleged Violation # 1

View looking southwest on parcel 161-08-810-082, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 28

Alleged Violation # 1

View looking south on parcel 161-08-810-083, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 29

Alleged Violation # 1

View looking southwest on parcel 161-08-810-082, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 30

Alleged Violation # 1

View looking south on parcel 161-08-810-083, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 31

Alleged Violation # 1

View looking south on parcel 161-08-810-083, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 32

Alleged Violation # 1

View looking south on parcel 161-08-810-082, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 33

Alleged Violation # 1

View looking south on parcel 161-08-810-082, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



Photograph # 34

Alleged Violation # 1

View looking south on parcel 161-08-810-083, an unpaved parking lot owned by Palm Properties, LLC and operated by Lauer.



EXHIBIT E

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

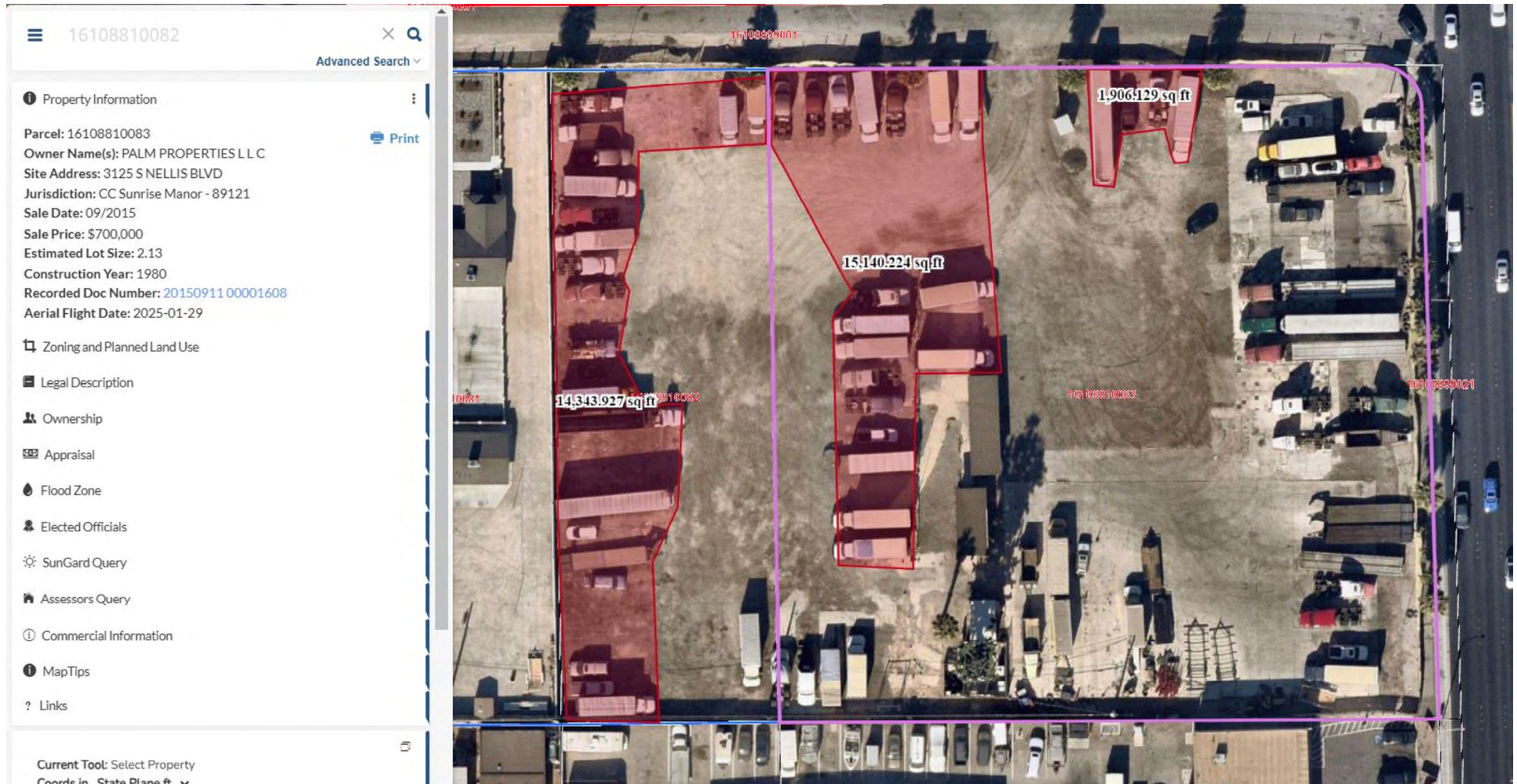
INSPECTION REPORT No. 147954

Date:	Start Time:	End Time:	Specialist:
Feb 24, 2025	9:25 AM	9:35 AM	Allan Gutierrez
Parcels:	161-08-810-083, 161-08-810-082		
Location Description:	3125 SOUTH NELLIS BLVD. - CC SUNRISE MANOR - 89121		
Inspection Type:	Re-inspection	Complaint No.:	
AQR Section:	92: Unpaved Parking Lots/Storage Areas - Post 1/1/2003		
Observations:			
Current Land Use Agreement:	No		
Soil Condition:	Stable	Note:	gravel
Disturbance Factors:	Parking, Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	
Control Measures Implemented: Yes			
Control Measures:	Other: secure gate, gravel		
Tests Performed:			
Drop Ball Test:	N/A	Area #1:	Area #2: Area #3:
Rock Test:	N/A	Percent:	
Silt Content:	N/A	Percent:	
Opacity:	N/A	Percent:	
Photography:	Yes	Traffic Count (ADT):	N/A
Inspector Notes:			
Reviewed By: Satyra George			
I conducted a re-inspection and observed an unpaved storage yard on APNs 161-08-810-082 & -083. Each parcel has an unpaved storage yard over 5,000 square feet containing over a dozen trailers and trucks. As of February 24, 2025, all necessary control measures to meet AQRs have not been implemented since the original Notice of Non-Compliance (NON) was sent to the Property Owner.			
An email was sent December 9, 2024, to Mr. Raj Dhaliwal, the Land Owner, and Mr. Rob Lauer, Property Manager, to meet compliance by January 8, 2025. An extension was granted until March 31, 2025.			
Action Taken:	Follow-up for Possible NOV		

EXHIBIT F

APNs 161-08-810-082 & 161-08-810-083

Responsible Parties: Palm Properties, LLC and Rob Lauer, Individually



PPLRL_2523

MAP 1 - Showing over 5,000 square feet of unpaved parking, aerial flight date January 29, 2025

EXHIBIT G

From: [Satyra George](#)
To: [Amy Sugden](#)
Cc: [Timothy Allen](#); [Allan Gutierrez](#); [David Dean](#)
Subject: Re: APNs 161-08-810-082, -083 AQR Section 92 Non-Compliance
Date: Wednesday, March 19, 2025 4:42:52 PM
Attachments: [Outlook-cid_image0.png](#)
[image001.png](#)
[Outlook-cid_image0.png](#)
[Outlook-cid_image0.png](#)

Good afternoon Amy L. Sugden, Esq.,

I am following-up as I have not received a response to the e-mail below. Have a great day.

Sincerely,

Satyra George | Sr. Air Quality Specialist
Clark County Department of Environment & Sustainability
Division of Air Quality

702-455-1609 (office), 702-758-6153 (mobile)

My working hours are Monday – Thursday, 7:00 AM – 5:30 PM



For Dust Control Applications and Forms, click on this link: [Dust Control Permitting Portal, Forms & Requirements](#).

From: Satyra George
Sent: Tuesday, March 4, 2025 5:02 PM
To: Amy Sugden
Cc: Timothy Allen; Allan Gutierrez; David Dean
Subject: Re: APNs 161-08-810-082, -083 AQR Section 92 Non-Compliance

Good afternoon Amy L. Sugden, Esq.,

This is a courtesy reminder of your clients' upcoming March 31, 2025 deadline. Our inspector observed parcels 161-08-810-082 and 161-08-810-083 are still in use. Are there updates on their current plan to bring the site into compliance by March 31st?

In addition, we have a new Deputy District Attorney, Timothy Jay Allen, who I am CC'ing in this e-mail and can be reached at (702) 455-4761. Please contact him rather than Attorney Catherine Jorgenson. Have a great day!

Sincerely,

Satyra George | Sr. Air Quality Specialist
Clark County Department of Environment & Sustainability
Division of Air Quality

702-455-1609 (office), 702-758-6153 (mobile)

My working hours are Monday – Thursday, 7:00 AM – 5:30 PM



For Dust Control Applications and Forms, click on this link: [Dust Control Permitting Portal, Forms & Requirements.](#)

From: Amy Sugden <amy@sugdenlaw.com>
Sent: Thursday, December 19, 2024 1:08 PM
To: Satyra George <Satyra.George@ClarkCountyNV.gov>
Cc: Catherine Jorgenson <catherine.jorgenson@clarkcountydav.gov>
Subject: Re: APNs 161-08-810-082, -083 AQR Section 92 Non-Compliance

Thank you, Satyra for the email and information.

I am working on this matter and will get in touch with Ms. Jorgenson after the New Year (and before January 8, 2025) to discuss.

Happy Holidays!

Amy



Amy L. Sugden, Esq.
375 E. Warm Springs Road, Suite 104
Las Vegas, Nevada 89119
(702) 625-3605 Tel
www.sugdenlaw.com

This e-mail communication is a confidential attorney-client communication intended only for the person named above. If you are not the person named above, or the employee or agent responsible for delivery of the following information, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately. Also, please e-mail the sender that you have received the communication in error. Thank you.

From: Satyra George <Satyra.George@ClarkCountyNV.gov>
Date: Thursday, December 19, 2024 at 8:50 AM
To: Amy Sugden <amy@sugdenlaw.com>
Cc: Catherine Jorgenson <catherine.jorgenson@clarkcountydans.gov>
Subject: APNs 161-08-810-082, -083 AQR Section 92 Non-Compliance

Good morning Amy L. Sugden, Esq.,

This email is a result of e-mail exchanges between your clients and myself, regarding the unpaved storage yard/parking lot currently used for truck parking on parcel numbers 161-08-810-082 and 161-08-810-083 (Property). Continuous parking or storage on unpaved lots after January 1, 2003, is prohibited by Air Quality Regulation (AQR) Section 92. The Property is not in compliance with this regulation.

To avoid the issuance of a Notice of Violation pursuant to AQR Section 92 and comply with soil stabilization standards in AQR Section 90, the following actions must be taken by March 31, 2025:

- 1) Reduce all unpaved parking or storage areas on the Property to 5,000 sq. ft. or less,
- 2) Stabilize the remaining site soils, and
- 3) Notify Air Quality once items one and two have been completed for a final inspection.

If the Property continues to be operated as an unpaved storage yard/parking lot greater than 5,000 square feet after March 31, 2025, Air Quality may issue a Notice of Violation to the owner and/or operator of the Property with potential recommended penalties of \$500 per day beginning January 8, 2025, the deadline provided in an email dated December 10, 2024. If circumstances change prior to March 31, 2025 related to paving the Property, please notify us immediately.

If you have any questions or would like to discuss further, please contact Deputy District Attorney Catherine Jorgenson at (702) 455-4761.

Regards,

Satyra George | Sr. Air Quality Specialist
Clark County Department of Environment & Sustainability
Division of Air Quality

702-455-1609 (office), 702-758-6153 (mobile)

My working hours are Monday – Thursday, 7:00 AM – 5:30 PM



For Dust Control Applications and Forms, click on this link: [Dust Control Permitting Portal, Forms & Requirements.](#)



EXHIBIT H

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

INSPECTION REPORT

No. 147955

Date:	Start Time:	End Time:	Specialist:
Mar 18, 2025	10:00 AM	10:20 AM	Allan Gutierrez
Parcels:	161-08-810-082, 161-08-810-083		
Location Description:	3125 SOUTH NELLIS BLVD. - CC SUNRISE MANOR - 89121		
Inspection Type:	Re-inspection	Complaint No.:	
AQR Section:	92: Unpaved Parking Lots/Storage Areas - Post 1/1/2003		
Observations:			
Current Land Use Agreement:	No		
Soil Condition:	Stable	Note:	gravel
Disturbance Factors:	Parking, Vehicular Travel, Storage		Other:
Fugitive Dust Observed:	No	Generated By:	
Control Measures Implemented: Yes			
Control Measures:	Other: secure gate, gravel		
Tests Performed:			
Drop Ball Test:	N/A	Area #1:	Area #2: Area #3:
Rock Test:	N/A	Percent:	
Silt Content:	N/A	Percent:	
Opacity:	N/A	Percent:	
Photography:	Yes	Traffic Count (ADT):	N/A
Inspector Notes:		Reviewed By:	Satyra George
I conducted a re-inspection and observed an unpaved storage yard on APNs 161-08-810-082 & -083. Each parcel has an unpaved storage yard over 5,000 square feet containing over a dozen trailers and trucks. As of March 18, 2025, all necessary control measures to meet AQRs have not been implemented since the original Notice of Non-Compliance (NON) was sent to the Property Owner on October 2, 2024.			
An email was sent December 9, 2024 to Mr. Raj Dhaliwal, the Land Owner, and Mr. Rob Lauer, Property Manager, to meet compliance by January 8, 2025. An extension to meet compliance by March 31, 2025, was granted.			
Action Taken:	Follow-up for Possible NOV		



EXHIBIT I

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

INSPECTION REPORT

No. 148173

Date:	Start Time:	End Time:	Specialist:	
Apr 2, 2025	11:30 AM	11:40 AM	Allan Gutierrez	
Parcels:	161-08-810-082, 161-08-810-083			
Location Description:	3125 SOUTH NELLIS BLVD. - CC SUNRISE MANOR - 89121			
Inspection Type:	Re-inspection	Complaint No.:		
AQR Section:	92: Unpaved Parking Lots/Storage Areas - Post 1/1/2003			
Observations:				
Current Land Use Agreement:	No			
Soil Condition:	Stable	Note:	gravel	
Disturbance Factors:	Parking, Vehicular Travel, Storage		Other:	
Fugitive Dust Observed:	No	Generated By:		
Control Measures Implemented: Yes				
Control Measures:	Other: secure gate, gravel			
Tests Performed:				
Drop Ball Test:	N/A	Area #1:	Area #2:	Area #3:
Rock Test:	N/A	Percent:		
Silt Content:	N/A	Percent:		
Opacity:	N/A	Percent:		
Photography:	Yes	Traffic Count (ADT):	N/A	
Inspector Notes:		Reviewed By:		Satyra George
I conducted a re-inspection and observed an unpaved storage yard on APNs 161-08-810-082 & -083. Each parcel has an unpaved storage yard over 5,000 square feet containing over a dozen trailers and trucks. As of April 2, 2025, all necessary control measures to meet AQRs have not been implemented since the original Notice of Non-Compliance (NON) was sent to the Property Owner on October 2, 2024.				
An email was sent December 9, 2024 to Mr. Raj Dhaliwal, the Land Owner, and Mr. Rob Lauer, Property Manager, to meet compliance by January 8, 2025. An extension to meet compliance by March 31, 2025, was granted. The Owner and their attorney will be emailed about a possible NOV enforcement action.				
Action Taken:	Follow-up for Possible NOV			

EXHIBIT J

From: [roblauer](#)
To: [David Dean](#)
Cc: [Amy Sugden](#); [Satyra George](#)
Subject: RE: Unpaved Parking and Storage Yards
Date: Thursday, April 10, 2025 11:48:29 AM
Attachments: [Scan2024-10-02_135854.pdf](#)

Mr. Dean,

I asked in a prior email to appeal the attached notice of violation and your staff refused to provide me with the process and forms.

Please take notice that we intend to file an administrative appeal for both sites.

Please provide me with the forms to file the appeals and an outline of the process
In addition, please provide dates and time for the administrative judge to hear our appeals.

Regards,
Rob Lauer

In addition, since this is such a critical health crisis, your office must enforce that we **will** be filing formal complaints for every dirt truck yard in the county, including the one **directly** across the street from your office on Russell.

On Tuesday, April 8th, 2025 at 11:55 AM, roblauer <roblauer@pm.me> wrote:

(See attachment)

Clark County Air Quality Walnut and Jerome Mack recording stations average by month and year.

In 2014, the EPA's primary (health-based) standard for PM10 (particulate matter with a diameter of 10 microns or less) remained at 150 µg/m3 for a 24-hour period, with an area meeting the standard if it doesn't exceed this level more than once per year on average over a three-year period.

**Pm10 maximum allowed levels on average is
150 µg/m3**

At no time over the last 3 years has any of your Air Quality motioning station recorded anywhere near 50% of the EPA maximum PM10 near the Nellis truck yard.

Your regulation requires a land owner to spend \$500K to pave a

lot without any health and safety necessity is the definition of arbitrary and capricious.

Especially since the county doesn't pave their own truck yards.

I copied this county property on Desert Inn which uses gravel with cars and trucks parked on the yard.

On Tuesday, April 8th, 2025 at 9:02 AM, David Dean
<Dean@ClarkCountyNV.gov> wrote:

Good morning Mr. Lauer,

I think you may be a little confused on this matter. Air Quality Regulation Section 92 is a regulation that has been in effect for over 20 years. If you choose not to comply with the regulation, that is your choice. However, Air Quality will require you to comply, and it has the potential to come with monetary penalties. Your air quality experts will not change the regulation or your ability to have unpaved parking lots.

I'm not trying to argue the regulation, I'm trying to save you the headache and money you're going to waste.

If you want records and other information, you will need to request it from the proper channels. I would also suggest you attend a Dust Class so you can increase your knowledge on Clark County Air Quality Regulations and requirements.

David Dean

Air Quality Supervisor

Clark County Department of Environmental and Sustainability

Division of Air Quality

4701 W. Russell Rd., Suite 200

Las Vegas, NV 89118

Office: 702-455-1645/Cell: 702-232-1183

From: roblauer <roblauer@pm.me>
Sent: Monday, April 7, 2025 8:51 AM
To: David Dean <Dean@ClarkCountyNV.gov>
Cc: Amy Sugden <amy@sugdenlaw.com>
Subject: Re: Unpaved Parking and Storage Yards

Mr. Dean,

Your enforcement officer cited an agreement the country signed with the EPA, which is the basis of your authority to compel property owners to pave land with trucks parked on them.

Please provide me with a copy of that agreement, along with any county board of supervisor vote records and the federal law granting the EPA authority to impose such local rules.

Did the agreement cite a clean air goal of "X "parts per million for the county to obtain through such action?

Please provide your air quality readings for the past five years and the locations of those testing sites.

We plan to bring in our our air quality experts to read the dust levels on our site at La Vegas Blvd and Nellis where we already put 1.5 million pounds of RAP.

Regards,

Rob Lauer

On Thursday, April 3rd, 2025 at 2:27 PM, David Dean
<Dean@ClarkCountyNV.gov> wrote:

Good afternoon Mr. Lauer,

I am David Dean a Supervisor for Clark County Air Quality. Because I have seen that are creating or involved with several unpaved parking or storage yards, I wanted to reach out to you and inform you about Air Quality Regulations.

It is a violation of Air Quality Regulation Section 92 to create any unpaved Parking or Storage Yard after January 1, 2003. If the Parking/Storage Yard existed prior to January 1, 2003, it must have valid approved land use dating back before January 1, 2003. Before anything is done on a parcel, land you must be obtain from Comprehensive Planning. You will then need to get approval from Air Quality if the site is not paved. Millings are not considered paving. This all occurs before anything is parked or stored on the parcel.

There are some exceptions. If you would like to have a meeting to discuss the regulations, please let me know.

David Dean

Air Quality Supervisor

Clark County Department of Environmental and
Sustainability

Division of Air Quality

4701 W. Russell Rd., Suite 200

Las Vegas, NV 89118

Office: 702-455-1645/Cell: 702-232-1183

EXHIBIT K

Complaint No. 76919

Observed On

Apr 14, 2025 3:54 PM

Reported On

Apr 14, 2025 3:57 PM

Complaint Description

I am writing to formally report a truck parking yard operating without proper paving and necessary permits at Parcel #16108810083 and 16108810082 This facility appears to be in violation of local regulations, posing potential environmental, safety, and zoning concerns.

Key issues observed:

Lack of Proper Paving: The yard is unpaved, leading to excessive dust, poor drainage, and potential contamination from oil and fuel leaks.

Permit Violations: Based on available information, the facility does not have the required permits to operate as a truck parking yard. As zoning is incorrect.

Environmental & Safety Concerns: The unpaved surface contributes to poor stormwater management, creating hazardous conditions for vehicles and nearby properties.

I urge the appropriate authorities to investigate this matter promptly to ensure compliance with all local ordinances. Thank you for your attention to this issue.

Problem Location

3125 S Nellis Blvd, Las Vegas, Nevada 89121

Intake Method

Online

Type

Unpaved Parking

Are vehicles parked on the lot now?

Yes, Many

Is this a one-time occurrence or occurring more frequently?

Occurring more frequently

Category

Vacant Land Program

Assigned To

Allan Gutierrez

Response

Responded On

Apr 15, 2025 9:00 AM

Closed On

Apr 15, 2025 1:46 PM

Location

Parcel

161-08-810-083

3125 SOUTH NELLIS BLVD. - CC SUNRISE MANOR - 89121

Street

3125 S. Nellis Blvd

City

Las Vegas

Zip Code

—

Major Cross Streets

S. Nellis Blvd & Happy Valley Avenue

Complainant

Name

None

Email

[REDACTED]

Complainant Wants Investigation Findings?

Yes



EXHIBIT L

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

INSPECTION REPORT

No. 148511

Date:	Start Time:	End Time:	Specialist:	
Apr 15, 2025	9:30 AM	9:45 AM	Allan Gutierrez	
Parcels:	161-08-810-083, 161-08-810-082			
Location Description:	3125 SOUTH NELLIS BLVD. - CC SUNRISE MANOR - 89121			
Inspection Type:	Complaint	Complaint No.:	76919	
AQR Section:	92: Unpaved Parking Lots/Storage Areas - Post 1/1/2003			
Observations:				
Current Land Use Agreement:	No			
Soil Condition:	Stable	Note:	gravel	
Disturbance Factors:	Parking, Vehicular Travel, Storage		Other:	
Fugitive Dust Observed:	No	Generated By:		
Control Measures Implemented: N/A				
Control Measures:	Other:			
Tests Performed:				
Drop Ball Test:	N/A	Area #1:	Area #2:	Area #3:
Rock Test:	N/A	Percent:		
Silt Content:	N/A	Percent:		
Opacity:	N/A	Percent:		
Photography:	Yes	Traffic Count (ADT):	N/A	
Inspector Notes:		Reviewed By:	Satyra George	
I conducted an investigation of Complaint #76919 and observed storage yard lot over 5,000 square feet on APNs 161-08-810-082 & 161-08-810-083. There were approximately two dozen trucks and truck trailers on-site. This storage yard was created after January 1, 2003, which is not in compliance with AQR 92.3.1. A Notice of Non-compliance was issued to the Property Owner on October 2, 2024. The sites are currently not in compliance.				
Action Taken:	Follow-Up for Possible NOV (VL)			



EXHIBIT M

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

INSPECTION REPORT

No. 149147

Date:	Start Time:	End Time:	Specialist:
May 6, 2025	10:15 AM	10:25 AM	Allan Gutierrez
Parcels:	161-08-810-082, 161-08-810-083		
Location Description:	3125 SOUTH NELLIS BLVD. - CC SUNRISE MANOR - 89121		
Inspection Type:	Re-inspection	Complaint No.:	
AQR Section:	92: Unpaved Parking Lots/Storage Areas - Post 1/1/2003		
Observations:			
Current Land Use Agreement:	No		
Soil Condition:	Stable	Note:	gravel
Disturbance Factors:	Parking, Vehicular Travel, Storage		Other:
Fugitive Dust Observed:	No	Generated By:	
Control Measures Implemented: Yes			
Control Measures:	Other: secure gate, gravel		
Tests Performed:			
Drop Ball Test:	N/A	Area #1:	Area #2: Area #3:
Rock Test:	N/A	Percent:	
Silt Content:	N/A	Percent:	
Opacity:	N/A	Percent:	
Photography:	Yes	Traffic Count (ADT):	N/A
Inspector Notes:		Reviewed By: Satyra George	
I conducted a re-inspection and observed an unpaved storage yard on APNs 161-08-810-082 & -083. Each parcel has an unpaved storage yard over 5,000 square feet containing over a dozen trailers and trucks. As of May 6, 2025, all necessary control measures to meet AQRs have not been implemented since the original Notice of Non-Compliance (NON) was sent to the Property Owner on October 2, 2024.			
Action Taken:	Follow-up for Possible NOV		



EXHIBIT N

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

INSPECTION REPORT

No. 149866

Date:	Start Time:	End Time:	Specialist:
May 27, 2025	9:15 AM	9:30 AM	Allan Gutierrez
Parcels:	161-08-810-082, 161-08-810-083		
Location Description:	3125 SOUTH NELLIS BLVD. - CC SUNRISE MANOR - 89121		
Inspection Type:	Re-inspection	Complaint No.:	
AQR Section:	92: Unpaved Parking Lots/Storage Areas - Post 1/1/2003		
Observations:			
Current Land Use Agreement:	No		
Soil Condition:	Stable	Note:	gravel
Disturbance Factors:	Parking, Vehicular Travel, Storage		Other:
Fugitive Dust Observed:	No	Generated By:	
Control Measures Implemented: Yes			
Control Measures:	Other: secure gate, gravel		
Tests Performed:			
Drop Ball Test:	N/A	Area #1:	Area #2: Area #3:
Rock Test:	N/A	Percent:	
Silt Content:	N/A	Percent:	
Opacity:	N/A	Percent:	
Photography:	Yes	Traffic Count (ADT):	N/A
Inspector Notes:		Reviewed By:	Satyra George
I conducted a re-inspection and observed an unpaved storage yard on APNs 161-08-810-082 & -083. Each parcel has an unpaved storage yard over 5,000 square feet containing over a dozen trailers and trucks. As of May 27, 2025, all necessary control measures to meet AQRs have not been implemented since the original Notice of Non-Compliance (NON) was sent to the Property Owner on October 2, 2024.			
Action Taken:	Follow-up for Possible NOV		

EXHIBIT O

From: [roblauer](#)
To: [Allan Gutierrez](#)
Cc: [Amy Sugden](#)
Subject: 3125 North Nellis
Date: Tuesday, May 27, 2025 9:37:57 AM

Allan,

Why are you at our property today harassing our tenants?

We have an administrative appeal pending and a stay order in effect from an administrative judge and lawsuit against seeking a judicial review against the county pending in court all for that subject property.

Cease and desist all enforcement active until the cases are adjudicated.

Rob Lauer

On Thursday, April 10th, 2025 at 2:16 PM, Allan Gutierrez <Gutierre@ClarkCountyNV.gov> wrote:

Hello Mr. Lauer.

I have been assigned Compliant 76892. Please contact me at the telephone number below to discuss the complaint.

Thank you.

Allan F. Gutierrez, Jr.

Air Quality Specialist II

Department of Environment and Sustainability

Division of Air Quality

4701 W. Russell Road, Ste. 200

Las Vegas, NV 89118

gutierre@clarkcountynv.gov

Office: 702.455.1679

Cellular: 702.370.2199

**Tonopah & Tidewater Railroad Co.,
Environmental Transportation of Nevada, LLC d/b/a ETON, and
Mitchell Truman, Individually**

**(Assessor's Parcel Numbers
161-07-103-014, 161-07-103-015, and 161-07-103-016)**

Appeal of NOV #10161

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From: [Russell Gubler](#)
To: [AQ Enforcement](#)
Cc: [Moe Truman](#); [Timothy Allen](#)
Subject: Appeal of Notice of Violation #10161 - Tonopah & Tidewater Railroad Co., Environmental Transportation of Nevada LLC dba ETON, and Mitchell Truman, Individually
Date: Thursday, November 20, 2025 3:32:58 PM
Attachments: [Pre-hearing Brief.pdf](#)
[Witness list.pdf](#)
[Exhibits 1-43 REDUCED.pdf](#)

Please see the attached.

Thank you,

Russell G. Gubler
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This communication may contain information that is privileged under the attorney-client privilege, or the work product doctrine, and should be read only by the person to whom it is addressed. If you have received this communication in error, please delete it immediately.
Johnson & Gubler, P.C.

From: AQ Enforcement <AQEnforcement@ClarkCountyNV.gov>
Sent: Thursday, October 9, 2025 6:58 AM
To: Russell Gubler <RGubler@mjohnsonlaw.com>
Cc: Mrs Moe <kathy@eton.me>; moe@eton.me
Subject: Appeal of Notice of Violation #10161 - Tonopah & Tidewater Railroad Co., Environmental Transportation of Nevada LLC dba ETON, and Mitchell Truman, Individually - DECEMBER 2, 2025 HEARING BOARD MEETING
Importance: High

Dear Mr. Gubler,

The attached letter confirms that the above-mentioned matter has been continued to the Air Pollution Control Hearing Board meeting on **December 3, 2025, at 10:00 a.m.**, in the Clark County Building Department – Presentation Room. The original letter was sent via Federal Express today.

PLEASE CONFIRM RECEIPT OF THIS EMAIL

Thank you,

Sherrie D. Rogge

Sherrie D. Rogge, Administrative Secretary
Clark County Department of Environment and Sustainability
Division of Air Quality – Compliance & Enforcement Section
4701 W. Russell Road #200

Las Vegas NV 89118

Office: 702-455-0354/ Fax: 702-383-9994

Email: agenforcement@clarkcountynv.gov

My office hours: Tu-F, 6:30AM – 5:00PM

DES Office Hours are MON-THURS: 7:30AM – 5:00PM.

DES Offices are CLOSED on FRIDAYS.

Matthew L. Johnson (6004)
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Attorneys for Respondents

AIR POLLUTION CONTROL HEARING BOARD MEETING

In the matter of:	NOV #10161
TONOPAH & TIDEWATER RAILROAD CO.; ENVIRONMENTAL TRANSPORTATION OF NEVADA, LLC d/b/a ETON; and MITCHELL TRUMAN,	RESPONDENTS' WITNESS LIST
Respondents.	Date of Hearing: December 3, 2025 Time of Hearing: 10:00 a.m.

NOW COME Tonopah & Tidewater Railroad Co. ("Railroad Co."), Environmental Transportation of Nevada, LLC d/b/a ETON ("ETON"), and Mitchell Truman (collectively, the "Respondents"), by and through their attorneys of the law firm of JOHNSON & GUBLER, P.C., and hereby submit this list of witnesses that Respondents expect to testify at the hearing before the Air Pollution Control Hearing Board:

1. Mitchell Truman
2. Andrew Kirk
3. David Dean
4. Joseph DeBlanco

////

5. Any witnesses called by any other party.

DATED this 20th day of November, 2025.

JOHNSON & GUBLER, P.C.

/s/ Russell G. Gubler

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AIR POLLUTION CONTROL HEARING BOARD MEETING

In the matter of:

TONOPAH & TIDEWATER RAILROAD CO.;
ENVIRONMENTAL TRANSPORTATION OF
NEVADA, LLC d/b/a ETON; and MITCHELL
TRUMAN,

Respondents.

NOV #10161

**RESPONDENTS' PRE-HEARING
BRIEF RE: NOTICE OF
VIOLATION #10161**

Date of Hearing: December 3, 2025

Time of Hearing: 10:00 a.m.

DISCLOSURE

The undersigned counsel of record for Respondents certifies that the following are persons and entities that are sister companies with Respondents. These representations are made in order that the members of the Control Board may evaluate possible disqualification or recusal. Environmental Transportation of Nevada, LLC d/b/a ETON (“ETON”) has no parent corporations. Further, no publicly-held company owns 10% or more of the ETON’s stock.

Tonopah & Tidewater Railroad Co (“Railroad Co.”). has no parent corporations. Further, no publicly-held company owns 10% or more of the Railroad Co’s stock.

Mitchell Truman is an individual.

Matthew L. Johnson of Johnson & Gubler, P.C., attorney for Respondents.

Russell G. Gubler of Johnson & Gubler, P.C., attorney for Respondents.

JOHNSON & GUBLER, P.C.

/s/ Russell G. Gubler

Matthew L. Johnson (6004)
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Attorneys for Respondents

NOW COME Tonopah & Tidewater Railroad Co. (“Railroad Co.”), Environmental Transportation of Nevada, LLC d/b/a ETON (“ETON”), and Mitchell Truman (collectively, the “Respondents”), by and through their attorneys of the law firm of JOHNSON & GUBLER, P.C., and submit this Pre-Hearing Brief, regarding the Clark County’s Notice of Violation #10161.

Introduction:

Respondents were issued the notice of violation #10161, as follows:

Violations Alleged:

By constructing and operating an unpaved parking lot/storage yard on the Property from January 4, 2025, through May 28, 2025, Tonopah & Tidewater, ETON, and Truman violated AQR Section 92.3.1

Respondents object to the jurisdiction of this forum and request that the Board allow this matter to be reviewed in a federal forum. Tonopah & Tidewater Railroad Co. is a railroad company, and this forum does not have jurisdiction under the Interstate Commission Termination Act (“ICCTA”) of 1995. Further, this forum does not have jurisdiction to determine whether the AQR has the force and effect of federal law. *See* Exhibit 40. Similarly, other federal questions are raised, which are better suited for a court of law, also which this forum does not have jurisdiction to determine. *Id.* Therefore, Respondents request that the Board allow this matter to be reviewed in a federal forum.

Regardless, an exemption to paving exists for the Property under AQR Section 92.3.3. The Property is covered with six inches of proper roto milling, with another six inches of chat gravel. The roto milling is necessary for Respondents, as Respondents maintain a D9L dozer on the property, which is tracked equipment, weighing approximately 114,656 lbs. This equipment covers the entire Property. The Respondents’ heavy pieces of equipment also cover, turn, and maneuver over the entire Property. As acknowledged by the Board Chair of the Control Board at

the last Control Board hearing, the roto mill is an acceptable exception when heavy equipment spins on the asphalt.

Pavement is not the best available control measure as roto milling is more appropriate for properties with heavy tracked equipment. DES insists that the Railroad Co. place asphalt on the Property. However, because the Railroad Co. owns and/or utilizes track and heavy equipment, pavement is not the best available control source. It is impractical to pave the Property as the bulldozer would destroy the paving, turning it to an equivalent roto-milling state, now on the Property. For a property to be used for parking trucks, there is no difference in the fugitive dust emission leaving a property from a lot paved with asphalt compared to a property covered in roto milling.

Further, DES is precluded under Nevada law from rearguing the issue of the roto mill. The Control Board already considered the issue of whether the roto mill on this very Property was sufficient, and considered the application of the heavy equipment on the Property after hearing the evidence, on the merits.

The AQR is preempted by federal law. ICCTA preempts the rules of state and local agencies that are of general applicability when they unreasonably burden railroad activity. *See Association of American Railroads*, 622 F.3d at 1097-98. When state or local laws are an obstacle to the accomplishment and execution of an interstate carrier in the furtherance of its duty to move good between states a railroad's services, the laws are preempted. *See* 49 CFR 655.6; *Pike v. Bruce Church Inc.*, 397 U.S. 137 (1970). In this matter, the AQR is not conducive to interstate commerce, whether for a trucking company, a railroad company, or a pipeline company, as they are different from other states, including the state of Nevada. The AQR

unreasonably burdens railroad activity by interfering with Interstate Commerce. The Railroad Co. was formed and organized under Nevada law and qualifies under the definition of a railroad.

The Fourth Amendment of the United States Constitution protects individuals from unreasonable searches and seizures by the government, requiring warrants based on probable cause and describing the place to be searched and the items to be seized. Evidence obtained unlawfully cannot be used in court against the Respondents, under the Exclusionary Rule, and as extended under the Fruit of the Poisonous Tree doctrine. In December 2024, January 2025, and May 2025, DES admits in the NOV that it entered the Property. DES obtained evidence through unlawful searches and seizures. DES conducted an unlawful search and seizure in violation of the Fourth Amendment.

Respondents are not being afforded Equal Protection. The Fifth Amendment's Due Process Clause of the United States Constitution requires the United States government to practice equal protection. The Fourteenth Amendment's Equal Protection Clause requires states (and local governments) to practice equal protection. Equal protection forces a state to govern impartially—not draw distinctions between individuals solely on differences that are irrelevant to a legitimate governmental objective. Under Equal Protection, a governmental body may not deny people equal protection of its governing laws. The governing body state must treat an individual in the same manner as others in similar conditions and circumstances, which DES has failed to do for the reasons stated herein.

For these reasons, and the other reasons stated herein, Respondents request that the Board overturn the hearing officer's orders and further reject the violations and the fines.

Facts:

1. Tonopah & Tidewater Railroad Co. is a railroad company owning property located at located at 2596 Stratford Ave, Las Vegas, NV 89121 (the “Property”). Exhibit 1, Deed.¹
2. The Railroad Co. was organized in the State of Nevada on July 9, 2004. Exhibit 2, Entity information.
3. On September 30, 2004, the Railroad Co. filed a verified notice of exemption under 49 CFR 1150.31 to lease and operate a private rail line owned in Clark County, NV. The Railroad company may initiate and provide common carrier rail operations on and over the line. Accordingly, the Railroad Co. became a Class III rail carrier. Exhibit 3, Federal Register Docket No. 34547.
4. Las Vegas Paving Corporation obtained an easement on certain property from Pan Western, which is on the same property mentioned in the Federal Register. *See* Exhibit 20.
5. This easement was recorded and runs with the land. *Id.*
6. In 2008, the Railroad Co. obtained a Licensing Agreement with Las Vegas Paving Corporation that allows the Railroad Co. to “***Operate [an] industrial railroad on the property.***” Exhibit 21, Licensing Agreement (emphasis added).
7. In 2010, the Railroad Co. purchased the physical steel rails from Pan Western that are held on the property. Exhibit 22, Purchase Agreement.
8. These rails are stationary on the Property. Exhibit 23, photograph of rails.
9. Further, cars are able to switch lanes, which requires an operator. *Id.*

¹ Some Exhibits have been kept as an abundance of caution to preserve rights and arguments.

10. In addition, the Railroad Co. entered into a Commercial Lease Agreement to also load and unload rail cars onto the rail near Apex. *See* Exhibit 35.

11. The Railroad Co. uses its equipment to load and unload rail cars on the rail. *See* Exhibit 34.

12. The Railroad Co. entered into a lease with ETON. Exhibit 5, Lease.

13. ETON obtained a dust control permit for grubbing, effective August 30, 2023.

14. During its occupancy, ETON performed services for the Railroad Co. at the Property in the assistance of its business of moving goods across state lines, in interstate commerce.

15. Since January 1, 2024, the Railroad Co. has occupied the Property. The Railroad Co. never applied for or executed a dust control permit.

16. In addition to the Property, the Railroad Co. is the owner of rails, but uses the Property as one of its facilities and yards, in the assistance of its business of moving goods across state lines, in interstate commerce.

17. The Railroad Co. engages in interstate commerce and works with other railroads in the shipment of items across state lines. Exhibit 6, News 8 report.

18. In the furtherance of Railroad Co.'s federally assigned duties to maintain safe railroad service, the Railroad Co. bought a Caterpillar D9L with a serial # of 7G426. Exhibit A of Exhibit 7, Declaration of Mitchell Truman.

19. This tracked bulldozer is kept in the ready mode for immediate deployment at the Property, 24 hours a day, 7 days a week, in the event of a rail derailment, to open up rail service. Exhibit B of Exhibit 7, Declaration of Mitchell Truman.

20. The Railroad Co. engages in interstate commerce and works with other railroads in the shipment of items across state lines. Exhibit 6, News 8 report.

21. The Property is covered with six inches of roto milling, which is at least ¼ inch in thickness. Exhibit 9, photographs of Property. ²

22. It is impractical to pave the Property as the bulldozer would destroy the paving, turning it to an equivalent roto-milling state, now on the Property. Exhibit 7, Declaration of Mitchell Truman; *see also* Exhibit 36.

23. Six inches of roto milling is more than an adequate dust palliative to meet the fugitive dust requirement of the EPA clean air act. Exhibit 10, Declaration of Miller.

24. For companies that use tracked equipment such as bulldozers, trenches, rail equipment, and back hoes in their businesses, black top is not a viable palliative, and roto milling is the only viable dust palliative. Exhibit 10, Declaration of Miller; Exhibit 11, Declaration of Harber.

25. Roto milling meets the requirement as a comparable palliative for dust abatement, particularly when there is track equipment operated on the property. Exhibit 11, Declaration of Harber; *see also* Exhibit 12, Declaration of McDonough; Exhibit 13, Meldrum.

26. Professionally, the roto milling on the Property is more than an adequate dust palliative to meet the fugitive dust requirement of the EPA clean air act. Exhibit 10, Declaration of Miller; Exhibit 13, Declaration of Meldrum.

27. Similarly, there is no difference in the fugitive dust emission leaving a property from a lot paved with asphalt compared to a property covered in roto milling. Exhibit 12, Declaration of McDonough.

² Below the roto mill is six additional inches of Chat gravel.

28. The bulldozer weighs approximately 114,656 lbs, and covers the entire Property.

29. In addition to the bulldozer, the Railroad maintains the following equipment at the Property:

- a. 1- 80,000 lb forklift;
- b. 1 - 200 ton crane;
- c. 1- 36,000 lb forklift;
- d. 2- 25,000 lb forklifts;
- e. 1- 18,000 lb forklift;
- f. 1- 10,000 lb forklift;
- g. 3- 6,000 lb forklifts;
- h. Other heavy equipment/trucks weighing approximately 129,000 lbs, when loaded.³

30. These heavy pieces of equipment also cover and maneuver over the entire yard.

31. By requiring the Property to be paved with asphalt, as opposed to roto milling, Clark County will create more air pollution from its activities. The following required items are needed to make virgin asphalt (all of which are activities that release CO₂ into the atmosphere, require additional water to stop dust, and/or wash the material to have it prepared to make asphalt):

- a. Mining the rock;
- b. Fuel manufacturing to prepare fuel for the quarry equipment;
- c. Transportation of the fuel to the paving yard;

³ Given the size and shape of the yard, when these pieces of heavy equipment turn or maneuver, they cause damage to asphalt, as acknowledged by the Board. *See* Exhibit 32, pp. 69-71

- d. Power generation to move the fuel from the refinery to the local fuel terminal;
- e. Transportation of the rock by haul trucks from the quarry site to the crusher;
- f. Generator to power the crushing equipment.
- g. Fuel usage to move the material by a loader to and around the plant;
- h. Fuel usage to transport the asphalt oil to the hot plant;
- i. Fuel usage to transfer the asphalt oil from the refiner to the local terminal;
- j. Fuel usage to heat the plant to heat the rock to allow the asphalt oil to adhere to the rock;
- k. Fuel usage for the hot asphalt to be delivered to the site.
- l. Fuel usage for the laydown machine to lay the asphalt.

Exhibit 13, Declaration of Meldrum.

32. Paving instead of roto milling is not the best practice in this application on the Property (as used by other political entities). Exhibit 13, Declaration of Meldrum; Exhibit 14, Declaration of Montandon.

33. Further, DES' actions are discriminatory in nature, as DES fails to enforce its policies against other rail roads. Exhibit 15, photographs of rails by other owners in Clark County.

34. Further, AQR is invalid, as it is not a state-wide program. Exhibit 16, photographs of rails in other Nevada counties.

35. Prior to this hearing, Respondents have responded to two other violations, NOV 9994 and 10078, heard simultaneously. *See* Exhibit 30; Exhibit 31.

36. The matter was appealed. *See* Exhibit 32.

37. During the appeal hearing, it was known that the Respondents had roto mill on the Property. Board Chair Sanders stated the following:

14 CHAIR SANDERS: I don't think there's any
15 argument on whether or not roto mill is appropriate. I
16 think it was just a matter of when it got put down in
17 relation to the citations.

Exhibit 32, p. 20

12 CHAIR SANDERS: Is it -- is it relevant, I
13 think *we've already agreed that roto mills' acceptable*
14 -- *dust pallet*. Is this still on that argument?

Exhibit 32, p. 23 (emphasis added).

21 CHAIR SANDERS: Well, like I said earlier, I --
22 *I don't think the argument here is whether or not the*
23 *roto mill is acceptable. I hope it's acceptable because*
24 -- *well, I use the same thing. Everybody that I know*
25 *does and has tracked equipment. And it -- and it is a*
1 -- a good palliative and -- and it, you know, and you
2 can smooth it back out if your tracks mess it up at all
3 moving around.

Exhibit 32, pp. 38-39 (emphasis added).

14 CHAIR SANDERS: Well, I -- I saw the -- I saw
15 the email that said, you know, and I saw the -- the
16 application and -- and where he agreed that he was going
17 to pave portions of it. And was even asking an email
18 and he said it was going to be three inch overlay. You
19 know, I -- I did see that. So he agreed at one time
20 that he was going to pave a portion of it. And, you
21 know, *I think it would've just been a matter of -- of --*
22 *of -- of talking to him with the -- with -- with the air*
23 *quality representatives and say, Hey, look, I'm just*
24 *going to put some roto mill down. I don't think that*
25 *had been an issue.*

Exhibit 32, p. 39 (emphasis added).

15 CHAIR SANDERS: No. I know all about it.

16 *You're preaching to the choir here on that stuff. On*
17 *the -- the roto mill versus --*

Exhibit 32, p. 42 (emphasis added).

23 CHAIR SANDERS: Does the board have any
24 questions for Ann? Okay. So there's -- I guess we're
25 at a point then when we decide what we're going to do
1 with this. You know, I -- I can appreciate the fact
2 that you don't want people coming onto the site
3 randomly. You know, I'm familiar with the security
4 requirements and other issues that are related to that.
5 Nevertheless, I -- I, you know, I do agree with
6 the hearing officer's assessment that the violations
7 actually occurred. And it's clear from the timeline
8 that, you know, we had an unstable -- *potentially*
9 *unstable piece of ground up until -- in August when they*
10 *closed it out and said it was in compliance after the*
11 *roto mill had been put down.*

12 You know, I'm not going to get in the -- or
13 argue the point that -- of -- in my mind and maybe this
14 isn't county regulation. So I -- I don't know if we'll
15 get in trouble here. *But, you know, I don't have a*
16 *problem with the roto mill. And I think that that's an*
17 *adequate dust palliative when you have a lot of traffic*
18 *on -- on something and -- and it's moving around and*
19 *turning and -- and unloading different things. And it's*
20 *pretty hard to keep the asphalt.*
21 *As a matter of fact, it's pretty hard to keep*
22 *it clean let alone keep it from getting damaged with --*
23 *with that kind of activity. Especially with the D9*
24 *Dozer that, you know, weighs like a hundred tons,*
25 *spinning around in there. So -- and I don't -- I don't*
I even know why the dozer is there. But nevertheless, you
2 know, in my mind the -- the -- the roto mill is not an
3 issue.

4 And -- and *obviously they -- they accepted it.*
5 *Showing that you were in compliance after you put it*
6 *down.* So I think the question is, the violations that
7 -- that you're cited for I think they're relevant and I
8 think that they're -- even when they were allowed on
9 site by somebody, you or somebody else, you know, the
10 citation was there.

Exhibit 32, pp. 69-71 (emphasis added).

38. In addition, based on the testimony that was given, without objection or opposing testimony, the parties understood that the permit was closed and the Property was in compliance:

5 Nevertheless, I -- I, you know, I do agree with
6 the hearing officer's assessment that the violations
7 actually occurred. And it's clear from the timeline
8 that, you know, we had an unstable -- potentially
9 unstable piece of ground ***up until -- in August when they***
10 closed it out and said it ***was in compliance*** after the
11 roto mill had been put down.

Exhibit 32, p. 70 (emphasis added).

39. Some of the Respondents were found to have violated the AQR, up until the roto mill was placed. *Id.*

40. After the Roto Mill was placed, and upon reviewing the evidence, the Board repeatedly commented that the roto mill was acceptable. However, now, DES is arguing that Respondents should still be fined.

Argument:

A. An exemption to paving exists for the Property.

DES cites AQR Section 92.3.1, as applicable law, which states:

92.3.1 New Parking Lots or Storage Areas

- (a) New parking lots constructed after January 1, 2003, or constructed with public access after December 31, 2024, at a stationary source, as applicable, in Hydrographic Areas 212, 216, or 217; in any other hydrographic area upon its being designated as nonattainment for PM10; or in any other hydrographic area that becomes subject to a PM10 maintenance plan, as defined under 42 U.S.C. 7505a, must be paved.
- (b) New storage areas constructed after January 1, 2003, or constructed with public access after December 31, 2024, at a stationary source, as applicable, in Hydrographic Areas 212, 216, or 217; in any other hydrographic area upon its being designated as nonattainment for PM10; or in any other hydrographic area that becomes subject to a PM10 maintenance plan, as defined under 42 U.S.C. 7505a, must comply with the control measures described in Sections 92.3.4 (a), (b) or (d).

However, exemptions exist and apply under AQR Section 92.3.3.

92.3.3 Exempt New and Existing Unpaved Parking Lot(s) or Storage Area(s)

The following activities shall be exempt from the paving requirement in Section 92.3.1(a), but must comply with one or more of the control measures in Section 92.3.4.

(b) An area used for storing and handling of landscaping, aggregate, and other similar bulk materials, provided that all access, parking, and loading areas used by on-road vehicles are paved.

(c) An area used primarily for storage of ***non-rubber tired vehicles or tracked or heavy equipment*** that the Control Officer has determined to be of such weight as to damage or destroy pavement (e.g., heavy equipment), provided that all access, parking, and loading areas primarily used by rubber-tired vehicles are paved.

The control measures under 92.3.4 are as follows:

92.3.4 Control Measures

For the purpose of this regulation, the control measures set forth below shall be considered effectively implemented when the Unpaved Parking Lot or storage area meets the stabilization standards described in Section 92.4.

(a) Pave, as defined in Section 0.

(b) Apply alternative asphalt paving.

(c) Uniformly apply and maintain clean gravel to a depth of two inches.

(d) Apply and maintain an alternative control measure with prior written approval from the Control Officer.

Here, the Property is covered with six inches of roto milling, which is at least ¼ inch in thickness. Similarly, below the roto milling, the Property is covered with another six inches of chat gravel, which is at least ¼ inch in thickness. Exhibit 9. The roto milling is necessary for Respondents, as Respondents maintain a D9L dozer on the property, which is tracked equipment, weighing approximately 114,656 lbs. Exhibit 7. This equipment covers the entire Property. In addition to the bulldozer, the Railroad maintains the following heavy equipment:

- a. 1- 80,000 lb forklift;
- b. 1 - 200 ton crane;

- c. 1- 36,000 lb forklift;
- d. 2- 25,000 lb forklifts;
- e. 1- 18,000 lb forklift;
- f. 1- 10,000 lb forklift;
- g. 3- 6,000 lb forklifts;
- h. Other heavy equipment/trucks weighing approximately 129,000 lbs, when loaded.

These heavy pieces of equipment also cover, turn, and maneuver over the entire Property. As acknowledged by the Board Chair, the roto mill is an acceptable exception when heavy equipment spins on the asphalt. *See Exhibit 32, pp. 69-71.* This even includes equipment with rubber tires. Therefore, Respondents request that the Control Board accept the exception, allowed under the AQR.

B. DES is precluded or estopped from rearguing this issue.

Issue preclusion is a legal doctrine that prevents a party from relitigating an issue that has already been decided in a previous lawsuit. For the application of the issue preclusion doctrine, the Supreme Court has outlined a four-part test, as follows:

- (1) the issue decided in the prior litigation must be identical to the issue presented in the current action; (2) the initial ruling must have been on the merits and have become final; . . . (3) the party against whom the judgment is asserted must have been a party or in privity with a party to the prior litigation'; and (4) the issue was actually and necessarily litigated.

See Five Star Capital Corp. v. Ruby, 124 Nev. 1048, 1054-55 (2008).

Here, the Control Board heard and decided the issue of whether the roto mill on the Property was an adequate dust palliative. Chair Sanders stated:

15 get in trouble here. ***But, you know, I don't have a
16 problem with the roto mill. And I think that that's an
17 adequate dust palliative when you have a lot of traffic
18 on -- on something and -- and it's moving around and***

19 turning and -- and unloading different things. And it's
20 pretty hard to keep the asphalt.
21 As a matter of fact, it's pretty hard to keep
22 it clean let alone keep it from getting damaged with --
23 with that kind of activity. Especially with the D9
24 Dozer that, you know, weighs like a hundred tons,
25 spinning around in there. So -- and I don't -- I don't
1 even know why the dozer is there. But nevertheless, you
2 know, in my mind the -- the -- the rot mill is not an
3 issue.
4 And -- and obviously they -- they accepted it.
5 Showing that you were in compliance after you put it
6 down. So I think the question is, the violations that

Exhibit 32, pp. 70-72 (emphasis added). Thus, the Control Board already considered the issue of whether the roto mill on this very Property was sufficient, and considered the application of the heavy equipment on the Property after hearing the evidence, on the merits. The Respondents were involved in the previous hearings. Therefore, DES should be precluded or estopped from bringing the current violation.

C. The Railroad Co. is a railroad company under Nevada law.

A railroad company may be formed by organizing a corporation under NRS Chapter 78. *See* NRS 78.075. Tonopah & Tidewater Railroad Co. is such a corporation that was organized under NRS Chapter 78, with the designation of the words, "Railroad Co." *See* Exhibit 2.

Further, the Nevada legislature has never otherwise defined the term, "railroad company". As a result, the Supreme Court of Nevada looked to the Black's Law Dictionary to define the term. *Bombardier Transp. (Holdings) USA, Inc. v. Nev. Labor Comm'r*, 135 Nev. 15, 26, 433 P.3d 248, 258 (2019). The term is defined by Black's Law Dictionary as "[a] corporation organized to construct, maintain, and operate railroads." Railroad Corporation, Black's Law Dictionary (10th ed. 2014). This is consistent with the common meaning of railroads and other statutes wherein the Legislature has defined railroads as operating on railways. *See, e.g.*, NRS

484A.200 (defining "railroad" as one that operates on "stationary rails"); NRS 484B.050 (same); NRS 710.300 (requiring a "railway" or "railway lines" for railroad utilities). *Bombardier Transp. (Holdings) USA, Inc. v. Nev. Labor Comm'r*, 135 Nev. 15, 26, 433 P.3d 248, 258 (2019).

Here, Las Vegas Paving Corporation obtained an easement on certain property from Pan Western, which is on the same property mentioned in the Federal Register. *See* Exhibit 20. This easement was recorded and runs with the land. *Id.* Thereafter, in 2008, the Railroad Co. obtained a Licensing Agreement with Las Vegas Paving Corporation that allows the Railroad Co. to “*Operate [an] industrial railroad on the property.*” Exhibit 21, Licensing Agreement (emphasis added). In 2010, the Railroad Co. purchased the physical steel rails from Pan Western that are held on the property. Exhibit 22, Purchase Agreement. These rails are stationary on the Property. Exhibit 23, photograph of rails. Further, cars are able to switch lanes, which requires an operator. *Id.* These are all features common to rails and trains. In addition, the Railroad Co. entered into a Commercial Lease Agreement to also load and unload rail cars onto the rail near Apex. *See* Exhibit 35. The Railroad Co. uses its equipment to load and unload rail cars on the rail. *See* Exhibit 34. Thus, the Railroad Co. is a railroad company under Nevada law as it maintains and operates a railroad, and holds itself out as a railroad company. *See Bombardier Transp. (Holdings) USA, Inc. v. Nev. Labor Comm'r*, 135 Nev. 15, 26, 433 P.3d 248, 258 (2019).⁴

D. AQR is preempted by Federal law.

AQR is preempted by Federal Law. Commerce Clause Art. I, §8, Cl. 3, states, in part, Congress shall have the power to . . . regulate commerce . . . among the several states” The Supremacy Clause Art. VI, Cl. 2, also states, “This Constitution, and the laws of the United States which shall be made in pursuance thereof . . . , shall be the supreme law of the land”

⁴ Further, the Railroad Co. is a railroad company, as the Public Utilities Commission regulates it.

The Interstate Commerce Act, established in 1887, and then the ICCTA of 1995 grants the STB authority over rail service.⁵ That authority includes the ability to regulate items such as rates, classifications rules, practices, routes, ***services, and facilities, among others***, even if the tracks are located entirely within one state. The definition of “transportation” included within the STB’s purview is broad, including a locomotive, car, ***vehicle, vessel, warehouse, yard, property, facility, instrumentality, or equipment of any kind*** related to the movement of passengers and/or property by rail. This preemption applies to rail carriers, operating in interstate commerce, and those operating on their behalf, including transloaders.

In *Chicago and North Western Transportation Company v. Kalo Brick and Tile Co.*, 450 U.S. 311 (1991), the Supreme Court held, “The ICA is among the most pervasive and comprehensive of federal regulatory schemes Since the turn of the century, we have frequently invalidated attempts by the States to impose on common carriers obligations that are plainly inconsistent with the plenary authority of the ICC] . . .” The Court further said, “[There] can be no divided authority over interstate commerce, and . . . the acts of Congress on that subject are supreme and exclusive. Consequently, state efforts to regulate commerce must fall when they conflict with or interfere with federal authority over the same activity.” *Id.* at 318-9.

⁵ The Act abolished the Interstate Commerce Commission (ICC) and established the STB under the U.S. Department of Transportation. It is now an independent agency.

ICCTA Statutory Preemption language (49 USC §10501):

(b) The jurisdiction of the Board over-

(1) transportation by rail carriers, and the remedies provided in this part with respect to rates, classifications, rules (including car service, interchange, and other operating rules), practices, routes, ***services, and facilities of such carriers***; and

(2) the construction, acquisition, operation, abandonment, or discontinuance of spur, industrial, team, switching, or side tracks, or facilities, even if the tracks are located, or intended to be located, entirely in one State, is exclusive. Except as otherwise provided in this part, the remedies provided under this part with respect to regulation of rail transportation are exclusive and ***preempt the remedies provided under Federal or State law***. [Emphasis added.]

Attempts by states and municipalities to exert their authority over rail-related service or structures usually fail. The city of Auburn in Washington State tried to require a full environmental impact statement of a proposed rail line reopening, but was denied. *City of Auburn v. US Government*, 154 F. 3d 1025, 29 Env'tl. L. Rep. 20,096 (9th Cir. 1998). The City of Auburn argued that there was no express preemption of local regulation in ICCTA, and that Congress meant to preempt economic regulation, not “essential local police power required to protect the health or safety of citizens.” However, the court rejected the City’s position, noting the long history of judicial recognition that rail operations need to be regulated at the federal, not local level.

The STB denied the request of Winchester, Mass. to regulate use of a freight yard which residents claimed was too noisy at night. Winchester claimed that its zoning regulations prohibited the use, but the STB ruled that federal law preempted the town’s regulations. *Boston & Maine Corporation & Springfield Terminal Railroad Company – Petition for Declaratory Order*, 2013 WL 5869470, October 30, 2013.

The reason federal control of rail transportation is important is clear – if every city, town, county, and state could put its own restrictions on rail service, it would cripple it and destroy any semblance of a unified national system. The smooth operation of the rail system is protected by prohibiting states and municipalities from any requirements that would inhibit that system. Although very limited local or state regulation is allowed if the regulation is directly related to public health and safety, such as compliance with building and fire codes, rail lines cannot be required to apply for environmental permits governed by local or state law. *See Green Mountain Railroad Corp. v. Vermont*, 404 F.3d 638 (2005).

Even restrictions on activities somewhat removed from actual rail service are also prohibited because they would have an effect on the provision of rail service. In *Norfolk Southern Railway Co. v. City of Alexandria*, 608 F.3d 150 (2010), the City’s ordinance regulating when trucks could enter and leave the rail facility was struck down because that restriction would cause a back-up in unloading the rail cars and have a limiting effect on rail service.

Thus, when state or local laws are an obstacle to the accomplishment and execution of an interstate carrier in the furtherance of its duty to move good between states a railroad’s services, the laws are preempted. *See* 49 CFR 655.6; *Pike v. Bruce Church Inc.*, 397 U.S. 137 (1970).

E. AQR is not a state-wide program and does not have the force and effect of federal law.

The AQR code is not consistent with a state-wide program. If an apparent conflict exists between ICCTA ***and a federal law***, then the courts must strive to harmonize the two laws, giving effect to both laws if possible. *Association of American Railroads v. South Coast Air Quality Manag. Dist.*, 622 F.3d 1094, 1097 (9th Cir. 2010). If an apparent conflict exists between ICCTA and a state or local law, however, different rules apply. *Association of American Railroads*, 622 F.3d at 1097 (emphasis added).

The STB has explained that this system preserves a role for state and local agencies in the environmental regulation of railroads in at least two ways. First, to the extent that state and local agencies promulgate EPA-approved **statewide plans** under federal environmental laws (such as “**statewide implementation plans**” under the Clean Air Act), ICCTA generally does not preempt those regulations because it is possible to harmonize ICCTA with those federally recognized regulations. *Association of American Railroads*, 622 F.3d at 1098 (emphasis added).

The corollary to that rule is that, until approved by the EPA, state implementation plans do not have the force and effect of federal law. *Association of American Railroads*, 622 F.3d at 1098 (emphasis added).

Second, to the extent that state and local agencies enforce their generally applicable regulations in a way that does ***not unreasonably burden railroad activity***, ICCTA does not preempt such regulation, despite the fact that the regulation does not have the force and effect of federal law. *Association of American Railroads*, 622 F.3d at 1098 (emphasis added). ICCTA preempts those rules unless they are rules of general applicability **that do not unreasonably burden railroad activity**. *Association of American Railroads*, 622 F.3d at 1097-98 (Noting that the STB has recognized that ICCTA likely would not preempt local laws that prohibit the dumping of *harmful substances or wastes*, because such a generally applicable regulation would not constitute an unreasonable burden on interstate commerce). Stated a different way, the ICCTA preempts the rules of state and local agencies that are of general applicability when they unreasonably burden railroad activity. The critical inquiry is "the degree to which the challenged regulation burdens rail transportation." *BNSF Ry. Co. v. Cal. Dep't of Tax & Fee Admin.*, 904 F.3d 755 (9th Cir. 2018), *Or. Coast Scenic R.R., LLC v. Or. Dep't of State Lands*, 841 F.3d 1069 (9th Cir. 2016). This analysis requires examining whether the local regulation constitutes "an unreasonable burden on interstate commerce" and whether it has "the effect of managing or governing rail transportation" versus having "a more remote or incidental effect on rail transportation." *Ass'n of Am. R.R. v. S. Coast Air Quality Mgmt. Dist.*, 622 F.3d 1094 (9th Cir. 2010).

The AQR is not a ***state*** implemented plan; it is a ***county*** implemented plan, and does not have the force and effect of federal law, as stated in *Association of American Railroads*.

Section 52.1490(61) of Title 40 of the CFR shows that the plan that was approved by the EPA is not a state-wide plan.

(61) The following plan revision was submitted on March 26, 2003, by the Governor's designee.

(i) Incorporation by reference.

(A) Clark County Department of Air Quality and Environmental Management.

(1) Section 93, adopted on June 22, 2000 by the Clark County Board of Commissioners and amended on March 4, 2003; Section 94, ***adopted on June 22, 2000 by the Clark County Board of Commissioners*** and amended on March 18, 2003; and, the "Construction Activities Dust Control Handbook", adopted June 22, 2000 by the Clark County Board of Commissioners and amended on March 18, 2003.

(emphasis added). Thus, the AQR was adopted by the Clark County Board of Commissioners, not the legislature and governor of Nevada.

The Nevada state-implemented plan allows for officials to use common sense and to be reasonable. NRS 445B.100 states as follows:

1. It is the public policy of the State of Nevada and the purpose of NRS 445B.100 to 445B.640, inclusive, to achieve and maintain levels of air quality which will protect human health and safety, prevent injury to plant and animal life, prevent damage to property, and preserve visibility and scenic, esthetic and historic values of the State.

2. It is the intent of NRS 445B.100 to 445B.640, inclusive, to:

(a) Require the use of ***reasonably available methods*** to prevent, reduce or control air pollution throughout the State of Nevada;

(emphasis added). Similarly, NAC 445B.22037, states,

1. No person may cause or permit the handling, transporting or storing of any material in a manner which allows or may allow controllable particulate matter to become airborne.

2. Except as otherwise provided in subsection 4, no person may cause or permit the construction, repair, demolition, or use of unpaved or untreated areas without first putting into effect an ongoing program using the best practical methods to prevent particulate matter from becoming airborne. As used in this subsection, ***"best practical methods"***

includes, but is not limited to, paving, *chemical stabilization*, watering, phased construction and revegetation.

(emphasis added). Thus, paving compared to best practical or reasonably available methods (State) are not the same. They are quite different, and the AQR is not a state-wide implemented plan.

Similarly, the method in which the State of Nevada implements a program is quite different from the way that DES is attempting to enforce its program against Respondents. *See* Exhibit 16, railroad yards in other counties in the State of Nevada.

F. The end of the Chevron doctrine and Chevron preference.

The EPA bypassed the State of Nevada when it approved the AQR, and there is no evidence that the AQR is a state-wide program. The United States Supreme Court's recent rulings in *Loper Bright Enterprises v. Raimondo*, 603 U.S. 369 (2024) and *Corner Post, Inc. v. Board of Governors of the Federal Reserve System*, 603 U.S. 799 (2024), both ended the *Chevron* doctrine that gave preferences to agencies in interpreting statutes. Accordingly, this forum does have jurisdiction to determine whether the AQR has the force and effect of federal law.

In *Loper* and *Corner Post*, the Supreme Court has created a new framework for challenges to existing and developing regulatory landscape. First, in the 6-3 *Loper* decision, the Court overruled its decision in *Chevron U.S.A. Inc. v. Natural Resources Defense Council Inc.* Previously, under the *Chevron* doctrine, when a reviewing court determined that a statute was ambiguous or that Congress had not directly addressed the precise question at issue, the Court, rather than imposing its own interpretation of the statute, would defer to the agency's interpretation as long as the agency's interpretation was based on a permissible construction of the statute. In *Loper*, the Court concluded that *Chevron* deference conflicts with separation of powers principles and the command of the APA that courts, **not agencies**, are to "decide all

relevant questions of law" and "interpret statutory provisions." Stated another way, the Court made clear that it "remains the responsibility of the court to decide whether the law means what the agency says." The Court reinforced that "courts, not agencies, will decide 'all relevant questions of law' arising on review of agency action" and prescribed "no deferential standard for courts to employ in answering those legal questions." Therefore, the Court concluded, the APA "makes clear that agency interpretations of statutes – like agency interpretations of the Constitution – are not entitled to deference." In so holding, the Court specifically rejected arguments that federal agencies, rather than courts, are better suited to determine what ambiguities in a federal law might mean, including when those ambiguities involve technical or scientific questions that fall within an agency's area of expertise. Finally, the Court noted that "to the extent that Congress and the Executive Branch may disagree with how the courts have performed that job in a particular case, they are of course always free to act by revising the statute."

Going forward, *Loper* means that: (1) "Courts must exercise their independent judgment in deciding whether an agency has acted within its statutory authority" and "may not defer to an agency interpretation of the law simply because a statute is ambiguous." (2) Courts still can consider the "interpretations and opinions" of the relevant agency and should accord "due respect" for the specialized expertise and informed judgement of the agency. However, the weight of those interpretations and opinions will "depend upon the thoroughness evident in its consideration, the validity of its reasoning, its consistency with earlier and later pronouncements, and all those factors which give it power to persuade, if lacking power to control."

Following *Loper Bright*, courts must now exercise their independent judgment in deciding whether an agency acted within its statutory authority, even when a statute is ambiguous. To

accomplish that, federal courts will use their traditional statutory interpretation tools to resolve statutory ambiguities.

Thus, here, the EPA overstepped its authority by approving a non-state-wide implemented program, known as the AQR. As a result, the AQR does not have the force and effect of federal law. DES has argued that DES is a state agency and that these cases do not apply. However, Respondents object to the jurisdiction of this forum, as a court must interpret whether *the EPA* has overstepped its authority by approving the AQR, and whether the AQR has the force and effect of federal law, as well as any of the other constitutional issues raised in this response.

G. The AQR unreasonably burdens railroad activity by interfering with Interstate Commerce.

Again, ICCTA preempts those rules that unreasonably burden railroad activity. *Association of American Railroads*, 622 F.3d at 1097-98.

Here, Respondents, the Railroad Co. and ETON, are both a railroad and an interstate trucking company. Truman is an employee. The Railroad Co has a federal docket number and is a public utility. ETON has a DOT number. Respondents move goods from one state to another. Respondents are required to adhere to Federal laws and regulations as it is engaging in fulfilling its federal obligations to move goods across state lines.⁶

Currently, the Property has six inches of roto milling, which is more than an adequate dust palliative to meet the fugitive dust requirement of the EPA clean air act. This is in addition to the six-inch chat materials underneath the roto milling.

⁶ The use of the property by a third party (ETON) to store trucks does not change the overall use of the property by a railroad. Similarly, even if third parties use the facility, this does not eliminate the railroad's federal preemption protections for its core operations. Regardless as to whether or not ETON is a railroad company, ETON does work for the Railroad Co. Alternatively, ETON transports goods through interstate commerce. Thus, ETON should also have these protections that the Railroad Co. enjoys.

Further, the Railroad Co., does work for other railroads. In addition, the Railroad Co. has track equipment, which is necessary to conduct business. For companies that use tracked equipment such as bulldozers, trenches, rail equipment, and back hoes in their businesses, black top is not a viable palliative, and roto milling is the only viable dust palliative. It is impractical to pave the Property as the bulldozer and other heavy equipment would destroy the paving, turning it to an equivalent roto-milling state, now on the Property. The AQR is a direct obstacle to the Railroad Co.'s services and to interstate commerce.

Further, there is no difference in the fugitive dust emission leaving a property from a lot paved with asphalt compared to a property covered in roto milling. On August 28, 2024, DES employees Rowsell and Crandall confirmed that there were no dust emissions from the Property. On the other hand, asphalt is much more expensive, causing a burden to businesses, including Respondents. This restricts trade, and is an unreasonably burden on railroad activity and interstate commerce.

Therefore, Respondents have not committed any of the violations and request that the Control Board reject the violations and fines.

H. Pavement is not the best available control measures.

DES insists that the Railroad Co. place asphalt on the Property. However, because the Railroad Co. owns and/or utilizes track equipment, pavement is not the best available control source either. For companies that use tracked equipment such as bulldozers, trenches, rail equipment, and back hoes in their businesses, black top is not a viable palliative, and roto milling is the only viable dust palliative. It is impractical to pave the Property as the bulldozer would destroy the paving, turning it to an equivalent roto-milling state, now on the Property. For a property to be used for parking trucks, there is no difference in the fugitive dust emission leaving a property from a lot paved with asphalt compared to a property covered in roto milling. On

August 28, 2024, DES employees Rowsell and Crandall confirmed that there were no dust emissions. On the other hand, asphalt is much more expensive, causing a burden to businesses, including Respondents.

Further, AQR violates an executive order to reduce greenhouse gas emissions, as well as the Paris Agreement. *See* Exhibit 19, executive order. By requiring the Property to be paved with asphalt, as opposed to roto milling, DES will create more air pollution from its activities. The following items are needed to make virgin asphalt (all of which are activities that release CO₂ into the atmosphere, require additional water to stop dust, and/or wash the material to have it prepared to make asphalt):

- a. Mining the rock;
- b. Fuel manufacturing to prepare fuel for the quarry equipment;
- c. Transportation of the fuel to the paving yard;
- d. Power generation to move the fuel from the refinery to the local fuel terminal;
- e. Transportation of the rock by haul trucks from the quarry site to the crusher;
- f. Generator to power the crushing equipment.
- g. Fuel usage to move the material by a loader to and around the plant;
- h. Fuel usage to transport the asphalt oil to the hot plant;
- i. Fuel usage to transfer the asphalt oil from the refiner to the local terminal;
- j. Fuel usage to heat the plant to heat the rock to allow the asphalt oil to adhere to the rock;
- k. Fuel usage for the hot asphalt to be delivered to the site.
- l. Fuel usage for the laydown machine to lay the asphalt.

Exhibit 13, Declaration of Meldrum. In addition, asphalt contributes to global warming. *See* <https://www.smithsonianmag.com/smart-news/hot-days-asphalt-may-release-much-air-pollution-cars-180975756/>. This is contrary to a Nevada executive order. Exhibit 19, EO.

Therefore, again, water and asphalt in this application are not the best available control measures.

Further, the Property is covered with Roto Milling, which is in the size of at least .25 inches, processed, and less than 6% silt. Exhibit 9, photo. In addition, the Property is covered with chat material. It is an effective dust suppressant and does not allow for a dust plume. On August 28, 2024, Rowsell and Crandall visited the Property and stated that there were no dust emissions from the Property. Therefore, no fine should be assessed against Respondents.

Similarly, the roto milling is sufficient for long-term stabilization, under BMP 11. Roto milling is a dust palliative that works just as effectively as asphalt, and works better, considering the track equipment on the Property. It qualifies as a clean gravel and a dust suppressant, as confirmed by Rowsell and Crandall on August 28, 2024. Further, the Property is surrounded by fencing. Therefore, no violations or fine should be assessed against Respondents.

I. DES conducted an unlawful search and seizure.

The Fourth Amendment of the United States Constitution protects individuals from unreasonable searches and seizures by the government, requiring warrants based on probable cause and describing the place to be searched and the items to be seized. Evidence obtained unlawfully cannot be used in court against the Respondents, under the Exclusionary Rule, and as extended under the Fruit of the Poisonous Tree doctrine.

In December 2024, January 2025, and May 2025, DES admits in the NOV that it entered the Property. DES obtained evidence through unlawful searches and seizures. Although this is

considered a civil matter, the Fruit of the Poisonous Tree doctrine should be applied here, as DES is a government entity, enforcing a regulation, and seeking to fine companies and individuals. Thus, any evidence taken for an inspection should not be considered, as it is fruit of the poisonous tree, and the violation should be rejected and dismissed.

J. DES has discriminated against Respondents by not enforcing the AOR unevenly.

Further, the Equal Protection Clause of the Fourteenth Amendment requires that Defendants treat the Railroad Co. in the same manner as other similarly situated persons and/or entities. Equal protection forces a state to govern impartially-not draw distinctions between individuals solely on differences that are irrelevant to a legitimate governmental objective. The equal protection clause is crucial to the protection of civil rights.

Based on the type of discrimination alleged, the individual will first need to prove that the governing body actually discriminated against the individual. The individual will need to prove that the governing body's action resulted in actual harm to them. After proving this, the court will typically scrutinize the governmental action in one of several three ways to determine whether the governmental body's action is permissible: these three methods are referred to as strict scrutiny, intermediate scrutiny, and rational basis scrutiny. The court will determine which scrutiny the individual will be subject to, relying on legal precedent to determine which level of scrutiny to use.

Here, DES is discriminating against the Railroad Co. In comparison, DES does not regulate other railroad companies, and require them to pave around their rails, as it does with the Railroad Co. *See* Exhibit 15, photographs of rails by other owners in Clark County. None of the roads adjacent to or in the rail track or yards are paved, nor does DES mandate their coal cars have no tarping over them, and fugitive coal dust protrudes from their cars as they travel though

the Las Vegas Valley and the length of Clark County. There can be no rational basis for this conduct.

Therefore, the Control Board should reject the violations and the fine.

K. The Control Board should not impose a fine, or alternatively, limit the fine.

DES cites AQR Section 9.1.a, for imposing a fine, which states:

Penalties for Violation of Regulation

(a) Any person who is determined to be in violation of an applicable Nevada Revised Statute or any provision of these Regulations, shall pay a civil penalty levied by the Hearing Officer, or the Hearing Board upon appeal, of not more than \$10,000 per day, per violation. These violations include, but are not limited to any of the following:

- (1) Failure to comply with requirements to obtain a permit.
- (2) Failure to comply with a permit condition.
- (3) Failure to pay an applicable fee or to meet a filing requirement.
- (4) Failure to grant entry, to allow or perform inspection, or perform monitoring activities.

Here, the alleged violation is as follows: “By constructing and operating an unpaved parking lot/storage yard on the Property from January 4, 2025, through May 28, 2025, Tonopah & Tidewater, ETON, and Truman violated AQR Section 92.3.1.” However, nothing here states that the Respondents failed to comply with the requirements to obtain a permit, failed to comply with a permit condition, failed to pay a fee, or failed to grant entry, perform an inspection, or perform monitoring activities. Therefore, AQR 9.1(a) does not apply, and there should be no fine assessed.

Alternaterntively, the fine should be limited. During the inspection on December 5, 2024, the Report says that “Soils had recently been watered prior to my inspection.” *See* Exhibit H, NOV. During the inspection on January 9, 2205, the Report says that there was “Recycled Asphalt Throughout”. *See* Exhibit K, NOV. Again, the Control Board accepted the roto mill as a

viable alternative, and prior agents in August 2024 found no dust plume. Therefore, if a fine is assessed, the fine should be limited in the alternative to less than \$1,000.

DATED this 20th day of November, 2025.

JOHNSON & GUBLER, P.C.

/s/ Russell G. Gubler

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rgubler@mjohnsonlaw.com
Attorneys for Respondents

CERTIFICATE OF SERVICE

I hereby certify that on November 20, 2025, I caused to be sent a true and correct copy of the foregoing RESPONDENTS' PRE-HEARING BRIEF RE: NOTICE OF VIOLATION

#10161 via electronic mail, as indicated, to the following parties:

Sherrie D. Rogge
aenforcement@clarkcountynv.gov

Timothy Allen
timothy.allen@clarkcountydav.gov

/s/ Russell G. Gubler

An Employee of Johnson & Gubler, P.C.

EXHIBITS

	DESCRIPTION
1.	Grant, Bargain, Sale Deed
2.	NV Secretary of State Entity Information
3.	Federal Register, 58594
4.	Federal Register, 75293
5.	Commercial Lease Agreement
6.	Local News 8 Report
7.	Declaration of Mitchell Truman
7A	Invoice
7B	Photograph of Dozer at Property
8.	Information on EPA Inspector Credentials
9.	Photographs of Property
10.	Declaration of Joe Miller
11.	Declaration of Paul Harber
12.	Declaration of David M McDonough
13.	Declaration of Floyd Meldrum
14.	Declaration of Michael Montandon
15.	Rails/rail yards in Clark County, Nevada
16.	Rails/rail yards outside of Clark County, Nevada
17.	US Trespass Information
18.	NV Trespass Information
19.	Executive Order
20.	Agreement to Convey Easement
21.	Licensing Agreement
22.	Purchase Agreement.
23.	Photo of rails
24.	Hazardous Materials Transportation Security Requirements
25.	Railroad Co. Security Plan
26.	Declaration of Willard Strickler
27.	Declaration of Crystal Thorne
28.	Order Confirmation- Amazon & Everything Neon
29.	Declaration of Frankie Nevarez
30.	Audio Transcription 10/29/2024
31.	Transcription 11/5/2024
32.	Transcription 4/8/2025
33.	Federal Rule Requirements for Unpaved Parking Lots, Unpaved Roads, and Vacant Lots in Maricopa County
34.	Photo of Rail Equipment
35.	Commercial Lease Agreement
36.	Demonstrative Evidence
37.	Expert Report of Las Vegas Civil Engineering
38.	Transcription 9/18/2025
39.	Notice of Violation #10161
40.	Section 7 regarding Air pollution Control Hearing Board and Hearing

41.	Letter regarding Notice of Violation (NOV) #10161
42.	Order regarding NOV #10161
43.	Invoice regarding NOV #10161

Exhibit 1

Inst #: 20230907-0000999
Fees: \$42.00
RPTT: \$5100.00 Ex #:
09/07/2023 11:52:49 AM
Receipt #: 5383566
Requestor:
FNTG NCS Las Vegas
Recorded By: OSA Pgs: 6
Debbie Conway
CLARK COUNTY RECORDER
Src: ERECORD
Ofc: ERECORD

APN: 161-07-103-014, 015 & 016
Affix R.P.T.T.: \$5,100.00

RECORDING REQUESTED BY:
FIDELITY NATIONAL TITLE
WHEN RECORDED MAIL TO AND
MAIL TAX STATEMENT TO:
TONOPAH & TIDEWATER RAILROAD CO., A
NEVADA CORPORATION
ATTN: KATHERINE TRUMAN
4680 N. CIMARRON ROAD
LAS VEGAS, NV 89129

ESCROW NO: 42054616-420-KS1

GRANT, BARGAIN, SALE DEED

THIS INDENTURE WITNESSETH: That

Colvin Industrial Property Group, LLC Series E, a series of Colvin Industrial Property Group, LLC, a Nevada series limited liability company, as to Parcel 1 who acquired title as Colvin Industrial Property Group, LLC - Series E, a Nevada limited liability company and Colvin Industrial Property Group, LLC - Series A, a series of Colvin Industrial Property Group, LLC, a Nevada series limited liability company, as to Parcel 2 who acquired title as Colvin Industrial Property Group, LLC - Series A, a Nevada series limited liability company and Middlefork Holdings, LLC, a Nevada limited liability company, as to Parcel 3 who erroneously acquired title as Middlefork Holdings LLC

in consideration of \$10.00 and other valuable consideration, the receipt of which is hereby acknowledged, do hereby Grant, Bargain, Sell and Convey to

Tonopah & Tidewater Railroad Co., a Nevada corporation

all that real property situated in the County of Clark, State of Nevada, bounded and described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

Subject to: 1. Taxes for the current fiscal year, paid current.
2. Conditions, covenants, restrictions, reservations, rights, rights of way and easements now of record, if any.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Witness my/our hand(s) this 6th day of September, 2023.

SELLERS:

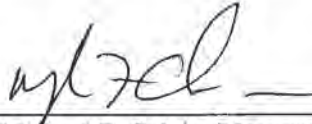
**Colvin Industrial Property Group, LLC
Series E, a series of Colvin Industrial
Property Group, LLC, a Nevada series
limited liability company**



By: Michael F. Colvin, Manager

Michael F. Colvin, Manager


**Colvin Industrial Property Group, LLC - Series
A, a series of Colvin Industrial Property Group,
a Nevada series limited liability company**



By: Michael F. Colvin, Manager

Michael F. Colvin, Manager

**Middlefork Holdings, LLC, a Nevada limited
liability company**



By: Michael Colvin, Manager

Michael F. Colvin, Manager

STATE OF NEVADA

}ss:

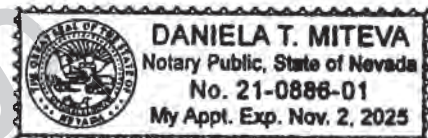
COUNTY OF CLARK

On SEPTEMBER 6, 2023
appeared before me, a Notary Public, **Michael F. Colvin,**
as **Manager of Colvin Industrial Property Group,**
LLC Series E and A, personally known or proven to
me to be the person(s) whose name(s) is/are
subscribed to the above instrument, who
acknowledged that he/she/they executed the
instrument for the purposes therein contained.



Notary Public

My commission expires: 11-2-25

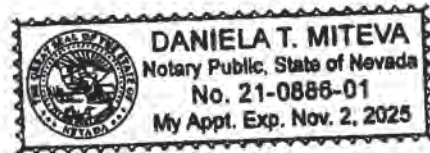


STATE OF NEVADA

}ss:

COUNTY OF CLARK

On SEPTEMBER 6, 2023
appeared before me, a Notary Public, Michael F. Colvin,
as Manager of Middlefork Holdings, LLC,
personally known or proven to me to be the person(s)
whose name(s) is/are subscribed to the above
instrument, who acknowledged that he/she/they
executed the instrument for the purposes therein
contained.





Notary Public

My commission expires: NOV 2, 2025

EXHIBIT "A"

PARCEL 1: APN 161-07-103-014

THAT PORTION OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 7, TOWNSHIP 21 SOUTH, RANGE 62 EAST, M. D. B. AND M., DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 7, AS DESIGNATED BY SURVEY MAP THEREOF ON FILE IN FILE 4, PAGE 97 OF REGISTERED PROFESSIONAL ENGINEERS FILE IN THE OFFICE OF THE COUNTY RECORDS OF CLARK COUNTY, NEVADA; THENCE NORTH 89° 43' WEST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 7, A DISTANCE OF 63.45 FEET TO A POINT; THENCE SOUTH 01° 10'50" EAST A DISTANCE OF 361.25 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 89° 43' WEST A DISTANCE OF 120.58 FEET TO A POINT; THENCE SOUTH 01° 10'50" EAST A DISTANCE OF 167.45 FEET TO A POINT; THENCE SOUTH 89° 43' EAST A DISTANCE OF 120.58 FEET TO A POINT; THENCE NORTH 01° 10'50" WEST A DISTANCE OF 167.45 FEET TO THE TRUE POINT OF BEGINNING.

NOTE: THE ABOVE LEGAL PREVIOUSLY APPEARED IN DOCUMENT RECORDED AUGUST 21, 2018 IN BOOK 20180821 AS INSTRUMENT NO. 000756, OFFICIAL RECORDS.

PARCEL 2: APN 161-07-103-015

THAT PORTION OF NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) SECTION 7, TOWNSHIP 21 SOUTH, RANGE 62 EAST M.D.B.&M., CLARK COUNTY, NEVADA DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF FOUR MILE PARK AS THE SAME IS DESIGNATED BY SURVEY ON FILE IN FILE 1, PAGE 13, OF REGISTERED PROFESSIONAL ENGINEER'S FILE, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA, THENCE SOUTH 1°10'50" EAST ALONG THE EAST LINE OF SAID FOUR MILE PARK A DISTANCE OF 284.2 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 1°10'50" EAST A DISTANCE OF 507.8 FEET TO A POINT; THENCE NORTH 88°49'10" EAST A DISTANCE OF 634.8 FEET TO A POINT; THENCE NORTH 52°31'30" WEST A DISTANCE OF 812.89 FEET TO TA TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION OF SAID LAND AS CONVEYED TO THE COUNTY OF CLARK BY DEED RECORDED AUGUST 05, 2002 IN BOOK 20020805 AS DOCUMENT NO. 001482, OFFICIAL RECORDS.

NOTE: THE ABOVE LEGAL PREVIOUSLY APPEARED IN DOCUMENT RECORDED AUGUST 16, 2018 IN BOOK 20180816 AS INSTRUMENT NO. 001376, OFFICIAL RECORDS.

PARCEL 3: APN 161-07-103-016

THAT PORTION OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 7, TOWNSHIP 21 SOUTH, RANGE 62 EAST, M.D.B. & M., DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 7, AS DESIGNATED BY SURVEY MAP THEREOF ON FILE IN FILE 4, PAGE 97 OF REGISTERED PROFESSIONAL ENGINEERS FILE IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA; THENCE NORTH 89°43' WEST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 7 A DISTANCE OF 63.45 FEET TO A POINT; THENCE SOUTH 01°10'50" EAST A DISTANCE OF 525.22 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 89°43' WEST A DISTANCE OF 120.58 FEET TO A POINT; THENCE SOUTH 01°10'50" EAST A DISTANCE OF 69.70 FEET TO A POINT; THENCE SOUTH 26°43' WEST A DISTANCE OF 56.35 FEET TO A POINT; THENCE SOUTH 52°31'30" EAST A DISTANCE OF 124.45 FEET TO A POINT; THENCE NORTH 26°43' EAST A DISTANCE OF 106.33 FEET TO A POINT; THENCE NORTH 01° 10'50" WEST A DISTANCE OF 100.19 FEET TO THE TRUE POINT OF BEGINNING.

NOTE: THE ABOVE LEGAL PREVIOUSLY APPEARED IN DOCUMENT RECORDED AUGUST 15, 2017 IN BOOK 20170815 AS INSTRUMENT NO. 002262, OFFICIAL RECORDS.

PARCEL 3A:

AN EASEMENT ACROSS THE EASTERLY FIFTEEN (15) FEET OF:

THAT PORTION OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 7, TOWNSHIP 21 SOUTH, RANGE 62 EAST, M.D.B. & M., DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 7, AS DESIGNATED BY SURVEY MAP THEREOF ON FILE IN FILE 4, PAGE 97 OF REGISTERED PROFESSIONAL ENGINEERS FILE IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA; THENCE NORTH 89°43' WEST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 7 A DISTANCE OF 63.45 FEET TO A POINT; THENCE SOUTH 01°10'50" EAST A DISTANCE OF 361.25 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 89°3' WEST A DISTANCE OF 120.58 FEET TO A POINT; THENCE SOUTH 01°10'50" EAST A DISTANCE OF 167.45 FEET TO A POINT; THENCE SOUTH 89°43' EAST A DISTANCE OF 120.58 FEET TO A POINT; THENCE NORTH 01°10'50" WEST A DISTANCE OF 167.45 FEET TO THE TRUE POINT OF BEGINNING.

**STATE OF NEVADA
DECLARATION OF VALUE FORM**

1. Assessor Parcel Number(s)
a. 161-07-103-014
b. 161-07-103-015
c. 161-07-103-016

2. Type of Property:
a. ☒ Vacant Land
b. ☐ Single Fam. Res.
c. ☐ Condo/Twnhse
d. ☐ 2-4 Plex
e. ☐ Apt. Bldg
f. ☐ Comm'l/Ind'l
g. ☐ Agricultural
h. ☐ Mobile Home
i. Other _____

FOR RECORDERS OPTIONAL USE ONLY

Book _____ Page _____

Date of Recording: _____

Notes: _____

3. a. Total Value/Sales Price of Property: \$ 1,000,000.00
b. Deed in Lieu of Foreclosure Only (value of property) \$ _____
c. Transfer Tax Value \$ 1,000,000.00
d. Real Property Transfer Tax Due: \$ 5,100.00

4. **If Exemption Claimed**

- a. Transfer Tax Exemption, per NRS 375.090, Section _____
b. Explain Reason for Exemption: _____

5. Partial Interest: Percentage being transferred: _____ %

The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the parties agree that disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month. Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

Signature [Signature] Capacity Grantor
Signature _____ Capacity Grantee

**SELLER (GRANTOR) INFORMATION
(REQUIRED)**

Print Name: Colvin Industrial Property Group, LLC
Series E, a series of Colvin Industrial Property Group,
LLC, a Nevada series limited liability company and
Colvin Industrial Property Group, LLC - Series A, a
Nevada series limited liability company and Middlefork
Holdings, LLC, a Nevada limited liability company
Address: 7674 W. Lake Mead Blvd., Ste. 150
City: Las Vegas
State: NV Zip: 89128

**BUYER (GRANTEE) INFORMATION
(REQUIRED)**

Print Name: Tonopah & Tidewater Railroad Co., a
Nevada corporation
Address: 4680 N. Cimarron Rd.
City: Las Vegas
State: NV Zip: 89129

COMPANY/PERSON REQUESTING RECORDING (Required if not Seller or Buyer)

Print Name: Fidelity National Title Group Escrow No.: 42054616-420-KS1
Address: 6385 S Rainbow Blvd, Suite 130
City, State, Zip: Las Vegas, NV 89118

AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED

Exhibit 2

ENTITY INFORMATION

ENTITY INFORMATION

Entity Name:

TONOPAH & TIDEWATER RAILROAD CO.

Entity Number:

C18165-2004

Entity Type:

Domestic Corporation (78)

Entity Status:

Active

Formation Date:

07/09/2004

NV Business ID:

NV20041526496

Termination Date:

Annual Report Due Date:

7/31/2024

Compliance Hold:

REGISTERED AGENT INFORMATION

Name of Individual or Legal Entity:

KATHERINE TRUMAN

Status:

Active

CRA Agent Entity Type:

Registered Agent Type:

Non-Commercial Registered Agent

NV Business ID:

Office or Position:

Jurisdiction:

Street Address:

4680 N. CIMARRON RD, LAS VEGAS, NV, 89129, USA

Mailing Address:

OFFICER INFORMATION

☐ **VIEW HISTORICAL DATA**

Title	Name	Address	Last Updated	Status
Secretary	KATHERINE TRUMAN	4680 N. CIMARRON ROAD, Las Vegas, NV, 89129, USA	03/01/2021	Active
Treasurer	KATHERINE TRUMAN	4680 N. CIMARRON ROAD, Las Vegas, NV, 89129, USA	03/01/2021	Active
President	JAKE TRUMAN	4680 N. CIMARRON ROAD, Las Vegas, NV, 89129, USA	06/17/2020	Active
Director	JAKE TRUMAN	4680 N. CIMARRON ROAD, Las Vegas, NV, 89129, USA	06/17/2020	Active

Page 1 of 1, records 1 to 4 of 4

CURRENT SHARES

Class/Series	Type	Share Number	Value
	Authorized	75,000	1.000000000000

Page 1 of 1, records 1 to 1 of 1

Number of No Par Value Shares:

0

Total Authorized Capital:

75,000

[Filing History](#)

[Name History](#)

[Mergers/Conversions](#)

[Return to Search](#)

[Return to Results](#)

Exhibit 3

formally notify the agency. If such a decision is made, the line must be fully marked according to the requirements under 49 CFR 541.5 and 541.6 (marking of major component parts and replacement parts).

NHTSA notes that if Mazda wishes in the future to modify the device on which this exemption is based, the company may have to submit a petition to modify the exemption. Section 543.7(d) states that a part 543 exemption applies only to vehicles that belong to a line exempted under this part and equipped with the antitheft device on which the line's exemption is based. Further, § 543.9(c)(2) provides for the submission of petitions "to modify an exemption to permit the use of an antitheft device similar to but differing from the one specified in that exemption."

The agency wishes to minimize the administrative burden that § 543.9(c)(2) could place on exempted vehicle manufacturers and itself. The agency did not intend in drafting part 543 to require the submission of a modification petition for every change to the components or design of an antitheft device. The significance of many such changes could be *de minimis*. Therefore, NHTSA suggests that if the manufacturer contemplates making any changes the effects of which might be characterized as *de minimis*, it should consult the agency before preparing and submitting a petition to modify.

Authority: 49 U.S.C. 33106; delegation of authority at 49 CFR 1.50.

Issued on: September 24, 2004.

Stephen R. Kratzke,

Associate Administrator for Rulemaking.

[FR Doc. 04-21977 Filed 9-29-04; 8:45 am]

BILLING CODE 4910-59-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 34547]

Tonopah & Tidewater Railroad Co.— Lease and Operation Exemption—Pan Western Corporation

Tonopah & Tidewater Railroad Co. (TTRR), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to lease from Pan Western Corporation (Pan Western) and operate approximately 2.66 miles of private rail line owned by Pan Western, extending from milepost 0.0 to milepost 2.66 in Clark County, NV. Pan Western intends to lease the railroad line to TTRR so that TTRR may initiate and provide common carrier rail operations on and over the

line. TTRR will become a Class III rail carrier. TTRR certifies that its projected revenues are not expected to exceed those of a Class III rail carrier or \$5 million annually.

The transaction was due to be consummated on or after September 9, 2004, the effective date of the exemption (7 days after the exemption was filed).

If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34547, must be filed with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Jeffrey O. Moreno, Esq., Thompson Hine LLP, 1920 N Street, NW., Suite 800, Washington, DC 20036-1601.

Board decisions and notices are available on our Web site at <http://www.stb.dot.gov>.

Decided: September 22, 2004.

By the Board, David M. Konschnick,
Director, Office of Proceedings.

Vernon A. Williams,

Secretary.

[FR Doc. 04-21981 Filed 9-29-04; 8:45 am]

BILLING CODE 4915-01-P

DEPARTMENT OF VETERANS AFFAIRS

Office of Research and Development; Government Owned Invention Available for Licensing

AGENCY: Office of Research and Development, VA.

ACTION: Notice of Government owned invention available for licensing.

SUMMARY: The invention listed below is owned by the U.S. Government as represented by the Department of Veterans Affairs, and is available for licensing in accordance with 35 U.S.C. 207 and 37 CFR part 404 and/or CRADA Collaboration under 15 U.S.C. 3710a to achieve expeditious commercialization of results of federally funded research and development. Foreign patents are filed on selected inventions to extend market coverage for U.S. companies and may also be available for licensing.

FOR FURTHER INFORMATION CONTACT: Technical and licensing information on the invention may be obtained by writing to: Mindy L. Aisen, Department of Veterans Affairs, Acting Director,

Technology Transfer Program, Office of Research and Development (12TT), 810 Vermont Avenue, NW., Washington, DC 20420; fax: 202-254-0473; e-mail at mindy.aisen@mail.va.gov. Any request for information should include the Number and Title for the relevant invention as indicated below. Issued patents may be obtained from the Commissioner of Patents, U.S. Patent and Trademark Office, Washington, DC 20231.

SUPPLEMENTARY INFORMATION: The invention available for licensing is: PCT Patent Application No. PCT/US03/25189 "Touch Screen Applications for Outpatient Process Automation"

Dated: September 22, 2004.

Anthony J. Principi,

Secretary, Department of Veterans Affairs.

[FR Doc. 04-21919 Filed 9-29-04; 8:45 am]

BILLING CODE 8320-01-P

DEPARTMENT OF VETERANS AFFAIRS

Enhanced-Use Lease Development of Property at the Department of Veterans Affairs Medical Center, Leavenworth, KS

AGENCY: Department of Veterans Affairs.

ACTION: Notice of intent to enter into an enhanced-use lease.

SUMMARY: The Secretary of the Department of Veterans Affairs (VA) intends to enter into an enhanced-use lease of approximately 50 acres at the Dwight D. Eisenhower VA Medical Center in Leavenworth, Kansas. The selected lessee will finance, redevelop, manage, maintain and operate a mixed-use development that would provide services and accommodations relating to affordable senior housing, long-term care, long-term housing for veterans, transitional housing with supportive services for veterans, and educational and community support facilities on the site, at no cost to VA.

FOR FURTHER INFORMATION CONTACT:

Malinda D. Pugh, Office of Asset Enterprise Management (004B), Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420, (202) 273-8192.

SUPPLEMENTARY INFORMATION: 38 U.S.C. 8161 *et seq.* specifically provides that the Secretary may enter into an enhanced-use lease if he determines that at least part of the use of the property under the lease will be to provide appropriate space for an activity contributing to the mission of the Department; the lease will not be inconsistent with and will not adversely

Exhibit 4

a. The Task Force Chairman may establish working groups to perform specific assignments with the approval of the Designated Federal Official. The Chairman may designate members from either the Task Force or the public to serve on working groups. The Working Group Chair will be a Task Force member. Recording or videotaping of working group meetings may only be performed by the sponsor, Designated Federal Official, or their designee.

b. Any recommendations to the Department by working groups must be approved by the Task Force as a whole.

15. *Filing Date:* October 27, 2006, is the filing date and the effective date of this Charter which will expire in 2 years from this filing date, unless sooner terminated or extended.

Conclusion: The first meeting of the National Safe Routes to School Task Force to the Secretary of Transportation will be held on January 11, 2007, from 8:30 a.m. to 5 p.m., e.t. at the Holiday Inn Capitol, 550 C Street, SW., Washington, DC 20024.

(Authority: Section 1404(h) of Pub. L. 109–59; Pub. L. 92–463, 5 U.S.C., App. II § 1.)

Issued on: December 7, 2006.

J. Richard Capka,

Federal Highway Administrator.

[FR Doc. E6–21226 Filed 12–13–06; 8:45 am]

BILLING CODE 4910–22–P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 34958]

Nevada Pacific Railroad Corporation—Lease and Operation Exemption—Rail Lines of Pan Western Corporation

Nevada Pacific Railroad Corporation (NPRC),¹ a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to lease from Pan Western Corporation (Pan Western) and operate approximately 2.66 miles of private rail line owned by Pan Western, extending between milepost 0.0, and milepost 2.66, in Clark County, NV.² Pan Western

intends to lease the railroad line to NPRC so that NPRC may initiate and provide common carrier rail operations on and over the line.

NPRC certifies that its projected revenues as a result of the transaction will not exceed those that would qualify it as a Class III carrier or \$5 million annually. The transaction was scheduled to be consummated on or about November 21, 2006, the effective date of the exemption (7 days after the exemption was filed).

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34958, must be filed with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423–0001. In addition, a copy of each pleading must be served on Jeffrey O. Moreno, Thompson Hine LLP, 1920 N Street, NW., Suite 800, Washington, DC 20036.

Board decisions and notices are available on our website at WWW.STB.DOT.GOV.

Dated: December 7, 2006.

By the Board, David M. Konschnik,
Director, Office of Proceedings.

Vernon A. Williams,
Secretary.

[FR Doc. E6–21174 Filed 12–13–06; 8:45 am]

BILLING CODE 4915–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Open Meeting of the Area 5 Taxpayer Advocacy Panel (Including the States of Iowa, Kansas, Minnesota, Missouri, Nebraska, Oklahoma, and Texas)

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice.

SUMMARY: An open meeting of the Area 5 Taxpayer Advocacy Panel will be conducted. The Taxpayer Advocacy Panel is soliciting public comment, ideas, and suggestions on improving customer service at the Internal Revenue Service.

DATES: The meeting will be held Tuesday, January 9, 2007, at 9:30 a.m. Central Time.

FOR FURTHER INFORMATION CONTACT: Mary Ann Delzer at 1–888–912–1227, or (414) 231–2360.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to Section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. (1988) that a meeting of the Area 5 Taxpayer Advocacy Panel will be held Tuesday, January 9, 2007, at 9:30 a.m. Central Time via a telephone conference call. You can submit written comments to the panel by faxing to (414) 231–2363, or by mail to Taxpayer Advocacy Panel, Stop1006MIL, PO Box 3205, Milwaukee, WI 53201, or you can contact us at <http://www.improveirs.org>. This meeting is not required to be open to the public, but because we are always interested in community input, we will accept public comments. Please contact Mary Ann Delzer at 1–888–912–1227 or (414) 231–2360 for additional information.

The agenda will include the following: Various IRS issues

Dated: December 7, 2006.

John Fay,

Acting Director, Taxpayer Advocacy Panel.

[FR Doc. E6–21227 Filed 12–13–06; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Open Meeting of the Area 7 Taxpayer Advocacy Panel (Including the States of Alaska, California, Hawaii, and Nevada)

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice.

SUMMARY: An open meeting of the Area 7 committee of the Taxpayer Advocacy Panel will be conducted (via teleconference). The Taxpayer Advocacy Panel (TAP) is soliciting public comments, ideas, and suggestions on improving customer service at the Internal Revenue Service. The TAP will use citizen input to make recommendations to the Internal Revenue Service.

DATES: The meeting will be held Wednesday January 17, 2007.

FOR FURTHER INFORMATION CONTACT: Janice Spinks at 1–888–912–1227, or 206–220–6096.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to Section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. (1988) that an open meeting of the Area 7 Taxpayer Advocacy Panel will be held Wednesday, January 17, 2007, from 2 p.m. Pacific Time to 3:30 p.m. Pacific Time via a telephone conference call.

¹ The verified notice of exemption was originally filed under the name UP Nevada Railroad LLC. However, the Union Pacific Railroad Company objected to this name as a violation of its trademarks. Accordingly, by letters filed November 20, and November 22, 2006, counsel addressed issues relating to the identity and name of the Applicant in this proceeding and in the latter letter, requested that Nevada Pacific Railroad Corporation be substituted as the Applicant.

² This line was the subject of a notice of exemption that, according to the current verified notice, was never consummated. See *Tonopah & Tidewater Railroad Co.—Lease and Operation Exemption—Pan Western Corporation*, STB Finance Docket No. 34547 (STB served Sept. 30, 2004).

Exhibit 5

COMMERCIAL LEASE AGREEMENT

THIS LEASE (this "Lease") dated this 1st day of September, 2023

BETWEEN:

**Tonopah & Tidewater Railroad of 2596 Stratford Ave
Telephone: (702) 348-6370
(the "Landlord")**

OF THE FIRST PART

- AND -

**ETON of 3426 Losee Rd, North Las Vegas, NV 89030, USA
Telephone: (702) 851-1743
(the "Tenant")**

OF THE SECOND PART

IN CONSIDERATION OF the Landlord leasing certain premises to the Tenant, the Tenant leasing those premises from the Landlord and the mutual benefits and obligations set forth in this Lease, the receipt and sufficiency of which consideration is hereby acknowledged, the Parties to this Lease (the "Parties") agree as follows:

Definitions

1. When used in this Lease, the following expressions will have the meanings indicated:
 - a. "Additional Rent" means all amounts payable by the Tenant under this Lease except Base Rent, whether or not specifically designated as Additional Rent elsewhere in this Lease;
 - b. "Building" means the Lands together with all buildings, improvements, equipment, fixtures, property and facilities from time to time thereon, as from time to time altered, expanded or reduced by the Landlord in its sole discretion;
 - c. "Common Areas and Facilities" mean:
 - i. those portions of the Building areas, buildings, improvements, facilities, utilities, equipment and installations in or forming part of the Building which from time to time are

- not designated or intended by the Landlord to be leased to tenants of the Building including, without limitation, exterior weather walls, roofs, entrances and exits, parking areas, driveways, loading docks and area, storage, mechanical and electrical rooms, areas above and below leasable premises and not included within leasable premises, security and alarm equipment, grassed and landscaped areas, retaining walls and maintenance, cleaning and operating equipment serving the Building; and
- ii. those lands, areas, buildings, improvements, facilities, utilities, equipment and installations which serve or are for the useful benefit of the Building, the tenants of the Building or the Landlord and those having business with them, whether or not located within, adjacent to or near the Building and which are designated from time to time by the Landlord as part of the Common Areas and Facilities;
- d. "Lands" means the land legally described as:
 - i. 16107103015, 16107103016, 16107103014;
 - e. "Leasable Area" means with respect to any rentable premises, the area expressed in square feet of all floor space including floor space of mezzanines, if any, determined, calculated and certified by the Landlord and measured from the exterior face of all exterior walls, doors and windows, including walls, doors and windows separating the rentable premises from enclosed Common Areas and Facilities, if any, and from the center line of all interior walls separating the rentable premises from adjoining rentable premises. There will be no deduction or exclusion for any space occupied by or used for columns, ducts or other structural elements;
 - f. "Premises" means the commercial premises at 2956 Stratford Ave, Las Vegas, NV 89121, USA;
 - g. "Rent" means the total of Base Rent and Additional Rent.

Intent of Lease

- 2. It is the intent of this Lease and agreed to by the Parties to this Lease that rent for this Lease will be on a gross rent basis meaning the Tenant will pay the Base Rent and any Additional Rent and the Landlord will be responsible for all other service charges related to the Premises and the operation of the Building save as specifically provided in this Lease to the contrary.

Leased Premises

- 3. The Landlord agrees to rent to the Tenant the commercial premises municipally described as 2956 Stratford Ave, Las Vegas, NV 89121, USA (the "Premises").

The Premises will be used for only the following permitted use (the "Permitted Use"):

Truck parking.

- 4. While the Tenant, or an assignee or subtenant approved by the Landlord, is using and occupying the Premises for the Permitted Use and is not in default under the Lease, the Landlord agrees not to Lease space in the Building to any tenant who will be conducting in such premises as its principal business, the services of: Truck parking.**

Term

- 5. The term of the Lease commences at 12:00 noon on September 1, 2023 and ends at 12:00 noon on December 31, 2023(the "Term").**
- 6. Should the Tenant remain in possession of the Premises with the consent of the Landlord after the natural expiration of this Lease, a new tenancy from month to month will be created between the Landlord and the Tenant which will be subject to all the terms and conditions of this Lease but will be terminable upon either party giving one month's notice to the other party.**
- 7. Upon 30 days' notice, the Landlord may terminate the tenancy under this Lease if the Tenant has defaulted in the payment of any portion of the Rent when due.**
- 8. Upon 60 days' notice, the Landlord may terminate the tenancy under this Lease if the Tenant fails to observe, perform and keep each and every of the covenants, agreements, stipulations, obligations, conditions and other provisions of this Lease to be observed, performed and kept by the Tenant and the Tenant persists in such default beyond the said 60 days' notice.**

Rent

- 9. Subject to the provisions of this Lease, the Tenant will pay a base rent of \$10,000.00, payable per month, for the Premises (the "Base Rent"), without setoff, abatement or deduction. In addition to the Base Rent, the Tenant will pay for any fees or taxes arising from the Tenant's business.**
- 10. The Tenant will pay the Base Rent on or before the first of each and every month of the Term to the Landlord.**
- 11. No acceptance by the Landlord of any amount less than the full amount owed will be taken to operate as a waiver by the Landlord for the full amount or in any way to defeat or affect the rights and remedies of the Landlord to pursue the full amount.**

Use and Occupation

12. The Tenant will open the whole of the Premises for business to the public fully fixtured, stocked and staffed on the date of commencement of the Term and throughout the Term, and will continuously occupy and utilize the entire Premises in the active conduct of its business in a reputable manner on such days and during such hours of business as may be determined from time to time by the Landlord.
13. The Tenant covenants that the Tenant will carry on and conduct its business from time to time carried on upon the Premises in such manner as to comply with all statutes, bylaws, rules and regulations of any federal, state, municipal or other competent authority and will not do anything on or in the Premises in contravention of any of them.
14. The Tenant covenants that the Tenant will carry on and conduct its business from time to time carried on upon the Premises in such manner as to comply with any statute, including any subordinate legislation, which is in force now or in the future and taking into account any amendment or re-enactment, or any government department, local authority, other public or competent authority or court of competent jurisdiction and of the insurers in relation to the use, occupation and enjoyment of the Building (including in relation to health and safety compliance with the proper practice recommended by all appropriate authorities).

Quiet Enjoyment

15. The Landlord covenants that on paying the Rent and performing the covenants contained in this Lease, the Tenant will peacefully and quietly have, hold, and enjoy the Premises for the agreed term.

Distress

16. If and whenever the Tenant is in default in payment of any money, whether hereby expressly reserved or deemed as Rent, or any part of the Rent, the Landlord may, without notice or any form of legal process, enter upon the Premises and seize, remove and sell the Tenant's goods, chattels and equipment from the Premises or seize, remove and sell any goods, chattels and equipment at any place to which the Tenant or any other person may have removed them, in the same manner as if they had remained and been distrained upon the Premises, all notwithstanding any rule of law or equity to the contrary, and the Tenant hereby waives and renounces the benefit of any present or future statute or law limiting or eliminating the Landlord's right of distress.

Overholding

17. If the Tenant continues to occupy the Premises without the written consent of the Landlord after the

expiration or other termination of the Term, then, without any further written agreement, the Tenant will be a month-to-month tenant at a minimum monthly rental equal to twice the Base Rent and subject always to all of the other provisions of this Lease insofar as the same are applicable to a month-to-month tenancy and a tenancy from year to year will not be created by implication of law.

Additional Rights on Reentry

18. If the Landlord reenters the Premises or terminates this Lease, then:

- a. notwithstanding any such termination or the Term thereby becoming forfeited and void, the provisions of this Lease relating to the consequences of termination will survive;**
- b. the Landlord may use such reasonable force as it may deem necessary for the purpose of gaining admittance to and retaking possession of the Premises and the Tenant hereby releases the Landlord from all actions, proceedings, claims and demands whatsoever for and in respect of any such forcible entry or any loss or damage in connection therewith or consequential thereupon;**
- c. the Landlord may expel and remove, forcibly, if necessary, the Tenant, those claiming under the Tenant, and their effects, as allowed by law, without being taken or deemed to be guilty of any manner of trespass;**
- d. in the event that the Landlord has removed the property of the Tenant, the Landlord may store such property in a public warehouse or at a place selected by the Landlord, at the expense of the Tenant. If the Landlord feels that it is not worth storing such property given its value and the cost to store it, then the Landlord may dispose of such property in its sole discretion and use such funds, if any, towards any indebtedness of the Tenant to the Landlord. The Landlord will not be responsible to the Tenant for the disposal of such property other than to provide any balance of the proceeds to the Tenant after paying any storage costs and any amounts owed by the Tenant to the Landlord;**
- e. the Landlord may relet the Premises or any part of the Premises for a term or terms which may be less or greater than the balance of the Term remaining and may grant reasonable concessions in connection with such reletting including any alterations and improvements to the Premises;**
- f. after reentry, the Landlord may procure the appointment of a receiver to take possession and collect rents and profits of the business of the Tenant, and, if necessary to collect the rents and profits the receiver may carry on the business of the Tenant and take possession of the personal property used in the business of the Tenant, including inventory, trade fixtures, and furnishings, and use them in the business without compensating the Tenant;**

- g. after reentry, the Landlord may terminate the Lease on giving 5 days' written notice of termination to the Tenant. Without this notice, reentry of the Premises by the Landlord or its agents will not terminate this Lease;**
- h. the Tenant will pay to the Landlord on demand:**

 - i. all rent, Additional Rent and other amounts payable under this Lease up to the time of reentry or termination, whichever is later;**
 - ii. reasonable expenses as the Landlord incurs or has incurred in connection with the reentering, terminating, reletting, collecting sums due or payable by the Tenant, realizing upon assets seized; including without limitation, brokerage, fees and expenses and legal fees and disbursements and the expenses of keeping the Premises in good order, repairing the same and preparing them for reletting; and**
 - iii. as liquidated damages for the loss of rent and other income of the Landlord expected to be derived from this Lease during the period which would have constituted the unexpired portion of the Term had it not been terminated, at the option of the Landlord, either:**

 - i. an amount determined by reducing to present worth at an assumed interest rate of 12% per annum all Base Rent and estimated Additional Rent to become payable during the period which would have constituted the unexpired portion of the Term, such determination to be made by the Landlord, who may make reasonable estimates of when any such other amounts would have become payable and may make such other assumptions of the facts as may be reasonable in the circumstances; or**
 - ii. an amount equal to the Base Rent and estimated Additional Rent for a 6months.**

Inspections and Landlord's Right to Enter

- 19. During the Term and any renewal of this Lease, the Landlord and its agents may enter the Premises to make inspections or repairs. Except where the Landlord or its agents consider it an emergency, the Landlord will provide the Tenant with written notice 24 hours prior to entering.**

Insurance

- 20. The Tenant is hereby advised and understands that the personal property of the Tenant is not insured by the Landlord for either damage or loss, and the Landlord assumes no liability for any such loss. The Tenant is advised that, if insurance coverage is desired by the Tenant, the Tenant should inquire of Tenant's insurance agent regarding a Tenant's policy of insurance.**

21. Both the Landlord and the Tenant is responsible for insuring the Landlord's contents and furnishings in or about the Premises for either damage or loss for the benefit of the Landlord.
22. Both the Landlord and the Tenant is responsible for insuring their respective interests and property in the Premises for damage or loss for the benefit of the Tenant and the Landlord. Such insurance should include such risks as fire, theft, vandalism, flood and disaster.
23. Both the Landlord and the Tenant is responsible for insuring the Premises for liability insurance for the benefit of the Tenant and the Landlord.

Abandonment

24. If at any time during the Term, the Tenant abandons the Premises or any part of the Premises, the Landlord may, at its option, enter the Premises by any means without being liable for any prosecution for such entering, and without becoming liable to the Tenant for damages or for any payment of any kind whatever, and may, at the Landlord's discretion, as agent for the Tenant, relet the Premises, or any part of the Premises, for the whole or any part of the then unexpired Term, and may receive and collect all rent payable by virtue of such reletting, and, at the Landlord's option, hold the Tenant liable for any difference between the Rent that would have been payable under this Lease during the balance of the unexpired Term, if this Lease had continued in force, and the net rent for such period realized by the Landlord by means of the reletting. If the Landlord's right of reentry is exercised following abandonment of the premises by the Tenant, then the Landlord may consider any personal property belonging to the Tenant and left on the Premises to also have been abandoned, in which case the Landlord may dispose of all such personal property in any manner the Landlord will deem proper and is relieved of all liability for doing so.

Governing Law

25. It is the intention of the Parties to this Lease that the tenancy created by this Lease and the performance under this Lease, and all suits and special proceedings under this Lease, be construed in accordance with and governed, to the exclusion of the law of any other forum, by the laws of the State of Nevada, without regard to the jurisdiction in which any action or special proceeding may be instituted.

Severability

26. If there is a conflict between any provision of this Lease and the applicable legislation of the State of Nevada (the 'Act'), the Act will prevail and such provisions of the Lease will be amended or deleted as

necessary in order to comply with the Act. Further, any provisions that are required by the Act are incorporated into this Lease.

Assignment and Subletting

27. The Tenant will not assign this Lease in whole or in part, nor sublet all or any part of the Premises, nor grant any license or part with possession of the Premises or transfer to any other person in whole or in part or any other right or interest under this Lease (except to a parent, subsidiary or affiliate of the Tenant), without the prior written consent of the Landlord in each instance, which consent will not be unreasonably withheld so long as the proposed assignment or sublease complies with the provisions of this Lease.
28. Notwithstanding any assignment or sublease, the Tenant will remain fully liable on this Lease and will not be released from performing any of the terms, covenants and conditions of this Lease.
29. If the Lease is assigned or if the Premises or any part of the Premises are sublet or occupied by anyone other than the Tenant, the Landlord may collect rent directly from the assignee, subtenant or occupant, and apply the net amount collected, or the necessary portion of that amount, to the rent owing under this Lease.
30. The prohibition against assigning or subletting without the consent required by this Lease will be constructed to include a prohibition against any assignment or sublease by operation of law.
31. The consent by the Landlord to any assignment or sublease will not constitute a waiver of the necessity of such consent to any subsequent assignment or sublease.

Bulk Sale

32. No bulk sale of goods and assets of the Tenant may take place without first obtaining the written consent of the Landlord, which consent will not be unreasonably withheld so long as the Tenant and the Purchaser are able to provide the Landlord with assurances, in a form satisfactory to the Landlord, that the Tenant's obligations in this Lease will continue to be performed and respected, in the manner satisfactory to the Landlord, after completion of the said bulk sale.

Care and Use of Premises

33. The Tenant will promptly notify the Landlord of any damage, or of any situation that may significantly interfere with the normal use of the Premises.
34. The Tenant will not make (or allow to be made) any noise or nuisance which, in the reasonable

opinion of the Landlord, disturbs the comfort or convenience of other tenants.

- 35. The Tenant will not engage in any illegal trade or activity on or about the Premises.
- 36. The Landlord and Tenant will comply with standards of health, sanitation, fire, housing and safety as required by law.

Surrender of Premises

- 37. At the expiration of the lease term, the Tenant will quit and surrender the Premises in as good a state and condition as they were at the commencement of this Lease, reasonable use and wear and damages by the elements excepted.

Hazardous Materials

- 38. The Tenant will not keep or have on the Premises any article or thing of a dangerous, flammable, or explosive character that might unreasonably increase the danger of fire on the Premises or that might be considered hazardous by any responsible insurance company.

Rules and Regulations

- 39. The Tenant will obey all rules and regulations posted by the Landlord regarding the use and care of the Building, parking lot and other common facilities that are provided for the use of the Tenant in and around the Building on the Premises.

General Provisions

- 40. Any waiver by the Landlord of any failure by the Tenant to perform or observe the provisions of this Lease will not operate as a waiver of the Landlord's rights under this Lease in respect of any subsequent defaults, breaches or nonperformance and will not defeat or affect in any way the Landlord's rights in respect of any subsequent default or breach.
- 41. This Lease will extend to and be binding upon and inure to the benefit of the respective heirs, executors, administrators, successors and assigns, as the case may be, of each party to this Lease. All covenants are to be construed as conditions of this Lease.
- 42. All sums payable by the Tenant to the Landlord pursuant to any provision of this Lease will be deemed to be Additional Rent and will be recoverable by the Landlord as rental arrears.
- 43. Where there is more than one Tenant executing this Lease, all Tenants are jointly and severally liable for each other's acts, omissions and liabilities pursuant to this Lease.

44. Time is of the essence in this Lease.
45. This Lease will constitute the entire agreement between the Landlord and the Tenant. Any prior understanding or representation of any kind preceding the date of this Lease will not be binding on either party to this Lease except to the extent incorporated in this Lease. In particular, no warranties of the Landlord not expressed in this Lease are to be implied.

IN WITNESS WHEREOF the Parties to this Lease have duly affixed their signatures under hand and seal, or by a duly authorized officer under seal, on this 28st day of August, 2023.

Shauna M. Wier

(Witness)

Tonopah & Tidewater Railroad (Landlord)

Per: [Signature] (SEAL)

Shauna M. Wier

(Witness)

ETON (Tenant)

Per: [Signature] (SEAL)

Exhibit 6



LOCAL NEWS

Tanks on Trains: Why so many were in Las Vegas

Military equipment from Fort Hood in Texas moves through Las Vegas for troops training at Fort Irwin in California. (Photos: Instagram @LeroyNotCenkins)

by: [Duncan Phenix](#)

Posted: Mar 14, 2022 / 05:51 PM PDT

Updated: Mar 15, 2022 / 12:41 PM PDT

SHARE



LAS VEGAS (KLAS) — Dozens of tanks, armored personnel carriers, troop transport vehicles, Bradley fighting vehicles, and much more were recently seen in downtown Las Vegas and around the valley. All of them loaded onto rail cars being hauled to somewhere from somewhere.

Many people posted videos on social media, wondering what was happening. Given the similar scenes coming out of western Russia, some found it troubling as it prepared to invade Ukraine. 8 News Now found an answer.



For anyone who has been around the valley and Southern California for a while knows, there is a strong military presence. In Las Vegas, there is Nellis Air Force Base and the National Guard with equipment. Across the state line in Southern California, there is the Marine Corps Logistics Base Barstow, Fort Irwin, and Edwards Air Force Base, to name a few.



These installations often move equipment, including tanks, by rail through Las Vegas; this was exactly what happened last week.

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Military equipment from Fort Hood in Texas moves through Las Vegas for troops training at Fort Irwin in California. (Photos: Instagram @LeroyNotCenkins)



Military equipment from Fort Hood in Texas moves through Las Vegas for troops training at Fort Irwin in California. (Photos: Instagram @LeroyNotCenkins)



According to a spokesperson with Fort Irwin, the Army was doing a routine movement of equipment from Fort Irwin to Fort Hood in Texas. Currently, soldiers from Fort Hood are at Fort Irwin for training. The spokesperson said these troop training and equipment rotations happen during at least 10 out of the 12 months a year.

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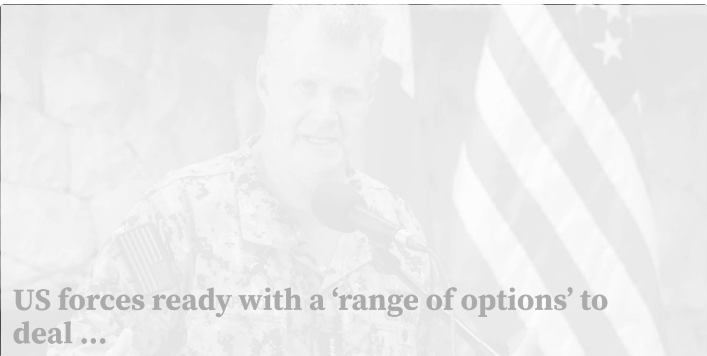
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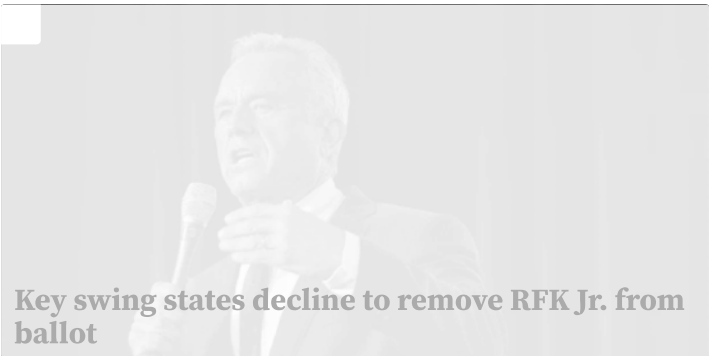
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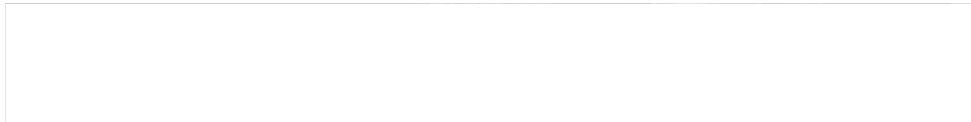


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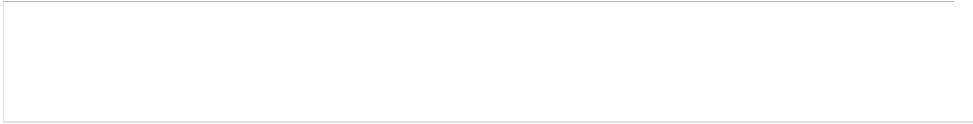
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WHAT DO YOU THINK?



Which party will control the House of Representatives after the 2024 general election?

- ☐ Republicans
- ☐ Democrats
- ☐ It's a toss-up
- ☐ Other / No opinion

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Exhibit 7

Matthew L. Johnson (6004)
Russell G. Gubler (10889)
JOHNSON & GUBLER, P.C.
Lakes Business Park
8831 West Sahara Avenue
Las Vegas, Nevada 89117
Phone: (702) 471-0065
Fax: (702) 471-0075
mjohnson@mjohnsonlaw.com
rgubler@mjohnsonlaw.com
Attorneys for Respondent

AIR POLLUTION CONTROL HEARING OFFICER MEETING

In the matter of:

ETON TRANSPORTATION CORP.,

Respondent.

NOV #10078

Hearing Officer: Holly Fic

**DECLARATION OF MITCHELL
TRUMAN IN SUPPORT OF
RESPONSE TO NOTICE OF
VIOLATION #10078**

Date of Hearing: September 19, 2024

Time of Hearing: 9:00 a.m.

I, Mitchell Truman, under oath and under penalty of perjury, state as follows:

1. I am over 18 years of age, am competent to testify of the things stated herein, and make this Declaration in support of the Response to Notice of Violation #10078.

2. I am a manager of the rail operation for the Tonopah & Tidewater Railroad Co. (the "Railroad Co."), owner of the property located at 2596 Stratford Ave, Las Vegas, NV 89121 (the "Property")

3. The Railroad Co. is the owner of rails, but uses the Property as one of its facilities and yards, in the assistance of its business of moving goods across state lines, in interstate commerce.

4. In the furtherance of Railroad Co.'s federally assigned duties to maintain safe railroad service, the Railroad co. bought a Caterpillar D9L with a serial # of 7G426. A true and correct cop of the invoice for the purchase of the D9N, is attached hereto as Exhibit A.


5. This tracked bulldozer is kept in the ready mode for immediate deployment at the Property, 24 hours a day, 7 days a week, in the event of a rail derailment, to open up rail service. A true and correct photograph, showing that the D9L is kept at the Property, is attached hereto as Exhibit B.

6. It is impractical to pave the Property as the bulldozer would destroy the paving, turning it to an equivalent roto-milling state, now on the Property.

7. On or about July 17, 2024, July 25, and 31, 2024, and August 7 and 14, 2024, Canduella Rowsell and Noel Crandall appeared at the Property, wanting to perform an "inspection." However, at no time on these dates (or before) did either Rowsell or Crandall present or attempt to present any credentials, showing that they were officers with Air Quality.

Further, Declarant saith naught.

DATED: September 4, 2024

 9-4-24

Mitchell Truman

Exhibit 7A

**PAID IN FULL**

Invoice #:	19617
Date:	4/28/2023
Page:	1

SOLD TO: # 144521
 Moe Truman
 3426 Losee Rd North
 Las Vegas, NV 89030
 Phone:702-632-2931

moe@eton.me; crs@eton.me; kathy@eton.me
 5/9 Made a WT today for 100,000 will make another tomorrow for 11,000.
 5/8 Had problem rec'vg email. Will send wire in next day or two. kre
 5/5 EM Payment Reminder CM
 E-Mailed on 4/28/2023 to moe@eton.me
 E-Mailed on 5/5/2023 to moe@eton.me
 E-Mailed on 5/5/2023 to moe@eton.me
 E-Mailed on 5/5/2023 to moe@eton.me
 E-Mailed on 5/5/2023 to moe@eton.me
 E-Mailed on 5/7/2023 to moe@eton.me, crs@eton.me, kathy@eton.me
 E-Mailed on 5/8/2023 to moe@eton.me, crs@eton.me, kathy@eton.me

Lot#	INVENTORY# - DESCRIPTION	QUANTITY UNIT PRICE	EXTENDED PRICE
20	51657 - 2022 Agrotk 680 Hydraulic Hammer Location: Washougal Washington ***Unused Manufacturer Consignment*** S/N: SSHH68022110202 2 Bits, 2.7" Bit Diameter, 585 Joule Impact Energy, 400 - 700 BPM, 9.5 - 16 gpm Working Flow, 1/2" Hydraulic Hose, Tool Kit, Nitrogen Charge Kit, To Fit 40-80hp Skidsteer Loader	1 x 1,600.00	1,600.00 T .
		Buyer's Premium -	160.00 T .
		Internet Service Fee -	40.00 T .
23	52642 - 2023 Agrotk PD680-PZ Hydraulic Post Driver Location: Washougal Washington ***Unused Manufacturer Consignment*** To Fit Skidsteer Loader	1 x 1,500.00	1,500.00 T .
		Buyer's Premium -	150.00 T .
		Internet Service Fee -	37.50 T .
99	53192 - 1974 Caterpillar 613 Elevating Motor Scraper Location: Boring Oregon ***End-User Consignment*** S/N: 71M2852 Engine: Caterpillar 1160 Diesel OROPS, Paddle Wheel, 23.5-25 Tires, *This item is located in Boring, Oregon and can be viewed by appointment only. To schedule	1 x 12,000.00	12,000.00 .

Washougal Sale Center & Corporate Office: 520 S. 28th St. Washougal, WA 98671
 Spokane Sale Center: 8018 W. Sunset Hwy. Spokane, WA 99224

10161_0078

**PAID IN FULL**

Invoice #:	19617
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Page:	2

#144521 Moe Truman

Lot#	INVENTORY# - DESCRIPTION	UNIT PRICE	EXTENDED PRICE
	a preview or to ask questions about this item call 888-230-8840 *		
		Buyer's Premium -	1,200.00 . .
		Internet Service Fee -	300.00 . .
113	52038 - 1985 Caterpillar D9L Crawler Dozer	1 x 77,500.00	77,500.00 . T
	Location: Spokane Washington		
	End-User Consignment		
	S/N: 4Y031156		
	Engine: Caterpillar 3412 Diesel Transmission: 3 Speed		
	4-Way 16' U-Blade, EROPS, Cab, CB Radio, 4-Barrel Multi-Shank		
	Ripper w/2 Shanks, 24" Single Bar Tracks, *Hydraulic Leak*, *Ripper		
	Shanks & Blade Tips Were Removed For Transportation but Come		
	With the Unit*, **Per Seller work done - Ripper Control Valve & Track		
	Link Assembly @ 4993 Hours, Complete Undercarriage &		
	Reseal/Rerod Blade Lift Cylinders @2226 Hours, New Hydraulic Oil		
	Cooler @ 3477 Hours, Re-seal Blade Lift Cylinders @ 4601 Hours**		
	Hours: 6,125		
		Buyer's Premium -	7,750.00 . T
		Internet Service Fee -	750.00 . T
	Total Quantity: 4.00		
	Total Extended Price: 92,600.00		
	0% Buyer's Premium: 0.00		
	Buyer's Premium: 9,260.00		
	Internet Service Fee: 1,127.50		
	Tax1 Washougal, WA (8.5%) 0606: 296.44		
	Tax2 Spokane City, WA 3210 (9.0%): 7,740.00		
	Invoice Total: \$111,023.94		
	Wire Transfer PAR 230509024277 kre - 5/9/2023 - 100,000.00		
	Wire Transfer PAR 230510018702 kre - 5/10/2023 - 11,023.94		
	Remaining Invoice Balance: \$0.00		

All items must be removed from the auction site by 7 days from the sale date or storage fees will be charged per the terms of the sale.

I acknowledge that all sales are "As Is, Where Is" with no warranties or guarantees and that no sale shall be invalidated; nor shall the auctioneers be liable as a result of inaccuracies of description, condition or defect of any item being sold.



PAID IN FULL

Invoice #:	19617
Date:	4/28/2023
Page:	3

WIRE TRANSFER INSTRUCTIONS

Please send wires to : C/o:
J. Stout Auctions US Bank
520 S. 28th Street 16415 SE McGillivray Blvd.
Washougal, WA 98671 Vancouver WA 98683

Routing # 125000105 Account # 153568618240

Please reference your Buyer # and Invoice #

Washougal Sale Center & Corporate Office: 520 S. 28th St. Washougal, WA 98671

Spokane Sale Center: 8018 W. Sunset Hwy. Spokane, WA 99224

Portland Retail Sale Center: 12841 NE Whitaker Way, Portland, OR 97230

*** (888) 230-8840 * www.jstoutauction.com**

**UNPAID**

Invoice #:	19617
Date:	4/28/2023
Page:	1

144521

SOLD TO:

Moe Truman
3426 Losee Rd North
Las Vegas, NV 89030
Phone: 702-632-2931

moe@eton.me, crs@eton.me, kathy@eton.me

5/5 EM Payment Reminder CM

E-Mailed on 4/28/2023 to moe@eton.me

E-Mailed on 5/5/2023 to moe@eton.me

E-Mailed on 5/5/2023 to moe@eton.me

E-Mailed on 5/5/2023 to moe@eton.me

E-Mailed on 5/5/2023 to moe@eton.me

E-Mailed on 5/7/2023 to moe@eton.me, crs@eton.me, kathy@eton.me

Lot#	INVENTORY# - DESCRIPTION	QUANTITY UNIT PRICE	EXTENDED PRICE
20	51657 - 2022 Agrotk 680 Hydraulic Hammer Location: Washougal Washington ***Unused Manufacturer Consignment*** S/N: SSHH68022110202 2 Bits, 2.7" Bit Diameter, 585 Joule Impact Energy, 400 - 700 BPM, 9.5 - 16 gpm Working Flow, 1/2" Hydraulic Hose, Tool Kit, Nitrogen Charge Kit, To Fit 40-80hp Skidsteer Loader Receipt # 22-5103	1 x 1,600.00	1,600.00 T .
		Buyer's Premium -	160.00 T .
		Internet Service Fee -	40.00 T .
23	52642 - 2023 Agrotk PD680-PZ Hydraulic Post Driver Location: Washougal Washington ***Unused Manufacturer Consignment*** To Fit Skidsteer Loader Receipt # 23-1033	1 x 1,500.00	1,500.00 T .
		Buyer's Premium -	150.00 T .
		Internet Service Fee -	37.50 T .
99	53192 - 1974 Caterpillar 613 Elevating Motor Scraper Location: Boring Oregon ***End-User Consignment*** S/N: 71M2852 Engine: Caterpillar 1160 Diesel OROPS, Paddle Wheel, 23.5-25 Tires, *This item is located in Boring, Oregon and can be viewed by appointment only. To schedule a preview or to ask questions about this item call 888-230-8840 *, Receipt # offsite	1 x 12,000.00	12,000.00 . .
		Buyer's Premium -	1,200.00 . .

Washougal Sale Center & Corporate Office: 520 S. 28th St. Washougal, WA 98671
Spokane Sale Center: 8018 W. Sunset Hwy. Spokane, WA 99224

10161_0081

**UNPAID**

Invoice #:	19617
Date:	4/28/2023
Page:	2

#144521 Moe Truman

Lot#	INVENTORY# - DESCRIPTION	UNIT PRICE	EXTENDED PRICE
		-----	-----
		Internet Service Fee -	300.00 . .
		-----	-----
113	52038 - 1985 Caterpillar D9L Crawler Dozer	1 x 77,500.00	77,500.00 . T
	Location: Spokane Washington		
	End-User Consignment		
	S/N: 4Y031156		
	Engine: Caterpillar 3412 Diesel Transmission: 3 Speed		
	4-Way 16' U-Blade, EROPS, Cab, CB Radio, 4-Barrel Multi-Shank		
	Ripper w/2 Shanks, 24" Single Bar Tracks, *Hydraulic Leak*, *Ripper		
	Shanks & Blade Tips Were Removed For Transportation but Come		
	With the Unit*, **Per Seller work done - Ripper Control Valve & Track		
	Link Assembly @ 4993 Hours, Complete Undercarriage &		
	Reseal/Rerod Blade Lift Cylinders @2226 Hours, New Hydraulic Oil		
	Cooler @ 3477 Hours, Re-seal Blade Lift Cylinders @ 4601 Hours**		
	Hours: 6,125		
		Buyer's Premium -	7,750.00 . T
		-----	-----
		Internet Service Fee -	750.00 . T
		-----	-----
		Total Quantity:	4.00
		Total Extended Price:	92,600.00
		0% Buyer's Premium:	0.00
		Buyer's Premium:	9,260.00
		Internet Service Fee:	1,127.50
		Tax1 Washougal, WA (8.5%) 0606:	296.44
		Tax2 Spokane City, WA 3210 (9.0%):	7,740.00
		Invoice Total:	\$111,023.94
		Remaining Invoice Balance:	\$111,023.94

All items must be removed from the auction site by 7 days from the sale date or storage fees will be charged per the terms of the sale.

I acknowledge that all sales are "As Is, Where Is" with no warranties or guarantees and that no sale shall be invalidated; nor shall the auctioneers be liable as a result of inaccuracies of description, condition or defect of any item being sold.

Signature

Date

WIRE TRANSFER INSTRUCTIONS

Please send wires to :

C/o:

J. Stout Auctions

US Bank

Washougal Sale Center & Corporate Office: 520 S. 28th St. Washougal, WA 98671
 Spokane Sale Center: 8018 W. Sunset Hwy. Spokane, WA 99224

10161_0082



UNPAID

Invoice #:	19617
Date:	4/28/2023
Page:	3

520 S. 28th Street
Washougal, WA 98671

16415 SE McGillivray Blvd.
Vancouver WA 98683

Routing # 125000105 Account # 153568618240

Please reference your Buyer # and Invoice #

Washougal Sale Center & Corporate Office: 520 S. 28th St. Washougal, WA 98671
Spokane Sale Center: 8018 W. Sunset Hwy. Spokane, WA 99224
Portland Retail Sale Center: 12841 NE Whitaker Way, Portland, OR 97230
* (888) 230-8840 * www.jstoutauction.com

Secure Message Center

Invoice: Auction 248 - 144521 - Invoice# 19617

moe@eton.me

Received: May 8, 2023 8:35 AM
Expires: May 22, 2023 8:35 AM
From: kari@jstoutauction.com
To: moe@eton.me, crs@eton.me, kathy@eton.me
Cc:
Subject: Invoice: Auction 248 - 144521 - Invoice# 19617

Attachments:  Invoice_19617.pdf

This message was sent securely using Zix

****Read below to avoid delays - Updated Payment & Pickup Instructions****

PAYMENT INSTRUCTIONS:

-
Payment is due in full by end of day on May 4th. Failure to pay by this date will result in automatic late fees added to your balance due. We CANNOT release ANY items until payment is received and you receive a "Paid in Full" Invoice. Your items **MUST** be removed from the auction location by May 12th by scheduling a PICKUP APPOINTMENT. Failure to pick up by this date will result in storage charges, that are due before removal of your items.

Payment Methods:

Credit/Debit cards. We can process only \$5,000 per card. To use your card, complete the Credit Card Authorization Form attached and email it back to this same email address. The name on the credit card must match the name on the invoice. There is a 3% charge for paying by credit card.

Wire Transfer. Bank account and routing numbers are at the end of your invoice. Please include your invoice number on the wire transfer. Note: your bank might charge a fee for wire transfers. We recommend that you call us to verify the account information before sending wire.

10161_0084

Bank Deposit. Go to any US Bank and deposit funds by cash with exact change, check or cashier's check. Our bank account information is located at the end of the invoice.

Cashier's, Personal or Business Check Deposits: Your deposit will not be posted until the funds have cleared the bank, including cashier's checks. This could take 1 to 3 business days.

Cash Deposits : Please bring exact change, the bank does not give cash back. U.S. Bank may ask for personal information along with your government issued photo ID. Cash payments will be posted the following business day.

WE DO NOT ACCEPT CASH ONSITE.

WE DO NOT ACCEPT CHECKS, OR MONEY ORDERS OF ANY KIND ONSITE.

SALES TAX:

-
Sales tax is added to all invoices for items located in Washington or any other state locations where sales tax is charged. You must pay the sales tax based on where you take possession of your items. Unless you provide documentation that proves you hold a status of tax exempt.

Resellers :

Provide your state Reseller Permit or Resale Certificate and/or Dealer License.

Your business name on your invoice must match your resale documentation.

Provide a statement indicating what items on your invoice are for resale.

Non-Resident businesses will need to complete a Washington approved tax exempt form.

Other Tax Exemptions:

Notify us if you are exempt from tax for any other reason.

Provide tax exemption form for review. You may be required to complete an additional state approved form.

J. Stout Auctions holds the right to refuse tax exemption without the appropriate state approved documentation.

Non-Residents:

Once yearly, you can request a refund of a portion of your Washington state tax you paid from the Washington DOR website here: <https://dor.wa.gov/file-pay-taxes/apply-tax-refund/state-sales-tax-refund-qualified-nonresidents>

If you are having your items shipped to you, your transport company can provide us with a bill of lading (BOL)/Export documentation that shows the items being delivered, for a tax rate adjustment.

The BOL must show the pickup and delivery address and a description of the item(s) being shipped.

The BOL must include a verifiable Motor Carrier (MC) # or USDOT #.

10161_0085

If J. Stout Auctions has Nexus in the state in which you are having your item(s) delivered, we will adjust the tax to the delivery location tax rate. Note: If the tax rate is higher this will increase your total amount due.

WE DO NOT PROVIDE/CREATE BOLs ; that is for the shipping company to provide to the buyer or J. Stout Auctions.

PICKUP:

PICK UP HOURS: Monday – Friday from 8am – 4pm

Once J. Stout receives your payment in full, you will receive a “paid in full” receipt that you will need to take with you to pick up your items. You CANNOT pick up your items without a paid in full receipt.

When you get your receipt, please email back a requested appointment day and time and Tanya will put you on our schedule. Or you can call our main line at 888-230-8840.

We will provide you with a gate release upon scheduling an appointment for offsite locations. Please bring your paid in full receipt when picking up your items.

Please pay close attention to the OFFSITE PICKUP INSTRUCTIONS described in your Lot description on your invoice. There may be different deadlines, etc. We have multiple offsite locations in this auction.

J. Stout Auctions does not provide shipping. Shipping/Transport is the sole responsibility of the buyer.

**** MAKE SURE YOUR SHIPPER KNOWS YOUR FULL NAME AND INVOICE NUMBER AS A REFERENCE UPON PICK UP****

****We do not have the supplies or resources to package or ship your materials. Any pallets you may see in the pictures are for pictures only and may not be included with your items****

Thank you for your business.

If you cannot open the attached file you will need to download the Adobe Acrobat Reader from:
<http://get.adobe.com/reader/>

This message was secured by Zix®.

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10161_0086

Exhibit 7B



10161-0088

Exhibit 8



Compliance

CONTACT US <<https://epa.gov/compliance/forms/contact-us-about-compliance>>

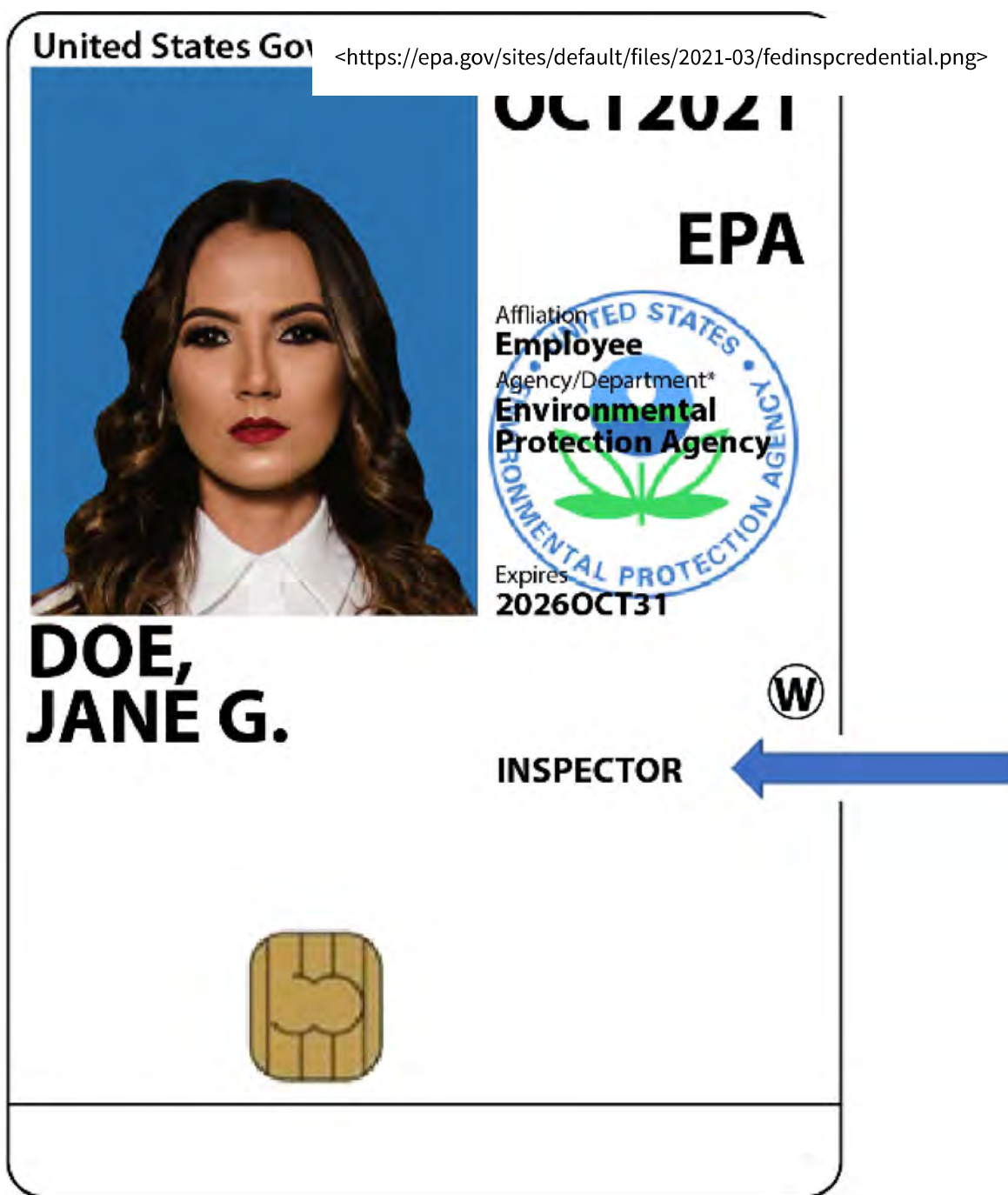
What is an EPA Inspector Credential?

EPA Inspector credentials may be issued to federal EPA employees, employees of other federal agencies, contractors, senior environmental employees, states, tribes, territories, and local governments who are authorized by EPA to conduct inspections or investigations and take samples on EPA's behalf under the various federal environmental statutes.

Federal EPA Inspector Credentials

Federal EPA inspector credentials include an "inspector" designation in the center of the badge.

Federal EPA Inspector Credential



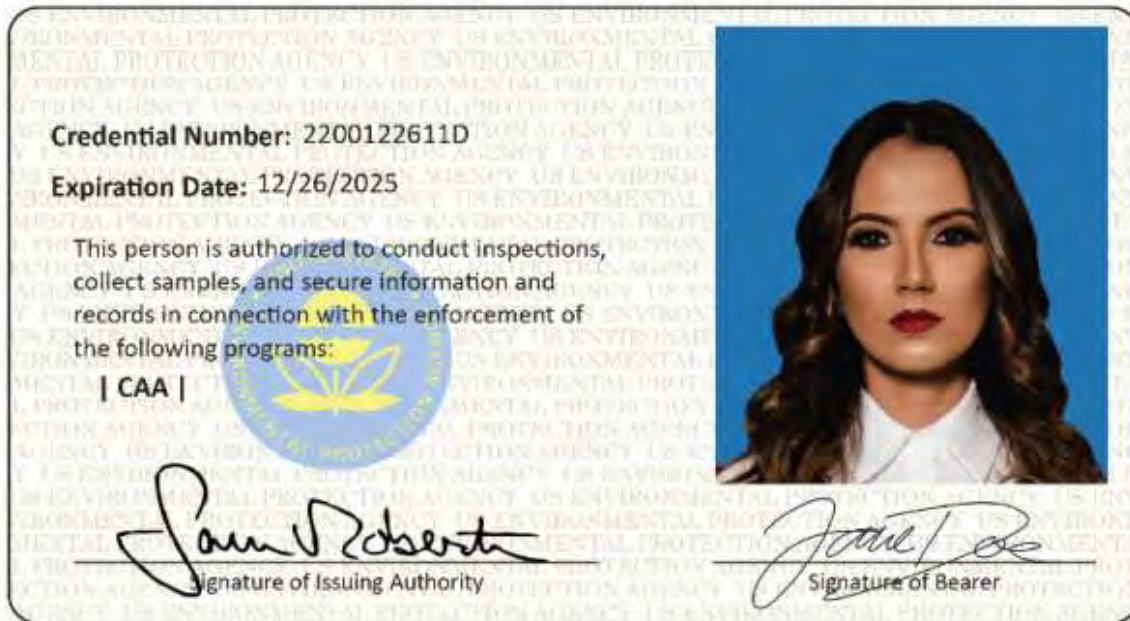
Non-Federal EPA Inspector Credentials

EPA Inspector credentials issued to non-federal employees are laminated and often carried in bifolds. They have a hologram of the EPA emblem and a statute specific designation on them. Inspector credentials issued to non-federal employees include the following codes to designate the inspector's affiliation:

- **St** (State)
- **Tr** (Tribe)
- **Te** (Territory)
- **SE** (Senior Environmental Employee or SEE)
- **Co** (Contractor)

2-Piece Laminated Non-Federal EPA Inspector Credential





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FIFRA <<https://epa.gov/compliance/federal-insecticide-fungicide-and-rodenticide-act-compliance-monitoring>>

RCRA <<https://epa.gov/compliance/resource-conservation-and-recovery-act-rcra-compliance-monitoring>>

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LAST UPDATED ON OCTOBER 25, 2023

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Asistans <<https://epa.gov/lep/assistance#hc>>

Assistância

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Tulong <<https://epa.gov/lep/assistance#tag>>

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Помощь <<https://epa.gov/lep/assistance#rus>>

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•

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No FEAR Act Data

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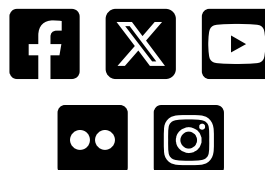


Exhibit 9





Exhibit 10

Matthew L. Johnson (6004)
Russell G. Gubler (10889)
JOHNSON & GUBLER, P.C.
Lakes Business Park
8831 West Sahara Avenue
Las Vegas, Nevada 89117
Phone: (702) 471-0065
Fax: (702) 471-0075
mjohnson@mjohnsonlaw.com
rgubler@mjohnsonlaw.com
Attorneys for Respondent

AIR POLLUTION CONTROL HEARING OFFICER MEETING

In the matter of:

ETON TRANSPORTATION CORP.,

Respondent.

NOV #10078

Hearing Officer: Holly Fic

**DECLARATION OF JOE MILLER
IN SUPPORT OF RESPONSE TO
NOTICE OF VIOLATION #10078**

Date of Hearing: September 19, 2024

Time of Hearing: 9:00 a.m.

I, Joe Miller, under oath and under penalty of perjury, state as follows:

1. I am over 18 years of age, am competent to testify of the things stated herein, and make this Declaration in support of the Response to Notice of Violation #10078.
2. I received my engineering credentials from the University of Minnesota.
3. I have worked for the following Construction companies in Las Vegas,
Nevada

- a. Ames Construction
- b. Frehner Construction
- c. Agg Industries.

4. I have been involved in all aspect of soil stabilization for over 20 years in while I managed project Clark County.

5. Six inches of roto milling is more than an adequate dust palliative to meet the fugitive dust requirement of the EPA clean air act.

6. For companies that use tracked equipment such as bulldozers, trenches, rail equipment, and back hoes in their businesses, black top is not a viable palliative, and roto milling is the only viable dust palliative.

7. I have reviewed the property located at 2596 Stratford Ave, Las Vegas, NV 89121 (the "Property").

8. Professionally, the roto milling on the Property is more than an adequate dust palliative to meet the fugitive dust requirement of the EPA clean air act.

Further, the Declarant saith naught.

DATED: September 5, 2024



Joe Miller

Exhibit 11

Matthew L. Johnson (6004)
Russell G. Gubler (10889)
JOHNSON & GUBLER, P.C.
Lakes Business Park
8831 West Sahara Avenue
Las Vegas, Nevada 89117
Phone: (702) 471-0065
Fax: (702) 471-0075
mjohnson@mjohnsonlaw.com
rgubler@mjohnsonlaw.com
Attorneys for Respondent

AIR POLLUTION CONTROL HEARING OFFICER MEETING

In the matter of:

ETON TRANSPORTATION CORP.,

Respondent.

NOV #10078

Hearing Officer: Holly Fic

**DECLARATION OF PAUL HARBER
IN SUPPORT OF RESPONSE TO
NOTICE OF VIOLATION #10078**

Date of Hearing: September 19, 2024

Time of Hearing: 9:00 a.m.

I, Paul Harber, under oath and under penalty of perjury, state as follows:

1. I am over 18 years of age, am competent to testify of the things stated herein, and make this Declaration in support of the Response to Notice of Violation #10078.

2. I was a principal for the construction company, Harbor Company, which has been in business since 1995.

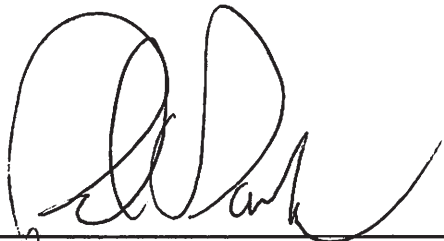
3. Based on my years in construction in the Las Vegas Valley, I am under the opinion that roto milling meets or exceeds the requirement as a comparable palliative for dust abatement, particularly when there is track equipment operating on the property.

4. Black top is not a viable palliative when there is track equipment operating on the property. Roto milling is the only viable dust palliative when there is track equipment operating on the property.

5. I have reviewed the property located at 2596 Stratford Ave, Las Vegas, NV 89121 (the "Property"), which is covered with roto milling, and meets the requirements as a comparable palliative for dust abatement.

Further, Declarant saith naught.

DATED: 9/5/2024



Paul Harber

Exhibit 12

Matthew L. Johnson (6004)
Russell G. Gubler (10889)
JOHNSON & GUBLER, P.C.
Lakes Business Park
8831 West Sahara Avenue
Las Vegas, Nevada 89117
Phone: (702) 471-0065
Fax: (702) 471-0075
mjohnson@mjohnsonlaw.com
rgubler@mjohnsonlaw.com
Attorneys for Respondent

AIR POLLUTION CONTROL HEARING OFFICER MEETING

In the matter of:

ETON TRANSPORTATION CORP.,

Respondent.

NOV #10078

Hearing Officer: Holly Fic

**DECLARATION OF DAVID M
MCDONOUGH IN SUPPORT OF
RESPONSE TO NOTICE OF
VIOLATION #10078**

Date of Hearing: September 19, 2024

Time of Hearing: 9:00 a.m.

I, David M. McDonough, under oath and under penalty of perjury, state as follows:

1. I am over 18 years of age, am competent to testify of the things stated herein, and make this Declaration in support of the Response to Notice of Violation #10078.

2. I am the president of Aztech Materials Testing, Inc., located at 4700 Cooper Sage St A, Las Vegas, NV 89115.

3. I am an accredited tech in material testing for the State of Nevada.
4. I have personally performed material testing for the following governmental agencies: Department of Defense, Nevada Department of Transportation, United States Bureau of Reclamation, Clark County, City of Las Vegas, and many others.
5. As an accredit tech, for a property to be used for parking trucks, I can tell no difference in the fugitive dust emission leaving a property from a lot paved with asphalt compared to a property covered in roto milling.
6. I have reviewed the property located at 2596 Stratford Ave, Las Vegas, NV 89121 (the "Property"), which is covered with roto milling, and meets the requirements as an adequate comparable palliative for dust abatement.
7. Further, Declarant saith naught.

DATED: September 5, 2024


David M. McDonough

Exhibit 13

Matthew L. Johnson (6004)
Russell G. Gubler (10889)
JOHNSON & GUBLER, P.C.
Lakes Business Park
8831 West Sahara Avenue
Las Vegas, Nevada 89117
Phone: (702) 471-0065
Fax: (702) 471-0075
mjohnson@mjohnsonlaw.com
rgubler@mjohnsonlaw.com
Attorneys for Respondent

AIR POLLUTION CONTROL HEARING OFFICER MEETING

In the matter of:

ETON TRANSPORTATION CORP.,

Respondent.

NOV #10078

Hearing Officer: Holly Fic

**DECLARATION OF FLOYD
MELDRUM IN SUPPORT OF
RESPONSE TO NOTICE OF
VIOLATION #10078**

Date of Hearing: September 19, 2024

Time of Hearing: 9:00 a.m.

I, Floyd Meldrum, under oath and under penalty of perjury, state as follows:

1. I am over 18 years of age, am competent to testify of the things stated herein, and make this Declaration in support of the Response to Notice of Violation #10078.

2. I graduated from the University of Utah with a degree in Engineering, and received my wet stamp as an engineer in 1963 in the State of Utah.

3. I was the owner of a construction and engineering company called Southern Nevada Paving, Inc. ("SNP") from 1964 until 2009.

4. I am familiar with roto milling, as it is a palliative that is more than adequate to suppress fugitive dust for a trucking or rail yard.

5. I have reviewed the property located at 2596 Stratford Ave, Las Vegas, NV 89121 (the "Property"), which is covered with roto milling.

6. It is my professional opinion, as an engineer, that roto milling will allow the Property to be in compliance with the Clean Air Act. Similarly, roto milling is a recycled material that works just as well as asphalt for tracked equipment.

7. By requiring the Property to be paved with asphalt, as opposed to roto milling, Clark County will create more air pollution from its activities. The following required items are needed to make virgin asphalt (all of which are activities that release CO2 into the atmosphere, require additional water to stop dust, and/or wash the material to have it prepared to make asphalt):

- a. Mining the rock;
- b. Fuel manufacturing to prepare fuel for the quarry equipment;
- c. Transportation of the fuel to the paving yard;
- d. Power generation to move the fuel from the refinery to the local fuel terminal;
- e. Transportation of the rock by haul trucks from the quarry site to the crusher;
- f. Generator to power the crushing equipment.

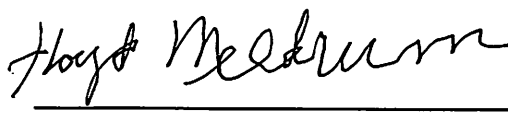
- g. Fuel usage to move the material by a loader to and around the plant;
- h. Fuel usage to transport the asphalt oil to the hot plant;
- i. Fuel usage to transfer the asphalt oil from the refiner to the local terminal;
- j. Fuel usage to heat the plant to heat the rock to allow the asphalt oil to adhere to the rock;
- k. Fuel usage for the hot asphalt to be delivered to the site.
- l. Fuel usage for the laydown machine to lay the asphalt.

8. If it is necessary, I can figure out the CO2 emissions that are generated for a ton of asphalt to show the increase in global warming to which the County is contributing.

9. As an engineer, I am concerned that Clark County would want paving for trucking lots, instead of roto milling. I believe that Air Quality Management's insistence on paving a parking lot in this application is a short-sighted practice, as this is not the best practice, when the use of a recycled material will meet the need, while reducing CO1 emissions.

Further, Declarant saith naught.

DATED: September 4, 2024



Floyd Meldrum

ST 3
2024

Exhibit 14

Matthew L. Johnson (6004)
Russell G. Gubler (10889)
JOHNSON & GUBLER, P.C.
Lakes Business Park
8831 West Sahara Avenue
Las Vegas, Nevada 89117
Phone: (702) 471-0065
Fax: (702) 471-0075
mjohnson@mjohnsonlaw.com
rgubler@mjohnsonlaw.com
Attorneys for Respondent

AIR POLLUTION CONTROL HEARING OFFICER MEETING

In the matter of:	NOV #10078
ETON TRANSPORTATION CORP.,	Hearing Officer: Holly Fic
Respondent.	DECLARATION OF MICHAEL MONTANDON IN SUPPORT OF RESPONSE TO NOTICE OF VIOLATION #10078
	Date of Hearing: September 19, 2024
	Time of Hearing: 9:00 a.m.

I, Michael Montandon, under oath and under penalty of perjury, state as follows:

1. I am over 18 years of age, am competent to testify of the things stated herein, and make this Declaration in support of the Response to Notice of Violation #10078.

2. I was the Mayor of the City of North Las Vegas from 1997-2009.

3. While I was Mayor, NLV was a proponent of using roto millings for a dust palliative for several reasons: (1) roto milling worked to keep dust reduced to more than

acceptable limits; (2) NLV found that roto millings produced less of a heat load back into the atmosphere than black-top paving, and as a result, kept our neighborhoods around the property with roto millings cooler; (3) the use of roto millings kept the product from going to the land fill; and (4) for the companies in NLV with tracked equipment, roto millings provide a way to keep the dust reduced to acceptable limits, while not destroying the black top.

Further, Declarant saith naught.

DATED: September 5, 2024



Michael Montandon

Exhibit 15

Boulder City Railroad

Search OpenWeb

Property Information

Parcel: 18608398001

Jurisdiction: Boulder City - 89005

Sale Date: Not Available

Sale Price: Not Available

Aerial Flight Date: []

Zoning and Planned Land Use

Legal Description

Ownership

filter owners...

Parcel

Owners

Recorded Document

Recorded Date

Flood Zone

Elected Officials

Links

Current Tool: Select Property

Coords in State Plane ft

X: 870871 Y: 26692123

Flight Date: Most Current Flight

Current View: Aerial Imagery Only

1: 1,000

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Print

An aerial satellite view of an industrial area. A large, long, light-colored warehouse building is the central feature. To its left is a large, mostly empty dirt parking lot. To the right of the warehouse is a paved road and another industrial building. A pink line is drawn across the image, starting from the left edge, passing between the warehouse and the dirt lot, and then curving around the right side of the warehouse. The surrounding area includes other industrial buildings, parking lots, and some vegetation.

10161_0118

Clark County Aviation

Search OpenWeb

Property Information

Parcel: 17706301025

Owner Name(s): COUNTY OF CLARK(AVIATION)

Jurisdiction: CC Enterprise - 89118

Sale Date: Not Available

Sale Price: Not Available

Estimated Lot Size: 16.23

Recorded Doc Number: 19940204 00000080

Aerial Flight Date: []

Zoning and Planned Land Use

Legal Description

Ownership

Flood Zone

Elected Officials

Links

Current Tool: Select Property

Coords in State Plane ft

X: 767472 Y: 26725869

Flight Date: Most Current Flight

Current View: Aerial Imagery Only

1: 1,000

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10161_0120

Clark County Owned Property

Search OpenWeb

×

Q

Property Information

Parcel: 17706101003

Owner Name(s): COUNTY OF CLARK(PUBLIC WORKS)

Site Address: 0

Jurisdiction: CC Enterprise - 89118

Sale Date: 01/1999

Sale Price: \$370,000

Estimated Lot Size: 3.12

Recorded Doc Number: 20070320 00003077

Aerial Flight Date: []

Zoning and Planned Land Use

Legal Description

Ownership

Flood Zone

Elected Officials

Links

Current Tool: Select Property

Coords in State Plane ft

X: 768347 Y: 26727640

Flight Date: Most Current Flight

Current View: Aerial Imagery Only

1: 2,000

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Print

An aerial photograph showing a large, mostly empty, light-brown dirt lot outlined in pink. The lot is situated between a residential area with several houses and parking lots to the north and west, and a multi-lane highway with traffic to the south. To the east of the lot is another residential area with houses and a swimming pool. The overall scene is a mix of developed and undeveloped land.

10161_0122

Dodge Commercial Rail Line

Property Information

Parcel: 14006110005
Owner Name(s): DODGE COMMERCIAL HOLDINGS L L C
Site Address: 4611 MITCHELL ST
Jurisdiction: North Las Vegas - 89081
Sale Date: 01/2003
Sale Price: \$1,007,500
Estimated Lot Size: 3.63
Construction Year: 1997
Recorded Doc Number: 20130509 00001803
Aerial Flight Date: []

Zoning and Planned Land Use

Legal Description

Ownership

Flood Zone

Elected Officials

Links

Current Tool: Select Property
Coords in State Plane ft
X: 800030 Y: 26791061
Flight Date: Most Current Flight
Current View: Aerial Imagery Only
1: 500

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Eastgroup Properties

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×

Q

Property Information

Parcel: 16230801001

Owner Name(s): EASTGROUP PROPERTIES L P

Site Address: 5580 ARVILLE ST

Jurisdiction: CC Paradise - 89118

Sale Date: 05/2009

Sale Price: \$11,050,000

Estimated Lot Size: 9.39

Construction Year: 1998

Recorded Doc Number: [20090527 00003654](#)

Aerial Flight Date: []

Zoning and Planned Land Use

Legal Description

Ownership

Flood Zone

Elected Officials

Links

Current Tool: Select Property

Coords in State Plane ft. ▼

X: 769954 Y: 26734837

Flight Date: Most Current Flight

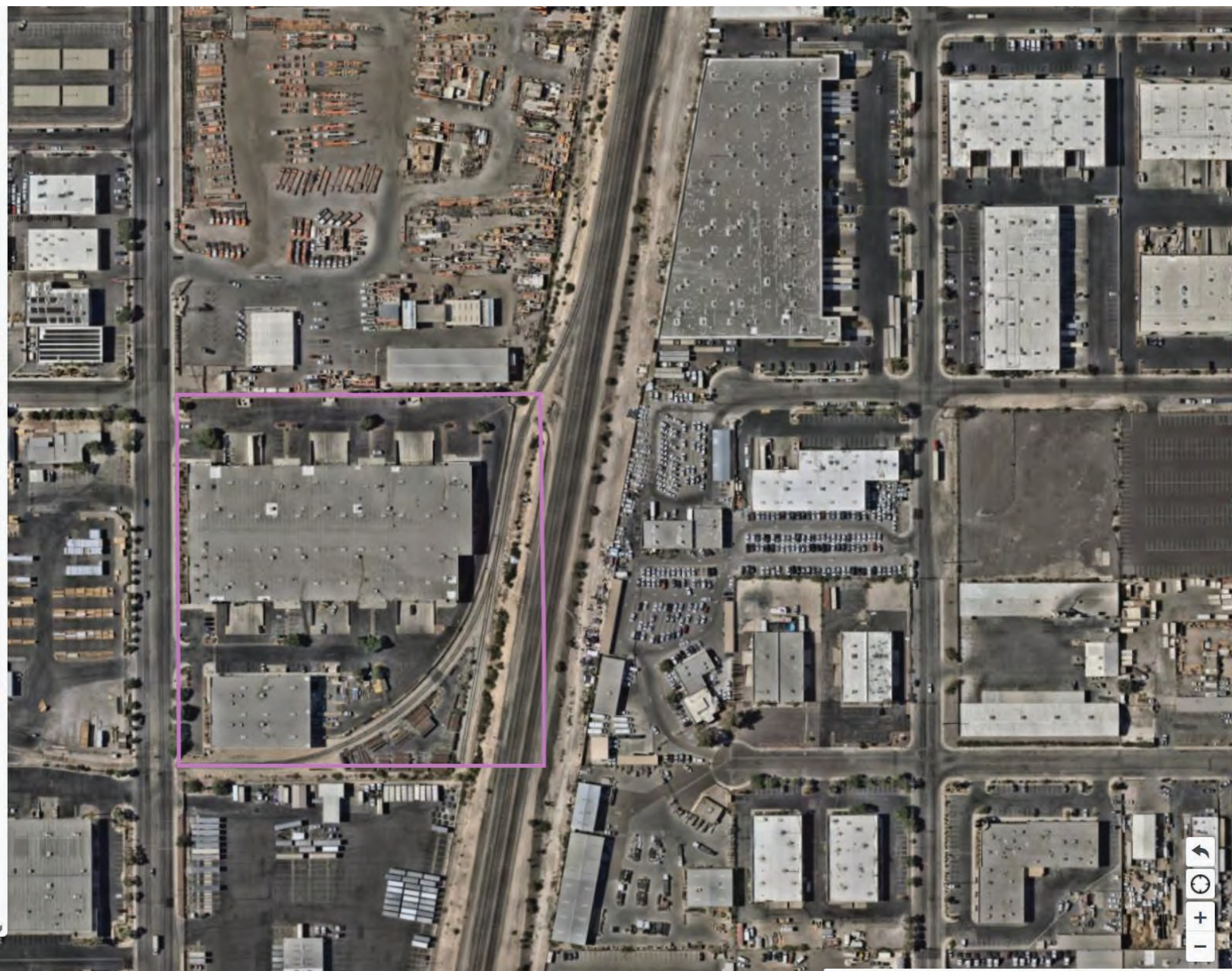
Current View: Aerial Imagery Only

1: 2,000

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Hidden Valley Rails LLC

Search OpenWeb

×

Q

Property Information

Parcel: 03132801005

Owner Name(s): HIDDEN VALLEY RAIL L L C

Site Address: 0

Jurisdiction: CC Moapa - 89025

Sale Date: 04/2013

Sale Price: \$900,000

Estimated Lot Size: 32.87

Recorded Doc Number: [20220811 00001471](#)

Aerial Flight Date: []

Zoning and Planned Land Use

Legal Description

Ownership

Flood Zone

Elected Officials

Links

Current Tool: Select Property

Coords in State Plane ft. ▾

X: 937173 Y: 26946826

Flight Date: Most Current Flight

Current View: Aerial Imagery Only

1: 1,000

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Print

An aerial photograph of a desert landscape. A winding road or path cuts through the sandy terrain, which is sparsely covered with low-lying shrubs and small trees. A prominent purple line is drawn across the map, following the curve of the road and extending into the surrounding desert. The line appears to be a digital overlay, possibly representing a property boundary or a planned route. In the bottom right corner, there is a small toolbar with icons for navigation and zooming, and a scale bar indicating 100 feet.

OpenWeb v4.3.5 100ft

10161_0128

JR Simplot

Search OpenWeb

×

🔍

Property Information

Parcel: 07130601001

Owner Name(s): SIMPLOT J R CO

Site Address: 1551 S MOAPA VALLEY BLVD

Jurisdiction: CC Moapa Valley - 89040

Sale Date: Not Available

Sale Price: Not Available

Estimated Lot Size: 17.62

Construction Year: 1953

Recorded Doc Number: 00001843 01802463

Aerial Flight Date: []

Zoning and Planned Land Use

Legal Description

Ownership

Flood Zone

Elected Officials

Links

Current Tool: Select Property

Coords in State Plane ft

X: 996191 Y: 26891958

Flight Date: Most Current Flight

Current View: Aerial Imagery Only

1: 500

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Lhoist North America

Search OpenWeb

Property Information

Parcel: 10326000003

Owner Name(s): LHOIST NORTH AMERICA OF ARIZONA

Site Address: 12101 LAS VEGAS BLVD

Jurisdiction: CC Unincorporated - 89124

Sale Date: Not Available

Sale Price: Not Available

Estimated Lot Size: 39.4

Recorded Doc Number: 2012121300001378

Aerial Flight Date: []

Zoning and Planned Land Use

Legal Description

Ownership

Flood Zone

Elected Officials

Links

Current Tool: Select Property

Coords in State Plane ft

X: 854059 Y: 26832680

Flight Date: Most Current Flight

Current View: Aerial Imagery Only

1: 2,000

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OpenWeb v4.3.5

200ft

10161_0132

Nevada Ready Mix

☰

Search OpenWeb

✕ 🔍

📌 Property Information

Parcel: 16230701009

Owner Name(s): NEVADA READY MIX CORPORATION

Site Address: 4301 WHACIENDA AVE

Jurisdiction: CC Paradise - 89118

Sale Date: Not Available

Sale Price: Not Available

Estimated Lot Size: 2.45

Recorded Doc Number: 1990122100001362

Aerial Flight Date: []

🏠 Zoning and Planned Land Use

📄 Legal Description

👤 Ownership

💧 Flood Zone

🗳️ Elected Officials

🔗 Links

🛠️ Current Tool: Select Property

📍 Coords in State Plane ft. ▾

X: 770283 Y: 26735773

📅 Flight Date: Most Current Flight

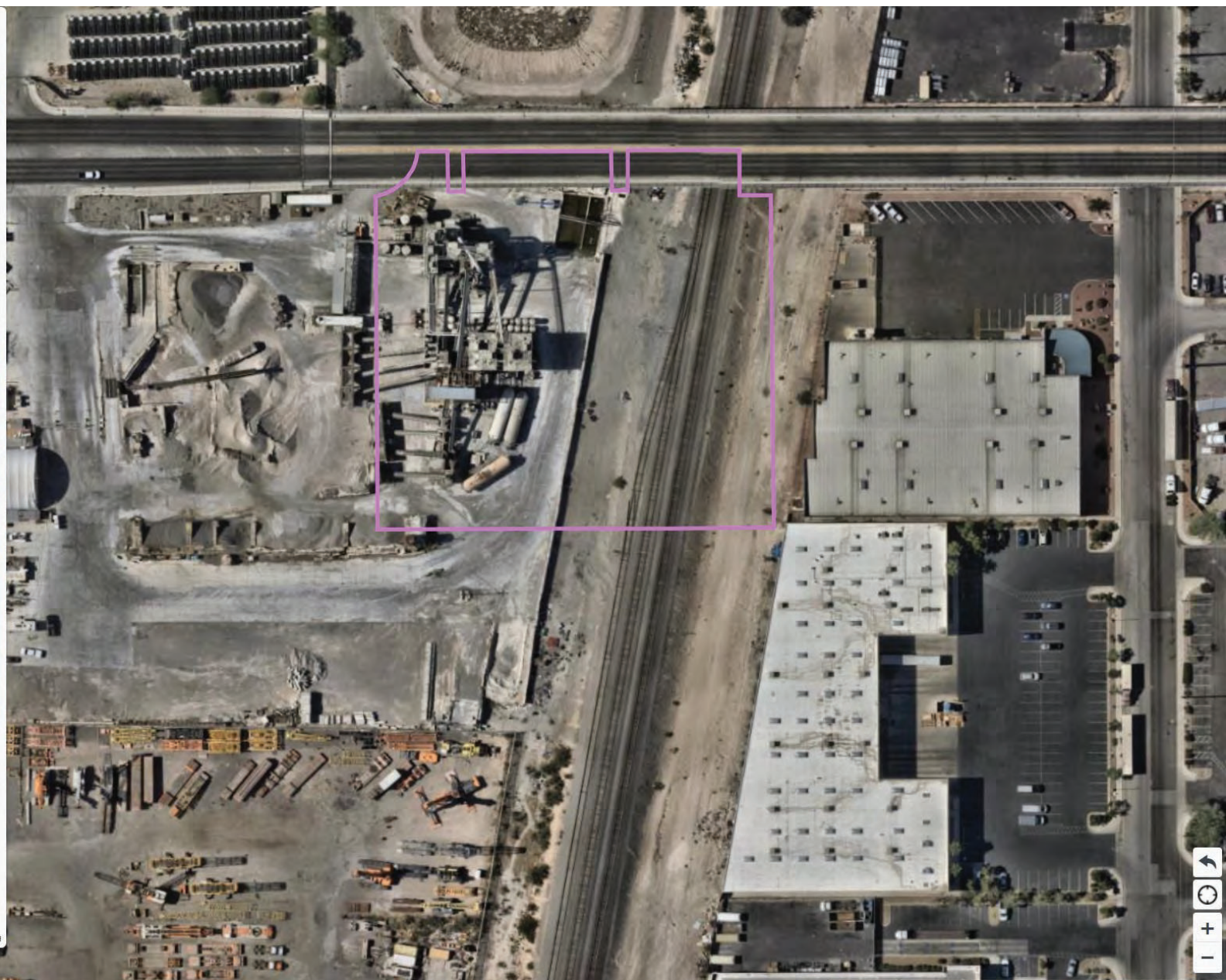
👁️ Current View: Aerial Imagery Only

📏 1: 1,000

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Oil Terminal

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1

Property Information

Parcel: 16231698001

Jurisdiction: CC Paradise - 89118

Sale Date: Not Available

Sale Price: Not Available

Aerial Flight Date: []

Zoning and Planned Land Use

Legal Description

Ownership

Flood Zone

Elected Officials

?

Links

Current Tool: Select Property

Coords in State Plane ft. ▾

X: 771570 Y: 26731276

Flight Date: Most Current Flight

Current View: Aerial Imagery Only

1: 1,000

👍

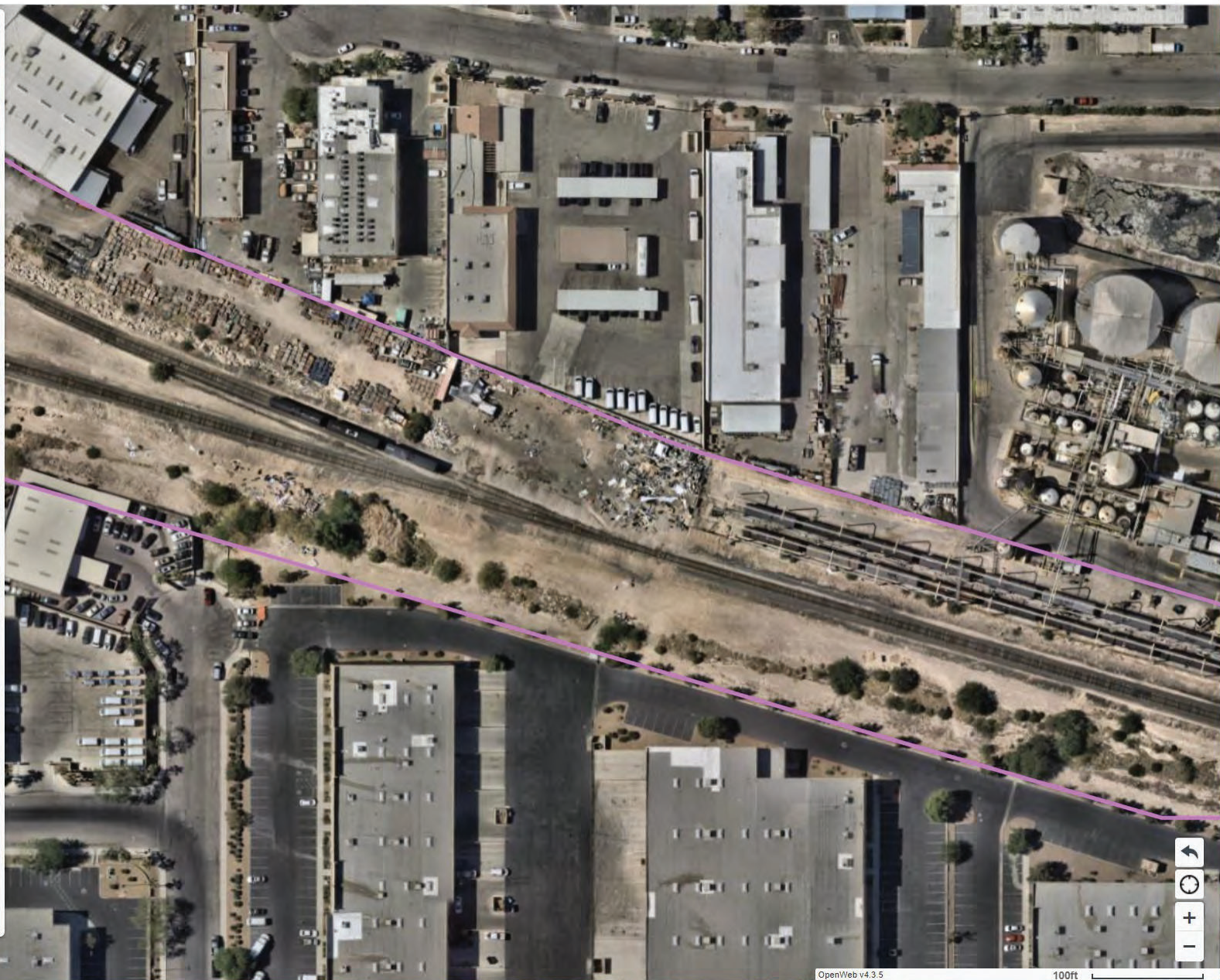
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Pabco Gypsum 1

☰

Search OpenWeb

✕ 🔍

📌 Property Information

Parcel: 14200001003

Owner Name(s): PABCO BUILDING PRODUCTS L L C

Site Address: 4001 STATE HWY 147

Jurisdiction: CC Unincorporated - 89124

Sale Date: Not Available

Sale Price: Not Available

Estimated Lot Size: 639.2

Construction Year: 1964

Recorded Doc Number: 20031201 00003053

Aerial Flight Date: []

🏠 Zoning and Planned Land Use

📄 Legal Description

👤 Ownership

💧 Flood Zone

🗳️ Elected Officials

🔗 Links

📄

Current Tool: Select Property

Coords in State Plane ft ▾

X: 864532 Y: 26785023

Flight Date: Most Current Flight

Current View: Aerial Imagery Only

1: 1,000

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Pabco Gypsum 2



10161_0140

Pioneer Americas

Search OpenWeb

Property Information

Parcel: 17813101012
Owner Name(s): PIONEER AMERICAS LLC
Site Address: 435 FOURTH ST
Jurisdiction: CC.Unincorporated - 89015
Sale Date: Not Available
Sale Price: Not Available
Estimated Lot Size: 214.3
Construction Year: 1942
Recorded Doc Number: [19871203 00000100](#)
Aerial Flight Date: []

Print

Zoning and Planned Land Use

Legal Description

Ownership

Flood Zone

Elected Officials

Links

Current Tool: Select Property
Coords in State Plane ft. 
X: 823563 Y: 26718862
Flight Date: Most Current Flight
Current View: Aerial Imagery Only
1: 5,000

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Private Owner

Search OpenWeb

×

Q

Property Information

Parcel: 16230501046

Owner Name(s): TASSAINER MINNIE

Site Address: 0

Jurisdiction: CC Paradise - 89118

Sale Date: Not Available

Sale Price: Not Available

Estimated Lot Size: 1.5

Recorded Doc Number: 20170405 00000520

Aerial Flight Date: []

Zoning and Planned Land Use

Legal Description

Ownership

Flood Zone

Elected Officials

Links

Current Tool: Select Property

Coords in State Plane ft

X: 770180 Y: 26737639

Flight Date: Most Current Flight

Current View: Aerial Imagery Only

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Print

An aerial satellite photograph of an industrial or commercial district. The area is characterized by numerous large, rectangular industrial buildings with flat roofs, many of which are light-colored. These buildings are interspersed with paved parking lots containing various vehicles, including cars and trucks. A prominent road or highway runs vertically through the center-right of the image. A pink, irregular polygon is drawn on the right side of the image, highlighting a specific area of land that appears to be a mix of dirt, sparse vegetation, and some small structures or debris. The overall scene is a typical representation of a developed industrial zone.

10161_0144

Rockview Dairies

Search OpenWeb

Property Information

Parcel: 04202201002

Owner Name(s): ROCKVIEW DAIRIES INC

Site Address: 2055 E STATE HWY 168

Jurisdiction: CC Moapa - 89025

Sale Date: 04/2000

Sale Price: \$376,834

Estimated Lot Size: 5.04

Construction Year: 1973

Recorded Doc Number: [20000428 00001956](#)

Aerial Flight Date: []

Zoning and Planned Land Use

Legal Description

Ownership

Flood Zone

Elected Officials

Links

Current Tool: Select Property

Coords in State Plane ft

X: 950383 Y: 26943933

Flight Date: Most Current Flight

Current View: Aerial Imagery Only

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Print

An aerial photograph of a desert landscape. A property is outlined in a bright pink line. The property is situated between a dirt road to the north and a paved road to the south. To the east of the property is a multi-lane highway. The property itself contains several buildings, including a large one with a green roof and some smaller structures. There are also some trees and shrubs scattered around the property. The overall terrain is arid and hilly.

OpenWeb v4.3.5 200ft

Exhibit 16

Elko Rail Yard

TRANSLOAD FACILITIES

- [Auburn, Maine >](#)
- [Birmingham, Alabama >](#)
- [Bowbells, North Dakota >](#)
- [Brownsville, Texas >](#)
- [Butte, Montana >](#)
- [Cedar City, Utah >](#)
- [Chehalis, Washington >](#)
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- [DuBois, Pennsylvania >](#)
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- [Hammond, Indiana >](#)
- [Junction City, Oregon >](#)
- [Los Angeles, California >](#)
- [Miami, Florida >](#)
- [New Stanton, Pennsylvania >](#)
- [Odessa, Texas >](#)
- [Pocatello, Idaho >](#)
- [Pocatello, Idaho Intermodal >](#)
- [Price, Utah >](#)
- [Rifle, Colorado >](#)
- [Rochester, New York >](#)
- [Salem, Oregon >](#)
- [Sayre, Pennsylvania >](#)
- [Shelby, Montana >](#)
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- [Trenton, North Dakota >](#)
- [Westlake, Louisiana >](#)

ELKO, NEVADA TRANSLOAD FACILITY



As the preferred storage and transportation hub for partners like Nevada Gold and Nevada Drilling, the Elko facility is a major player in the ground journey of valuable commodities such as sulphur, ammonium nitrate prill, concentrate, and cathodes, to name a few.

RAIL SERVICES

- 60 railcar spots
- UP access
- Rail switching for industrial-served Customers

TRANSLOAD SERVICES

- Rail-to-truck, truck-to-rail service
- Dry bulk transloading via conveyor
- Liquid bulk transportation
- Dimensional product handling
- Boxcar loading and unloading
- HAZMAT capable
- On-site boiler
- Trucking service available
- Certified truck scale

INVENTORY MANAGEMENT

- Laydown space available upon request



**8852 E IDAHO ST
ELKO, NV 89801**

[View Google Map >](#)

[Elko, NV Fact Sheet >](#)

[Transload Network Book >](#)

[CONTACT US >](#)

Ely NV Rail Yard



Fernly Rail Site



-25%

Deep Cycle Lithium Battery
Sungoldpower Official

Track expansion completed at Western Nevada Rail Park in Fernley



Industrial Realty Group in November 2020 purchased the Western Nevada Rail Park east of Fernley to construct a major railroad freight operations and commerce center site.

NNBW staff report

Tuesday, November 16, 2021

Discuss

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Los Angeles-based Industrial Realty Group, LLC, recently announced it completed installation of an additional mile of rail track and improvements to the existing infrastructure at the 224-acre Western Nevada Rail Park site in Fernley.

With the new extension of 5,000 feet, the site now includes over 7,000 linear feet of track, according to a Nov. 1 press release.



NNBW on Facebook



Fernly Oil Terminal



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Reno Rail Yard

THE RENO-SPARKS TRANSLOAD FACILITY

Nexxt Logistics is a full-service transportation and distribution subsidiary of NEXXT Rail, LLC. We offer Rail and Truck Loading / Unloading and full Transloading services.



Exhibit 17

Search

[Home](#) / [Railroad Safety](#)

IN THIS SECTION



Trespass Prevention

FRA works in partnership with railroads, state and local governments, and organizations to conduct outreach efforts to raise awareness about the inherent dangers and consequences of trespassing on railroad property—illegally entering or remaining on a railroad right-of-way. FRA also provides multiple resources to assist these stakeholders and the public to prevent trespassing.

Trespassing Is Dangerous and Illegal

Trespassing is the leading cause of rail-related deaths in the United States. Nationally, more than 500 trespass fatalities occur each year. The number of trespassing occurrences on railroad property each year far exceeds the number of fatalities, which means the potential for more trespasser accidents.

It is illegal to access private railroad property anywhere other than a designated pedestrian or roadway crossing. Trespassers are most often pedestrians who walk across or along railroad tracks as a shortcut to another destination. Some trespassers are loitering or are engaged in recreational activities such as taking photographs, jogging, bicycling, hunting, or operating recreational off-highway vehicles (ROVs). Riding ROVs along railroad tracks leads to the erosion of an important part of the track foundation known as ballast, or the rock and soil material that supports the ties and rail. Damage to the ballast degrades the entire track structure and can lead to a train derailment—which can cause a hazardous materials spill or damage to other people and property.



Always Expect a Train!

- Trains do not follow a set schedule, so they can come at any time of day from either direction.
- A train traveling at 55 miles per hour can take more than a mile to stop.
- Trains overhang railroad tracks by three feet or more on either side. Even when you are not standing directly on the tracks, you risk being hit by a train by being on railroad property.
- Despite their size, trains are relatively quiet and do not always sound warning horns when approaching a crossing.
- Never attempt to walk under, around, or between train cars, even when a train is at a complete stop.
- For more safety tips, view FRA's [I am a Pedestrian/Motorist](#) webpage.

Community Trespass Prevention Program

The [Community Trespass Prevention Guide](#) is a program for local, state, and national partnerships aimed at reducing trespassing and its related injuries and deaths. The goal of the program is to create safer communities by fostering the development of long-term trespass prevention strategies through community problem-solving partnerships. The program incorporates a problem-solving model with a step-by-step approach for dealing with trespassing issues in communities.

Trespass & Suicide Prevention Toolkit

FRA has an interactive resource, the [Trespass & Suicide Prevention \(TSP\) Toolkit](#), to identify effective strategies for trespass and suicide prevention and mitigation on the Nation's railroads. The TSP Toolkit is useful for individuals who work in railroad safety and for researchers, community members, suicide prevention groups, or other individuals or organizations with an interest in preventing trespassing and suicide.



National Strategy to Prevent Trespassing on Railroad Property

FRA's National Strategy to Prevent Trespassing on Railroad Property is a 2018 Report to Congress that includes four strategic focus areas: data gathering and analysis, community site visits, funding, and partnerships with stakeholders.

Data gathering and analysis of trespass incidents and close calls enables FRA to target resources to trespassing "hot spots." Conducting community site visits helps FRA to learn more about the specific local circumstances that contribute to trespassing and work with partners to help implement and evaluate targeted mitigation strategies. Requesting and providing funding supports community-based efforts to deter trespassing. Finally, building strong and enduring partnerships with communities, law enforcement, railroads, and organizations with a shared interest in saving lives enables FRA to leverage and concentrate available resources, expertise, and local knowledge to reduce trespassing.

Click [here](#) to access the report.

Resources

Expand All

Collapse All

Trespass Prevention Materials	▼
Rails With Trails	▼
Multimedia	▼
External Links	▼

Last updated: Friday, August 2, 2024

U.S. DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

1200 NEW JERSEY AVENUE, SE

WASHINGTON, DC 20590

202-366-4000

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- Doing Business with FRA
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Areas of Interest

Bipartisan Infrastructure Law

Safety Data
Buy America
Operation Lifesaver
Railroad Safety Advisory Committee
FRA Secure Area
Proactive Disclosure

I Am A...

Railroad Traveler
Reporter
Educator/Student

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Budget and Performance
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Information Quality
No FEAR Act
Office of Inspector General
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USA.gov
Vulnerability Disclosure Policy
Web Policies and Notices
Web Standards

Exhibit 18

Safety

Trespassing

Railroads are private property. Trespassers are those who are on railroad property without permission. Trespassing along railroad rights-of-way is the leading cause of rail-related fatalities in America. Trespassers are most often pedestrians who walk across or along the railroad tracks as a shortcut, or are loitering or engaging in recreational activities. Trespassing on railroad property is a property crime and a general offense.



Highway/Railway Crossings

A highway-railroad crossing is an intersection of railroad tracks and highway at the same grade level. It is critically important that drivers and pedestrians take special care at these crossings to ensure safety. The U.S. Department of Transportation offers the following steps for safety at highway/rail grade crossings:

- Approach with care
- Warn others that you are slowing down
- Turn on 4-way flashers
- Use pull-out lane if available
- Prepare to Stop
- Turn off fans and radio and roll down windows
- Be aware of the location of your cell phone for use in emergency
- Stop at least 15 feet, but not more than 50 feet from nearest rail
- Look and listen both ways, carefully
- Bend forward to see around mirrors and A-pillars
- If it won't fit, don't commit
- Trains extend beyond the width of the rails at least 3 feet on each side. Remember your vehicle – and cargo-overhang.
- Look again. Before you move, look again in both directions.
- Signal, watch for a safe gap, pull back onto the road if you used a pull-out lane
- Use the highest gear that will let you cross without shifting

Operation Lifesaver

Operation Lifesaver's mission is to end collisions, deaths and injuries at highway-rail grade crossings and on rail property through a nationwide network of volunteers who work to educate people about rail safety.

Larry Hamilton

Nevada Operation Lifesaver

600 Yucca Street

Boulder City, NV. 89005

(702) 286-3246

real.larry.hamilton@gmail.com

Exhibit 19

[Skip to Main Content](#)



Nevada Governor Joe Lombardo

Governor Sisolak Signs Executive Order Directing Administration to Collaborate on Achieving Nevada's Climate Goals

CARSON CITY, NV - November 22, 2019

Today, Governor Steve Sisolak signed Executive Order 2019-22 (EO) directing his administration, under the leadership of Director Bradley Crowell of the Nevada Department of Conservation and Natural Resources (DCNR) and Director David Bobzien of the Nevada Governor's Office of Energy (GOE), to collaborate with public, private, and tribal partners to help implement and accelerate cutting-edge solutions to advance the State of Nevada's ambitious climate goals.

The EO directs State of Nevada agencies to identify and evaluate policies and regulatory strategies to achieve the long-term goals of greenhouse gas emissions reductions, as required by Senate Bill 254 and in accordance with Nevada's commitments as a member of the US Climate Alliance. To help achieve these reduction targets, the administration, led by DCNR and GOE, will coordinate statewide efforts, including the facilitation of agency and stakeholder participation.

In addition to producing reports as required by Senate Bill 254, the Governor's administration will develop a State Climate Strategy, to be delivered by December 1, 2020, that will include recommendations to reduce carbon pollution from the electricity and transportation sectors, buildings, state operations, and other relevant sectors.

"This executive order will ensure Nevada continues to promote ambitious carbon-reduction standards that will help tackle the devastating impacts of climate change while creating good, high-paying jobs for Nevadans," **Gov. Steve Sisolak said**. "The impacts of climate change, and a job market that demands renewable energy and other clean technologies, are already here. For the sake of Nevada's future, and our children's future, we must take action."

"As the climate continues to warm, the science community has reported a significant increase in the severity and length of droughts and the frequency and intensity of wildfires," **DCNR Director Bradley Crowell said**. "With Nevada being the driest state in the nation, coupled with the risks and realities our State faces from climate change, smart climate solutions are critical to the long-term health and sustainability of our state. Under the Executive Order, we look forward to advancing strategies that reduce Nevada's climate footprint, promote clean energy, and foster a healthy and sustainable future for all."

"Pursuing these ambitious emissions reductions goals will require collaboration with local governments, tribal governments, businesses, and stakeholders from all across Nevada," **GOE Director David Bobzien said**. "This Executive Order provides the direction and framework for both combating climate change and realizing the economic opportunities of a decarbonized economy."

The Governor held the press conference at the Regional Transportation Commission of Washoe County, which has been a leader in investing in electric vehicle technology. The RTC was the first public agency in the State of Nevada to operate electric buses and added 17 to its fleet just last year.

The text of Executive Order 2019-22 is below:

EXECUTIVE ORDER 2019-22 ORDER DIRECTING EXECUTIVE BRANCH TO ADVANCE NEVADA'S CLIMATE GOALS

WHEREAS, climate change poses a serious threat to Nevada's natural resources, public health, communities, and economy;

WHEREAS, on March 12, 2019, the State of Nevada joined the U.S. Climate Alliance and committed to supporting the United Nations Climate Goals established at the 2015 Paris Conference. The primary U.S. Climate Alliance goal is to reduce greenhouse gas emissions by at least 26-28 percent below 2005 levels by 2025;

WHEREAS, as part of the U.S. Climate Alliance, Nevada will implement policies to reduce greenhouse gas emission, track and report progress on its efforts to achieve greenhouse gas emission reduction goals, and accelerate new and existing policies to reduce carbon pollution and promote clean energy deployment;

WHEREAS, the State of Nevada's electricity generation portfolio consists of approximately two-thirds imported fossil fuels and there is opportunity for greater in-state production of renewable electricity resources;

WHEREAS, on April 22, 2019, Senate Bill 358 was signed into law raising Nevada's renewable portfolio standard to 50 percent by 2030;

WHEREAS, as of 2015, fossil fuel use in the transportation sector is now the largest greenhouse gas and carbon emitting sector in Nevada;

WHEREAS, on June 3, 2019, Senate Bill 254 was signed into law directing the Nevada Department of Conservation and Natural Resources (the "Department") to "not later than December 31, 2019, and each year thereafter, issue a report that includes an annual statewide inventory of greenhouse gas emissions in this State and a projection of annual greenhouse gas emissions in this State for the 20 years immediately following the date of the report;"

10161_0167

WHEREAS, the report required by Senate Bill 254 shall include an annual inventory and projection of greenhouse gas emissions from

WHEREAS, the report required by Senate Bill 254 shall include an annual inventory and projection of greenhouse gas emissions from the electricity production and transportation sectors, and it shall include an inventory and projection of greenhouse gas emissions every fourth year for the industry, commercial and residential, agriculture, and land use and forestry sectors;

WHEREAS, pursuant to Senate Bill 254, the report shall include a statement of policy options needed to reach the economy-wide greenhouse gas emission reduction goals called for in Senate Bill 254 of 28 percent below 2005 levels by 2025 and 45 percent below 2005 levels by 2030;

WHEREAS, Senate Bill 254 directs the Governor to "designate an entity or entities to consult with the Department and identify for the Department the policies required pursuant to paragraph (c) of subsection 2;"

WHEREAS, the statement of policy options required under SB 254 will be developed through consultation and coordination among applicable state agencies as established by this Executive Order and under the leadership and direction of the Department and the Governor's Office of Energy with a focus on achieving greenhouse gas emission reductions in the areas of electricity production, transportation, industry, commercial and residential, agriculture, and land use and forestry;

WHEREAS, climate change poses significant threats to vulnerable communities who may lack the resources, geographic mobility, and technological expertise to adapt to changes, including pronounced threats to cultural resources, economic vitality, and the human health of all of Nevada's communities and Indian tribes;

WHEREAS, Las Vegas, Nevada is the nation's fastest warming city, with a temperature increase of 5.76 degrees Fahrenheit between 1970 and 2018, a trend posing significant impacts to public health and economic prosperity now and in the future;

WHEREAS, protection of Nevada's iconic hunting, fishing, and outdoor recreation opportunities is critical to our heritage, quality of life, economy, and ability to attract and retain businesses in diverse industries;

WHEREAS, Nevada's abundant solar, geothermal and wind renewable energy resources, along with a skilled and capable workforce, provide jobs and economic opportunities to Nevada families as a pillar of Nevada's leadership in establishing a competitive clean energy and decarbonized economy;

WHEREAS, changing national and global market conditions demand that Nevada's businesses seek pragmatic solutions to climate change that maintain competitiveness and create a stable investment environment;

WHEREAS, Nevada's growing clean energy sector has driven economic diversification throughout the state leading to a nationwide leading annual growth of over 34 percent in clean energy jobs from 2017 to 2018, for a total of 32,311 clean energy jobs in Nevada as of 2018; and

WHEREAS, States have continued to lead on climate change, have taken state-level action that is benefitting state economies and strengthening communities, and are demonstrating leadership to the nation and the world that ambitious climate action is achievable and imperative.

NOW, THEREFORE, by the authority vested in me as Governor by the Constitution and laws of the State of Nevada and the United States, it is hereby ordered as follows:

SECTION 1: State agencies within the Executive branch of Nevada government shall collaborate, as applicable, to advance Nevada's climate goals.

SECTION 2: The Director of the Department of Conservation and Natural Resources and the Director of the Governor's Office of Energy shall coordinate the work of the state agencies through convening meetings, facilitating stakeholder participation, and providing strategic direction for meeting the goals and requirements as directed under the Executive Order.

SECTION 3: For purposes of fulfilling the requirements of Senate Bill 254, the Administrators or Directors (or designees) of the Public Utilities Commission of Nevada, the Department of Transportation, and the Department of Motor Vehicles shall participate as required under Section 2, subsection 3 of Senate Bill 254.

SECTION 4: The administration's effort shall also include participation from representatives of the Department of Administration and the other state agencies as appropriate in fulfilling the requirements of Senate Bill 254. The administration will continue to work with its partners at the Nevada System of Higher Education to achieve the broader goals and objectives established under this Executive Order.

SECTION 5: The administration's effort shall proceed in phases:

A. Phase 1 shall be completed by December 31, 2019 for purposes of finalizing the first annual report as required under Senate Bill 254. The report, as described in Senate Bill 254, shall include:

i. An annual report of Nevada's greenhouse gas emission completed by the Nevada Division of Environmental Protection; and

ii. A statement of policy options completed by the appropriate state agencies as defined under Senate Bill 254 and included in this Executive Order that could achieve reductions in projected greenhouse gas emissions by the sectors set forth under Section 2,

subsection 2(b) of Senate Bill 254.

B. Phase 2 shall build upon the work of Phase 1 and will culminate in a State Climate Strategy to be delivered to the Governor by December 1, 2020. The document shall include specific policy and budget recommendations to reduce greenhouse gas emissions and mitigate the effects of climate change as needed to meet the goals set forth under this Executive Order.

SECTION 6: The administration shall identify and evaluate policies and regulatory strategies, including but not limited to those identified pursuant to Senate Bill 254, to achieve reductions in greenhouse gas emissions, consistent with Nevada's commitment as a member of the U.S. Climate Alliance, across all categories of emission sources, and to further Nevada's resilience to climate change. Such policies and regulatory strategies shall include, but not be limited to, the following:

A. Comprehensive economy-wide or sector-specific programs to reduce carbon dioxide and other greenhouse gas pollution across Nevada, including market-based mechanisms that may be appropriate for Nevada's greenhouse gas emissions profile;

B. Support for transportation electrification and demand management, including infrastructure, fleet procurement, alternative funding mechanisms and other programs;

C. Building codes, and other programs to increase residential and commercial building energy efficiency; and

D. Enhancement of climate resiliency and mitigation of the impacts of climate change in urban and rural areas, including adoption of approaches to increase conservation, restoration and management of Nevada's forests, rangelands, and water resources.

SECTION 7: The administration shall prepare an agency risk assessment survey for all state agencies to identify and evaluate the potential impacts of climate change on their programs and operations, and to establish options for the integration of climate change mitigation and adaptation practices for their programs and operations.

SECTION 8: Each state agency shall prepare priority lists for building energy efficiency projects to be shared with the administration. The administration shall explore financing options and needed strategies for completion of these projects to achieve energy savings across state owned or leased buildings.

SECTION 9: The administration shall collaborate with local governments and tribal nations.

SECTION 10: The administration shall coordinate as much as possible with federal bureaus and agencies that manage land and natural resources in Nevada to help advance the priorities identified in the Executive Order.

SECTION 11: The administration shall consider the impact of proposed policies and programs on low-income and disadvantaged communities in Nevada.

SECTION 12: This order is effective upon signature and shall remain in effect until December 31, 2029 unless it is terminated earlier or extended beyond that date by subsequent Executive Order.

Contact

Ryan McNerney
Communications Director
rmcinerney@gov.nv.gov

Attachments

[Executive Order 2019-22 Directing Executive Branch to Advance Nevada's Climate Goals](#)

EXHIBIT 20

(13)

AGREEMENT TO CONVEY EASEMENT

THIS AGREEMENT TO CONVEY EASEMENT (hereinafter referred to as "Agreement") is made and executed by and between **PAN WESTERN CORPORATION**, having its principal office at 4755 West University Avenue, Las Vegas, Nevada, hereinafter referred to as ("PWC"), and **LAS VEGAS PAVING CORPORATION**, having its principal office at 4420 S. Decatur Boulevard, Las Vegas, Nevada, hereinafter referred to as ("LVP").

WITNESSETH:

WHEREAS, PWC currently owns certain real property located in Clark county, Nevada (the legal description and assessor's parcel map of which are attached hereto as Exhibit "A" and "B", respectively, and made a part hereof and hereinafter referred to as "PWC's property"); and

WHEREAS, PWC has applied with Union Pacific Railroad, and has received the right to construct a railroad spur on PWC's property from the main railroad line, the construction thereof which is intended to begin in the near future, and a diagram thereof is attached hereto as Exhibit "C" and made a part hereof; and

WHEREAS, LVP currently owns certain real property contiguous with PWC's property (the legal description and assessor's parcel map of which are attached hereto as Exhibit "D" and "E", respectively, and made a part hereof, hereinafter referred to as "LVP's property"), and is desirous to, at some point in time in the future, connect to and continue from on LVP's property that portion of the railroad spur to be constructed by PWC (being at the common property boundary found at Point C on Exhibit "C"), and thereafter, to commonly use with PWC that portion of PWC's railroad spur to exist from the parties' common property line to the main line of Union Pacific Railroad (found at points AC on Exhibit "C").

NOW THEREFORE, in consideration of the sum of One Hundred Eighty Three Thousand Two Hundred Eighty Seven (\$183,287.00) Dollars, and other

consideration as hereinafter provided and reserved, and the mutual covenants, conditions and promises of the parties as herein stated, the parties hereto agree as follows:

1. PWC hereby agrees to grant and convey to LVP a permanent easement and right of way to use as means of ingress and egress to and from LVP's property and the Union Pacific main line, a certain portion of the railroad spur to be constructed and located on PWC's property, the same being more particularly described as that portion of PWC's railroad spur to be constructed and designated as Points AC on Exhibit "C", attached hereto and made a part hereof. A copy of the Grant of Permanent Easement to be executed shall be substantially in the form as is set forth in Exhibit "F", attached hereto and made a part hereof.

2. The approximate location of the railroad spur to be constructed by PWC that will be subject to the easement as set forth in this Agreement is indicated as Points AC on Exhibit "C", attached hereto and made a part hereof. It is presently intended that Point C shall exist at the common boundary of the parties' respective real properties. However, the exact location of the railroad spur, and thus the easement and right of way, will solely be determined by PWC in its placement of the railroad spur.

3. Except as otherwise provided in this Agreement, the easements and right of ways herein declared are easements and right of ways appurtenant and shall run with the land, touch and concern the same and are intended to both benefit and burden the land subject thereto. Except as otherwise provided in the Agreement, the easements and right of ways herein declared shall continue perpetually without limitation, defeat, diminution, or discharge, by lapse of time, change of ownership of the parcels, change of use of any parcel, or increase in extent of use burden.

4. Unless otherwise stated in this Agreement, all notices or demands in this Agreement provided, to be given by either party hereto to the other, shall be deemed to have been fully given when made in writing and (1) personally delivered, or (2)

deposited in the United States Mail, registered or certified, and postage prepaid,
and addressed as follows:

To PWC: PAN WESTERN CORPORATION
Attn: Mitchell Truman
4755 West University Avenue
Las Vegas, Nevada 89103

To LVP: LAS VEGAS PAVING CORPORATION
Attn: Robert Mendenhall
4420 South Decatur Boulevard
Las Vegas, Nevada 89103

The address to which any notice or demand may be given to any party, may be changed from time to time by written notice given by such party as above provided.

5. If any action at law or in equity shall be brought for or on account of any breach of, or to enforce or interpret any of the covenants, terms, or conditions of this Agreement, the prevailing party shall be entitled to recover from the other party, as part of the prevailing party's costs, reasonable attorney's fees, the amount of which shall be fixed by the Court and shall be made a part of any judgment or decree rendered.

6. Time is of the essence of this Agreement, and of each and every covenant, term, condition, and provision hereof.

7. In the event any section, paragraph, sentence, or clause of this Agreement is held invalid or unenforceable for any reason, then such invalidity or unenforceability shall not affect the validity or enforceability of the remainder of this Agreement.

8. This Agreement may not be modified, amended, or changed, except by a writing specifying the modification, amendment, or change which is signed by all of the parties hereto.

9. This Agreement contains the entire understanding of the parties hereto, and there are no warranties, representations, or covenants other than those expressly set forth herein.

10. The parties hereto acknowledge ample opportunity and time to consult independent legal counsel in connection with the negotiation and execution of the Agreement.

11. This Agreement is governed by the laws of the State of Nevada.

12. The (a) waiver of any terms, covenant, or condition of this Agreement; or (b) waiver of any breach of any term, covenant, or condition contained therein; or (c) failure of either party to take action with respect to any breach of the other of any term, covenant, or condition contained herein, shall not be deemed to be a waiver of such term, covenant, or condition, nor shall it be deemed a waiver of any subsequent default under the same or any other term, covenant, or condition, unless it is specified in writing and signed by the waiving party.

13. This Agreement shall, subject to the provisions as to assignment and transfer, bind and inure to the respective assigns, successors, heirs and personal representatives of the parties hereto, and to all those who may now and hereafter claim either through or under them.

14. This Agreement has been mutually prepared by the parties hereto, and may be executed in duplicate originals, the same of which shall be signed by all parties hereto, each of which shall be deemed an original, but all of which shall constitute one instrument.

15. This Agreement shall be recorded.

IN WITNESS WHEREOF, the parties have hereunto set their hands on the date and year set below their respective names.

PAN WESTERN CORPORATION

By



RICHARD TRUMAN, PRESIDENT

Dated:

Feb 10, 1997

LAS VEGAS PAVING CORP.

By



ROBERT L. MENDENHALL,
PRESIDENT

Dated:

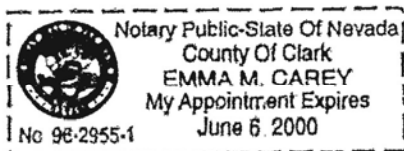
March 2, 1997

ACKNOWLEDGMENT

STATE OF NEVADA)
) SS.
 COUNTY OF CLARK)

RICHARD

On the 10th day of February, 1997, personally appeared before me, the undersigned Notary Public, EMMA M. CAREY TRUMAN, personally known to me or proved to me on the basis of satisfactory evidence, to be the person whose name is subscribed to the foregoing AGREEMENT TO CONVEY EASEMENT, who acknowledged to me that he executed the same in his capacity as President of PAN WESTERN CORPORATION.



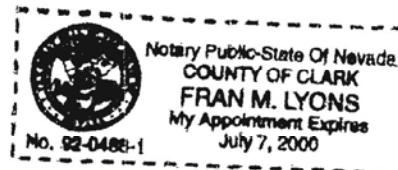
Emma M. Carey
 Notary Public in and for Said County and State

ACKNOWLEDGMENT

STATE OF NEVADA)
) SS.
 COUNTY OF CLARK)

On the 4th day of March, 1997, personally appeared before me, the undersigned Notary Public, ROBERT L. MENDENHALL, personally known to me or proved to me on the basis of satisfactory evidence, to be the person whose name is subscribed to the foregoing AGREEMENT TO CONVEY EASEMENT, who acknowledged to me that he executed the same in his capacity as President of LAS VEGAS PAVING CORPORATION.

Fran M. Lyons
 Notary Public in and for Said County and State



GRANT OF PERMANENT EASEMENT

PAN WESTERN CORPORATION, a Nevada Corporation, having its principal office at 4755 West University Avenue, Las Vegas, Nevada, hereinafter referred to as ("Grantor"), for and in consideration of the sum of Ten (\$10.00) Dollars, and other valuable consideration, receipt of which is acknowledged, does hereby grant to LAS VEGAS PAVING CORPORATION, a Nevada Corporation, having its principal office at 4420 South Decatur Boulevard, Las Vegas, Nevada, hereinafter referred to as ("Grantee"), a permanent easement to use as means of ingress and egress to and from Grantee's real property (legally described at Exhibit "A", attached hereto and made a part hereof and hereinafter referred to as ("Grantee's Property"), the same being APN: 520-530-016 and the Union Pacific Railroad main line, a certain portion of the railroad spur located on Grantor's real property (legally described at Exhibit "B", attached hereto and made a part hereof and hereinafter referred to as ("Grantor's Property"), the same being APN: 520-520-002, the same being more particularly described as that portion of grantor's railroad spur designated as Points AC on Exhibit "C", attached hereto and made a part hereof.

This Grant of Permanent Easement is conditioned upon the following:

1. The term "means of ingress and egress" shall mean the ability of Grantee to transport railroad cars on and over that portion of grantor's railroad spur subject to this easement (the same being Points AC on Exhibit "C") to and from the main line of Union Pacific Railroad.

Unless otherwise provided herein, Grantee shall have no other right of ingress and egress over Grantor's Property, it being the clear intent and understanding of Grantor and Grantee hereto that in order for Grantee to effectively use the grant of easement, that Grantee will be required to connect to and continue from the end of Grantor's railroad spur (the same being Point C on Exhibit "C", which is the common boundary of the parties) their own spur on

Grantee's Property, in order to load and unload railroad cars. Grantee shall have no right to load or unload any railroad cars from Grantor's Property.

2. Grantee, or its assigns, shall in no way cause or allow, directly or indirectly, any third party to transport railroad cars over the easement created herein that have no direct relationship to the business affairs of Grantee, or its assigns.

3. The easement granted Grantee on the railroad spur as hereinabove described, shall not be an exclusive right to use the same. Grantee shall use said rights commonly with Grantor, and with due regard to the unencumbered rights of Grantor to use the same. Grantee shall not use the railroad spur in any way that will impair the rights of Grantor to use it, nor shall Grantor use the railroad spur in any way that will impair the rights of Grantee to use it, nor shall either obstruct, directly or indirectly, the other's passage thereon. Grantor shall maintain specific right to transport on or over the easement along Grantor's North property line.

4. Grantor and Grantee shall share one-half the costs and expenses of maintaining the above-described easement (including the switch at Point B on Exhibit "C" attached hereto) in good repair throughout the term of the easement. Grantor and Grantee, their successors and assigns, understand and agree that each shall be responsible to pay his proportionate share of any and all costs associated with the installation of a automated railroad crossing if and when requested to be installed by the Union Pacific Railroad.

5. Grantee shall in no way cause or allow the Easement to be used for any unlawful purpose, and shall comply with all city, county, state and/or federal laws, rules and/or regulations respecting its use and the materials to be transported on and over said railroad spur. Grantee shall not cause or allow directly or indirectly, any form of hazardous materials or waste to be transported on or over the easement, other than those which may be deemed necessary and essential to the general business enterprise of Grantee. Any form of spillage of any materials or waste whatsoever on, over or around the easement and/or Grantor's Property by Grantee (or its agents, employees, servants, visitors, invitees or otherwise), shall be the sole

responsibility of Grantee to clean up and to assume the same in total, holding grantor harmless therefrom, and to indemnify Grantor for any costs, expenses or loss accruing therefrom. Grantee shall have the right of ingress and egress over Grantor's Property, subject to Grantor's consent, to perform the promises, covenants and conditions set forth in the Paragraph 5.

6. Grantor shall not be liable for any loss, injury, death, or damage to persons or property which at any time may be suffered or sustained by Grantee or by any person whosoever that may, at any time, be using or occupying or visiting the easement and/or Grantor's Property, or be in or about the same, whether such loss, injury, death, or damage shall be caused by or in any way result from or arise out of, any act, omission, or negligence of Grantee (its agents, employees, servants, visitors, invitees or otherwise), or of any occupant, subtenant, visitor, or user of any portion of the easement or Grantor's property, or shall result from or be caused by any other matter or thing, whether of the same kind or of a different kind, than the matters or things above set forth, and Grantee shall indemnify Grantor for and/or against all claims, liability, loss or damage whatsoever, on account of such loss, injury, death or damage. The preceding sentence shall not apply to loss, injury, death or damage arising by reason of the negligence or misconduct of Grantor, its agents, employees or servants.

7. Grantee shall, at a minimum, and at all times maintain in effect throughout the term of the easement, personal injury liability insurance covering Grantor's property (its improvements and appurtenances thereto and thereon) within a distance of 50 feet each direction from the centerline of the easement, in the amount of One Million Dollars (\$1,000,000.00), for injury to, or the death of, any one person, and One Million Dollars (\$1,000,000.00), for injury to, or the death of, any number of persons in one occurrence, and property damage liability insurance in the amount of One Million Dollars (\$1,000,000.00). Such insurance shall specifically insure Grantee against all liability assumed by it hereunder, as well as liability imposed by law, and shall insure both Grantor and Grantee, but shall be so

endorsed as to create the same liability on the part of the insurer, as though separate policies had been written for Grantor and Grantee.

The policies of insurance referred to in this paragraph shall be written in a form satisfactory to Grantor and by insurance companies satisfactory to Grantor, such satisfaction not to be unreasonably withheld. Grantee shall pay all of the premiums therefor and deliver such policies, or certificates thereon, to Grantor, and in the event of failure of Grantee either to effect such insurance in the names herein called for, or to pay the premiums therefor or to deliver such policies, or certificates thereof, to Grantor, Grantor shall be entitled, but shall have no obligation, to effect such insurance and pay the premiums therefor, which premiums shall be repayable immediately to Grantor. Each insurer mentioned in this section shall agree, by endorsement on the policy or policies issued by it, or by independent instrument furnished to Grantor, that it will give to Grantor thirty (30) days written notice before the policy or policies in question shall be altered or canceled. Grantor agrees that it will not unreasonably withhold its approval as to the form or to the insurance companies selected by Grantee.

In the event that either Grantor or Grantee shall at any time deem the limits of the personal injury or property damage, public liability insurance then carried to be either excessive or insufficient, the Grantor and Grantee shall endeavor to agree on the proper and reasonable limits for such insurance then to be carried and such insurance shall thereafter be carried with the limits thus agreed on.

8. Except as otherwise provided in this Grant of Permanent Easement, the easements and right of ways herein declared are easements and right of ways appurtenant and shall run with the land, touch and concern the same and are intended to both benefit and burden the land subject thereto.

9. Except as otherwise provided in this Grant of Permanent Easement, the easements and right of ways herein declared shall continue perpetually without limitation, defeat, diminution, or discharge, by lapse of time, change of ownership of the parcels, change of use of any parcel, or increase in extent of use burden.

10. Occurrence of any of the following events shall constitute a default hereunder:

- a. Delay in, nonperformance or failure of Grantee in keeping or performing any of the terms and conditions of this Grant of Permanent Easement;
- b. Failure in, or suspension of, business by Grantee for any reason; or
- c. Insolvency or bankruptcy of Grantee from any cause whatsoever.

11. A default on the part of Grantee as set forth in paragraph 10, for fifteen (15) days after notice from Grantor to Grantee, shall entitle Grantor, at Grantor's option, to declare, without further notice, this Grant of Permanent Easement, and all rights hereunder, terminated.

12. If any action at law or in equity shall be brought for or on account of any breach of, or to enforce or interpret any of the covenants, terms, or conditions of this Grant of Permanent Easement, the prevailing party shall be entitled to recover from the other party, as part of the prevailing party's costs, reasonable attorney's fees, the amount of which shall be fixed by the Court and shall be made a part of any judgment or decree rendered.

13. All remedies hereinbefore and hereafter conferred on Grantor shall be deemed cumulative, and no one is exclusive of the other or of any other remedy conferred by law.

14. Unless otherwise stated herein, all notice or demands in this Grant of Permanent Easement provided, to be given by either Grantor or Grantee to the other, shall be deemed to have been fully given when made in writing and (1) personally delivered, or (2) deposited in the United States Mail, registered or certified, and postage prepaid, and addressed as follows:

To Grantor: PAN WESTERN CORPORATION
Attn: Richard Truman
4755 West University Avenue
Las Vegas, Nevada 89103

To Grantee: LAS VEGAS PAVING CORPORATION
Attn: Robert L. Mendenhall
4420 S. Decatur Boulevard
Las Vegas, Nevada 89103

The address to which any notice or demand may be given to any party, may be changed from time to time by written notice given by such party as above provided.

15. The (a) waiver of any terms, covenant, or condition contained herein; or (b) waiver of any breach of any term, covenant, or condition contained herein; or (c) failure of either party to take action with respect to any breach of the other of any term, covenant, or condition contained herein, shall not be deemed to be a waiver of such term, covenant, or condition, nor shall it be deemed a waiver of any subsequent default under the same or any other term, covenant, or condition, unless it is specified in writing and signed by the waiving party.

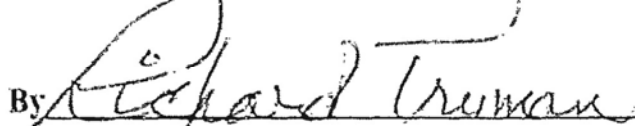
16. This Grant of Permanent Easement shall, subject to the provisions as to assignment and transfer, bind and inure to the respective assigns, successors, heirs and personal representative of Grantor and Grantee, and to all those who may now and hereafter claim either through or under them.

17. The rights hereunder granted are subject to any reservations, restrictions and conditions if any, rights of way, easements or other encumbrances of record or in any way existing on Grantor's Property.

WITNESS my hand this 10th day of February, 1997

PAN WESTERN CORPORATION

By



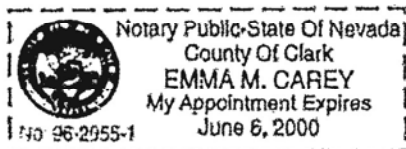
RICHARD TRUMAN, PRESIDENT

ACKNOWLEDGMENT

STATE OF NEVADA)
) SS.
 COUNTY OF CLARK)

RICHARD

On the 10th day of February, 1997, personally appeared before me, the undersigned Notary Public, ~~ME~~ TRUMAN, personally known to me or proved to me on the basis of satisfactory evidence, to be the person whose name is subscribed to the foregoing GRANT OF PERMANENT EASEMENT, who acknowledged to me that he executed the same in his capacity as President of PAN WESTERN CORPORATION.



Emma M. Carey
 Notary Public in and for said County and State

WHEN RECORDED MAIL TO:

LAS VEGAS PAVING CORPORATION
 4420 South Decatur Boulevard
 Las Vegas, Nevada 89103

CLARK COUNTY, NEVADA
 JUDITH A. VANDEVER, RECORDER
 RECORDED AT REQUEST OF:

LAS VEGAS PAVING CORPORATION

03-06-97 15:21 CPD
 OFFICIAL RECORDS

BOOK: 970306 INST: 01677

FEE: 19.00 RPT: 10161_0183

13

.00



Debbie Conway
RECORDER

CERTIFIED COPY, THIS
DOCUMENT IS A TRUE AND
CORRECT COPY OF THE
RECORDED DOCUMENT MINUS
ANY REDACTED PORTIONS

Instrument Number: 199703060001677

EXHIBIT 21

Licensing Agreement

THIS LICENSING AGREEMENT (the "Agreement") dated this 6th day of March, 2008

BETWEEN:

Las Vegas Paving Corporaton of 4420 S Decatur Blvd, Las Vegas, NV 89103
(the "Licensor")

OF THE FIRST PART

- AND -

Tonopah & Tidewater Railroad Company of 4755 Donovan Way, North Las Vegas,
NV 89081 (the "Licensee")

OF THE SECOND PART

(individually the "Party" and collectively the "Parties")

IN CONSIDERATION OF the Licensee paying the License Fee to the Licensor, the receipt and sufficiency of which consideration is hereby acknowledged, the Licensor grants the License to the Licensee on the following terms:

Licensed Intellectual Property

1. The Licensor owns and is granting to the Licensee the right to use the following licensed property (the " Property"): Railroad right of way across described property with a APN of 123-31-302-001.

Grant of License

2. The Licensor grants to the Licensee an exclusive license to use the Property (the "License"), from March 6th , 2008 until one of the Parties provides to the other Party 60 days' written notice to terminate the Agreement (such period, the "Term").

Permitted Use

3. The Licensee is permitted to use the Property in the following way: Operate a industrial railroad on the property.

4. The Licensee may not modify or change the Property in any way.

License Fee

5. The Licensee will pay the Licenser a license fee (the "License Fee") composed of:
 - a. California Portland Cement will pay Las Vegas, Paving \$50,000.00 (Fifty Thousand Dollars) every month for rent on behalf of Tonopah & Tidewater Railroad company..

Payment Details

6. The License Fee will be paid by check.

Assignment

7. The Licensee shall not allow others to use the Property and shall not use the Property in a way that allows others to use the Property except in accordance with this Agreement.
8. The Licensee may not assign or transfer the Agreement or any rights granted within without the prior written consent of the Licenser, and any attempted assignment or delegation without such consent will be void.

Sublicensing

9. The Licensee may not sublicense the Property or any rights granted in this Agreement without the prior written consent of the Licenser, and any attempted sublicense without such consent will be void.

Warranties

10. The Property is provided "as is" to the Licensee. The Licenser, and its officers, employees, agents and suppliers, do not provide any warranty, whether express or implied, as to the Property.

Liability & Indemnity

11. The Licenser will not be liable for any third party claims, losses, damages, liabilities, penalties, punitive damages, expenses, legal fees or costs of any kind or amount whatsoever resulting from the Licensee's use of the Property.
12. The Licensee agrees to defend, indemnify and hold harmless the Licenser and its officers, employees, agents and suppliers against any and all claims, losses, damages, liabilities, penalties, punitive damages, expenses, reasonable legal fees and costs of any kind or

amount whatsoever resulting from or arising out of the use of the Property by the Licensee, or its officers, employees, agents or suppliers, or the Licensee's breach of this Agreement.

Termination

13. This Licensor shall have the option to terminate the Agreement immediately upon the failure of the Licensee to comply with the terms and conditions herein.
14. The Licensor reserves the right to cancel this Agreement immediately:
 - a. if the Licensee fails to make a payment when due; or
 - b. in the event of the Licensee's insolvency or bankruptcy.
15. The Licensor reserves the right to discontinue the License and terminate the Agreement immediately, as well as to commence legal proceedings, if any copyright infringement has taken place due to the Licensee's unauthorized use of the Property.
16. Upon expiry or termination of this Agreement, the Licensee shall immediately discontinue the use of the Property and, where applicable, shall return all Property, as per the instructions of the Licensor.

Default

17. Notwithstanding anything to the contrary in this Agreement, if the Licensee defaults in the performance of any obligation under this Agreement, then the Licensor may declare the entire amount owing under this Agreement calculated at the time of default to be immediately due and payable.

Property Rights

18. The Licensor retains ownership of the Property.
19. The Property shall not be copied, published, or used in any way except as provided for in this Agreement.
20. The Licensee shall not falsely represent that they are the original creator of the Property.

Confidentiality

21. Any Confidential Information exchanged between the Parties will not be shared or disclosed to any person except with prior, written consent of the other Party, or as required by law. The obligations of confidentiality will apply during the Term and will survive indefinitely upon termination of this Agreement.
22. Confidential information refers to any data or information relating to the Party, whether business or personal, which would reasonably be considered to be private or proprietary to the Party and that is not generally known and where the release of that confidential information could reasonably be expected to cause harm to the Party, and includes trade secrets, moral rights, goodwill, copyrights, patents, trademarks, know-how, research, drawings, plans, designs, standards, specifications, and methods ("Confidential Information").
23. Confidential Information does not include: information that is available to the public other than through the Licensee's actions or inactions; information that is rightfully received from a third party, legally in possession of it; and information that is independently developed by the Licensee without the use of the Confidential Information.

General Provisions

24. If there is a conflict between any provision of this Agreement and the applicable legislation of the United States (the "Act"), the Act will prevail and such provision of the Agreement will be amended or deleted as necessary in order to comply with the Act. Further, any provisions that are required by the Act are incorporated into this Agreement.
25. If any terms or provisions of this Agreement are determined to be invalid or unenforceable by a court of competent jurisdiction, the remainder of this Agreement will not be affected and each unaffected term and provision will remain in full force and effect.
26. This Agreement will be governed by and construed in accordance with the laws of the State of Nevada, without regard to the jurisdiction in which any action may be instituted. The Licensee agrees to submit to the jurisdiction of the courts of Nevada to bring any action or for the enforcement of this Agreement. Notwithstanding, the Licensor reserves the right to commence legal action to obtain injunctive relief in any court of competent jurisdiction.
27. The Agreement will inure to the benefit and be binding upon the Licensor and the Licensee and their respective successors and assigns.

28. This Agreement constitutes the entire agreement between the Licensor and the Licensee with respect to the subject matter hereof and there are no further items or provisions, either oral or otherwise.
29. The provisions contained in this Agreement cannot be changed except by the signed and delivered written consent of both Parties.
30. Headings are inserted for convenience only and are not to be considered when interpreting this Agreement. Words in the singular mean and include the plural and vice versa. Words in the masculine mean and include the feminine and vice versa.
31. This Agreement may be executed in counterparts. Facsimile signatures are binding and are considered to be original signatures.
32. All monetary amounts in this Agreement refer to the United States dollar (USD), and all payments required to be paid under this Agreement will be paid in USD unless the Parties agree otherwise in writing.
33. Time is of the essence in this Agreement.

IN WITNESS WHEREOF the Parties have executed this Licensing Agreement on this 6th day of March 2008.

Connie Smith
(Witness)

Las Vegas Paving Corporation (Licensor)

By [Signature]

Connie Smith
(Witness)

Tonopah & Tidewater Railroad Company
(Licensee)

By Mr. [Signature]

EXHIBIT 22

Purchase Agreement

THIS PURCHASE AGREEMENT (the "Agreement") dated this 10th day of October, 2010

BETWEEN:

Pan Western Corporation of 4910 Donovan Way, North Las Vegas, NV 89081, USA
(the "Seller")

OF THE FIRST PART

- AND -

Tonopah & Tidewater of 4910 Donovan Way, North Las Vegas, NV 89081, USA
(the "Buyer")

OF THE SECOND PART

IN CONSIDERATION OF THE COVENANTS and agreements contained in this Purchase Agreement the parties to this Agreement agree as follows:

Sale of Goods

1. The Seller will sell, transfer and deliver to the Buyer the following goods on or before October 15, 2010 (the "Goods"):
 - 28,090 feet of 135 pound rail, 2,340 #1 railroad ties, 4,680 tie plates, 18,726 spikes, 14 spring loaded switches, and 12 #2 frogs,

Purchase Price

2. The Buyer will accept the Goods and pay for the Goods with the sum of \$750,000.00 (USD) (the "Purchase Price"), paid by intercompany transfer as required in clause 5 of this Agreement.
3. The Seller and the Buyer both acknowledge the sufficiency of this consideration. In addition to the Purchase Price specified in this Agreement, the amount of any present or future use, excise, or similar tax applicable to the sale of the Goods will be paid by the Buyer, or alternatively, the Buyer will provide the Seller with a tax exemption certificate acceptable to the applicable taxing authorities.

4. The Purchase Price is inclusive of sales tax, and is payable by the Buyer unless the Buyer provides the Seller with a tax exemption certificate acceptable to the applicable taxing authorities, in which case the amount of sales tax will be subtracted from the Purchase Price payable by the Buyer.

Payment

5. The Buyer will make payment for the Goods at the time when, and at the place where, the Goods are received by the Buyer or, in the alternative, when any document of title or registrable bill of sale, bearing any necessary endorsement, is tendered to the Buyer.

Delivery of Goods

6. The Goods will be delivered to Items to be left on site. The Seller agrees to furnish the facilities and at its cost to load the Goods on trucks furnished by the Buyer. The method of shipment will be within the discretion of the Buyer. However, the Seller will only be responsible for the lesser of truck freight or rail freight to the Buyer.

Risk of Loss

7. Risk of loss will be on the Buyer from the time of delivery to the carrier. The Buyer will provide, at its expense, insurance on the Goods insuring the Seller's and the Buyer's interest as they appear, until payment in full to the Seller.

Warranties

8. THE GOODS ARE SOLD 'AS IS' AND THE SELLER EXPRESSLY DISCLAIMS ALL WARRANTIES, WHETHER EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO, ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. The Seller does not assume, or authorize any other person to assume on the behalf of the Seller, any liability in connection with the sale of the Goods. The Seller's above disclaimer of warranties does not, in any way, affect the terms of any applicable warranties from the manufacturer of the Goods.
9. The Buyer has been given the opportunity to inspect the Goods or to have it inspected and the Buyer has accepted the Goods in its existing condition. Further, the Seller disclaims any warranty as to the condition of the Goods.

Title

10. Title to the Goods will remain with the Seller until delivery and actual receipt of the Goods by the Buyer or, in the alternative, the Seller delivers a document of title or registrable bill of sale of the Goods, bearing any necessary endorsement, to the Buyer.

Security Interest

11. The Seller retains a security interest in the Goods until paid in full.

Inspection

12. Inspection will be made by the Buyer at the time and place of delivery.
13. Any refund will not include costs of delivery or installation/de-installation. Those costs will be borne by the Buyer.

Claims

14. The Buyer's failure to give notice of any claim within 10 days from the date of delivery will constitute an unqualified acceptance of the Goods and a waiver by the Buyer of all claims with respect to the Goods.

Excuse for Delay or Failure to Perform

15. The Seller will not be liable in any way for any delay, non-delivery or default in shipment due to labor disputes, transportation shortage, delays in receipt of material, priorities, fires, accidents and other causes beyond the control of the Seller or its suppliers. If the Seller, in its sole judgment, will be prevented directly or indirectly, on account of any cause beyond its control, from delivering the Goods at the time specified or within one month after the date of this Agreement, then the Seller will have the right to terminate this Agreement by notice in writing to the Buyer, which notice will be accompanied by full refund of all sums paid by the Buyer pursuant to this Agreement. In all other cases, if the Seller fails to deliver the Goods to the Buyer within the time and manner specified in this Agreement, the Buyer may provide written notice of the default to the Seller. If within seven (7) days of the notice being received, or within such other time period as agreed to by the parties, the default is not corrected, the Buyer may immediately terminate this Agreement.

Remedies

16. The Buyer's exclusive remedy and the Seller's limit of liability for any and all losses or damages resulting from defective goods or from any other cause will be for the Purchase Price of the particular delivery with respect to which losses or damages are claimed, plus any transportation charges actually paid by the Buyer.

Cancellation

17. The Seller reserves the right to cancel this Agreement:

- a. if the Buyer fails to pay for any shipment when due;
- b. in the event of the Buyer's insolvency or bankruptcy; or
- c. if the Seller deems that its prospect of payment is impaired.

Notices

18. Any notice to be given or document to be delivered to either the Seller or Buyer pursuant to this Agreement will be sufficient if delivered personally or sent by prepaid registered mail to the address specified below. Any written notice or delivery of documents will have been given, made and received on the day of delivery if delivered personally, or on the third (3rd) consecutive business day next following the date of mailing if sent by prepaid registered mail:

SELLER:

- Pan Western Corporation of 4910 Donovan Way, North Las Vegas, NV 89081, USA

BUYER:

- Tonopah & Tidewater of 4910 Donovan Way, North Las Vegas, NV 89081, USA

General Provisions

19. Headings are inserted for convenience only and are not to be considered when interpreting this Agreement. Words in the singular mean and include the plural and vice versa. Words in the masculine mean and include the feminine and vice versa.
20. All representations and warranties of the Seller contained in this Agreement will survive the closing of this Agreement.
21. Either party to this Agreement may assign its rights under this Agreement, but the assignment will not change the duty of either party, increase the burden or risk involved, or impair the chances of obtaining the performance of the Agreement. However, no obligation for performance imposed on either party by this Agreement may be delegated to any other person without the prior written consent of the other party. Each party has a substantial interest in having the other party perform or control the acts required by this Agreement.

22. This Agreement cannot be modified in any way except in writing signed by all the parties to this Agreement.
23. This Agreement will be governed by and construed in accordance with the laws of the State of Nevada, including the Nevada Uniform Commercial Code and the Seller and the Buyer hereby attorn to the jurisdiction of the Courts of the State of Nevada.
24. Except where otherwise stated in this Agreement, all terms employed in this Agreement will have the same definition as set forth in the Uniform Commercial Code in effect in the State of Nevada on the date of execution of this Agreement.
25. If any clause of this Agreement is held unconscionable by any court of competent jurisdiction, arbitration panel or other official finder of fact, the clause will be deleted from this Agreement and the balance of this Agreement will remain in full force and effect.
26. This Agreement will inure to the benefit of and be binding upon the Seller and the Buyer and their respective successors and assigns.
27. This Agreement may be executed in counterparts. Facsimile signatures are binding and are considered to be original signatures.
28. Time is of the essence in this Agreement.
29. This Agreement constitutes the entire agreement between the parties and there are no further items or provisions, either oral or otherwise. The Buyer acknowledges that it has not relied upon any representations of the Seller as to prospective performance of the Goods, but has relied upon its own inspection and investigation of the subject matter.

IN WITNESS WHEREOF the parties have executed this Purchase Agreement on this 10th day of October , 2010

Connie Smith
(Witness)

K. Human
Tonopah & Tidewater (Buyer)

Connie Smith
(Witness)

M. J. Jensen
Pan Western Corporation (Seller)

EXHIBIT 23



EXHIBIT 24

HAZARDOUS MATERIALS TRANSPORTATION

SECURITY

REQUIREMENTS



U.S. Department of Transportation
Pipeline and Hazardous Materials
Safety Administration

Enhanced Security Requirements

The Department of Transportation's (DOT) Pipeline and Hazardous Materials Safety Administration (PHMSA) is responsible for the safe and secure transportation of hazardous materials (hazmat). Hazmat is essential to the economy of the United States and the well-being of its people. Hazmat fuels our cars and trucks and heats and cools our homes and offices.

Hazmat is used in farming and medical applications as well as manufacturing, mining, and other industries. Every day millions of tons of hazmat are safely transported by air, train, truck, or vessel in quantities ranging from several ounces to thousands of gallons. In the wrong hands, however, hazmat can pose a significant security threat, particularly those that can be used as weapons of mass destruction. Addressing this security threat is vital to the safety of our citizens and security of our economy.

PHMSA, in consultation with the Transportation Security Administration of the Department of Homeland Security, published final rule HM-232F, titled *Risk-Based Adjustment of Transportation Security Plan Requirements* on March 9, 2010. This final rule modified the security plan requirements applicable to the commercial transportation of hazmat. Based on an evaluation of the security threats associated with specific types and quantities of hazmat considered to be "high consequence" if stolen and used for pernicious reasons, this final rule, effective 1 October 2010, narrows the list of materials subject to security plan requirements, thus reducing associated regulatory costs and paperwork.

This final rule also clarifies certain requirements related to security planning, training, and documentation. This information will assist you in managing the potential security risks associated with the transportation of hazmat in commerce, as well as identifying and understanding the recent changes to security plan requirements.



Security Plans

You *must* develop and implement a security plan if you offer for transportation or transport the following types or quantities of hazmat. “Large bulk quantity” refers to a quantity greater than 3,000 kg., (6,614 lbs.,) for solids or 3,000 liters (792 gal.,) for liquids and gases in a single packaging such as a cargo tank motor vehicle, portable tank, tank car, or other bulk container:

- Any quantity of a Division 1.1, 1.2, or 1.3 material;
- A quantity of a Division 1.4, 1.5, or 1.6 material requiring placarding in accordance with Subpart F of Part 172 of the HMR;
- A large bulk quantity of Division 2.1 material;
- A large bulk quantity of Division 2.2 material with a subsidiary hazard of 5.1;
- Any quantity of a material poisonous by inhalation as defined in §171.8 of this subchapter;
- A large bulk quantity of a Class 3 material meeting the criteria for Packing Group I or II;
- A quantity of a desensitized explosive meeting the definition of a Division 4.1 or Class 3 material requiring placarding in accordance with Subpart F of Part 172 of the HMR;
- A large bulk quantity of a Division 4.2 material meeting the criteria for Packing Group I or II;
- A quantity of a Division 4.3 material requiring placarding in accordance with Subpart F of Part 172 of the HMR;



- A large bulk quantity of a Division 5.1 material in Packing Groups I and II: perchlorates; or ammonium nitrate, ammonium nitrate fertilizers, or ammonium nitrate emulsions, suspensions, or gels;
- Any quantity of organic peroxide, Type B, liquid or solid, temperature controlled;
- A large bulk quantity of Division 6.1 material (for a material poisonous by inhalation see above);
- A select agent or toxin regulated by the Centers for Disease Control and Prevention under 42 CFR Part 73 or the U.S. Department of Agriculture under 9 CFR Part 121;
- A quantity of uranium hexafluoride requiring placarding under §172.505(b);
- International Atomic Energy Agency (IAEA) Code of Conduct Category 1 and 2 materials including Highway Route Controlled quantities as defined in 49 CFR 173.403 or known as radionuclides in forms listed as RAM-QC by the Nuclear Regulatory Commission; and
- A large bulk quantity of Class 8 material meeting the criteria for Packing Group I.

At a minimum, your security plan *must* address *personnel security, unauthorized access, and en route security*, as well as include the following elements:

- An assessment of transportation security risks for shipments of hazmat listed in §172.800, including site- or location-specific risks associated with facilities where hazmat is prepared for transportation, stored, or unloaded; and measures to address the assessed risks;
- Name/job title of senior official responsible for developing/implementing the security plan;



- Specific security duties for each position/department responsible for implementing the plan, or a portion thereof, and the process of notifying employees when specific elements must be implemented;
- A plan for training hazmat employees in accordance with §172.704(a)(4) and (5);
- The security plan, including the transportation security risk assessment, must be in writing and retained as long as in effect;
- The security plan must be reviewed at least annually, and revised and/or updated as necessary;
- The security plan must be available to responsible employees—consistent with security clearance/background investigation/need-to-know;
- When updated/revised, the most current copies of the security plan must be maintained, and responsible employees must be notified; and
- Persons responsible for developing/implementing a security plan must maintain copies, including electronic, that are accessible at/through their place of business, or make available, upon request, to authorized officials of DOT or the Department of Homeland Security.

The following table provides a comparison listing of previous versus newly revised threshold levels of hazmat requiring a Security Plan, and specific ruling changes:

Training

Each hazmat employee of a person/company required to have a security plan, who handles, performs a regulated function related to, or implements the security plan, *must* receive in-depth training that provides an awareness of the security risks associated with hazmat transportation and methods to enhance transportation security. This training should cover the following topics:

Hazard Class	Previous Threshold for Hazmat	
1.1	Any quantity	
1.2	Any quantity	
1.3	Any quantity	
1.4	A quantity requiring placarding	
1.5	A quantity requiring placarding	
1.6	A quantity requiring placarding	
2.1	A quantity requiring placarding	
2.2	A quantity requiring placarding	
2.3	Any quantity	
3	A quantity requiring placarding	
4.1	A quantity requiring placarding	
4.2	A quantity requiring placarding	
4.3	Any quantity	
5.1	A quantity requiring placarding	
5.2	Any quantity of organic peroxide, Type B, liquid or solid, temperature controlled, otherwise a placarded quantity	
6.1	Any quantity of PIH material otherwise a quantity requiring placarding	
6.2	Select agents	
7	Shipments requiring Yellow III label; highway route-controlled quantity	
8	A quantity requiring placarding	
9	Capacity >3,500 gallons for liquid/gas; volumetric capacity > 468 cubic feet for solids	

	New Threshold for Hazmat	Ruling Change
	Any quantity	None
	Any quantity	None
	Any quantity	None
	A quantity requiring placarding in accordance with Subpart F of this Part	None
	A quantity requiring placarding in accordance with Subpart F of this Part	None
	A quantity requiring placarding in accordance with Subpart F of this Part	None
	A large bulk quantity	Security plan not required for less than 3,000 L (792 gallons)
	A large bulk quantity of materials with an oxidizer subsidiary	Security plan not required for less than 3,000 L (792 gallons) of materials with oxidizer subsidiary
	Any quantity	None
	PG I and II in a large bulk quantity; placarded quantity desensitized explosives	Security plan not required for PG III; or less than 3,000 L (792 gallons) PG I or II - except for desensitized explosives
	A quantity of desensitized explosives requiring placarding in accordance with Subpart F of this Part	Security plan not required except for desensitized explosives in a placarded quantity
	PG I and II in a large bulk quantity	Security plan not required for PG III, or less than 3,000 kg (6,614 lbs.) PG I or II
	A quantity requiring placarding in accordance with Subpart F of this Part	None
	Large bulk quantity of Division 5.1 materials in PG I and II, and PG III perchlorates, ammonium nitrate, ammonium nitrate fertilizers, or ammonium nitrate emulsions or suspensions or gels in a large bulk quantity	Security plan not required for most PG III materials and PG I and II materials in less than a large bulk quantity 3,000 L (792 gallons)
	Any quantity organic peroxide, Type B, liquid or solid, temperature controlled	Security plan only required for Type B, liquid or solid, temperature controlled, no longer required at placarded level for others
	Any quantity PIH or a large bulk quantity of a material that is not a PIH	Security plan not required for less than 3,000 L (792 gallons) of a non-PIH material
	Select agents	None
	IAEA Categories 1 & 2; HRCQ; known radionuclides in forms listed as RAM-QC by NRC; or a quantity of uranium hexafluoride requiring placarding under §172.505(b)	Security plan only required for Class 7 materials that pose transportation security risk
	PG I in a large bulk quantity	Security plan not required for PG II or III materials; and less than a large bulk quantity of a PG I
	Not subject	Security plan not required for Class 9 materials



- Company security objectives;
- Organizational security structure;
- Specific security procedures, duties, and responsibilities for each employee;
- Specifics on how to recognize and respond to possible security threats; and
- Specific actions to be taken by each employee in the event of a security breach.

For in-depth security training required under §172.704 (a)(5) and (c)(2), a hazmat employee must be trained at least once every three years or, if the security plan for which training is required is revised during the three-year recurrent training cycle, within 90 days of implementation of the revised plan.

The following guidance—while not required by the HMR—should assist you in developing a security plan appropriate to your industry and operations. You may want to review your current security program and make any necessary adjustments to improve it.

Begin with a Security Assessment

To develop a security plan, you should begin with a security assessment. List the materials you handle, and identify those with the potential for use as a weapon or target of opportunity. Then, review your current activities and operations from a transportation security perspective. Ask yourself, *“What are we doing now? What could go wrong? What can we do differently?”* You can use a security-risk assessment model to identify risks and develop appropriate measures to reduce or eliminate them. The Risk Management Self-Evaluation Framework



Security Template found on PHMSA's hazmat safety homepage <http://phmsa.dot.gov/hazmat/risk/rmsef> utilizes the following steps:

- **Scoping** – determine the scope of operations that should be subject to security risk management. Identify the types of hazmat you handle and the modes of shipment used.
- **Knowledge of operations** – collect detailed information about your transportation operations: (1) quantities of material transported; (2) baseline security programs; (3) current security procedures; and (4) related safety programs and procedures.
- **Assessment** – analyze potential security threats and identify security risk control points. Risk control points are points in the transportation process where you can make an impact by improving procedures or operations.
- **Strategy** – rank or group security risks, prioritize opportunities for security risk reduction, and decide on preventative actions. Create a written document summarizing your decisions. This written document is your security plan.
- **Action** – implement your security plan.
- **Verification** – monitor implementation of your security plan.
- **Evaluation** – determine if goals are being met and compare your strategy and results with others in your field.



Suggested Security Measures

At a minimum, a security plan *must* include the following elements: *personnel security*, *unauthorized access*, and *en route security*. The following are suggestions on how to address these required elements—not detailed in the HMR—that you may want to consider for inclusion in your security plan.

Personnel Security

Be aware of the possibility that someone you hire may pose a potential security risk. You may want to establish a process to confirm applicant information, and check with former and current employers and personal references. Such confirmation must be consistent with applicable Federal and State laws and requirements concerning employment practices and individual privacy. Conversely, your employees can be one of your most critical assets as you endeavor to improve the security of your shipping or transportation operations. Under the new PHMSA security requirements, you must ensure your employees are familiar with your security plan and are properly trained in its implementation. Training should include company security objectives, specific security procedures, employee responsibilities, and organizational security structure. In addition, consider taking one or more of the following actions:

- Encourage your employees to report suspicious incidents or events.
- Implement routine security inspections.
- Convene regular employee/management meetings on security measures and awareness.

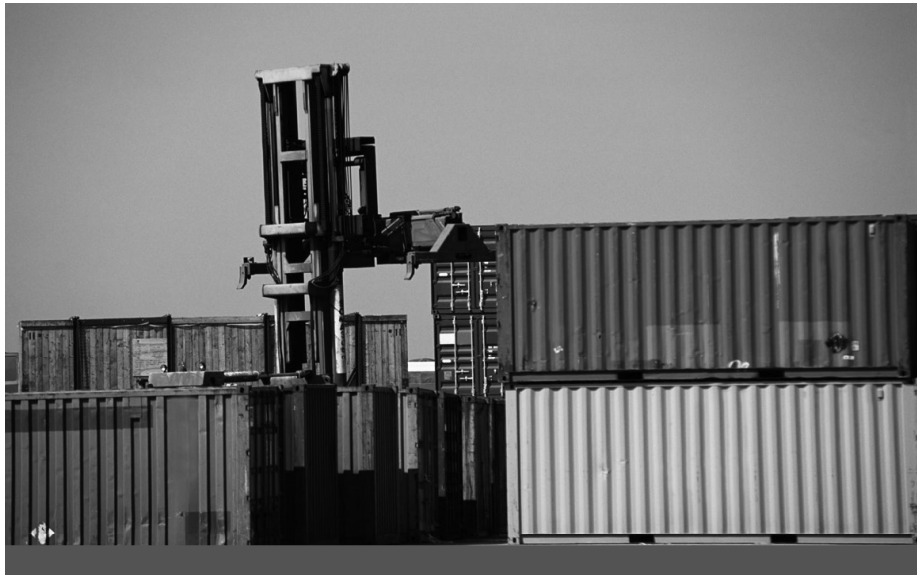


- Communicate with your staff using an *internal communication system* to provide information on facts, trends, and other security issues.

Unauthorized Access

Another security concern that must be addressed is access to hazmat in transportation and at your facility. You may consider using one or more of the following security measures to prevent unauthorized access:

- Establish partnerships with local law enforcement officials, emergency responders, and other public safety agencies with jurisdiction over your facility. Through such relationships, you can exchange information about threats, trends, and unsuccessful security programs.
- Request a review of your facility and security program by local law enforcement and fire safety officials, as applicable.
- Restrict the availability of information related to your facility and the materials you handle. Encourage authorities in possession of information regarding your facility to limit its disclosure on a need-to-know basis.
- Add security guards and increase off-hour patrols by private security personnel. Request that law enforcement personnel increase off-hour patrols.
- Check the adequacy of locks and other protective equipment. Consider equipping access gates with timed closure devices. Conduct frequent inspections.



- Install additional lights, alarm systems, or surveillance cameras.
- Restrict access to a single entry or gate.
- Secure hazmat in locked buildings or fenced areas. Institute a sign-out system for keys.
- Secure valves, manways, and other fixtures on transportation equipment when not in use. Lock all vehicle and delivery trailer doors when not in use. Secure all rail, truck, and intermodal containers when stored at your location.
- Use tamper-resistant or tamper-evident seals and locks on cargo compartment openings.
- Periodically inventory the quantity of hazmat you have on site in order to recognize if a theft has occurred.
- Keep records of security incidents. Review records to identify trends and potential vulnerabilities.
- Report any suspicious incidents or individuals to your local Federal Bureau of Investigation (FBI) office, and local law enforcement officials.

En Route Security

Shippers and carriers should work together to assure the security of hazmat shipments en route from origin to destination. Shippers must assess the security of transportation modes or combinations of modes available for transporting specific materials and select the most appropriate method of transportation to ensure their efficient and secure movement.

Transportation security is a shared function. Security functions performed by shippers and carriers often overlap. Shippers and carriers are encouraged to consider implementing one or more of the following measures:



- Use carrier safety ratings, assessments, safety surveys, or audits, and ask the carrier to provide information on security measures it has implemented.
- Verify the carrier has an appropriate employee hiring/review process, including background checks, and an on-going security training program.
- Verify the identity of the carrier and/or driver prior to loading hazmat.
- Ask the driver for photo identification and a commercial driver's license for comparison with information provided by the carrier.
- Ask the driver to tell you the name of the consignee and the destination for the material and confirm with your records before releasing shipments.
- Identify preferred and alternative routing, including acceptable deviations.
- Strive to minimize product exposures to communities or populated areas, including downtown areas; avoid tunnels and bridges where possible; and expedite transportation of the shipment to its final destination.
- Minimize stops en route; if you must stop, select locations with adequate lighting on well-traveled roads, and check your vehicle after each stop to make sure nothing has been tampered with.
- Consider using two drivers or driver relays to minimize stops during the trip. Avoid layovers, particularly for high-hazard materials.
- Shippers and rail carriers should cooperate to assure the security of rail cars stored temporarily on leased tracks.



- If materials must be stored during transportation, make sure they are stored in secure facilities.
- Train drivers on how to avoid hijacking or stolen cargo; keep vehicles locked when parked and avoid casual conversations with strangers about cargo and routes.
- Consider whether a guard or escort for a specific shipment of hazmat is appropriate.
- Consider using advanced technology to track or protect shipments en route to their destinations. For example, you may wish to install tractor and trailer anti-theft devices or use satellite tracking or surveillance systems.
- Install tamper-proof seals on all valves, package, or container openings.
- Establish a communication system with transport vehicles and operators, including a crisis communication system with primary and back-up means of communication among the shipper, carrier, law enforcement, and emergency response officials.
- Implement a system for a customer to alert the shipper if a hazmat shipment is not received when expected.
- When products are delivered, check the carrier's identity with shipping documents provided by the shipper.
- Get to know your customers and their hazmat programs. If you suspect you have shipped or delivered hazmat to someone who may intend to use it for a criminal purpose, notify local law enforcement officials or your local FBI office.



- Report any suspicious incidents or individuals to local law enforcement officials or your local FBI office.

Additional Information

Up-to-date information is a key element of any security plan. You should consider methods to:

- Gather as much data as you can about your own operations and those of other businesses with similar product lines and transportation patterns;
- Develop a communications network to share best practices and lessons learned;
- Share information on security incidents to determine if there is a pattern of activities that, when considered in isolation are not significant, but when taken as a whole generate concern; and
- Revise your security plans as necessary to take into account changing circumstances and new information.

Any other person who has knowledge of the theft or loss of any explosive materials shall, within 24 hours of discovery, report the theft or loss by telephoning 1-800-800-3855 (nationwide toll-free number) and in writing to the nearest ATF office. Theft or loss shall be reported to appropriate local authorities.

Federal Agencies

Pipeline and Hazardous Materials Safety Administration

U.S. Department of Transportation
1200 New Jersey Ave, SE., Washington, DC 20590
Hazardous Materials Info-Line: 800-467-4922

Publications and Reports

Fax: 202-366-7342;
Telephone: 202-366-4900
E-Mail: training@dot.gov
<http://hazmat.dot.gov>

Federal Aviation Administration

U.S. Department of Transportation
800 Independence Avenue, SW., Washington, DC 20591
Telephone: 1-866-TELL-FAA (1-866-835-5322)
<http://www.faa.gov>

Federal Motor Carrier Safety Administration

U.S. Department of Transportation
1200 New Jersey Ave, SE., Washington, DC 20590
Telephone: 800-832-5660
<http://www.fmcsa.dot.gov>

Federal Railroad Administration

U.S. Department of Transportation
1200 New Jersey Ave, SE., Washington, DC 20590
Telephone: 202-493-6024
<http://www.fra.dot.gov>

Bureau of Alcohol, Tobacco, Firearms and Explosives

Explosives Industry Programs Branch
99 New York Avenue, NE, Room 6N-672
Washington, DC 20226
202-648-7120
E-Mail: EIPB@atf.gov
<http://www.atf.gov/>

Bureau of Alcohol, Tobacco, Firearms and Explosives

U.S. Bomb Data Center
99 New York Avenue, NE, Room 8S-295
Washington, DC 20226
800-461-8841
E-Mail: USBDC@atf.gov
<http://www.atf.gov/>



Transportation Security Administration

601 South 12th Street
Arlington, VA 20598
Telephone: 866-289-9673
<http://www.tsa.gov>

United States Coast Guard

2100 Second Street, SW., STOP 7000
Washington, DC 20593
Telephone: 202-493-1713
<http://www.uscg.mil>

Industry Associations/Organizations

American Chemistry Council

700 Second Street, NE.
Washington, DC 20002
Telephone: 202-249-7000
<http://www.americanchemistry.com>

American Petroleum Institute

1220 L Street, NW.
Washington, DC 20005
Telephone: 202-682-8000
<http://www.api.org>

American Society for Industrial Security

1625 Prince Street
Alexandria, VA, 22314
Telephone: 703-519-6200
<http://www.asisonline.org>

American Trucking Association

950 North Glebe Road, Suite 210
Arlington, VA 22203
Telephone: 703-838-1700
<http://www.truckline.com>

Association of American Railroads

425 Third Street, SW.
Washington, DC 20024
Telephone: 202-639-2100
<http://www.aar.org>

Center for Chemical Process Safety American Institute of Chemical Engineers

3 Park Avenue
New York, N.Y. 10016-5991
Telephone: 212-591-7319
<http://www.aiche.org/ccp>

Chlorine Institute

1300 Wilson Blvd, Suite 525
Arlington, VA 22209
Telephone: 703-894-4140
<http://www.chlorineinstitute.org>

Compressed Gas Association

4221 Walney Road, 5th Floor
Chantilly, VA 20151
Telephone: 703-788-2700
<http://www.cganet.com>

The Fertilizer Institute

425 Third Street SW, Suite 950
Washington, DC 20024
Telephone: 202-962-0490
<http://www.tfi.org>

Institute of Makers of Explosives

1120 19th Street, Suite 310, NW.
Washington, DC 20036
Telephone: 202-429-9280
<http://www.ime.org>

National Association of Chemical Distributors

1555 Wilson Blvd, Suite 700
Arlington, VA 22209
Telephone: 703-527-6223
<http://www.nacd.com>

National Propane Gas Association

1899 L Street NW, Suite 350,
Washington, DC 20036
Teléfono: 202-466-7200
<http://www.npga.org>

National Tank Truck Carriers

950 North Glebe Road, Suite #520
Arlington, Virginia 22203-4183
Telephone: 703-838-1960
<http://www.tanktransport.com>

Security Industry Association

635 Slaters Lane
Alexandria, Virginia 22314
Telephone: 866-817-8888
<http://www.siaonline.org>

Synthetic Organic Chemical Manufacturers Association

1850 M Street, NW, Suite 700
Washington, DC 20036
Telephone: 202-721-4100
<http://www.socma.com>

Additional Security Requirement Resources

TSA Security Requirements

http://www.tsa.gov/travelers/airtravel/acceptable_documents.shtm
http://www.tsa.gov/assets/pdf/cargo_final_rule_5-26-06.pdf

NRC Security Requirements:

<http://www.nrc.gov/security/byproduct/orders.html>

NNSA Security:

<http://nnsa.energy.gov/>

PHMSA Security:

<http://www.phmsa.dot.gov/hazmat/security>

USCG Facility Requirements:

<http://www.uscg.mil/hq/cg5/cg522/cg5222/>

U.S. Department
of Transportation
Pipeline and
Hazardous Materials
Safety Administration



1200 New Jersey Avenue, SE, PHH-50
Washington, DC 20590-0001

EXHIBIT 25

Tonopah & Tidewater Railroad

SECURITY PLAN

PURPOSE:

The purpose of this security plan is to ensure the safe and secure transfer of hazardous materials from the point of origin to the final destination.

SCOPE:

The requirements of this rule requires all shippers and carriers subject to the Hazardous Materials Registration requirements found in 49 CFR Part 107 provide for:

- security vulnerability assessment (SVA)
- countermeasures with appropriate actions to address identified vulnerabilities
- security awareness training
- in-depth security training
- measures to confirm information on job applicants
- measures to address the risks of unauthorized access
- measures to address the risks of en route security

STATEMENT OF COMPANY POLICY:

It is the policy of this company to comply with the requirements of 49 CFR 172 (HM-232) as it specifically pertains to the security requirements for shippers and carriers of hazardous materials. Our company is committed to ensuring the safety of all employees, the public and to prevent all security-related opportunities for theft or misuse of hazardous materials.

SECURITY ASSESSMENT

Our company utilized the Asmark Security Vulnerability Assessment (ASVA) tool may be utilized to assess potential facility and transportation security risks for shipments of hazardous materials.

SECURITY TRAINING

Security awareness training will be provided primarily through

In-depth security training will be conducted for all HazMat employees by providing each person with access to our written security plan. Training will be conducted by company management (or their appointed representative) and consist of the following:

- a review of the written plan,

- presentation of the security objectives of the company,
- presentation of the security procedures of the company,
- employee responsibilities,
- emergency actions and organizational structure

The Emergency Response Plan for this facility is updated at least annually and may be used to satisfy and document many of the requirements associated with the in-depth training.

RESPONSIBILITIES:

The management of this company will ensure that all employees are provided with thorough security training. All employees will be trained and are expected to be familiar with the company's security plans and procedures.

List of general employee security responsibilities:

- Employees are responsible for adhering and conforming to all security-related work activities, processes, and procedures. In addition, employees are encouraged to provide feedback and suggestions on ways to improve the organization's security program.
- All employees are expected to understand and adhere to the following corporate suspicious activity reporting procedures. They are intended for all employees to follow in the event any unusual or suspicious activity that poses a threat to the safety of our employees and the security of our equipment, facilities, or hazardous materials cargo, is observed.
- The company will provide a work environment that is reasonably free of hazards and threats of violence which may cause damage to property or harm to people. It is also the company's policy to establish an effective and continuous safety and security program that incorporates educational and monitoring procedures. All supervisors and managers are responsible for ensuring that their employees are trained in appropriate security and suspicious activity reporting procedures.
- All employees have a responsibility to themselves and to the company to observe and report any suspicious or unusual activity that threatens safety or security.
- Employees are expected to use common sense and good judgment when assessing the threat potential of any suspicious activity. Depending on the given situation, employees will be expected to report any observed suspicious activity to their immediate supervisor, next level manager, the corporate safety director, or the local law enforcement official or fire department.

Suspicious activity is defined to include (but not limited to) any of the following situations:

- Unidentified person(s) attempting to gain access to property, equipment, or facilities.
- Unidentified person(s) in any area of the company, office, yard or parking lot.
- An employee, unescorted vendor, or supplier visiting a part of the company for no known reason.
- Fake ID Look for ID on Badge
- Any unescorted or unaccompanied visitor anywhere in the building or wondering around the yard or parking lot.

- Any person (employee or otherwise) who appears to be hiding something or is acting nervous, anxious, or secretive.
- Any employee or visitor making unusual or repeated requests for sensitive or important company documents or information.
- Any person asking an employee to make unauthorized movement (pick-up and delivery) for cash (motor carrier specific).
- Any person or group loitering outside a company facility or premises.
- Any person claiming to be a representative of a utility (gas, water, electric) but cannot produce valid company identification.
- Any person carrying a weapon such as a gun or a knife.
- After hours, any vehicle driving by a company facility with the lights off.
- Any occupied vehicle parked outside a company facility especially if the vehicle has been sitting for a long period or after normal work hours.
- An unfamiliar vehicle that appears to be abandoned near a company building or parking lot.

The above list is not all inclusive, but rather is meant to provide possible examples of suspicious activities. Once, and if, a suspicious activity is identified, the next step is to act. Employees not only need to be able to identify suspicious activity, they also need to know what to do about it.

MEASURES TO CONFIRM INFORMATION ON JOB APPLICANTS:

All applicants applying for any position involving access to, handling, storing, preparing for transport, and/or transport of hazardous materials for the company shall submit an accurate, complete, signed and dated application for employment. The hiring and screening process requires the information provided by the applicant on the application be verified as true and accurate.

An inquiry into the previous employment history shall be made for every hazmat employee applicant. Hazmat employee applicants shall provide accurate and complete previous and current employer information upon request, including but not limited to:

- Names and addresses of previous employers;
- Names and titles of previous supervisors;
- Phone numbers or other contact information for both of the above.

All hazmat employee applicants applying for positions with our company shall be given an personal interview by the appropriate responsible company personnel. Personal interviews will be used to determine fit for both the applicant and the company. In addition, the personal interview should be used to verify any gap(s) in employment, reason(s) for job or career changes, or any other important or unexplained behavior or history.

All applicants applying for any position involving the handling, storing, preparing for transport, and/or transport of hazardous materials for the company shall be required to provide either proof of U.S. citizenship or proof of their legal right to work in the United States.

The company's driver qualification and hiring procedures shall be in compliance with applicable state and federal regulations, and meet the security standards as established for this facility.

Applicants shall not be considered for employment as drivers by our company unless they meet the following requirements. Persons applying for the position of driver must:

- Meet the company's minimum age and experience requirements.
- Have a driving record that is in line with the company's safety standards.
- Be able to read and speak English sufficiently as required by subsection 391.11(b)(2).
- Be physically qualified to drive a company vehicle.
- Possess a current and valid commercial driver's license of the correct type and with the proper endorsements.
- Not be disqualified to drive a commercial motor vehicle under the rules set forth in subsection 391.15.

An inquiry into the driving record during the preceding 3 years (10 years for positions requiring a CDL) shall be made for every driver applicant. The inquiry shall be made to the appropriate agency of the state in which the applicant holds a motor vehicle operator's license or permit.

An investigation into the employment record during the preceding 3 years (10 years for positions requiring a CDL) shall be made for every driver applicant. Driver applicants shall provide accurate and complete previous and current employer information upon request, including but not limited to:

- Names and addresses of previous employers;
- Names and titles of previous supervisors and dispatchers;
- Phone numbers or other contact information for both of the above.

An investigation into the drug and alcohol history with regard to previous employers shall be made for every driver applicant per subsection 40.25. The driver qualification and hiring process shall not be finalized until drug and alcohol information from previous employees for the preceding 2 years has been obtained and verified.

All applicants applying for the position of CDL driver with the company shall submit to a pre-employment drug screen as required by subsection 382.301, and no driver applicant shall perform any work or activity for our company until a verified negative test result has been obtained for the applicant.

All applicants applying for the position of driver must be medically examined and certified as physically qualified (or present a current Medical Examiner's Certificate) to operate a commercial motor vehicle by a licensed medical examiner.

MEASURES TO ADDRESS THE RISKS OF UNAUTHORIZED ACCESS:

The company will continue to establish a working relationship with local law enforcement officials, emergency responders, and other public safety and security agencies. These partnerships will include the sharing of the operation, work processes, and hazardous materials stored on site or transported. Information regarding its hazmat operation, locations, and potential threats will be shared as appropriate with these agencies.

Local law enforcement officials, emergency responders, and other public safety and security agencies will be periodically invited on-site to discuss and evaluate potential security risks, vulnerabilities, and to assist in the development or enhancement of security program.

All suspicious activities or apparent criminal acts affecting the safety or security will be reported immediately to the proper law enforcement agencies and appropriate company officials. In addition, documentation should be recorded of any security-related incident.

A complete listing of emergency telephone numbers (found in the emergency plan) shall be provided to all dispatchers, supervisors, and managers. This list shall include the numbers for local police and fire departments, regional state police offices, the FBI, and all company managers and executives.

The company may also elect to request an increase in off-hours law enforcement patrols to coincide with increases in national security threat/risk levels.

All information (electronic and hard copy) relating to the storage and/or transporting of hazardous material shall be restricted to employees on a need-to-know basis. All hazmat-related paperwork and other documentation shall be maintained and retained in a secure area with limited and controlled access.

All work/load assignment sheets involving the transportation of hazardous materials shall be maintained in a secure location. Access to hazardous materials load information shall be limited to operations personnel only, including dispatchers, the operation manager, and other designated employees. Dispatch personnel are responsible for the security and proper issuance of all hazardous materials load-related work assignment documents. When providing load information to drivers, dispatchers must review the load information to ensure that it is complete and accurate. For security purposes, it is extremely important that:

- Loadout paperwork (invoices, shipping tickets, etc.) are checked and verified;
- Spreader or trailer numbers on all load assignments are verified; and
- Load assignment numbers are clearly communicated.

Drivers failing to abide by any of the procedures in this plan are subject to disciplinary action.

MEASURES TO ADDRESS THE RISKS OF EN ROUTE SECURITY:

The following guidelines and procedures apply to all shipments of hazardous materials. All company personnel will be expected to be knowledgeable of, and adhere to, these guidelines and procedures when performing any hazardous material-related activity.

Before using any motor carrier for the purposes of transporting hazardous materials, each carrier should satisfy themselves the motor carrier has a satisfactory rating and uses safe and qualified drivers and equipment.

Before loading any hazardous material onto a commercial carrier, the identity of the driver and motor carrier shall be verified. Drivers may be asked to produce photo identification and current operator's or commercial driver's license (CDL), and the carrier shall be contacted to verify the:

- Driver's name and license number; and
- Tractor/trailer number.

After loading any hazardous materials cargo onto a commercial carrier has been completed, the company should ensure the trailer is sealed with a company-issued barrier-type seal. All seal numbers, along with the date and time, shall be recorded in the presence of the driver on all shipping documents.

When all loading activity has been completed, drivers are responsible for making sure the cargo is secure and to check the bill of lading or the delivery manifest to ensure cargo count is accurate. Once drivers are satisfied that the cargo matches the shipping papers, they should:

1. Close the trailer doors and witness the shipper sealing of the trailer;
2. Record the seal number(s) on the shipping papers; and
3. Have the shipping papers signed by the responsible shipping personnel before leaving.
4. Contact their supervisor/dispatch to verify all pertinent load-related information and the loading process has been completed.

If a discrepancy is found between the cargo and bill of lading or shipping manifest, drivers shall contact their supervisor immediately for instructions.

In the event the shipper fails to supply a seal, drivers are required to use a company-issued seal. Seals can be obtained from any reputable source.

Before leaving any shipper, drivers must make a thorough visual observation of their immediate surroundings and report any unusual or suspicious activity to their supervisor immediately. Drivers, together with their supervisor/dispatcher, shall prepare and execute trip plans for all hazardous materials movements that list:

1. Routing schedules that avoid highly populated areas, bridges and tunnels when possible;
2. Fueling and break locations;
3. Dates and times of daily/routine check calls; and
4. Estimated times of arrival to stop offs and final destination.

These trip plans shall also include potential alternate routes and acceptable deviations.

For all hazardous materials movements, drivers shall minimize stops en route. Proper execution of thorough trip plans will help reduce the need for unnecessary or unplanned stops.

In the event a load containing hazardous materials need to be staged at a company terminal or facility while en route, it shall be stored in a secured location with limited and controlled access.

When deemed necessary for high hazard materials, the company will consider either the use of a team driver operation, escort service or an additional person to ensure security.

While in transit, drivers are prohibited from discussing information related to their load, route, or delivery schedule with any person(s) other than authorized company officials. Drivers are to report any suspicious activity such as load-related inquiries from strangers, to their supervisors immediately.

Drivers are expected to take all reasonable and responsible precautions to prevent damage to company vehicles and theft of hazardous material(s) cargo while in transit.

For personal protection and safety, and the security of the cargo, drivers are expected to park in safe, well lit parking locations only. In all cases, drivers are required to inspect their vehicle and trailer for evidence of tampering after each stop.

Drivers should lock their vehicles and have all windows in the closed position at all times while in transit] especially during all time spent in urban areas, and parked at truck stops and rest areas.

When possible, dispatch shall contact receivers for the purpose of arranging secure overnight or after hours parking for drivers who can safely and legally arrive at their destinations ahead of schedule.

Drivers are prohibited from taking their equipment (loaded or empty) to or through home, or parking in any unsecured area.

Drivers are expected to maintain regular communications with the company while in transit. Any incident of drivers failing to check in when required shall be assumed by the company to be suspicious and highly irregular. Immediate action shall be taken in such situations. Drivers are expected to fully understand this procedure and make every effort to maintain regular contact and communication with dispatch.

In the event of an attempted vehicle hijacking or cargo theft situation while the vehicle is in motion, the company has adopted a NO STOP policy. Drivers who believe a vehicle hijacking is, or may be, in progress, are instructed to keep the vehicle moving as safely and responsibly as possible until the attempt has ceased and/or the authorities have been notified. However, in any hijack situation, drivers should use their own judgment (whether to stop or keep moving) based on the degree to which they feel their personal safety is at risk. Nothing our drivers do is worth getting hurt over. Drivers who do fall victim to vehicle hijackers or cargo thieves are instructed to notify police as soon as possible. Once the proper authorities have been notified, drivers are required to contact an appropriate company official and follow all subsequent instructions.

Drivers are prohibited from picking up and transporting any unauthorized person.

Drivers failing to abide by any of the procedures in this plan are subject to disciplinary action.

EXHIBIT 26

26

Matthew L. Johnson (6004)
Russell G. Gubler (10889)
JOHNSON & GUBLER, P.C.
Lakes Business Park
8831 West Sahara Avenue
Las Vegas, Nevada 89117
Phone: (702) 471-0065
Fax: (702) 471-0075
mjohnson@mjohnsonlaw.com
rgubler@mjohnsonlaw.com
Attorneys for Respondent

AIR POLLUTION CONTROL HEARING OFFICER MEETING

In the matter of:

ETON TRANSPORTATION CORP.,

Respondent.

NOV #10078

Hearing Officer: Holly Fic

**DECLARATION OF WILLIARD
STICKLER IN SUPPORT OF
RESPONSE TO NOTICE OF
VIOLATION #10078**

Date of Hearing: September 19, 2024

Time of Hearing: 9:00 a.m.

I, Willard Stickler, under oath and under penalty of perjury, state as follows:

1. I am over 18 years of age, am competent to testify of the things stated herein, and make this Declaration in support of the Response to Notice of Violation #10078.
2. I was a security guard at the 2596 Stratford Ave, Las Vegas site on or about January 9th. I was in the security shack when I saw a white pickup with several people blowing by my security office and paid no attention to the posted sign that all visitors must sign in at the corner of the property entrance.

3. I called Moe Truman on the radio and let him know we had an active intruder on the property, and I was heading over. Moe told me he was closer, and I saw him intercept the intruder.

4. I watched him intercept the car and saw the people in the car get out and one used the company rest room and observed him talking to the car occupants. When I saw all the safe signs from Moe Truman I went back to my safety station.

Further, the Declarant saith naught.

DATED: September 16, 2024



Willard Stickler

Matthew L. Johnson (6004)
Russell G. Gubler (10889)
JOHNSON & GUBLER, P.C.
Lakes Business Park
8831 West Sahara Avenue
Las Vegas, Nevada 89117
Phone: (702) 471-0065
Fax: (702) 471-0075
mjohnson@mjohnsonlaw.com
rgubler@mjohnsonlaw.com
Attorneys for Respondent

AIR POLLUTION CONTROL HEARING OFFICER MEETING

In the matter of: ETON TRANSPORTATION CORP., Respondent.	DCOP #57148 NOV #9994 and #10078 DECLARATION OF WILLARD STRICKLER
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I, Willard Strickler, under oath and under penalty of perjury, state as follows:

1. I am over 18 years of age, am competent to testify of the things stated herein, and make this Declaration in support of Respondent's appeal in the above-referenced matter.
2. On March 20, 2025, at approximately midafternoon, I saw a vehicle follow truck #25 into our terminal located at 2596 Stratford Ave, Las Vegas, Nevada (the "Property"), once the gate was open.
3. The driver of the vehicle did not check in or ask permission to enter the Property.

4. I jogged towards the vehicle to check the ID of the driver of the vehicle and to learn why they were entering into the terminal.

5. As I approached the vehicle, the vehicle sped out of the Property, and I had to jump out of the way of the vehicle way to avoid being hit.

6. I did not get the plates, but I saw that it was a county vehicle. .

7. Similarly, on March 27, 2025, at approximately 1:58 P.M. , I saw a pickup on a walking trail that follows I-11 from Sahara Road to the Flamingo Wash.

8. A man was standing in the pickup taking photos of the Property. Once he saw me, the man got down in his pickup and drove down the walking path. When he closed his door, I saw an Air Quality logo on his door.

DATED: March 28, 2025

Willard Strickler

EXHIBIT 27

Matthew L. Johnson (6004)
 Russell G. Gubler (10889)
 JOHNSON & GUBLER, P.C.
 Lakes Business Park
 8831 West Sahara Avenue
 Las Vegas, Nevada 89117
 Phone: (702) 471-0065
 Fax: (702) 471-0075
mjohnson@mjohnsonlaw.com
rgubler@mjohnsonlaw.com
Attorneys for Respondent

AIR POLLUTION CONTROL HEARING OFFICER MEETING

<p>In the matter of:</p> <p>ETON TRANSPORTATION CORP.,</p> <p>Respondent.</p>	<p>NOV #10078</p> <p>Hearing Officer: Holly Fic</p> <p>DECLARATION OF CRYSTAL THORNE IN SUPPORT OF RESPONSE TO NOTICE OF VIOLATION #10078</p> <p>Date of Hearing: September 19, 2024</p> <p>Time of Hearing: 9:00 a.m.</p>
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I, Crystal Thorne, under oath and under penalty of perjury, state as follows:

1. I am over 18 years of age, am competent to testify of the things stated herein, and make this Declaration in support of the Response to Notice of Violation #10078.

2. I was a security guard on duty at the 2596 Stratford Ave, Las Vagas site on or about January 8th. I tried to flag down a white sedan that breached the security perimeter of the site and paid no heed to the sign that was posted to check in before

entering the site and would not stop for me to check her identification. The car had one female occupant. I contacted Moe Truman to let him know we had an intruder on property.

3. I then witnessed Moe Truman rush out to the car to identify the intruder, he gave me directions to call the police for backup if I observed the pre-arranged sign to call for police help.
4. I witnessed what looked like a verbal exchange between the car's occupant and Mr. Truman and then I observed the car leave the property.

Further, the Declarant saith naught.

DATED: September 16, 2024



Crystal Thorne

EXHIBIT 28

28





Moe Truman

From: Amazon.com <auto-confirm@amazon.com>
Sent: Monday, November 13, 2023 2:45 PM
To: Moe Truman
Subject: Your Amazon.com order of "Office Neon Sign".



Order Confirmation

Hello m,

Thank you for shopping with us. We'll send a confirmation when your item ships.

Details

Order #113-9298595-6697807

Arriving:
November 27 -
Tuesday, November 28

Ship to:
eton
LAS VEGAS, NV

Order Total: \$391.78

[View or manage order](#)

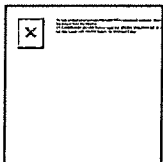


Office Neon Sign
Qty : 1

We hope to see you again soon.

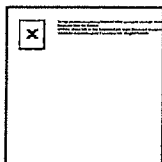
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LED Interior Light...

\$23.99



OYMSAE 25Feet SAE
to SAE Extension...

\$17.99



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Moe Truman

From: Everything Neon <sales@everythingneon.com>
Sent: Wednesday, November 15, 2023 7:32 AM
To: Moe Truman
Subject: 18252-1: Your Order has entered our Manufacturing System



Call Us At: 512-765-4470
Email: sales@everythingneon.com

Sign Order Status

Dear moe truman,

We are pleased to inform you that the following order has been entered in our System.

Order Number: 18252-1

Shipping Address: 2596 STRATFORD AVE
LAS VEGAS, NV 89121

Shipping Method: FedEx

Expected Ship Date: 11/25/2023

Item	Qty	Item Description
N105-3394	2	Office With Arrow LED Neon Sign Color:Red and White Backing Material : Black Backing Outdoor : No Thanks Size : 13 x 32 inches

Upon receipt of this email, please check to make sure the shipping address and items are correct.

Thank you
Everything Neon

EXHIBIT 29

Matthew L. Johnson (6004)
Russell G. Gubler (10889)
JOHNSON & GUBLER, P.C.
Lakes Business Park
8831 West Sahara Avenue
Las Vegas, Nevada 89117
Phone: (702) 471-0065
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mjohnson@mjohnsonlaw.com
rgubler@mjohnsonlaw.com
Attorneys for Respondent

AIR POLLUTION CONTROL HEARING OFFICER MEETING

In the matter of:	DCOP #57148
ETON TRANSPORTATION CORP.,	NOV #9994 and #10078
Respondent.	DECLARATION OF FRANKIE NEVAREZ

I, Francisco Nevarez, under oath and under penalty of perjury, state as follows:

1. I am over 18 years of age, am competent to testify of the things stated herein, and make this Declaration in support of Respondent's appeal in the above-referenced matter.
2. On March 20, 2025 at 2:40 P.M. PST, a Clark County vehicle followed me into 2596 Stratford Ave, Las Vegas, Nevada (the "Property"), when I opened the gate.
3. The occupant of the vehicle did not check in or ask permission to enter the Property.
4. I observed them taking pictures of the Property.
5. One of my co-workers, William Strickler, jogged towards the vehicle.

6. When the occupant of the vehicle noticed William Strickler approaching, the occupant of the vehicle drove out of the Property at a high rate of speed, almost running over William Strickler.

DATED: March 27, 2025

Francisco Nevarez

EXHIBIT 30

1 BEFORE THE AIR POLLUTION CONTROL HEARING OFFICER
2 CLARK COUNTY, NEVADA
3
4 IN THE MATTER OF THE NOTICE OF)
5 VIOLATION ISSUED TO ETON)
6 TRANSPORTATION CORP.,) NOV#9994
7 ENVIRONMENTAL TRANSPORTATION OFVs) DCOP#57148
8 NEVADA, LLC D/B/A ETON, AND MOE)
9 TRUMAN, ,)
10 Respondent.)
11 _____)

12
13
14
15 DATE: October 29th, 2024

16
17 BEFORE: Hearing Officer Holly Fic

18
19 APPEARANCES:

20 RUSSELL G. GUBLER, ESQUIRE

21 Johnson & Gubler, P.C.

22 8831 W. Sahara Avenue

23 Las Vegas, Nevada 89117

24 (702) 471-0065



<p>1 PROCEEDINGS</p> <p>2 ***</p> <p>3 THE CLERK: This is the Air</p> <p>4 Pollution Control Hearing Officer Meeting, 8:00 a.m.,</p> <p>5 October 29th, 2024. Holly Fic presiding.</p> <p>6 HEARING OFFICER: 8:06. Again, my</p> <p>7 apologies for being late. We're going to call this</p> <p>8 meeting to order. This is the Air Pollution Control</p> <p>9 Hearing Officer Meeting. This is a specialized</p> <p>10 meeting for two -- three cases, actually, I believe,</p> <p>11 that we've carried over. I am Holly Fic, your hearing</p> <p>12 officer today, here to assure you that the parties are</p> <p>13 afford an opportunity to present evidence and</p> <p>14 arguments at the hearing in affair and impartial</p> <p>15 manner.</p> <p>16 Air Pollution Control hearings are</p> <p>17 conducted in accordance with Nevada by statutes and</p> <p>18 the Clark County Department of Air Quality Regulations</p> <p>19 and Clark County Code. Evidence must be relevant and</p> <p>20 material admissible, probative to the issues in each</p> <p>21 matter and helpful determine the outcome. Decisions</p> <p>22 will be made in accordance with the preponderance of</p> <p>23 the evidence. And I may take judicial notice or</p> <p>24 official notice of certain facts. And just please</p> <p>Page 2</p>	<p>1 Transportation Corporation, NOV9994.</p> <p>2 And please come forward. Good</p> <p>3 morning.</p> <p>4 MR. GUBLER: Good morning.</p> <p>5 HEARING OFFICER: Okay. And please</p> <p>6 state your name, sir.</p> <p>7 THE CLERK: You just need to turn</p> <p>8 the button on so it's red.</p> <p>9 MR. GUBLER: Great. Thank you. Good</p> <p>10 morning.</p> <p>11 HEARING OFFICER: Good morning.</p> <p>12 MR. GUBLER: My name is Russ Gubler. I</p> <p>13 represent the respondents --</p> <p>14 HEARING OFFICER: Okay, great.</p> <p>15 MR. GUBLER: -- in this matter. And</p> <p>16 with me is Mitchell Truman.</p> <p>17 HEARING OFFICER: Okay. And he is in</p> <p>18 what capacity in relation to ETON Transportation Corp?</p> <p>19 MR. GUBLER: He's going to be the</p> <p>20 client's representative.</p> <p>21 HEARING OFFICER: Okay.</p> <p>22 Representative. So I need to swear him. And is he</p> <p>23 going to be giving testimony?</p> <p>24 MR. GUBLER: Correct.</p> <p>Page 4</p>
<p>1 make sure you have silenced your phones and we will</p> <p>2 call to order with the first case.</p> <p>3 We had a status check for Nevada</p> <p>4 System of Higher Education, NOB10018. Where are we at</p> <p>5 on that? I believe we were waiting on a settlement</p> <p>6 agreement.</p> <p>7 MS. SUTOWSKA: Yes, Madam Hearing</p> <p>8 Officer, my name is Anna Sutowska, Air Quality</p> <p>9 supervisor for the department of Environment and</p> <p>10 Sustainability, Division of Air Quality. The</p> <p>11 settlement agreement has been drafted, comments have</p> <p>12 been submitted and reviewed. So we're at the final</p> <p>13 stages of hopefully getting it signed. So we should</p> <p>14 have it signed one by the November hearing.</p> <p>15 HEARING OFFICER: Okay. So I was going</p> <p>16 to say we'll continue this to the November hearing</p> <p>17 first status check to make sure we're -- hopefully we</p> <p>18 have it signed before then. And if it comes in early</p> <p>19 to -- earlier to me, I can look at that, but we'll</p> <p>20 keep it on for November.</p> <p>21 MS. SUTOWSKA: Okay. Sounds good.</p> <p>22 Thank you so much.</p> <p>23 HEARING OFFICER: Okay. Thank you.</p> <p>24 And then we are ready to start with number 1, ETON</p> <p>Page 3</p>	<p>1 HEARING OFFICER: Okay. Let's raise</p> <p>2 your right hand. Do you swear to tell the whole</p> <p>3 truth, and nothing but the truth, so help you God?</p> <p>4 THE WITNESS: Yes.</p> <p>5 (WITNESS SWORN).</p> <p>6 HEARING OFFICER: Okay. Thank you.</p> <p>7 Okay. And then do you want to make opening</p> <p>8 statements? How do you want to go about that? Or do</p> <p>9 you want to save that to the end and just present your</p> <p>10 case? How do you want to move forward?</p> <p>11 MR. GUBLER: I would like to discuss a</p> <p>12 preliminary matter.</p> <p>13 HEARING OFFICER: Okay.</p> <p>14 MR. GUBLER: To make sure that that was</p> <p>15 on the record.</p> <p>16 HEARING OFFICER: Okay.</p> <p>17 MR. GUBLER: First of all.</p> <p>18 HEARING OFFICER: Housekeeping type</p> <p>19 items?</p> <p>20 MR. GUBLER: Well, it -- it's a</p> <p>21 jurisdictional matter that I wanted to present. Okay.</p> <p>22 Madam Counsel, are you okay with that?</p> <p>23 MS. JORGENSEN: No. And for the</p> <p>24 record, Catherine Jorgenson for Department of</p> <p>Page 5</p>



<p>1 Environmental Sustainability, Division of Air Quality. 2 HEARING OFFICER: Okay. 3 MS. JORGENSEN: And, no, I don't have 4 an issue with that. 5 HEARING OFFICER: Okay. 6 So, you may proceed. 7 MR. GUBLER: Thank you so much. So, 8 the hearing officer considers cases and determines 9 number 1, if a violation of the Air Quality regulation 10 exists. And number two, the extent of penalties, if 11 any. We, the respondents, of course, respectfully, 12 under the -- respectfully, we're arguing that this is 13 not the proper form -- proper jurisdiction for this. 14 Because what we're doing is we're 15 asking for much more than that determination. In 16 order to get to that determination, we're asking you, 17 Madam Hearing Officer to make -- that there would be 18 other determinations that had to be -- that have to be 19 made. Under an old case, Marbury versus Madison 1803. 20 Right. 21 HEARING OFFICER: I liked them in law 22 school. 23 MR. GUBLER: Right? That's right. 24 That is the power -- the cons -- that is for the</p> <p>Page 6</p>	<p>1 And that's our argument. Our -- we're submitting that 2 that did not happen here. 3 We're also -- and it -- and it's more 4 than just that. We're asking -- we're asking the 5 trial of fact, really, to also -- and the court to 6 make constitutional issue determinations due process, 7 whether AQR is preempted by federal law, whether this 8 unreasonably interferes with interstate commerce, 9 discrimination, Fourth Amendment, unreasonable 10 searches and seizures, HM-232 security under PHMSA, it 11 must be applied first, despite permits, whether that 12 applies first, it's a federal law and separation 13 powers as well. 14 We're also asking, that the proper 15 form to interpret unrelated state statutes, such as 16 whether -- there's an argument back and forth whether 17 my client is a railroad company or works for a 18 railroad company. And quite frankly, we're not sure 19 that that actually even applies. If not, the STB 20 still requires railroads or trucking companies, both, 21 they still regulate those. Still interstate commerce 22 issues. 23 And whether this is the form to 24 determine if Tonopah and Tidewater meets the state</p> <p>Page 8</p>
<p>1 proposition of the power of the court to declare this 2 legislative or executive act in violation of the 3 constitution. And so what we have is the respondents 4 submit that we need to know whether the -- there was a 5 -- whether the EPA approved statewide plans under the 6 Clean Air Act. 7 Now, we read, which is cited in our -- 8 in our briefing, the Association American Railroads 9 versus Southern Coast Air Quality, that's the 2010/19 10 9th Circuit case, does require approved statewide 11 plans. And then in the recent cases this year of the 12 Supreme Court in the Loper Bright and the Corner Post 13 cases, the interpretation -- and I think this goes 14 with Marbury versus Madison, but in both of those 15 cases, those recent ones, the interpretation of a 16 statute is less -- is less for the courts, not for an 17 administration. 18 And here it's specifically -- this -- 19 one of the issues specifically is related to the EP -- 20 the Clean Air Act and what the EPA did. So, here, I 21 don't think that the -- we're disputing that the EPA 22 approved countywide plans in 2000. But again, the 23 Associate American Railroads case later on, 10 years 24 later in 2010, talks about statewide approved plans.</p> <p>Page 7</p>	<p>1 requirement or the respondents of reasonably available 2 methods as opposed to best available control measures. 3 And so I wanted to put that on record and ask Madam 4 Hearing Officer to -- well, what we -- what we don't 5 think that this is a proper form. And so again, 6 respectfully, truly, we would ask that the case be 7 dismissed so they can be filed where all those things 8 can be considered. 9 HEARING OFFICER: You do have the 10 option to appeal to. I mean, that's what I would 11 think would be the proper channel. Because what I'm 12 -- I understand you're making constitutional 13 arguments. I can hear the reasons, I obviously, but 14 under the Air Quality Reg -- Air Quality Regulations, 15 I can make a determination and you can appeal that 16 matter. That's how I see that. 17 But, Counsel, you want to respond. 18 MS. JORGENSEN: Thank you. In this 19 administrative process, it goes first to the hearing 20 officer. If either party is dissatisfied with the 21 hearing officer's decision, then they can appeal to 22 the hearing board-- the Air Pollution Control Hearing 23 Board. In front of the Air Pollution Control Hearing 24 Board, it is a de novo hearing, which means all the</p> <p>Page 9</p>



<p>1 facts would be heard again. It's -- they wouldn't be</p> <p>2 taking, in this case, your decision and making a</p> <p>3 determination about whether or not it was arbitrary</p> <p>4 and capricious. They would actually just hear</p> <p>5 everything again.</p> <p>6 The -- I believe there's a case law</p> <p>7 that supports two different ways of approaching this.</p> <p>8 One is the respondent in this case could make whatever</p> <p>9 constitutional arguments, preserving them for the</p> <p>10 future. I've also seen case law that indicates that,</p> <p>11 because generally administrative proceedings don't</p> <p>12 make determinations on constitutional issues, that</p> <p>13 they don't actually need to preserve them. They can</p> <p>14 bring them up when and if this ever gets to a court.</p> <p>15 So, from the hearing board level, if</p> <p>16 either party is dissatisfied, then the next step would</p> <p>17 be judicial review. In that situation on judicial</p> <p>18 review, the facts would be based on or would -- the</p> <p>19 court would look at the facts that had been</p> <p>20 established and accepted by the hearing board at the</p> <p>21 time of that hearing, and those would not be</p> <p>22 overturned unless they were arbitrary and capricious.</p> <p>23 However, any questions of law would be</p> <p>24 all heard de novo in front of a court. So, in my</p> <p>Page 10</p>	<p>1 everybody's saying.</p> <p>2 HEARING OFFICER: Uh-huh.</p> <p>3 MR. GUBLER: But the Supreme Court</p> <p>4 cases in the Loper Bright and Corner Post cases, say,</p> <p>5 because everything that's been presented that goes to</p> <p>6 another administrative hearing, they're all</p> <p>7 administrative hearing. And that says the courts have</p> <p>8 the right to interpret those statutes, not the</p> <p>9 administrative body. And so that's what we're asking</p> <p>10 for.</p> <p>11 MS. JORGENSEN: If I may. In this</p> <p>12 case, the administrative body that they're talking</p> <p>13 about is a -- for instance, a state department -- I</p> <p>14 mean a federal department. I don't believe that that</p> <p>15 case represents or deals with an administrative</p> <p>16 quasi-judicial process. Again, but to the extent it</p> <p>17 does, this is the process in place, and response can</p> <p>18 preserve these issues and make sure that they -- if</p> <p>19 they're dissatisfied with the outcome of they're</p> <p>20 either this or a hearing board proceeding, they can</p> <p>21 always present these things in front of a court.</p> <p>22 HEARING OFFICER: Anything further?</p> <p>23 MR. GUBLER: No, I don't think that</p> <p>24 changes the argument.</p> <p>Page 12</p>
<p>1 view, this is an air of -- alleged violation of Air</p> <p>2 Quality Regulations. This is the forum based on state</p> <p>3 law as well as what's been what? EPA has accepted as</p> <p>4 part of the state implementation plan, so under the</p> <p>5 Clean Air Act as well.</p> <p>6 We -- I -- in my position -- in my --</p> <p>7 it's my position that we should just move forward, and</p> <p>8 whatever arguments or constitutional issues or</p> <p>9 anything that respondent believes is appropriate in</p> <p>10 front of a different forum, they can preserve those</p> <p>11 issues and we can proceed accordingly.</p> <p>12 HEARING OFFICER: I tend to agree. I</p> <p>13 mean, this is -- this is the administrative process</p> <p>14 that was set up. It's not like you're stuck with my</p> <p>15 decision, and you can bring it up to the hearing board</p> <p>16 de novo, and then you still have the judicial review.</p> <p>17 So there is a certain processes to go through. So, I</p> <p>18 am --</p> <p>19 MR. GUBLER: May I make a quick --</p> <p>20 HEARING OFFICER: Oh, sure. You can</p> <p>21 respond to that. Go ahead.</p> <p>22 MR. GUBLER: Thank you so much.</p> <p>23 HEARING OFFICER: Sure.</p> <p>24 MR. GUBLER: I understand what</p> <p>Page 11</p>	<p>1 HEARING OFFICER: Okay.</p> <p>2 MR. GUBLER: It -- it's the Clean Air</p> <p>3 Act, which is a federal statute. It's whether the EPA</p> <p>4 properly acted. That's a federal administrative body.</p> <p>5 And that's part of our argument along with the</p> <p>6 constitutional issues.</p> <p>7 HEARING OFFICER: And I appreciate</p> <p>8 that. It -- but this is Step 1 of the process. And</p> <p>9 it's -- you are not precluded. It's not going to --</p> <p>10 it's not going to harm this in any manner. And this</p> <p>11 is in Step 1. So I'm going to proceed forward. So,</p> <p>12 in response to dismissal, I'm not going to dismiss it.</p> <p>13 You can put on your case and we can -- and that's</p> <p>14 fine.</p> <p>15 I understand you're making the federal</p> <p>16 arguments. I understand what your arguments are. But</p> <p>17 at this, this is Step 1 of the process that the state</p> <p>18 has approved, and this is how we go forward. And you</p> <p>19 have the right to appeal the decision and move forward</p> <p>20 with the hearing board and then go to judicial review.</p> <p>21 But I am not going to dis -- I'm going to deny the</p> <p>22 request to dismiss and we'll proceed forward.</p> <p>23 MR. GUBLER: Thank you.</p> <p>24 HEARING OFFICER: Thank you. And do we</p> <p>Page 13</p>



<p>1 want to start with you presenting the evidence and 2 then responding? 3 MS. JORGENSEN: We can see what the 4 best approach would be. The -- that would be my 5 preference. There are two notices of violation, 9994 6 and 10078. They both involve the same -- these are 7 both related to or involve Section 94, the Air Quality 8 Regulation that deals with construction. 9 And the first one is the events 10 essentially take place in January of 2024. The second 11 one, the events take place in July and August of 2024. 12 When I say events, those are the days of the alleged 13 violations. 14 HEARING OFFICER: Okay. 15 MS. JORGENSEN: And so I'm comfortable 16 with just moving forward with calling my first 17 witness. Although I don't know if respondent would 18 like to proceed with opening statements or -- I'm 19 flexible. Yeah. How would you like to go about that? 20 And that's fine. That's why it's an informal process. 21 MR. GUBLER: I don't think that opening 22 statements are necessary. I'd like to reserve the 23 closing. 24 HEARING OFFICER: Okay. Thank you.</p> <p style="text-align: right;">Page 14</p>	<p>1 the recommended penalties, overseeing dust controlled 2 permit processes, overseeing the complaint line in our 3 asbestos program. 4 Q. And how long have you been with Air 5 quality? 6 A. Ten years. 7 Q. And how long have you been in this 8 current position? 9 A. Seven years. 10 Q. Are you familiar with Moe's Violation 11 9994? 12 A. I am. 13 Q. And to whom was it issued? 14 A. It was issued to ETON Transportation 15 Corporation. 16 Q. And in January, 2024, did ETON have a 17 Dust Control Operating Permit for the construction 18 site that is the subject of NOV 9994? 19 A. They did. 20 Q. And where is that located? 21 A. The site? 22 Q. Yes? 23 A. It's located on Stratford Avenue. 24 MS. JORGENSEN: Okay. Could we go to a</p> <p style="text-align: right;">Page 16</p>
<p>1 You can call your first witness. 2 MS. JORGENSEN: Thank you. I'd like to 3 call Anna Sutowska. 4 HEARING OFFICER: Raise your right hand 5 so I -- do you solemnly swear that you'll tell the 6 truth, the whole truth, and nothing but the truth, so 7 help you God? 8 THE WITNESS: I do. 9 (WITNESS SWORN). 10 HEARING OFFICER: Thank you. 11 EXAMINATION. 12 BY MS. JORGENSEN: 13 Q. Mr. Sutowska, would you please state 14 your full name? 15 A. Anna Sutowska. 16 Q. And what are -- what position do you 17 hold with the Division of Air Quality? 18 A. I'm an air quality supervisor in the 19 compliance and enforcement section of the Division of 20 Air Quality. 21 Q. And what are your job duties? 22 A. So, I have a staff of 11 and they do 23 various things. My duties include reviewing the 24 notices of violation that have been drafted, reviewing</p> <p style="text-align: right;">Page 15</p>	<p>1 copy of the Dust Control Operating Permit? It's 2 Version 0. It's attached to Air Quality's reply. I 3 don't know if these have been Bates stamps. I'm not 4 sure. Okay. Well, you've got it. Can you make that 5 smaller. 6 THE CLERK: Smaller? 7 MS. JORGENSEN: So you can see a little 8 bit more on the page? 9 BY MS. JORGENSEN: 10 Q. Okay. Ms. Sutowska, what is -- what 11 is this document? 12 A. That is the Dust Control Operating 13 Permit for construction activities. 14 Q. Okay. And I'm just going to ask you 15 some questions related to that. Who is the permittee? 16 A. The permittee is ETON. 17 Q. And who's the designated onsite 18 representative? 19 A. Moe Truman. 20 Q. And what does a designated onsite 21 representative do? 22 A. Well, they should be onsite at all 23 times that construction activities are occurring so 24 that they can ensure that dust control is being</p> <p style="text-align: right;">Page 17</p>



<p>1 maintained.</p> <p>2 Q. Okay. And when was this permit</p> <p>3 originally issued?</p> <p>4 A. August 30th, 2023.</p> <p>5 Q. Okay. And then who is the responsible</p> <p>6 official?</p> <p>7 A. Mr. Moe Truman.</p> <p>8 Q. And what is the responsibilities of</p> <p>9 the responsible official?</p> <p>10 A. So, the responsible official is</p> <p>11 required to ensure that the permit application has</p> <p>12 been submitted completely and accurately. They sign</p> <p>13 all documents related to the project, including the</p> <p>14 permit application. They ensure compliance of Air</p> <p>15 Quality Regulations on site. They implement long-term</p> <p>16 stabilization at the project closure or once the</p> <p>17 project has been completed. And then they do submit a</p> <p>18 -- they are required to submit a permit closure form.</p> <p>19 Q. Okay. And going back to the</p> <p>20 designated onsite representative, is that individual</p> <p>21 required to have a dust card?</p> <p>22 A. Yes, they are.</p> <p>23 Q. And what is the dust card?</p> <p>24 A. Well, a dust card, they are required</p> <p style="text-align: right;">Page 18</p>	<p>1 class in February, 2024.</p> <p>2 Q. Okay. Is it a condition of the Dust</p> <p>3 Control Operating Permit that the permittee agrees to</p> <p>4 permit the inspection by Air Quality staff during</p> <p>5 permittees hours of operation without prior notice?</p> <p>6 A. Yes.</p> <p>7 Q. And is that indicated on this first</p> <p>8 page?</p> <p>9 A. It is.</p> <p>10 Q. Is there any other place where it's</p> <p>11 indicated on the permit?</p> <p>12 A. Yes. It's also on page 3.</p> <p>13 Q. Could we go to page 3? Okay. And</p> <p>14 where are you looking? I don't know if you have a</p> <p>15 point. Or you have a pointer?</p> <p>16 A. I do.</p> <p>17 Q. Okay?</p> <p>18 A. So, right here, so, when the</p> <p>19 responsible official submits their permit application</p> <p>20 online, this is a condition that they affirm in the</p> <p>21 permit application. And it states, in accordance with</p> <p>22 the DCOP and AQRs, The applicant and the permittee</p> <p>23 shall consent to inspection of the site during normal</p> <p>24 hours of operation by Division of Air Quality staff,</p> <p style="text-align: right;">Page 20</p>
<p>1 to attend our dust control class. It's a class we</p> <p>2 offer twice a month. It goes through all of the best</p> <p>3 management practices for construction sites, how to</p> <p>4 maintain dust control, what's required for permits,</p> <p>5 and they do also discuss long term stabilization once</p> <p>6 you close your project.</p> <p>7 Q. And if someone applies for a permit,</p> <p>8 and does -- and there is that onsite representative</p> <p>9 does not have a dust card, is there any leeway?</p> <p>10 A. Yes. There are --</p> <p>11 Q. Go ahead?</p> <p>12 A. I'm sorry. They're supposed to sign</p> <p>13 up for and attend the dust class within 30 days of the</p> <p>14 permit issuance.</p> <p>15 Q. And in this case, did Mr. Truman sign</p> <p>16 up for a dust class?</p> <p>17 A. He did. He signed up for the October</p> <p>18 10th, 2023 class.</p> <p>19 Q. And did he attend that class?</p> <p>20 A. He did not.</p> <p>21 Q. To the best of your knowledge, did Mr.</p> <p>22 Truman ever attend a dust class during the period of</p> <p>23 the -- when the dust permit was in place?</p> <p>24 A. Yes, he did -- he did attend the dust</p> <p style="text-align: right;">Page 19</p>	<p>1 without prior notice, to determine compliance with the</p> <p>2 terms and conditions of the DCOP and AQRs.</p> <p>3 Q. Okay. So by submitting this</p> <p>4 application on behalf of ETON, Mr. Truman acknowledged</p> <p>5 that the permittee had consented to this permit</p> <p>6 condition; is that correct?</p> <p>7 A. That's correct.</p> <p>8 Q. And one of the few other questions</p> <p>9 about this Version 0, what type of construction did</p> <p>10 the -- did this version of the Dust Control Operating</p> <p>11 Permit authorize?</p> <p>12 A. So, it was submitted to grub the site</p> <p>13 because they wanted to perform a survey to determine a</p> <p>14 grading plan.</p> <p>15 Q. Okay. And if I could, which page is</p> <p>16 this of the permit?</p> <p>17 A. This is the second page. Well, this</p> <p>18 is page 1 after the face plate.</p> <p>19 Q. Okay. So, it says additional project</p> <p>20 information. So, grub site, cleared survey. Okay.</p> <p>21 And then there was demolition was authorized.</p> <p>22 Anything else that you can tell from this?</p> <p>23 A. Nothing else, no.</p> <p>24 Q. Okay. And what was the amount of</p> <p style="text-align: right;">Page 21</p>



1 acreage, this dust control permit, the first version
2 originally covered?
3 **A. 3.19 acres was the size of the parcel.**
4 Q. Okay. Can we go to a map? Is there a
5 map in the dust control proof property sent?
6 **A. There is. It's page 4.**
7 MS. JORGENSEN: Go to page 4.
8 BY MS. JORGENSEN:
9 Q. Okay. So, can you indicate where the
10 -- what the site is?
11 **A. So the parcel is outlined in this pink**
12 **purple boundary, and this is the parcel that was**
13 **permitted.**
14 Q. Okay. And is this a -- to the best of
15 your knowledge, an aerial that was provided by the
16 permittee or the applicant?
17 **A. That's correct.**
18 Q. And does -- at the time, do you -- can
19 we tell from this when -- what date this aerial photo
20 was?
21 **A. We cannot tell from this aerial.**
22 Q. Okay. But it does appear that at the
23 time this was submitted, there's no --
24 **A. Yes.**

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1 Q. -- buildings on this or --
2 **A. That's correct. It appears to be an**
3 **undisturbed parcel with vegetation growing on it.**
4 Q. Okay. Was the dust control permit
5 ever revised?
6 **A. It was.**
7 MS. JORGENSEN: And if we could go to
8 Version 1 of the Dust Control Operating Permit. This
9 is Exhibit B of Air Quality's reply.
10 BY MS. JORGENSEN:
11 Q. Ms. Sutowska, could you please
12 identify what this document is?
13 **A. So this is a Modification 1 to the**
14 **Dust Control Operating Permit for construction**
15 **activities.**
16 Q. Okay. And what is the revision date?
17 **A. It's February 8th, 2024.**
18 Q. Where does it say that?
19 **A. Here.**
20 Q. There, thank you. And what is the
21 project acreage now?
22 **A. 4.99 acres.**
23 Q. So it just under two acres?
24 **A. That's correct.**

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1 Q. And who is the designated onsite
2 representative?
3 **A. Mr. Moe Truman.**
4 Q. And I believe you stated that he did
5 obtain a dust card. When was that, again, did he
6 attend the class?
7 **A. He did attend the February 27th class**
8 **after this permit was issued.**
9 Q. Okay. And who's the responsible
10 official?
11 **A. Mr. Moe Truman.**
12 Q. And does this version of the Dust
13 Control Operating Permit also require that the
14 permittee allow inspections during normal business
15 hours without notice by Air Quality staff?
16 **A. Yes, it does.**
17 Q. What type of construction did this
18 version authorize?
19 **A. So in this version, Mr. Truman**
20 **submitted that he was adding acreage and was also**
21 **going to pave the areas with hot mix asphalt.**
22 MS. JORGENSEN: Okay. And could you go
23 to the end of this permit document?
24 BY MS. JORGENSEN:

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1 Q. Okay. Ms. Sutowska, what are those --
2 if you could go to the e-mails that are at the end of
3 it, what are these, Ms. Sutowska?
4 **A. So, whenever a permit application is**
5 **reviewed by our permit reviewer, they do require any**
6 **changes in writing. The permit reviewer requested**
7 **clarification about any -- Mr. Truman had indicated in**
8 **the application he was removing acreage, which in fact**
9 **was not. Before the permit was issued, I asked Mr.**
10 **Truman if he can clarify that he was going to be**
11 **paving the area with permanent asphalt pavement and**
12 **not an alternative such as recycled asphalt.**
13 **Mr. Truman confirmed that, correct,**
14 **three inches of hot mix would be applied.**
15 MS. JORGENSEN: Okay. I don't have any
16 further questions right now for Ms. Sutowska.
17 HEARING OFFICER: Okay. Thank you.
18 Counsel, do you have any questions.
19 MR. GUBLER: I have no questions for
20 Ms. Sutowska.
21 HEARING OFFICER: Okay.
22 MS. JORGENSEN: I'd like to call Candy
23 Rowsell.
24 HEARING OFFICER: If you raise your

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1 right hand. Do you solemnly swear that you will tell
2 the truth, the whole truth, and nothing but the truth
3 so help you God?
4 THE WITNESS: I do.
5 (WITNESS SWORN).
6 HEARING OFFICER: Okay. You may
7 proceed.
8 EXAMINATION.
9 BY MS. JORGENSEN:
10 Q. Ms. Rowsell, do you please state your
11 name for the record?
12 A. **Candueella Rowsell.**
13 Q. And Candy is a shortened version?
14 A. **Yes, it's my nickname.**
15 Q. Okay. And what is your job title?
16 A. **Air Quality Specialist too.**
17 Q. And what are your duties?
18 A. **My duties are to go to dust control**
19 **sites and to do an inspection to verify that they're**
20 **following with the AQRs.**
21 Q. And how long have you been with Air
22 Quality?
23 A. **Two years and three months.**
24 Q. And how long have you been in your

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1 current position?
2 A. **Two years and three months.**
3 Q. Okay. On January 8th, 2024, did you
4 visit the ETON construction site that is the subject
5 of this notice of violation 9994?
6 A. **Yes.**
7 Q. And what was the purpose of your
8 visit?
9 A. **Just a normal routine inspection.**
10 Q. And during your inspection, what did
11 you observe?
12 A. **Unstable soils and a trucking yard**
13 **being active on the site.**
14 MS. JORGENSEN: Could we go to Photos 1
15 and 2, Exhibit C?
16 BY MS. JORGENSEN:
17 Q. Ms. Roswell, could you describe what
18 these two photographs are?
19 A. **It's a view of the unstable and dry,**
20 **loose, powdery, soils caused by vehicular travel on**
21 **the site.**
22 Q. And is that true for both Photograph 1
23 and Photograph 2?
24 A. **Correct.**

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1 Q. And did you take these photographs?
2 A. **I did.**
3 Q. And where did you take them from?
4 A. **From -- on the site.**
5 Q. And were you in your vehicle or
6 outside your vehicle?
7 A. **I was sitting in my vehicle.**
8 Q. Okay. And did these photographs
9 fairly and accurately represent what you observed on
10 that day?
11 A. **Yes.**
12 Q. Okay. Did you document -- I'm sorry,
13 did you speak with the responsible official, Mr.
14 Truman?
15 A. **Yes, I spoke with Mr. Truman.**
16 Q. Would you please describe your
17 interaction with him?
18 A. **Yes. I was sitting in my truck**
19 **looking at my computer, and all of a sudden someone**
20 **tried to yank open my truck door, which I keep locked**
21 **for security reasons. And I turned and saw Mr.**
22 **Truman, and I rolled my window down about three inches**
23 **and asked who he was.**
24 Q. So at the time when you said you

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1 turned and saw -- looked at him, you didn't know who
2 he was?
3 A. **I did not know who he was.**
4 Q. Okay. Please go ahead?
5 A. **And then I asked him who he was and he**
6 **said his name was Mitchell Truman -- Moe Truman. And**
7 **he said, what are you doing here? And I informed him**
8 **that I was -- I was here to do an inspection. He told**
9 **me I wasn't allowed to be on the site. I need to**
10 **check in. And I stated that there's no signs stating**
11 **that I need to check in. And he said, you have to**
12 **check in. And I told him, all my other sites I go to,**
13 **they have signs posted when we have to check in. And**
14 **then he stated that he had hazardous materials on the**
15 **site. And I said, there's no signs. And he stated**
16 **that he doesn't have to have signs. And I stated, you**
17 **have to have signs, stating what you have on your**
18 **site, or you have to say check in at the office so**
19 **that nobody comes out.**
20 **And he said, I don't know who you are,**
21 **if you're with Clark County, federal, state, whoever,**
22 **I don't know who you are, when clearly it states on my**
23 **truck that -- who I am. And I handed him my business**
24 **card. And he said, are you done? And I said, no, I**

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1 needed to complete my inspection. And he said, okay.
2 And he walked away.
3 Q. Okay. Did you document your
4 inspection by preparing construction site inspection
5 report?
6 A. Yes.
7 MS. JORGENSEN: Could we go to Exhibit
8 B? Can you -- I don't know if you can make that go up
9 there. Okay. Could you go back to the top of that,
10 Ms. Thompson?
11 BY MS. JORGENSEN:
12 Q. Ms. Rowsell, what is this document?
13 A. This is the form that we fill out
14 after we do an inspection on a site.
15 Q. So is this the form that you filled
16 out after your inspection on January 8th, 2024?
17 A. Yes.
18 Q. Does the report note your observations
19 that the site soils were unstable?
20 A. Yes.
21 Q. And did you also note that there was
22 no track out control device?
23 A. Yes.
24 MS. JORGENSEN: Could we go back to the

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1 Dust Control Operating Permit Version 1, the copy of
2 the map? It's Exhibit B of the reply -- of Air
3 Quality's reply.
4 THE CLERK: The revision?
5 MS. JORGENSEN: That one. Yes. Thank
6 you.
7 BY MS. JORGENSEN:
8 Q. Ms. Rowsell, what is this?
9 A. This is the map of the site. And then
10 the areas in the green are the area that he's
11 disturbed that is not on his permit.
12 Q. Okay. And this is in back on January
13 8th, 2024?
14 A. Correct.
15 Q. Because eventually those sites, that
16 area was permitted?
17 A. Correct.
18 Q. Okay. Can you -- I don't -- do you
19 have a pointer? Can you show where a dust control
20 track out device was needed?
21 A. Right here and right here.
22 Q. So the top, and that was your
23 understanding that that's where vehicles were going in
24 and out of?

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1 A. I observed semis going in and out of
2 here while I was on site. And this is the entrance
3 that I came in, and a couple semis came in --
4 Q. Okay?
5 A. -- and then I followed along.
6 Q. And then can you show -- so is it your
7 -- and based on your observations, your understanding
8 the people -- that vehicles would come in at the top
9 of the site?
10 A. They were coming in at both locations.
11 Q. Oh, they were coming in both. Were
12 they exiting both?
13 A. Yes.
14 Q. Okay. And when you took your
15 pictures, where were you located?
16 A. I was sitting right here. Truck -- I
17 parked out of the way of the trucks because I didn't
18 want to get run over.
19 Q. Okay?
20 A. Or being their way.
21 Q. Okay?
22 MS. JORGENSEN: Could we go back to
23 Exhibit B of the notice of violation?
24 BY MS. JORGENSEN:

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1 Q. Okay. Did you include any inspector
2 notes in the report?
3 A. I did.
4 Q. Would you please read them?
5 A. Yes. I conducted a routine
6 inspection. I observed approximately 1.58 acres of
7 dry loose powdery site soils, along with multiple
8 semi-trailers parked throughout the project, along
9 with multiple semi tractors and semis entering and
10 exiting the project. While I was filling out my
11 inspection on site, a man tried to yank open my
12 driver's side door that I keep locked for safety
13 purposes.
14 When I asked him who he was, he stated
15 that his name was Mitchell Truman or Moe Truman. I
16 spoke with Moe Truman, responsible official on site,
17 and he asked me, who gave me permission to access the
18 project. I stated to Mr. Truman that since there was
19 a dust control permit on this site, that I had
20 authority to access the site.
21 Mr. Truman stated that I had to get
22 permission to be on site as there were hazardous
23 materials on site, and that he was sure I wouldn't
24 know anything about -- know about that. I informed

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<p>1 Mr. Truman that I did understand about hazardous</p> <p>2 materials, and I understood his concern for his</p> <p>3 property. I informed Mr. Truman that he did not have</p> <p>4 a sign posted at the entrance warning about hazardous</p> <p>5 materials on site or any sign posted to check in.</p> <p>6 Mr. Truman stated that the federal</p> <p>7 government doesn't require a sign, and that the feds,</p> <p>8 Trump, the state, or county or whomever I work for. I</p> <p>9 informed Mr. Truman that all my other sites that</p> <p>10 require check-in have a sign posted at the entrance.</p> <p>11 Mr. Truman stated that he would have the sign up by</p> <p>12 tomorrow. Mr. Truman asked me if I was done, I stated</p> <p>13 that I needed to complete my inspection. Mr. Truman</p> <p>14 walked away, and I left the site.</p> <p>15 Q. Keep going?</p> <p>16 A. I'm sorry. Immediately and informed</p> <p>17 my senior about the inspection and that I needed a</p> <p>18 follow up. My senior stated he would go with David</p> <p>19 Dean and complete the follow up inspection tomorrow.</p> <p>20 Q. Okay. Did you return to the site</p> <p>21 again?</p> <p>22 A. I did.</p> <p>23 Q. And did you re -- in this -- in your</p> <p>24 notes you indicated that you -- that someone was going</p> <p style="text-align: right;">Page 34</p>	<p>1 powdery site soils observed in the central portion of</p> <p>2 the project. And then view of dry, loose, powdery</p> <p>3 site soils absorbed -- I'm sorry, observed in the</p> <p>4 central portion of the project again in a different</p> <p>5 area.</p> <p>6 Q. And then what about 13?</p> <p>7 A. And 13 was view of dry, loose, powdery</p> <p>8 soils observed on the western edge of the project.</p> <p>9 Q. When you went there on January 17th,</p> <p>10 did you go with anybody else from Air Quality?</p> <p>11 A. Yes, I went with Air Quality senior,</p> <p>12 Andrew Kirk.</p> <p>13 Q. Okay. And when you took these</p> <p>14 photographs -- oh, let me ask you this, did you take</p> <p>15 these photographs?</p> <p>16 A. I took all the photographs.</p> <p>17 Q. And did these photographs accurately</p> <p>18 represent what you observed?</p> <p>19 A. Yes.</p> <p>20 Q. And did you take these photographs</p> <p>21 inside your vehicle, outside your vehicle, or both?</p> <p>22 A. Outside my vehicle.</p> <p>23 Q. Okay?</p> <p>24 A. I walked the side.</p> <p style="text-align: right;">Page 36</p>
<p>1 to return on January 9th. Did you return on January</p> <p>2 9th?</p> <p>3 A. I did not.</p> <p>4 Q. When did you return?</p> <p>5 A. On January 17th.</p> <p>6 Q. And on the 17th, did you perform in</p> <p>7 site inspection?</p> <p>8 A. I did.</p> <p>9 Q. And did you take any photographs of</p> <p>10 what you observed?</p> <p>11 A. I did.</p> <p>12 MS. JORGENSEN: Could we go to Exhibit</p> <p>13 C, Photographs 9 through 13.</p> <p>14 BY MS. JORGENSEN:</p> <p>15 Q. Ms. Rowsell, could you go through --</p> <p>16 let's -- if we could go through Photographs 9 through</p> <p>17 13, if you could describe what they depict?</p> <p>18 A. It's a view of dry, loose, powdery</p> <p>19 site soils observed on the northeastern portion on the</p> <p>20 project, number 9. Number 10 is more dry, loose,</p> <p>21 powdery site soils observed on the northern portion of</p> <p>22 the project.</p> <p>23 Q. Photograph 11?</p> <p>24 A. I'm sorry. View of dry, loose,</p> <p style="text-align: right;">Page 35</p>	<p>1 Q. Okay. And when you arrived on January</p> <p>2 17th, do you recall whether or not there was any signs</p> <p>3 posted about hazard -- hazardous chemicals or checking</p> <p>4 at the office?</p> <p>5 A. There was not.</p> <p>6 Q. Okay. To the best of your</p> <p>7 recollection, did you speak with Mr. Truman on January</p> <p>8 17th while on site?</p> <p>9 A. Can I see my CSI.</p> <p>10 MS. JORGENSEN: If we could go to</p> <p>11 Exhibit -- make sure I have this right. Yeah, Exhibit</p> <p>12 H.</p> <p>13 THE WITNESS: No, I did not speak with</p> <p>14 Mr. Truman. This is the one where I e-mailed him.</p> <p>15 BY MS. JORGENSEN:</p> <p>16 Q. So, if I could just back up real</p> <p>17 quick. What is this document we're looking at?</p> <p>18 A. This is my construction site</p> <p>19 inspection report for January 17th that I fill out</p> <p>20 when I'm done with my inspection.</p> <p>21 Q. Okay. And so based on -- you don't</p> <p>22 have a specific recollection whether or not you spoke</p> <p>23 to Mr. Truman?</p> <p>24 A. No.</p> <p style="text-align: right;">Page 37</p>



1 Q. But this indicates that you did not?
2 **A. This does indicate that I sent him an**
3 **e-mail. That I did not speak with him.**
4 Q. Okay. Thank you. On this
5 construction site report, did you document the
6 observations that you made?
7 **A. I did.**
8 Q. And did you document that there was
9 unstable soil?
10 **A. Yes.**
11 Q. And what about track out control
12 device, had that been installed?
13 **A. Not yet.**
14 Q. And what was -- sorry, go ahead?
15 **A. I said no. It was needed though.**
16 Q. Okay. And when you were there on
17 January 8th, I believe that the observed instability
18 was 1.58 acres?
19 **A. Correct.**
20 Q. Was this less?
21 **A. Yes.**
22 Q. So, did it appear to you that some
23 actions had been taken?
24 **A. Yes.**

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1 Q. Okay. Because it was something less?
2 **A. Yes, it was one and a half acres less.**
3 Q. Okay?
4 **A. Almost.**
5 Q. Did you include any inspector notes in
6 your report?
7 **A. I did.**
8 Q. And would you please read them?
9 **A. Yes. I conducted a follow up**
10 **inspection and observed approximately 0.26 acres of**
11 **dry, loose, powdery site soils throughout the project.**
12 **I e-mailed Moe Truman, responsible official, informing**
13 **him that this is yet another day of non-compliance**
14 **with a possible notice of violation, for failure to**
15 **maintain disability in installing a track out control**
16 **device at all exit points.**
17 **I informed Mr. Truman to immediately**
18 **stabilize all site soils and maintaining a moisture**
19 **crystal condition 24/7, and install a track out**
20 **control device as required on the non sent by Katrinka**
21 **Byers on January 10th, 2024.**
22 Q. And what is a non?
23 **A. A notice of non-compliance is when we**
24 **go to a site and they're not in compliance with AQRs,**

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1 **we issue a notice of non-compliance with a possible**
2 **notice of violation.**
3 Q. Okay. And so based on these notes, it
4 was your understanding that Ms. Byers had provided the
5 permittee with a notice of non-compliance?
6 **A. Correct.**
7 Q. Okay. Did you notice by Mr. Truman of
8 your observations on -- from your inspection on
9 January 17th?
10 **A. Yes, I sent him an e-mail.**
11 MS. JORGENSEN: Okay. Could we go to
12 Exhibit J?
13 BY MS. JORGENSEN:
14 Q. Okay. Ms. Rowsell, could you describe
15 what this is?
16 **A. This is the e-mail that I sent Mr.**
17 **Truman informing him that it's another day of notice**
18 **of non-compliance.**
19 Q. Okay. And then after the 17th, did
20 you return to the site again on February 1st, 2024?
21 **A. Yes.**
22 Q. And on February 1st, 2024, what were
23 the site conditions?
24 **A. Can I look at my report, please?**

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1 Q. Sure. If we can go to Exhibit K?
2 **A. There we go.**
3 Q. Could you, Ms. Roswell, describe what
4 this document is?
5 **A. It's my inspection that I fill out**
6 **after I complete my inspect -- it's my inspection form**
7 **I fill out after I complete my inspection.**
8 Q. And when you went there on February
9 1st, did you go with anybody else from Air Quality?
10 **A. Yes. Senior Air Quality specialist,**
11 **Andrew Kirk.**
12 Q. Okay. And on February 1st, what were
13 the site conditions?
14 **A. The site was stable and there was no**
15 **action taken. He had installed the track out control**
16 **device as directed and everything was fine.**
17 Q. And did he install track out control
18 devices on both of those points or just one of them?
19 **A. I believe both of them.**
20 Q. If you recall Okay.
21 **A. For sure on the north, but I believe**
22 **both of them, yes.**
23 Q. Okay. And do you -- was the -- was
24 there any signs posted about hazardous chemicals,

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<p>1 hazardous materials?</p> <p>2 A. There was no hazardous sign.</p> <p>3 Q. And what about a sign posted to check</p> <p>4 in, if you recall?</p> <p>5 A. I don't recall.</p> <p>6 Q. Did you speak with Mr. Truman while on</p> <p>7 site?</p> <p>8 A. Yes.</p> <p>9 Q. And do you have any recollection of</p> <p>10 that conversation?</p> <p>11 A. No, just that he was back in</p> <p>12 compliance.</p> <p>13 Q. Okay. And then did you include any</p> <p>14 inspector notes on this report?</p> <p>15 A. I did.</p> <p>16 Q. Would you please read them?</p> <p>17 A. I conducted a follow up inspection and</p> <p>18 observed the signing compliance at this time. The</p> <p>19 track out pad has been installed on both entrances,</p> <p>20 the soils are stable, and the permit modification has</p> <p>21 been received to include the areas for paving on the</p> <p>22 northern site.</p> <p>23 Q. Okay. So, we've heard previous</p> <p>24 testimony that the permit was revised at one point.</p> <p>Page 42</p>	<p>1 door.</p> <p>2 Q. Okay. And what did you say?</p> <p>3 A. I gave him my business card, and I</p> <p>4 stated that I work for Air Quality and I have the</p> <p>5 right to be there.</p> <p>6 Q. Okay. Do you have a copy of that</p> <p>7 business card here today?</p> <p>8 A. I don't. I can get one in the break.</p> <p>9 Q. Okay. And will you describe to me</p> <p>10 what that business card says?</p> <p>11 A. It says my name, my -- it says Air</p> <p>12 Quality, it says I'm an inspector, and my phone</p> <p>13 number, my e-mail.</p> <p>14 Q. And where did you have that card made?</p> <p>15 A. Clark County makes them for us.</p> <p>16 Q. And so, I'd like to look at Exhibit 8</p> <p>17 of our -- of our exhibits. And go to page 2, please.</p> <p>18 So this will come out later in my client's testimony,</p> <p>19 but this is something as far as credentials go, that</p> <p>20 my client is looking for when -- before my client lets</p> <p>21 somebody onto their property. Usually with the</p> <p>22 government official, they present some type of</p> <p>23 credentials. Looking at this as an example, a set of</p> <p>24 credential, does your business card have a picture on</p> <p>Page 44</p>
<p>1 And so it's your understanding that at the -- at the</p> <p>2 time when you were there on February 1st, the revision</p> <p>3 to the permit had already been submitted?</p> <p>4 A. Correct.</p> <p>5 Q. Okay. And that would be the revision</p> <p>6 that would include those additional acreage?</p> <p>7 A. Correct.</p> <p>8 Q. Okay?</p> <p>9 MS. JORGENSEN: I don't have any</p> <p>10 further questions for Ms. Roswell.</p> <p>11 HEARING OFFICER: Okay.</p> <p>12 Counsel.</p> <p>13 MR. GUBLER: Yes, I do.</p> <p>14 EXAMINATION.</p> <p>15 BY MR. GUBLER:</p> <p>16 Q. Ms. Roswell, I understand based on</p> <p>17 your testimony, that you went out onto the property</p> <p>18 site on the January 8th and the 17th, as well as</p> <p>19 February 1st; is that right?</p> <p>20 A. Correct.</p> <p>21 Q. And let -- let's just take these one</p> <p>22 by one. On January 8th, did you -- did you introduce</p> <p>23 yourself?</p> <p>24 A. I did after he tried to open my car</p> <p>Page 43</p>	<p>1 it?</p> <p>2 A. No, but my badge that I wear around my</p> <p>3 neck does.</p> <p>4 Q. Okay. Does that -- but you -- but you</p> <p>5 gave him your business card, correct?</p> <p>6 A. I handed him my business card when I</p> <p>7 introduced myself.</p> <p>8 Q. Okay. Did -- does it have -- does</p> <p>9 your business card have an expiration date?</p> <p>10 A. No.</p> <p>11 Q. Does it have some type of a seal from</p> <p>12 Air Quality?</p> <p>13 A. It has our logo. Is that what you're</p> <p>14 talking about?</p> <p>15 Q. It has a logo. Please describe that</p> <p>16 for me?</p> <p>17 A. It says Clark County.</p> <p>18 Q. Okay. And it says --</p> <p>19 A. Air Quality.</p> <p>20 Q. Air quality. Does it have any type of</p> <p>21 a logo?</p> <p>22 A. Yes, it does.</p> <p>23 Q. And what's that logo, please describe</p> <p>24 that for me?</p> <p>Page 45</p>



1 **A. It looks like this.**
2 Q. As a Clark County with a --
3 **A. It says Air Quality.**
4 Q. And Air Quality. So it's the Clark
5 County. Okay. If -- does it have any type of a chip?
6 **A. No.**
7 Q. Okay?
8 MR. GUBLER: If you could go down to
9 the next page, please. It might be even the next page
10 after that.
11 BY MR. GUBLER:
12 Q. Does it have any type of certification
13 on it?
14 **A. It says Air Quality Specialist.**
15 Q. Does it have any type of statement
16 such as this person is authorized to conduct
17 inspections, anything like that?
18 **A. No.**
19 Q. Okay. Is it signed by you?
20 **A. No.**
21 Q. Is it -- is it signed by any person
22 having authority with Clark County?
23 **A. No.**
24 Q. Does it have any credential number on

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1 it?
2 **A. No.**
3 Q. Does it have an expiration date?
4 **A. No.**
5 Q. Okay. Now, when you -- did you -- did
6 you present any type of credential that even resembles
7 something like this, that's part of our Exhibit 8?
8 **A. I had my badge around my neck, but I**
9 **did not present it to him, and neither did he ask for**
10 **it.**
11 Q. Okay. Did you ask to enter the
12 property?
13 **A. No, I don't have to ask to enter the**
14 **property when I have a dust control permit, unless**
15 **there's a sign posted, which there was not.**
16 Q. Are you -- you're there under the
17 auspices of the regulations, Air Quality regulations,
18 aren't you?
19 **A. Correct.**
20 Q. Okay. Did -- so you didn't present
21 the credentials and you didn't ask them to enter the
22 property; is that right? How about on the 17th?
23 Let's ask those questions. Did you -- did you ask him
24 to enter the property and did you present credentials

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1 there?
2 **A. No, I did not have to ask to enter the**
3 **property.**
4 Q. That's not what I asked. I asked you,
5 did you?
6 **A. No, I did not.**
7 Q. How about February 1st, let's go with
8 that. Did you -- did you ask him to enter the
9 property? And did you present appropriate
10 credentials?
11 **A. No.**
12 Q. Do you have any hazmat training?
13 **A. No, I do not.**
14 Q. Did you drive past a guard check when
15 you were on the property?
16 **A. There's no guard check on the**
17 **property. It's clearly labeled a guard check.**
18 **There's a lot of buildings around the build property.**
19 Q. Okay. So you're saying that there's
20 no guard check on the property; is that right?
21 **A. Not one that I saw that's clearly**
22 **labeled guard check.**
23 Q. Did you perform a drop ball test?
24 **A. I did not.**

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1 Q. Okay. What is a drop ball test?
2 **A. A drop ball test is a steel ball that**
3 **we drop from a foot high to measure the unstable**
4 **soils. But in my training, if the soils are deep**
5 **enough where we would lose our drop ball, we do not**
6 **have to do that.**
7 MR. GUBLER: Okay. Could you -- I
8 believe it was their Exhibit K on February 1st. Can
9 we go back to that?
10 BY MR. GUBLER:
11 Q. Okay. So, you see where it says
12 emission compliance right there?
13 **A. Yes.**
14 Q. What was the plume length?
15 **A. It says it's in compliance, so there**
16 **was no plume length.**
17 Q. Okay. So you didn't have to have
18 anything like that there. You didn't have any plume
19 length on February 1st; is that right?
20 **A. No, because they're in compliance.**
21 **There was no plume length.**
22 Q. Okay. Did you ever do a steel ball
23 test at the property?
24 **A. No, I did not. Did I believe --**

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1 Q. Now, just to reiterate, you didn't
2 have any hazmat training; is that right?
3 **A. No, I do not.**
4 Q. Okay. So, what knowledge do you have
5 of what's supposed to be displayed if there's hazard
6 materials on the property?
7 **A. My husband is a radiation safety**
8 **officer, so I listened to all of his training when**
9 **he's doing his training. So I know that the NRC makes**
10 **you have signs posted.**
11 Q. And did you get a certification in
12 that training?
13 **A. I did not.**
14 Q. I have no other questions?
15 HEARING OFFICER: Okay.
16 MS. JORGENSEN: Just a couple --
17 HEARING OFFICER: Go ahead.
18 MS. JORGENSEN: Redirect.
19 EXAMINATION.
20 BY MS. JORGENSEN:
21 Q. Ms. Rowsell, to the best of your
22 knowledge, does notice of Violation 9994 allege that
23 the respondents denied access to the Air Quality
24 inspectors?

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1 **A. No.**
2 Q. When you were there on site and
3 speaking to Mr. Truman on January 8th, were you in
4 your vehicle?
5 **A. Yes.**
6 Q. What does -- is that a vehicle from
7 Clark County?
8 **A. Yes.**
9 Q. And what does -- how do you know it's
10 a vehicle from Clark County?
11 **A. It has our Clark County logo on the**
12 **door and it says Clark County Air Quality all along**
13 **the bed of the truck. It's clearly labeled. It's a**
14 **Clark County vehicle. And it has EX plates as well.**
15 Q. Ex? What are EX plates?
16 **A. Government plates. They're exempt.**
17 Q. Okay. And then you stated that you
18 provided a business card to Mr. Truman?
19 **A. I did.**
20 Q. And you also had your badge around
21 your neck?
22 **A. Yes, always.**
23 Q. Okay?
24 **A. And I had a Clark County logo shirt on**

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1 **as well.**
2 Q. Oh, Clark County logo shirt. Okay.
3 And then when you were there on February 1st, I
4 believe you stated that I -- your -- the Exhibit K
5 indicates that you spoke with Mr. Truman but if I
6 remember correctly, you didn't -- you don't have any
7 specific knowledge of that? You don't remember?
8 **A. No, because the site was in**
9 **compliance.**
10 Q. And at the time when you were there on
11 February 1st, would you have been in your Clark County
12 vehicle?
13 **A. Yes.**
14 Q. Were you wearing your logo shirt?
15 **A. Yes.**
16 Q. Would you have had your badge around
17 your neck?
18 **A. Yes.**
19 Q. And -- okay. Nothing further?
20 HEARING OFFICER: Counsel, anything?
21 Any further questioning?
22 MR. GUBLER: No.
23 HEARING OFFICER: Okay. Thank you.
24 MS. JORGENSEN: No further questions

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1 for Ms. Roswell.
2 HEARING OFFICER: Okay. Call your next
3 witness.
4 MS. JORGENSEN: Would like to call Ms.
5 Katrinka Byers.
6 HEARING OFFICER: Please raise your
7 right hand. Do you solemnly swear that you'll tell
8 the truth, the whole truth, and nothing but the truth,
9 so help you God?
10 THE WITNESS: Yes.
11 (WITNESS SWORN).
12 HEARING OFFICER: Okay. You may
13 continue.
14 MS. JORGENSEN: Thank you.
15 EXAMINATION.
16 BY MS. JORGENSEN:
17 Q. Ms. Byers, would you state your name
18 for the record?
19 **A. Katrinka Byers.**
20 Q. And what is your job title?
21 **A. Senior Air Quality specialist.**
22 Q. And what are your duties?
23 **A. I am a senior for the southern portion**
24 **of the Clark County Valley. I oversee approximately**

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<p>1 half of the staff. I review their work and assist</p> <p>2 with job sites that are different and difficult at</p> <p>3 times.</p> <p>4 Q. And so, as a senior, do you inspect as</p> <p>5 many sites as Air Quality Specialists 1 or 2?</p> <p>6 A. No.</p> <p>7 Q. And how many Air Quality specialists</p> <p>8 do you supervise approximately?</p> <p>9 A. Four at this time.</p> <p>10 Q. Okay. And do you recall how many you</p> <p>11 supervised back in January of 2024?</p> <p>12 A. I believe it was the same -- around</p> <p>13 the same, three or four.</p> <p>14 Q. Okay. On January 9th, 2024, did you</p> <p>15 visit the construction site that is a subject to the</p> <p>16 notice violation?</p> <p>17 A. Yes.</p> <p>18 MS. JORGENSEN: And could we go to</p> <p>19 Exhibit E?</p> <p>20 BY MS. JORGENSEN:</p> <p>21 Q. While you were on site, were you there</p> <p>22 with anyone else from Air Quality?</p> <p>23 A. Yes, I was there with my supervisor,</p> <p>24 David Dean and the other senior Air Quality</p> <p style="text-align: right;">Page 54</p>	<p>1 what you saw?</p> <p>2 A. Yes.</p> <p>3 MS. JORGENSEN: Could we go to Exhibit</p> <p>4 C? Photographs 3 through 8.</p> <p>5 BY MS. JORGENSEN:</p> <p>6 Q. Ms. Byers, could you go through these</p> <p>7 photographs and describe what they depict?</p> <p>8 A. So, Photograph 3, that's -- I'm</p> <p>9 looking northeast at dry, loose, and powdery site</p> <p>10 soils observed around the center of the project.</p> <p>11 Q. And Photograph 4?</p> <p>12 A. Photograph 4 is more of a close view</p> <p>13 of the dry, loose, and powdery site soils showing</p> <p>14 there's absolutely no moisture in the site soils.</p> <p>15 Q. And how about five?</p> <p>16 A. And five again is looking at west now</p> <p>17 at dry, loose, powdery site soils observed and, again,</p> <p>18 the center of the project.</p> <p>19 Q. And six?</p> <p>20 A. I'm looking -- I'm looking again at</p> <p>21 dry, loose, powdery site soils more in the central</p> <p>22 portion of the project. We were parked as soon we</p> <p>23 pulled in, worked -- we tried to find the check-in</p> <p>24 area and there was nothing that said that, so this is</p> <p style="text-align: right;">Page 56</p>
<p>1 specialist, Andrew Kirk.</p> <p>2 Q. Okay. And could you tell me what this</p> <p>3 Exhibit E is?</p> <p>4 A. This is the construction site</p> <p>5 inspection documenting the findings that we observed</p> <p>6 that day.</p> <p>7 Q. And what did you observe that day?</p> <p>8 A. We observed approximately 1.58 acres</p> <p>9 of dry, loose, and powdery site soils. We observed</p> <p>10 what appeared to be a trucking freight yard. It was</p> <p>11 -- it was not represented on the desk control</p> <p>12 operating permit, and I believe no fire control</p> <p>13 device.</p> <p>14 Q. Okay. Did you observe -- or how did</p> <p>15 you get into the site?</p> <p>16 A. We drove onto the site.</p> <p>17 Q. Was there any signs posted about</p> <p>18 checking in that you recall?</p> <p>19 A. No, there were no signs.</p> <p>20 Q. And what about any signs related to</p> <p>21 hazardous materials being present?</p> <p>22 A. No, we saw no hazardous signed</p> <p>23 materials or presence of that.</p> <p>24 Q. Okay. Did you take any photographs of</p> <p style="text-align: right;">Page 55</p>	<p>1 where I took the photos.</p> <p>2 Q. Okay. And seven?</p> <p>3 A. Seven is a view of, again, of just a</p> <p>4 close view of dry, loose, powdery site soils. No</p> <p>5 moisture on site. No water truck available.</p> <p>6 Q. Okay. And what about eight?</p> <p>7 A. Again, looking south now at dry,</p> <p>8 loose, and powdery site soils as well. So we're</p> <p>9 outside the permit area, it's on the right of way,</p> <p>10 which is also still in the permit boundaries on the</p> <p>11 western edge of the project.</p> <p>12 Q. So this site had an active Dust</p> <p>13 Control Operating Permit; is that correct?</p> <p>14 A. That's correct.</p> <p>15 Q. And when you go to inspect a site with</p> <p>16 a Dust Control Operating Permit active, what do you</p> <p>17 look for?</p> <p>18 A. We look for soil stability, we look</p> <p>19 for the dust control permit sign, we look to see if</p> <p>20 they have any kind of way to -- best available control</p> <p>21 measures on site to mitigate any dry, loose, powdery</p> <p>22 site soils, we try to speak with the site sweeper or</p> <p>23 responsible official. We find the person located on</p> <p>24 site with operating valid dust card. We also verify</p> <p style="text-align: right;">Page 57</p>



1 **if the water truck operator has a valid dust card.**
2 Q. And if they had completed
3 construction, what would you be looking for?
4 **A. That they were landscape paved and**
5 **built out. And if any parts of the project were not,**
6 **we would make sure they met BMP 11 control measures**
7 **and they were stabilized under those control measures**
8 **for final stabilization for long term.**
9 Q. And what does BMP stand for?
10 **A. Best Management Practices. BMP is**
11 **best management practices.**
12 Q. And when you reference BMP 11, you're
13 talking about something at Section 94?
14 **A. Yes, Section 94. It's also on their**
15 **-- within their dust control permit.**
16 Q. Okay. If we could go back to Exhibit
17 E. Did you -- while you were on site, did you speak
18 with Mr. Truman?
19 **A. Yes, we -- after speaking with Candy,**
20 **we were trying to find the check-in area and we pulled**
21 **in, parked, and Mr. Truman approached us once we were**
22 **parked.**
23 Q. Okay. And what did you discuss with
24 him?

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1 **A. Well, we wanted to find out why he was**
2 **so confrontational with our inspector. He was very**
3 **argumentative as well. My supervisor took the lead on**
4 **that and Andrew and I stood back and listened.**
5 Q. When you say your supervisor, you're
6 referring to David Dean?
7 **A. Yes, he -- David Dean was the one that**
8 **spoke with him.**
9 Q. Okay?
10 **A. We did -- first of all, we showed Mr.**
11 **Truman all of us had our badges with us. So we did**
12 **present credentials right away. And then Mr. Truman**
13 **basically just told us that he was with the -- up**
14 **there with the federal EPA and that we were dog shit.**
15 Q. And did you all come in one vehicle?
16 **A. Yes, we did.**
17 Q. And was that a vehicle -- county
18 vehicle for Air Quality?
19 **A. Yes, it was.**
20 Q. And were you wearing a shirt that had
21 your logo on it -- Air Quality logo on it? Do you
22 recall?
23 **A. Yes. We all had our air quality logo**
24 **shirts on. Okay.**

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1 Q. And, if we could -- did you note your
2 observations of unstable soil and no track out control
3 device in exhibit -- in the report from January 9th?
4 **A. Yes, I listed the unstable soils under**
5 **BNP compliance. You can see 1.58 acres was unstable.**
6 **I also noted there was over acreage. I don't remember**
7 **exactly how much, but I also indicated that in the**
8 **report as well.**
9 Q. Okay. If you go to, it looks like,
10 let's see, five boxes down, it says admin compliance?
11 **A. Correct.**
12 Q. Does that indicate how much acreage
13 was permitted?
14 **A. Yes. Originally it was 3.19 acres**
15 **permitted by Mr. Truman. And we observed 4.95 acres**
16 **--**
17 Q. Okay?
18 **A. -- utilized.**
19 Q. So about an additional 1.75 acres was
20 being used that wasn't permitted?
21 **A. That's correct.**
22 Q. Okay. All right. Did you take -- did
23 you include any inspector notes in the report?
24 **A. Yes, I did.**

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1 Q. Could you please read them? If not
2 you can -- I have it on here too, if it's easier to
3 readOkay.
4 **A. My supervisor, David Dean, senior Air**
5 **Quality specialist, Andrew Kirk, and I conducted a**
6 **follow-up inspection and observed dry, loose, and**
7 **powdery site soils with no available BACM.**
8 Q. What's BACM?
9 **A. BACM stands for Best Available Control**
10 **Measures.**
11 Q. Okay?
12 **A. No track control device at the exit**
13 **point. Approximately 1.76 acres of disturbed soil**
14 **outside the permit boundary with no -- with trucks,**
15 **cars, and equipment stored on the lots. And both the**
16 **responsible official, Mr. Moe Truman, and the water**
17 **truck operator not to hold a valid dust card. We**
18 **spoke with Mr. Truman on site regarding the prior**
19 **inspection conducted by a QS 2 Canduella Rowsell,**
20 **regarding possible hazardous waste material store**
21 **without proper notification to the public.**
22 **Mr. Truman was very argumentative and**
23 **said Ms. Rowsell should have checked in prior to**
24 **conducting an inspection due to hazardous waste on**

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1 site. Mr. Dean pointed out that the site did not have
2 any signs indicating dangerous or hazardous waste on
3 site, nor did the site have any signs requiring a
4 mandatory check-in prior to conducting an inspection.
5 We explained the waste on site. We
6 explained the dust permit. Project description was
7 issued for grubbing the site to survey for crews to
8 start gathering data points. However, we observed
9 three large maintenance tents for repairing equipment,
10 approximately 10 to 15 semi haul trucks, and various
11 equipment stored over the 5.66 acres of disturbed
12 soil.
13 Mr. Truman was very argumentative
14 regarding the status of the permit, and when
15 instructed to comply with BMP-11 and remove all
16 equipment onsite or paid the lot to close out the
17 permit, he said he would notify his attorney to handle
18 all matters. Mr. Dean, Andy, and I took photos of the
19 site and document our findings.
20 A notice of compliance -- notice of
21 non-compliance with a possible notice of violation to
22 be issued to Mr. Truman via e-mail to save by site
23 soil immediately, install tracker control device,
24 which is two inch to three inch rock minimum six

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1 inches deep as long as -- along as haul truck, at the
2 exit point onto Stafford Avenue by the close of
3 distance Friday, 1/10/2024, and register both himself
4 and the water truck operator for the next available
5 dust class by the close of business Thursday,
6 1/11/2024.
7 The over acreage with stored material
8 outside the front boundary will be addressed with a
9 separate notice of non-compliance under Section 92.
10 Q. Thank you. Did you issue that -- a
11 notice of non-compliance?
12 A. Yes, we did.
13 MS. JORGENSEN: Could you go to Exhibit
14 2, please?
15 BY MS. JORGENSEN:
16 Q. Ms. Byers, could you describe what
17 this document is?
18 A. This is a notice non-compliance and it
19 lists the non-compliance issues that we observed
20 during our inspection at the time on January 9th.
21 Q. And did you provide this notice
22 non-compliance to Mr. Truman?
23 A. Yes.
24 Q. And when did you do that?

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1 A. I e-mailed this to Mr. Truman, I
2 believe actually the next day on January 10th.
3 MS. JORGENSEN: Could you scroll down
4 to the next page? Okay.
5 BY MS. JORGENSEN:
6 Q. And, Ms. Byers, is this the e-mail
7 that you were just speaking of?
8 A. Yes, this is an e-mail I sent to Mr.
9 Truman and the attached notice of non-compliance was
10 with it.
11 MS. JORGENSEN: Okay. I don't have any
12 further questions for Ms. Byers.
13 HEARING OFFICER: Thank you.
14 Counsel?
15 EXAMINATION.
16 BY MR. GUBLER:
17 Q. Ms. Byers, what days did you say that
18 you were at the property?
19 A. I was on site on January 9th, which
20 was, I believe a Tuesday.
21 Q. And you said that you were there with
22 two supervisors; is that right?
23 A. I was there with my supervisor, David
24 Dean, yes, and the other senior Air quality

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1 specialist, Andrew Kirk.
2 Q. You said that you spoke with Mr.
3 Truman, correct?
4 A. That's correct.
5 Q. And did you introduce yourself?
6 A. Yes, we did.
7 Q. And what -- how did you introduce
8 yourself?
9 A. We usually start by introducing
10 ourselves with our name and who we're with, Clark
11 County Air Quality, and the reason for our -- you
12 know, we're there to re-inspect, and we also showed
13 Mr. Truman our badges.
14 Q. Okay. What badges are you talking
15 about?
16 A. Every one of us wear a badge around
17 our neck which has our name, where we work, and our
18 title of our job, and our signature.
19 Q. And is that to get you into the
20 building in Clark County?
21 A. That's correct.
22 Q. Okay. Did it -- did it have -- does
23 it have an expiration date on it?
24 A. It does not.

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1 Q. Does it have any type of chip with it?
2 **A. It does. It's inside the actual**
3 **badge.**
4 Q. Okay. And that's to get into the area
5 -- the Clark County Building; is that right?
6 **A. I believe that's what it's for, yes.**
7 Q. Does it have certification on it
8 saying this person is authorized to conduct
9 inspections?
10 **A. It says this badge is a property of**
11 **Clark County, Nevada, and must be visibly displayed or**
12 **available for presentation upon demand at all times**
13 **while on duty or on county premises.**
14 Q. So, please listen to my question
15 carefully. Does it say this person is authorized to
16 conduct an inspection?
17 **A. No, it's not.**
18 Q. Does it have a conventional number on
19 it?
20 **A. No, it does not.**
21 Q. Does it have an expiration on it?
22 **A. No, it does not.**
23 Q. So, but that's -- but that's the badge
24 that you presented; is that right?

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1 **A. That's correct.**
2 Q. Okay. Did you ask to enter the
3 property for inspection specifically?
4 **A. I'm sorry, did I ask to what?**
5 Q. Did you ask to enter the property for
6 inspection specifically?
7 **A. Yes. We pulled in and told Mr. Truman**
8 **we were going to be doing inspection -- a**
9 **re-inspection.**
10 Q. Okay. Did you ask, I said?
11 **A. We did not pull up and ask him if we**
12 **could, no.**
13 Q. So, while you were there, did your
14 supervisor say that he had clearance to get into the
15 Nevada Test Site?
16 **A. I don't recall that.**
17 Q. Did he say that he could drive right
18 into the Nevada Test Site?
19 **A. I don't recall that.**
20 Q. I don't have any other questions?
21 HEARING OFFICER: Okay. Thank you.
22 MS. JORGENSEN: Just a couple of follow
23 up.
24 EXAMINATION.

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1 BY MS. JORGENSEN:
2 Q. Ms. Byers, does the Dust Control
3 Operating Permit that was in place for this site on
4 January 8th -- I'm sorry, January 9th, when you
5 visited the site, does it require the permittee to --
6 or that the -- does it state that the permittee agrees
7 to allow -- to allow inspections without notice during
8 business hours?
9 **A. Yes, it does.**
10 MS. JORGENSEN: I have nothing further.
11 HEARING OFFICER: Okay. Thank you.
12 MR. GUBLER: No further questions.
13 HEARING OFFICER: Okay. Let's call in
14 our next witness.
15 MS. JORGENSEN: I would like to call
16 David Dean.
17 HEARING OFFICER: Good morning, Mr.
18 Dean.
19 MR. DEAN: Good morning.
20 HEARING OFFICER: Please raise your
21 right hand. Do you solemnly swear that you'll tell
22 the truth, the whole truth, and nothing but the truth,
23 so help you God?
24 THE WITNESS: I do.

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1 (WITNESS SWORN).
2 HEARING OFFICER: Okay. Thank you.
3 You may proceed.
4 MS. JORGENSEN: Thank you.
5 EXAMINATION.
6 BY MS. JORGENSEN:
7 Q. Mr. Dean, would you please state your
8 name for the record?
9 **A. David Dean.**
10 Q. And what is your job title?
11 **A. I am a compliance supervisor for Clark**
12 **County Air Quality.**
13 Q. And what are your duties?
14 **A. My duties are to oversee the**
15 **enforcement and compliance of dust control permits on**
16 **construction sites, vacant land, on paved storage**
17 **yards, and I oversee a team of approximately 10 or 11**
18 **personnel that go out every day and conduct those**
19 **inspections.**
20 Q. And how long have you been with Air
21 Quality?
22 **A. Twenty-two years.**
23 Q. And how long have you been in your
24 current position?

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<p>1 A. Seven years.</p> <p>2 Q. Okay. And did you visit the site that</p> <p>3 is the subject of the Notice Violation 9994 on January</p> <p>4 9th, 2024?</p> <p>5 A. I did.</p> <p>6 Q. And were you there with Ms. Byers and</p> <p>7 Mr. Andrew Kirk?</p> <p>8 A. Yes.</p> <p>9 Q. And what was the purpose of your</p> <p>10 visit?</p> <p>11 A. I wanted to visit the site because one</p> <p>12 of my inspectors, Canduella, had went the day prior or</p> <p>13 a few days prior. I don't remember exactly how many</p> <p>14 days in between. But she informed me that she was go</p> <p>15 on the site to conduct an inspection and was</p> <p>16 confronted by somebody that tried to open her truck</p> <p>17 door without getting her attention or anything like</p> <p>18 that. Just walked up and tried to open her door,</p> <p>19 scared her a little bit. So -- and then was kind of</p> <p>20 disruptive with her and combative.</p> <p>21 So I wanted to make sure anytime that</p> <p>22 happens on a job site, I want to go to the site and</p> <p>23 assess the site to see what the safety situation is.</p> <p>24 So I wanted to go look at the site, see who was being</p> <p style="text-align: right;">Page 70</p>	<p>1 the site is permitted, and the sign is up, they're</p> <p>2 working within their permitted boundaries. The soil</p> <p>3 stabilization is -- the soil is stable, there's a</p> <p>4 track out control device. The site superintendent has</p> <p>5 a dust control card. The water truck operators have</p> <p>6 dust cards, and that they're actually implementing</p> <p>7 soil control sometimes.</p> <p>8 Q. Okay. And when you were on the site</p> <p>9 on January 9th, 2024, was there any signs posted</p> <p>10 saying that a -- that somebody would need to check in</p> <p>11 at a particular building or check in somewhere that</p> <p>12 you recall?</p> <p>13 A. No, nothing that I recall.</p> <p>14 Q. And do you recall seeing anything, any</p> <p>15 signs posted regarding hazardous materials?</p> <p>16 A. No, nothing at all.</p> <p>17 Q. Do -- generally, do construction sites</p> <p>18 have those sorts of signs posted?</p> <p>19 A. They don't. The construction sites,</p> <p>20 we don't normally have that where somebody would say,</p> <p>21 Hey, I'm drawing a dust control permit, and, oh, by</p> <p>22 the way, I'm having hazardous materials on site. You</p> <p>23 might see that at a stationary source site that has a</p> <p>24 stationary source permit, and they have some</p> <p style="text-align: right;">Page 72</p>
<p>1 combative with her, and assess it for safety and</p> <p>2 inspect the site myself.</p> <p>3 Q. So, at the time of your visit on</p> <p>4 January 9th, did this site have a dust control</p> <p>5 operating permit?</p> <p>6 A. It did.</p> <p>7 Q. And when you just generally go and its</p> <p>8 -- oh, well, let me ask you this?</p> <p>9 As a supervisor, how often do you</p> <p>10 conduct site inspections yourself?</p> <p>11 A. I go out. I don't conduct site</p> <p>12 inspections at all. I just go when there's a --</p> <p>13 there's an issue or maybe I need to be involved in a</p> <p>14 meeting on site to resolve a situation.</p> <p>15 Q. And so prior to your being in the</p> <p>16 position you're currently at in as supervisor, what --</p> <p>17 were you more regularly going on-site inspections?</p> <p>18 A. Absolutely. I've done thousands of</p> <p>19 inspections.</p> <p>20 Q. Okay. And when someone goes on site</p> <p>21 to do a site inspection of a -- of a site that has a</p> <p>22 dust control operating permit, what are the sorts of</p> <p>23 things that you're looking for?</p> <p>24 A. So, we're -- first we make sure that</p> <p style="text-align: right;">Page 71</p>	<p>1 conditions about entering the sites. But a</p> <p>2 construction site itself, I can't recall anybody ever</p> <p>3 having something like that or requiring us to report</p> <p>4 to the office before we conduct a site inspection.</p> <p>5 Q. If something like that had been</p> <p>6 posted, would you have reported to the office to --</p> <p>7 before conducting the site inspection?</p> <p>8 A. Absolutely.</p> <p>9 Q. And do you -- when you were there on</p> <p>10 January 9th, did the site appear to you to be at -- a</p> <p>11 construction site?</p> <p>12 A. Yes, actually it was a full blown</p> <p>13 trucking yard. An unpaved trucking yard. I didn't</p> <p>14 really see any construction going on. They'd already</p> <p>15 graded off all the foliage and there was probably 20</p> <p>16 or 30, 18 wheeler hauler trucks there. And there was</p> <p>17 really no construction activity. It was -- it was</p> <p>18 already an operating truck. So it was an unpaved</p> <p>19 yard.</p> <p>20 Q. And if -- because it appeared to be</p> <p>21 like finished with whatever the construction permit</p> <p>22 had been pulled for, what would've been the steps to</p> <p>23 have closed out that permit?</p> <p>24 A. So, he would've closed out -- he -- we</p> <p style="text-align: right;">Page 73</p>



<p>1 don't -- Clark County does not require -- does not</p> <p>2 authorize unpaved parking or storage yards in</p> <p>3 hydrographic basins 212, 216 and 217. So --</p> <p>4 Q. Sorry. Hydrographic area is 216 --</p> <p>5 say it again?</p> <p>6 A. 217 and 212.</p> <p>7 Q. Can you describe what that general</p> <p>8 area is?</p> <p>9 A. So, it's really the Las Vegas Valley</p> <p>10 area and Apex.</p> <p>11 Q. And why is that? Why do we -- why --</p> <p>12 if you know, why are there rules regarding</p> <p>13 specifically hydrographic basins 212, 216, and 217?</p> <p>14 A. When the federal EPA Clark County work</p> <p>15 together or are working together to resolve the Air</p> <p>16 Quality issues in the Valley, they determined that</p> <p>17 these three areas were the highest potential for</p> <p>18 creating dust issues and unstable soil. So that's why</p> <p>19 they're targeted with stricter regulations.</p> <p>20 Q. So, when you talk about dust, what</p> <p>21 type of NAAQS or National Ambient Air Quality Standard</p> <p>22 is implicated when it comes to dust in this case?</p> <p>23 A. Well, we enforce PM10 requirements for</p> <p>24 dust control.</p> <p style="text-align: right;">Page 74</p>	<p>1 many pieces of tractor equipment there and we would</p> <p>2 work with the permittee to determine, okay, how many do</p> <p>3 you have? What areas do you need to move it? And</p> <p>4 things like that. So, there would not be an all out</p> <p>5 exemption, like, okay, you have one -- in this case,</p> <p>6 you have one track vehicle on the whole site. We'll</p> <p>7 just exempt you for the whole site. That wouldn't be</p> <p>8 the case.</p> <p>9 Q. Okay. And if there is track</p> <p>10 equipment, why would there be an exception regarding</p> <p>11 paving the entire site, if there were track equipment?</p> <p>12 A. Because tracked vehicles, especially</p> <p>13 the one he has on site, I believe is a D10 dozer, it</p> <p>14 will tear up the asphalt. And we recognize that would</p> <p>15 be just a waste of money.</p> <p>16 Q. Okay. And in this case, has there</p> <p>17 been an opportunity to go to the site to determine</p> <p>18 what the track equipment is, where it's being used,</p> <p>19 and to determine where would be the appropriate site</p> <p>20 or appropriate amount of paving to accommodate this</p> <p>21 track equipment?</p> <p>22 A. No. After our first few inspections</p> <p>23 on the site, January, February, Mr. Truman stopped</p> <p>24 authorizing us to come in. He's built up areas around</p> <p style="text-align: right;">Page 76</p>
<p>1 Q. Okay?</p> <p>2 A. And part of that is, anything that's</p> <p>3 -- anything that's new and it's -- especially in this</p> <p>4 case where they went in and they graded off all the</p> <p>5 natural foliage and created an unpaved parking lot,</p> <p>6 we're not -- we don't allow that after January 1st,</p> <p>7 2002, I believe. And anything new can't be created</p> <p>8 like that in those hydrographic basins.</p> <p>9 And this is clearly one of those</p> <p>10 cases. So, to close out this site, he would be</p> <p>11 required to pave, unless he met a certain exemption.</p> <p>12 And what I determined on the site, there were very</p> <p>13 limited areas that we would exempt.</p> <p>14 Q. Okay. But in terms of just generally</p> <p>15 speaking, if someone, you know, is not grandfathered</p> <p>16 in after January 1st, 2002 or 2003, whichever the</p> <p>17 right date is, but sometime early 2000s, would -- how</p> <p>18 would you determine where -- would you -- let me say</p> <p>19 it this way, would there be a requirement no matter</p> <p>20 what to pave the entire surface?</p> <p>21 A. Yes, there -- at least most of it.</p> <p>22 Q. Okay. Let's say that in, for</p> <p>23 instance, let's say there's a track equipment?</p> <p>24 A. We would -- we would determine how</p> <p style="text-align: right;">Page 75</p>	<p>1 the facility that -- and put gates up so you can't</p> <p>2 drive onto the site. You can't drive in to check in</p> <p>3 the office because you can't even get through the --</p> <p>4 through the gates or barricades that are there. So,</p> <p>5 there's been no opportunity for us to assess the site.</p> <p>6 And Mr. Truman has not asked us to meet on site or</p> <p>7 anything like that to determine like, hey, I want to</p> <p>8 close my site out, what do I need to do?</p> <p>9 Q. Okay. And going back to January 9th,</p> <p>10 2024, when you were on site, do you remember speaking</p> <p>11 with Mr. Truman?</p> <p>12 A. I do.</p> <p>13 Q. And what did you discuss?</p> <p>14 A. I was asking him how come he was so</p> <p>15 aggressive with the -- with the inspector on site and</p> <p>16 that why would he -- why would he walk up and pull on</p> <p>17 her door like that? It concerned me because of the</p> <p>18 safety issues. We don't normally have that kind of</p> <p>19 behavior because it's kind of strange. And so he said</p> <p>20 because he wanted to know who it was. And I -- and</p> <p>21 told him, well, maybe in the future you should just</p> <p>22 get her attention and then she will talk with you</p> <p>23 about who she is and what she's doing there.</p> <p>24 I also wanted to make sure he</p> <p style="text-align: right;">Page 77</p>



1 understood that we were authorized to come on the site
2 and inspect it as often as we wanted to. And it was
3 documented in his permit and that he understood by
4 requesting a permit from us he was going to comply
5 with the permit conditions.
6 Q. Do you recall any other -- did you
7 discuss hazardous materials?
8 A. I -- it was so long ago. I don't
9 remember all of it. I know we talked about it and I
10 -- he was talking about having authorization to come
11 on sites or a secret security clearance or something
12 like that. And I think I told him that I had a top
13 secret security clearance from my military time. And
14 that -- and maybe we discussed other sites, the test
15 site or something like this, that this is not the test
16 site that authorized -- that requires something like
17 that.
18 And that, you know, our authorization
19 is the dust permit that he drew, and that we can come
20 on the site when we want. And he informed me that he
21 was -- he operated within federal guidelines and that
22 we were with Clark County and we were dog shit, and
23 that he didn't have to comply.
24 Q. Okay. I have no further questions?

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1 HEARING OFFICER: Counsel.
2 EXAMINATION.
3 BY MR. GUBLER:
4 Q. Mr. Dean --
5 MR. GUBLER: Thank you for getting
6 that.
7 HEARING OFFICER: Okay.
8 BY MR. GUBLER:
9 Q. Mr. Dean, so if I understand right,
10 you were there on January 9th, 2024; is that right?
11 A. I believe so, yes.
12 Q. Were you on the site at any other
13 time?
14 A. I don't believe so.
15 Q. Okay. So, while you were on there,
16 just maybe going backwards from your testimony, did
17 you say that you had clearance to get into the Nevada
18 Test Site?
19 A. I don't believe I had that. I might
20 have said I worked at the Nevada Test Site.
21 Q. You didn't say you had clearance to
22 get into the Nevada Test Site?
23 A. No.
24 Q. And that you could drive right onto

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1 the Nevada Test Site?
2 A. No.
3 Q. You didn't say that?
4 A. I don't believe so, no.
5 Q. So, we talked about, you know, track
6 equipment, correct? And was there track equipment on
7 the property when you were there?
8 A. There was one piece, if I remember
9 correctly.
10 Q. And what was it?
11 A. I think it's a Caterpillar D10 dozer.
12 Q. Okay. How big is that?
13 A. It's big.
14 Q. How big?
15 A. I don't know, 15 feet tall by 20 feet
16 long.
17 Q. Okay?
18 A. Probably weighs, I don't know, 10,000
19 pounds, 20,000 pounds.
20 Q. And at that, so, kind of give us an
21 idea, how much of this room would it occupy?
22 A. Maybe from this -- the edge of this
23 table to that wall. From the American flag to that
24 wall.

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1 Q. So it's big?
2 A. It's fairly big.
3 Q. And what -- are you aware of the
4 concerns that track equipment would have on asphalt?
5 A. Very.
6 Q. Sorry, say that again?
7 A. I'm very aware of it.
8 Q. What are what are those? What would
9 track equipment do to asphalt?
10 A. Oh, it absolutely tear it up.
11 Q. Okay. Would it make it look like rot
12 mill?
13 A. Well, no, but it could, depending on
14 how they operate on it and the way they spin on it,
15 they can drive across it. They -- it's possible to
16 drive across it, but it could put grooves in the
17 asphalt. It could, if they pivoted on the asphalt.
18 Depends on how the operator operates on it.
19 Q. Okay. But just driving across it
20 would tear it up as well, wouldn't it?
21 A. It could damage it.
22 Q. Okay. So, would you agree that
23 asphalt's pretty expensive, wouldn't you?
24 A. Very.

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1 Q. Okay. So, now, you had mentioned that
2 there were gates around this property; right?
3 **A. There -- no, no I said that --**
4 MS. JORGENSEN: Don't. That wasn't the
5 testimony.
6 THE WITNESS: No, I -- yeah, I -- what
7 I said is that there's barricades and things around
8 it. When I had there, there weren't gates blocking
9 you from driving in the facility.
10 BY MR. GUBLER:
11 Q. So this was later on you're talking
12 about; is that right?
13 **A. Yes.**
14 Q. Okay. So -- fair enough. So, these
15 barricades, how tall are they?
16 **A. Well, they have -- is it possible to**
17 **look at the photographs that you have just so I can**
18 **determine it off? Do you have some with conex boxes**
19 **and things like that?**
20 Q. I think that's perfectly fine?
21 **A. Thank you.**
22 MR. GUBLER: Do you remember,
23 Catherine, what --
24 MS. JORGENSEN: Exhibit C is one with

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1 photographs.
2 MR. GUBLER: Probably --
3 MS. JORGENSEN: You just try scroll
4 through them and see.
5 MR. GUBLER: -- the one with the --
6 THE WITNESS: There's a frontal shot of
7 the -- of the place where Katrinka was testifying
8 about the right of way. Yeah, that one right there.
9 So, those conex boxes are 10 feet tall, 12 feet tall,
10 and they're -- and you're double stacked on there. So
11 let's say 20 feet tall.
12 BY MR. GUBLER:
13 Q. Okay. So, what size of an area does
14 that enclose?
15 **A. Excuse me. One more time?**
16 Q. These barricades, I think that's what
17 you called them, what size -- what size of an area
18 does that enclose?
19 **A. When I was there, it covers the front**
20 **of the property. So, 200 feet, 300 feet.**
21 Q. Okay. Is it -- is it enclosed?
22 **A. It -- it's -- the barricades blocked**
23 **the front of it. But to the left -- just where that**
24 **cone is, I believe you can enter there. And on the**

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1 **far end of the property, you could enter down there**
2 **too as well.**
3 Q. Are there barricades there?
4 **A. I don't know what's there now. I know**
5 **after we went through our inspection and Mr. Truman**
6 **started refusing entry to the property, there's some**
7 **type of barricaded or fence or something there.**
8 Q. So, within the barricade, how big of
9 an area is that?
10 **A. I think it's -- according to the dust**
11 **permit, it's 4.99 acres.**
12 Q. Okay. And that's on -- that's on two
13 pieces of property that are separate from the original
14 three acres; is that right?
15 **A. I'd have to see the site map. If you**
16 **want to bring the site map up to -- do we have a**
17 **better one than that.**
18 MR. GUBLER: Do you have the one where
19 the --
20 MS. JORGENSEN: There might be one if
21 you look at the dust permit, if you pull up probably
22 the second one has a better distinction. So if you go
23 to that B. Go to Exhibit B there. Right there.
24 THE WITNESS: Okay.

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1 BY MR. GUBLER:
2 Q. So, what area is the barricade enclose
3 in?
4 **A. So it's -- thank you. So, I believe**
5 **it's right here. This --**
6 MS. JORGENSEN: And I'm sorry. Can I
7 clarify this is on January 9th, 2024.
8 MR. GUBLER: I'm just asking about the
9 barricade, which he said was later, right? That's all
10 I care about right now since he's just use them as a
11 witness right now.
12 MS. JORGENSEN: Well, I'm just trying
13 to figure out which date are you talking about.
14 MR. GUBLER: Whenever the barricades
15 were there. He said they were later.
16 MS. JORGENSEN: I -- can I just for
17 clarification, if he wasn't there -- if he was there
18 on January 8th that he can testify -- or sorry,
19 January 9th, he can testify about that.
20 MR. GUBLER: He said he knew about the
21 barricades. He just testified to it. So I'm asking
22 him about it since he said he knew about it.
23 BY MR. GUBLER:
24 Q. So, what area does the barricade

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1 enclose?
2 **A. So --**
3 **HEARING OFFICER: How do you know about**
4 **the barricades? I guess, I'm -- because I know he was**
5 **on property on January 9th.**
6 THE WITNESS: Correct. So, that's the
7 only time I've been to the site. So --
8 HEARING OFFICER: Testifying as to what
9 he's seen on January 9th?
10 THE WITNESS: Correct.
11 BY MR. GUBLER:
12 Q. How do you know about the barricades?
13 **A. Well, because I saw him on January**
14 **9th.**
15 Q. Okay. So what area does that enclose?
16 **A. It covers this area right here on the**
17 **-- along the front of the street.**
18 Q. Okay. All right. So, the purple
19 area, that is approximately 3.19 acres; is that right?
20 **A. I would've to look at the dust permit,**
21 **but I could agree to that.**
22 Q. Looking over to the left, see how it
23 says MOE equals 3.19?
24 **A. I see that.**

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1 Q. Okay. Is that -- is that an accurate
2 assumption?
3 **A. I could agree with that.**
4 Q. Okay. So, we're -- we have this heavy
5 equipment -- big track equipment for about 3.19 acres;
6 is that right?
7 **A. Well, that's -- I think it's five**
8 **acres now.**
9 Q. Okay. Does the respondents have
10 access to the other sections? Do you know that?
11 **A. So, when I was on the site, what we**
12 **saw was Mr. Truman was working outside of his dust**
13 **control permit, his permitted boundaries. And I**
14 **believe it's the -- this site right here, this area**
15 **right here, and this area right here were not**
16 **permitted. I definitely remember this site, but**
17 **please keep in mind it's been 10 months ago. And I**
18 **would've to look at it.**
19 **But I remember driving on and**
20 **discussing the areas. Because we have a computer with**
21 **a map overlay on it. We can tell what's permitted.**
22 **And this right here was not permitted. I believe this**
23 **area was not permitted. So, what we were trying to do**
24 **to determine when we were there, after speaking with**

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1 **Mr. Truman, to educate him on our authorization to**
2 **come on the site and conduct inspections, we also**
3 **conducted an inspection and determined the site soils**
4 **were unstable and these areas were not permitted. And**
5 **I believe the dozer was parked in this area right**
6 **here.**
7 Q. So as far as when you went onto this
8 site, again, did you ask to enter for inspection?
9 **A. I'm confused by that question. We --**
10 **there's nobody to ask. Like there's not a guard at a**
11 **gate. So you drive in. Because my inspector from the**
12 **day prior said that Mr. Truman wanted somebody to stop**
13 **in at the office before conducting an inspection,**
14 **that's what we did.**
15 Q. So you stopped into the office, is
16 that what you're telling me?
17 **A. Yes.**
18 Q. Okay. And did you present any
19 credentials?
20 **A. Yes.**
21 Q. What did you present?
22 **A. We presented our ID badges with our**
23 **photographs on them, and our Clark County symbol, and**
24 **it says Air Quality. We gave business cards. I**

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1 **believe Katrinka gave a business card. And we were in**
2 **a Clark County -- we were on a county vehicle that was**
3 **marked Clark County Air Quality.**
4 Q. So you handed that to whom?
5 **A. Mr. Truman.**
6 Q. Okay. So -- and in that -- on those
7 credentials that you're saying, does it have a
8 credential number?
9 **A. No.**
10 Q. Does it have a statement saying the
11 person is authorized to conduct the inspections?
12 **A. Nope.**
13 Q. Does it say that this certifies that
14 -- I don't remember your first name, Mr. Dean is an
15 employee of Air Quality Control?
16 **A. It does.**
17 Q. And then does it have an expiration
18 date?
19 **A. No expiration date.**
20 Q. Okay. I don't have any other
21 questions for you?
22 HEARING OFFICER: Okay. Thank you.
23 MS. JORGENSEN: Just one follow-up.
24 EXAMINATION.

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1 BY MS. JORGENSEN:
2 Q. Mr. Dean, I believe you indicated that
3 you recall that -- the dozer?
4 A. Yes.
5 Q. Is that what you call it. Was in that
6 second portion. If you could do the highlight of
7 where it was. Right here?
8 A. It was right there.
9 Q. Okay. Do you specifically remember
10 that or is that --
11 A. I -- I'm almost positive it was right
12 there.
13 Q. Okay?
14 A. Uh-huh.
15 Q. Nothing further?
16 HEARING OFFICER: Okay. Thank you.
17 The next witness.
18 MS. JORGENSEN: I'd like to -- I'd like
19 to call Andrew Kirk.
20 HEARING OFFICER: Okay. Mr. Kirk,
21 raise your hand. Do you solemnly swear that you'll
22 tell the truth, the whole truth, and nothing but the
23 truth, so help you God?
24 THE WITNESS: I do.

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1 (WITNESS SWORN).
2 HEARING OFFICER: Okay. Thank you.
3 You may proceed.
4 MS. JORGENSEN: Thank you.
5 DIRECT EXAMINATION.
6 BY MS. JORGENSEN:
7 Q. Mr. Kirk, would you please state your
8 name for the record?
9 A. I'm Andrew Kirk.
10 Q. And what is your job title?
11 A. I'm a senior Air Quality Specialist.
12 Q. And what are your duties?
13 A. So, I complete construction and
14 inspections on the northern part of town on Northrop
15 Charleston. I also have four inspectors that are
16 under me. And I review all the documents that they
17 fill out, including notice of violations, notice of
18 non-compliances, construction site inspections, things
19 like that.
20 Q. How long have you been with Air
21 Quality?
22 A. Almost 11 years.
23 Q. And how long have you been in your
24 current position?

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1 A. About six.
2 Q. And prior to that, what was your
3 position?
4 A. Air Quality Specialist 2.
5 Q. Okay. During your career with Air
6 Quality, have you always worked on construction site
7 or done construction site inspections and other things
8 related to construction sites or maybe even vacant
9 land?
10 A. Yes, I've been with the Dust
11 Compliance Group the entire time I've worked for the
12 Air Quality.
13 Q. Okay. And did you visit the site that
14 is the subject of notice of Violation 9994 on January
15 9th, 2024?
16 A. I did.
17 Q. And do you recall having -- did you
18 personally have any discussions with Mr. Truman while
19 you were on site?
20 A. I did not.
21 Q. Okay. Do you -- were you present when
22 Mr. Dean and Mr. Truman were speaking?
23 A. Yes, I was.
24 Q. Do you have any recollection of that

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1 conversation?
2 A. Not other than Mr. Dean had stated.
3 Like, it was about 10 months ago. I don't remember
4 exactly what was discussed.
5 Q. Okay. Do you have any recollection of
6 seeing -- well, let me back up before I go to there?
7 Did you all -- did you return to the
8 site on January 17th as well as February 1st with Ms.
9 Rowsell?
10 A. I did.
11 Q. And during those three dates that you
12 were there, how did you enter the site?
13 A. We drove through the northern section
14 of the property on the west -- northwest corner of
15 that map right there.
16 Q. Could you point to it on the map? And
17 --
18 A. About in here.
19 Q. -- was there a gate?
20 A. There was a gate that's built there,
21 but it was either broken. It was never -- I've never
22 observed that closed. It was open.
23 Q. And while you were there, were there
24 any other vehicles coming onto the site?

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1 **A. There were, on the southern end.**
2 **There's another gate that's entry here, and this is**
3 **where the trucks -- 18 wheeler trucks come in and out.**
4 Q. Okay. And when you say gate, was that
5 blocked? Was it gated or was it -- I mean, if you
6 remember, was it gated? Was it open? What was --
7 **A. Both. It's closed and open. When**
8 **trucks come in, they open it up.**
9 Q. Okay?
10 **A. And it stays open for a little bit and**
11 **then closes.**
12 Q. Oh, so it's like an automatic gate?
13 **A. Yes.**
14 Q. Okay?
15 **A. This was always open. I believe**
16 **there's a road up here and they --this is residential**
17 **neighborhoods. I believe they share the same road or**
18 **they used to. And they shared that. That's why that**
19 **was never closed.**
20 Q. Oh, okay. And -- let's see. When you
21 were there on, and I don't know which day, but if you
22 have any recollection when you were there on the ninth
23 -- January 9th, January 17th, or February 1st, do you
24 -- do you recall seeing a tracked vehicle, a dozer?

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1 **A. I do.**
2 Q. And where do you recall seeing that?
3 **A. I remember exactly where it was. It**
4 **was in the top corner right here. It was buried**
5 **behind a bunch of other storage containers and**
6 **equipment. It didn't look like it had been used or**
7 **moved for a while because it was buried pretty deep**
8 **right in the corner here.**
9 Q. And why do you recall having or was
10 there anything that drew your attention to that dozer?
11 **A. No. I mean, we -- when we see unpaid**
12 **parking lots, we specifically look for tracked**
13 **vehicles to determine whether or not that might be**
14 **something we need to discuss down the road. So we**
15 **were just kind of reviewing everything and kind of**
16 **seeing what was being stored there. Like I said, we**
17 **-- that's something that we look for.**
18 Q. Did you recall -- was that on January
19 9th that you saw the dozer or do you remember which
20 day you saw it?
21 **A. I do not remember.**
22 Q. Okay. And do you recall seeing any
23 other track vehicles on any of that close to five
24 acres?

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1 **A. No, we looked pretty good. We --**
2 **there was -- I don't recall seeing another one. Just**
3 **that one.**
4 Q. Okay. I have nothing further?
5 HEARING OFFICER: Okay.
6 Counsel, any questions?
7 CROSS EXAMINATION.
8 BY MR. GUBLER:
9 Q. Mr. Kirk, did you speak with Mr.
10 Truman while you were there?
11 **A. So, on the ninth, Mr. Dean spoke to**
12 **Mr. Truman, and on February 1st, as you -- we talked**
13 **about earlier, and said on the construction site**
14 **inspection form that Candy had filled out that we did**
15 **speak to him. I don't recall exactly what was**
16 **discussed at that point either.**
17 Q. And were you on there any other days?
18 **A. Just those three. The 9th, the 17th**
19 **and February -- January 9th, January 17th, and**
20 **February 1st.**
21 Q. On these days, did you -- did you ask
22 to enter the property for inspection?
23 **A. I did not.**
24 Q. And that includes February 1st, 7th,

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1 and the 9th; is that right?
2 **A. 17th and the 9th, yes.**
3 Q. 17th and the 9th. Thank you. So,
4 that -- so, let me just ask that question again. That
5 includes February 1st, January 17th, and January 9th?
6 **A. Yes.**
7 Q. Okay. And then did you present any
8 type of credentials?
9 **A. I'm all -- I don't remember. We**
10 **didn't meet or discuss, so there was no credentials to**
11 **present to anybody. So, no.**
12 Q. Okay. I have no other questions?
13 HEARING OFFICER: Thank you.
14 MS. JORGENSEN: Just a couple of follow
15 up.
16 REDIRECT EXAMINATION.
17 BY MS. JORGENSEN:
18 Q. Mr. Kirk, does the Dust Control
19 Operating Permit that was the subject that was in
20 place on January 9th, January 17th, and February 1st
21 require that the permittee allow inspections without
22 notice during regular business hours?
23 **A. It does, as we had read earlier with**
24 **Ms. Sutowska.**

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<p>1 Q. And -- let's see. Oh, since February 2 1st -- so the -- this particular notice of violation 3 goes through February 1st, 2024. With that in mind, 4 have you been to the site since February 1st, 2024? 5 A. I have. 6 Q. Okay. I don't have anything further? 7 HEARING OFFICER: Thank you. Next 8 witness -- next witness. 9 MS. JORGENSEN: Next witness, these are 10 all the witnesses I have to -- for the purpose of 11 determining whether or not a violation occurred. 12 HEARING OFFICER: Okay. 13 MS. JORGENSEN: The next witness I 14 would have is Ms. Sutowska to discuss the penalty 15 amount. That is something that to your choosing. We 16 could go ahead and present and then you could make 17 both decisions or we could -- which -- whichever you 18 prefer. 19 HEARING OFFICER: So, I'd rather wait 20 and present evidence whether -- I understand your -- 21 if I'm understanding what your argument is, is that 22 under Air Quality regulations, you're challenging -- 23 you're saying it did not occur because the proper -- 24 it was unconstitutional or it's federal preemption, if</p> <p>Page 98</p>	<p>1 MR. GUBLER: I do have Mr. Truman here 2 today. 3 HEARING OFFICER: Okay. 4 MR. GUBLER: I didn't know if we -- are 5 we going -- are we done with both items on your side? 6 MS. JORGENSEN: Just 9994. 7 HEARING OFFICER: Yeah, just whether 8 the violation occurred and then -- 9 MS. JORGENSEN: For that one 10 (inaudible). 11 HEARING OFFICER: Oh, yes. For the 12 one. Okay. So, yeah. Okay. And with the other, did 13 we want -- I guess I would rather -- or what would be 14 more efficient, I guess, because these are all running 15 into one another too. 16 MS. JORGENSEN: They do involve the 17 same site, different time periods. There is an 18 allegation of unstable soil for the first NOV, 19 allegation of unstable soil for the second NOV. The 20 second NOV is the one that deals with denial of 21 access. But the first NOV does not. 22 HEARING OFFICER: Okay. How would you 23 like to proceed? You want to keep them separate or go 24 all with that one and then run into that? However you</p> <p>Page 100</p>
<p>1 I'm understanding that correctly? 2 MR. GUBLER: Yes. That's on -- that's 3 on -- going to be on both of the items that we're here 4 for today. The other -- you know, the other argument 5 is that the regulation itself requires the request and 6 the presenting of proper credentials, which submit did 7 not happen. So that -- that'll be a closing argument 8 though. 9 HEARING OFFICER: Okay. 10 MR. GUBLER: But that -- we didn't want 11 to lose sight of that either. 12 HEARING OFFICER: Okay. So -- 13 MS. JORGENSEN: And I'm sorry. I'm not 14 sure if they're planning to present any witnesses or 15 do anything, but -- 16 HEARING OFFICER: That -- okay. 17 Because that's what I'm understanding. Because, like, 18 if my understanding is correct, are you planning to 19 contest that under Air Quality regulations whether the 20 violation occurred? Do you have witnesses to contest 21 that? And that's what I would have you address right 22 now. 23 MR. GUBLER: Yes. We -- 24 HEARING OFFICER: Okay.</p> <p>Page 99</p>	<p>1 think it's more efficient. 2 MR. GUBLER: I think it would be more 3 efficient if we just have the government present their 4 evidence first, and then Mr. Truman, I can present 5 him. And I -- because I -- it's just going to be so 6 overlapping. I think it would just make more sense. 7 HEARING OFFICER: Okay. Then we'll 8 continue in that matter. 9 MS. JORGENSEN: Okay. So we'll move on 10 to notice of Violation 10078. 11 HEARING OFFICER: Yes. 12 MS. JORGENSEN: Okay. And we're just 13 addressing the -- whether the violations occurred -- 14 HEARING OFFICER: Yes. 15 MS. JORGENSEN: -- first. Yep. All 16 right. I'd like to call, Candy Rowsell. 17 DIRECT EXAMINATION. 18 BY MS. JORGENSEN: 19 Q. And just a reminder, you're still 20 under oath? 21 A. Yes. 22 Q. Ms. Rowsell, are you familiar with 23 notice of Violation 10078? 24 A. Yes.</p> <p>Page 101</p>



1 Q. Does it -- does it involve the same
2 site as the one that is the subject of notice of
3 Violation 9994?
4 A. Yes.
5 Q. On July 17th, 2024, did you visit the
6 construction site?
7 A. Yes.
8 Q. And what was the purpose of your
9 visit?
10 A. Just the routine inspection.
11 Q. Did you visit the site with anyone
12 else from Air Quality?
13 A. Yes, Andrew Kirk.
14 Q. And if you could just remind the
15 hearing officer, what was your last visit prior to
16 January 17th -- I'm sorry, July 17th?
17 A. I believe it was in February.
18 Q. And in February when you visited the
19 site, had -- was the site in compliance?
20 A. Yes.
21 Q. Okay. During your inspection, what
22 did you observe?
23 A. Unstable soils.
24 Q. And --

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1 A. Can I see my inspection, please?
2 Q. Yeah. Let's go to Exhibit B. Ms.
3 Rowsell, could you describe what this document is?
4 A. It's my construction site inspection
5 that I fill out when I do an inspection on all sites.
6 Q. Okay. And do you -- were you able to
7 conduct a full inspection while you were there on July
8 17th?
9 A. Yes.
10 Q. So you got out of your car, walked
11 around?
12 A. Yes, we were able to go in.
13 Q. Okay. And at that point, was there a
14 -- was the site gated and blocked where you couldn't
15 go in -- you couldn't drive in like you'd previously
16 been able to in January and February?
17 A. No, I don't believe so. I can't --
18 Q. So you don't recall having to stop and
19 --
20 A. I can't see.
21 Q. Oh, here, let me show you on this one?
22 MS. JORGENSEN: I'm pulling up the one
23 on -- here so she can see it easier.
24 BY MS. JORGENSEN:

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1 Q. So, here's Exhibit B. So do what you
2 want to do?
3 A. Yes, I was allowed on site.
4 Q. Do you recall whether or not you
5 needed to -- was there a sign saying that you needed
6 to check in?
7 A. No.
8 Q. Do you recall any sign about hazardous
9 materials?
10 A. No.
11 Q. Okay. And do you remember -- did you
12 have to check in -- to get onto the site, did you have
13 to check in? Do -- if you recall?
14 A. I don't recall this time.
15 Q. Okay. So, during your inspection,
16 what did you observe?
17 A. Dry, loose, powdery site soils.
18 Q. And do you recall whether or not the
19 track out control device that had previously been
20 installed was still in place?
21 A. Yes, it was there.
22 Q. Okay. So there was no issue with
23 regard to the track out device?
24 A. No.

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1 Q. Okay. Did you perform a drop ball
2 test?
3 A. I did not need to.
4 Q. When you say you didn't need to, what
5 do you mean?
6 A. Because I could tell by the -- my
7 training that the drop ball it would fail, because
8 it's a -- it was very bad.
9 Q. Okay. Did you take any photographs,
10 what you saw?
11 A. Yes.
12 MS. JORGENSEN: Could we go to Exhibit
13 C?
14 BY MS. JORGENSEN:
15 Q. Could you go through Photographs 1
16 through 6 and describe what they depict?
17 A. This is a view of the north at dry,
18 loose, powdery site soils located in the southwestern
19 portion of the project, that clearly see it's unstable
20 with no water use. And then that's view looking
21 northeast at the dry, loose, powdery site soils
22 observed in the central portion of the project. And
23 view looking north at dry, loose, powdery site soils
24 observed in the southern portion of the project. And

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<p>1 you can clearly see there's inches of dry, loose, 2 powdery soils. 3 And then view looking east at dry, 4 loose, powdery site soils observed on the southeastern 5 portion of the project. And that's a closer up view 6 of the northeast -- looking northeast at dry, loose, 7 powdery site soils observed on the northeastern end of 8 the project. And view looking east at dry, loose, 9 powdery site observed on the Northwestern end of the 10 project. 11 Q. And do these -- are these photographs 12 that you took? 13 A. Yes. 14 Q. And do they thoroughly and accurately 15 represent what you observed? 16 A. Yes. 17 Q. Did you document your inspection -- 18 actually, I think we've already looked at or gone 19 through Exhibit B, but if we go to Exhibit B. Does 20 this construction site inspection report document 21 which you observed on that day? 22 A. Yes. 23 Q. And does the report note your 24 observations of the soil -- site soils were unstable?</p> <p style="text-align: right;">Page 106</p>	<p>1 lawyers are for. 2 Mr. Kirk and I left the site without 3 further discussion. I issued a notice of 4 non-compliance with a possible notice of violation and 5 sent the non via e-mail to Mr. Truman and his 6 attorney, Mr. Russell Gubler. 7 Q. And did you issue that notice of 8 non-compliance? 9 A. Yes. 10 MS. JORGENSEN: Could we go to Exhibit 11 E? 12 BY MS. JORGENSEN: 13 Q. Ms. Rowsell, could you describe what 14 this is? This document? 15 A. This is a notice of non-compliance 16 that we e-mailed to the responsible official when our 17 site is not in compliance, giving them direction of 18 what needs to be done to bring it back into 19 compliance. 20 Q. Okay. And at this point, on July 21 17th, there was still a Dust Control Operating Permit 22 on this site? 23 A. Correct. 24 Q. Did you provide a copy of the notice</p> <p style="text-align: right;">Page 108</p>
<p>1 A. Yes. 2 Q. And did you include any inspector 3 notes in the report? 4 A. I did. 5 Q. Would you please read them? 6 A. Yes. I conducted a routine inspection 7 with Andrew Kirk, senior Air Quality specialist, and 8 observed approximately 1.3831 acres of dry, loose, 9 powdery site soils. Due to the amount of egregious, 10 unstable soils, the soil stabilization test was not 11 conducted due to the fact it was not needed to verify 12 instability. 13 Andrew and I spoke in person with Moe 14 Truman, responsible official, and informed him that 15 the site was not in compliance at this time, and that 16 a notice of non-compliance with a possible notice of 17 violation will be issued. Mr. Truman stated that he 18 was in litigation regarding this site with Air 19 Quality. 20 When Mr. Kirk tried to explain to Mr. 21 Truman that the soils need to be stabilized and 22 maintained in a moisture crusted condition 24/7 per 23 the conditions of his dust permit, Mr. Truman stated 24 he wasn't going to discuss it and that's what the</p> <p style="text-align: right;">Page 107</p>	<p>1 of non-compliance to Mr. Truman and his attorney? 2 A. Yes. 3 Q. And when was that? 4 A. I believe on July 17th, I think. 5 Q. I think that's part of Exhibit E; is 6 that right? 7 MS. JORGENSEN: Can you make that 8 bigger, Pam? 9 THE WITNESS: Yeah, July 17th at 5:06 10 p.m. I e-mailed it to them. 11 BY MS. JORGENSEN: 12 Q. Okay. Did you return to the site 13 again? 14 A. Yes. 15 Q. And when was that? 16 A. July 25th, I think. Or was that Andy? 17 Q. Yeah? 18 A. I went the next day, July 31st. 19 Q. July 31st is when you went next time? 20 A. Yes. 21 Q. Okay. And did you go with anyone, 22 from Air Quality on July 31st? 23 A. Yes. 24 Q. And who is that?</p> <p style="text-align: right;">Page 109</p>



1 **A. I believe it was Noe Cran -- can I see**
2 **the notes again?**
3 Q. Here. We can go --
4 THE CLERK: So many times.
5 MS. JORGENSEN: I know. So let's go
6 back to --
7 THE WITNESS: Noel, I went with Noel.
8 I can see it too.
9 BY MS. JORGENSEN:
10 Q. Noel?
11 **A. Crandall.**
12 Q. Okay?
13 **A. The Air Quality Inspector 2.**
14 Q. And why did he accompany you?
15 **A. Because we had changed areas, and so I**
16 **took Mr. Crandall with me to introduce him to Mr.**
17 **Truman and explain that he was going to be the new**
18 **inspector for that area.**
19 Q. And so did you have that opportunity
20 to -- just to introduce him to Mr. Truman?
21 **A. I did.**
22 Q. And did you recall any other parts of
23 the discussion?
24 **A. I explained to him that the soils were**

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1 **unstable, and that he needed to maintain them 24/7,**
2 **and that it was another day of non-compliance.**
3 Q. Okay. On July 31st, were you able to
4 perform a full site inspection?
5 THE WITNESS: Can you pull up the CSI,
6 please? Okay. Yeah. Thank you.
7 Yes, I believe we were on site. Can
8 you --
9 BY MS. JORGENSEN:
10 Q. What do you need to look at?
11 **A. (Inaudible) right there.**
12 Q. Okay. Here?
13 THE CLERK: I don't know how to, I'm
14 so sorry.
15 THE WITNESS: Sorry. It's at an angle
16 where you can't read it very well.
17 No, we were not able to go onto the
18 full site.
19 BY MS. JORGENSEN:
20 Q. Okay. Did you take any pictures of
21 what you were able to see?
22 **A. Yes, I took pictures to the gate.**
23 Q. Okay. So at this point, on July 3 --
24 so, on July 17th there was no gate blocking your

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1 access?
2 **A. Correct.**
3 Q. And then on July 31st there was?
4 **A. Correct.**
5 Q. So how did you speak to -- how did you
6 get to speak to Mr. Truman?
7 **A. In the middle of the site on Stratford**
8 **there is a button that you push, and a secretary, I**
9 **believe, asks what you're there for. And I stated**
10 **we're here to do -- we were with Air Quality, we're**
11 **here to do an inspection. And Mr. Truman came out and**
12 **spoke with this outside of that door.**
13 Q. So, he came outside of the building
14 and was speaking with you in the front of the --
15 **A. In the front of the building --**
16 Q. -- the area?
17 **A. Yes.**
18 Q. Okay?
19 **A. In the parking area.**
20 Q. Okay. Let's see?
21 MS. JORGENSEN: If we could go to Photo
22 12. Our Exhibit C.
23 BY MS. JORGENSEN:
24 Q. Is this a copy of a photo that you

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1 took?
2 **A. Yes, that's where I was looking**
3 **through the gate blocking the access to the site.**
4 **That's what I could see looking through.**
5 Q. And is this a gate that's on the where
6 is the south end?
7 **A. South.**
8 Q. So this is where you've previously
9 seen trucks go in and out?
10 **A. Correct. There was trucks going in**
11 **and out.**
12 Q. Okay. And this is where the gate
13 would automatically open up?
14 **A. I -- somebody opened it. Yeah, I**
15 **don't know if opened automatically.**
16 Q. Okay. But while you were there,
17 trucks were going in and out?
18 **A. Yes.**
19 Q. Okay. Did you document your visit by
20 preparing a construction site inspection report?
21 **A. Yes.**
22 MS. JORGENSEN: Could we go to Exhibit
23 H? Could you -- oh, gosh.
24 THE CLERK: I can make it.

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<p>1 MS. JORGENSEN: No, I'm sorry. I like</p> <p>2 messed this this up. One second. So, how do I get</p> <p>3 back to -- yeah. So, there we go. Thank you.</p> <p>4 BY MS. JORGENSEN:</p> <p>5 Q. Okay. So, let me get you to Exhibit</p> <p>6 H. Okay. So, do what you need to do to look at</p> <p>7 Exhibit H?</p> <p>8 A. Okay.</p> <p>9 Q. So could you describe what this</p> <p>10 document is?</p> <p>11 A. Yes, it's the construction site</p> <p>12 inspection that we do when we do an inspection on the</p> <p>13 site.</p> <p>14 Q. And does this report memorialize what</p> <p>15 occurred during your visit?</p> <p>16 A. It does.</p> <p>17 Q. Did you include any inspector notes in</p> <p>18 the report?</p> <p>19 A. Yes.</p> <p>20 Q. Would you please read those inspector</p> <p>21 notes?</p> <p>22 A. Yes. An Air Quality specialist, Noel</p> <p>23 Crandall and I attempted to conduct a follow-up</p> <p>24 inspection on this project but was denied accessed by</p> <p style="text-align: right;">Page 114</p>	<p>1 Q. And does -- to the best of your</p> <p>2 knowledge -- well, let me ask it this way, before July</p> <p>3 31st, did Mr. Truman ever deny you entry to the site</p> <p>4 such as on January 8th, February 1st, or July 17th?</p> <p>5 A. Not me personally, no.</p> <p>6 Q. And was it a condition of the Dust</p> <p>7 Control Operating Permit that the permittee allow Air</p> <p>8 Quality inspections without notice during business</p> <p>9 hours?</p> <p>10 A. Yes.</p> <p>11 Q. Did Mr. Truman state or give any</p> <p>12 indication that he was denying access to you and Mr.</p> <p>13 Crandall because he questioned whether you were Clark</p> <p>14 County Air Quality inspectors?</p> <p>15 A. No, he denied us access because we</p> <p>16 didn't have OSHA 40 certification.</p> <p>17 Q. At least that's what he stated?</p> <p>18 A. That's what he stated.</p> <p>19 Q. Okay. Did you provide anything in</p> <p>20 writing to Mr. Truman and his attorney concerning the</p> <p>21 denial of access on July 31st?</p> <p>22 A. Yes, we sent an e-mail.</p> <p>23 MS. JORGENSEN: And if we could go to</p> <p>24 Exhibit I.</p> <p style="text-align: right;">Page 116</p>
<p>1 the responsible official, Mr. Truman. I therefore was</p> <p>2 not able to complete a close-up inspection of the</p> <p>3 soils, but could see through the fence that they were</p> <p>4 still dry, loose, and powdery throughout the site and</p> <p>5 appeared to be unchanged from the last inspection on</p> <p>6 7/17 and 7/24, '25 - '24.</p> <p>7 There was a front end loader spreading</p> <p>8 what appears to be millings on the main area by the</p> <p>9 south entrance. But I was unable to confirm materials</p> <p>10 as access was denied. Mr. Truman stated that since no</p> <p>11 crime and I don't have OSHA 40 certification, we'll</p> <p>12 not be allowed access on his site.</p> <p>13 I did tell Mr. Truman that he must</p> <p>14 stabilize all site soils immediately and maintain them</p> <p>15 in a moisture crystal condition 24/7. I asked Mr.</p> <p>16 Truman, just to be clear, you are denying us access to</p> <p>17 your site; is that correct? And Mr. Truman stated,</p> <p>18 yes. I stated, okay, then Mr. Crandall and I left the</p> <p>19 premises.</p> <p>20 Q. Prior to your attempt to fully inspect</p> <p>21 the site on July 31st, had Mr. Truman ever stated that</p> <p>22 an Air Quality inspector would need an OSHA 40</p> <p>23 certification to perform an inspection on this site?</p> <p>24 A. No.</p> <p style="text-align: right;">Page 115</p>	<p>1 BY MS. JORGENSEN:</p> <p>2 Q. Ms. Roswell, is this the e-mail you</p> <p>3 were referencing?</p> <p>4 A. Yes.</p> <p>5 Q. And when was this sent?</p> <p>6 A. July 31st at 5:05 p.m.</p> <p>7 Q. Okay. Could you please read that</p> <p>8 first paragraph of the e-mail?</p> <p>9 A. Yes. Good afternoon Mr. Truman, Mr.</p> <p>10 Gubler, I went out to your project Dust Control</p> <p>11 Operating -- DCO -- Permit, DCOP 57148-Stratford-1 on</p> <p>12 Wednesday, 7/31/2024 at approximately 1:55 p.m. for a</p> <p>13 follow-up inspection was denied access.</p> <p>14 I was told that your lawyer needed to</p> <p>15 figure out if access is going to be allowed since we</p> <p>16 don't have OSHA 40 certification before allowing</p> <p>17 access to the site. Even though as an inspector, I</p> <p>18 have the authority to complete an unscheduled</p> <p>19 inspection at any reasonable time.</p> <p>20 In fact, on page 3 of 16 of your DCOP,</p> <p>21 it says, in accordance with the DCOP and the AQRs, the</p> <p>22 applicant and the permittee shall consent to inspection</p> <p>23 of the site during normal hours of operation by</p> <p>24 Division of Air Quality, DAQ staff without prior</p> <p style="text-align: right;">Page 117</p>



<p>1 notice to determine compliance with the terms and</p> <p>2 conditions of the DCOP and the AQRs. This became</p> <p>3 binding after the DCOP was signed and issued to you,</p> <p>4 the responsible official.</p> <p>5 Q. And does the e-mail include anything</p> <p>6 else?</p> <p>7 A. Yes.</p> <p>8 Q. And what else does it include?</p> <p>9 A. It includes the two Nevada revised</p> <p>10 statutes that apply here for the power to do an</p> <p>11 inspection NRS445B.240, power of representative and</p> <p>12 department to enter and inspect premises.</p> <p>13 Q. And what's the other statute?</p> <p>14 A. NRS445A -- is that B or E?</p> <p>15 Q. B?</p> <p>16 B.580, officer of department may</p> <p>17 inspect or search premises.</p> <p>18 Q. Okay. Did you and Mr. Crandall return</p> <p>19 to the site again on August 7th for an inspection?</p> <p>20 A. Yes.</p> <p>21 Q. And while on site, did you speak with</p> <p>22 Mr. Truman?</p> <p>23 A. Yes.</p> <p>24 MS. JORGENSEN: Could you go to Exhibit</p> <p style="text-align: right;">Page 118</p>	<p>1 inspection with Air Quality Inspector Noel Crandall,</p> <p>2 and was denied access to the site by Mr. Moe Truman,</p> <p>3 responsible official. Mr. Truman stated that his</p> <p>4 lawyer had not gotten back to him yet as to whether</p> <p>5 access will be granted for an inspection. I was</p> <p>6 unable to tell if the soils were stable or unstable</p> <p>7 since access was denied. It appears that millings</p> <p>8 were applied throughout most of the site from what I</p> <p>9 could see through the fence.</p> <p>10 Q. I believe you had already testified</p> <p>11 that on July 17th -- no, I'm sorry, on August -- I'm</p> <p>12 sorry, July 31st. Let me just make sure. Let me just</p> <p>13 think for a second. Okay. Remind me. On July 17th,</p> <p>14 is that the first time -- no. On July 31st is the</p> <p>15 first time you went with Mr. Crandall; is that</p> <p>16 correct?</p> <p>17 A. Yes, I believe so.</p> <p>18 Q. And you introduced -- one of the</p> <p>19 reasons of bringing Mr. Crandall was to introduce him</p> <p>20 to Mr. Truman; is that correct?</p> <p>21 A. Yes.</p> <p>22 Q. And on August 7th, did Mr. Truman make</p> <p>23 any statements about -- oh, let me back up?</p> <p>24 On July 31st, what was the reason of</p> <p style="text-align: right;">Page 120</p>
<p>1 J, please?</p> <p>2 BY MS. JORGENSEN:</p> <p>3 Q. Ms. Roswell, could you please describe</p> <p>4 what this document is?</p> <p>5 A. It's my construction site inspection</p> <p>6 report from when we did our inspection of what we</p> <p>7 found on site.</p> <p>8 Q. And this was for August 7th?</p> <p>9 A. Correct.</p> <p>10 Q. Okay. And were you able to go onto</p> <p>11 the site to perform your inspection?</p> <p>12 A. No.</p> <p>13 Q. And did you speak with Mr. Truman?</p> <p>14 A. Yes.</p> <p>15 Q. And did he deny you access?</p> <p>16 A. Yes. Mr. Truman stated his lawyer had</p> <p>17 not gotten back to him yet as to whether access will</p> <p>18 be granted for the inspection.</p> <p>19 Q. Did you document what you observed in</p> <p>20 the construction site inspection report?</p> <p>21 A. Yes.</p> <p>22 Q. Or I guess document your visit? Could</p> <p>23 you please read the inspector notes in the report?</p> <p>24 A. Yes. I conducted a follow-up</p> <p style="text-align: right;">Page 119</p>	<p>1 bringing Mr. Crandall to introduce him to Mr. Truman?</p> <p>2 A. Because our areas were changing and</p> <p>3 Mr. Crandall was going to be the new inspector of the</p> <p>4 area. And I wanted Mr. Truman to meet him.</p> <p>5 Q. So on August 7th when you showed up</p> <p>6 with Mr. Crandall, did Mr. Truman make any remark</p> <p>7 about your appearance?</p> <p>8 A. Yes, he said -- he goes, I thought you</p> <p>9 were done here. And I said, I'm not done until this</p> <p>10 is solved.</p> <p>11 Q. Okay. After your inspection on August</p> <p>12 7th, did you send a follow up e-mail to Mr. Truman and</p> <p>13 his attorney?</p> <p>14 A. Yes.</p> <p>15 MS. JORGENSEN: Could we go to Exhibit</p> <p>16 K?</p> <p>17 BY MS. JORGENSEN:</p> <p>18 Q. Ms. Roswell, could you describe what</p> <p>19 this document is?</p> <p>20 A. Is the e-mail that I sent to Mr.</p> <p>21 Truman.</p> <p>22 Q. And when did you send it?</p> <p>23 A. On August 12th, 9:18 a.m.</p> <p>24 Q. Okay. So August 7th was the date of</p> <p style="text-align: right;">Page 121</p>



<p>1 the inspection or attempted inspection, and then</p> <p>2 August 12th is the date that you sent the e-mail?</p> <p>3 A. Correct.</p> <p>4 Q. And in that e-mail, did you again,</p> <p>5 state to Mr. Truman that the Dust Control Operating</p> <p>6 Permit provided that authorization to go onsite?</p> <p>7 A. Correct.</p> <p>8 Q. On August 14th, did you and Mr.</p> <p>9 Crandall return again to the site to perform an</p> <p>10 inspection?</p> <p>11 A. Yes.</p> <p>12 Q. And on the 14th -- well, actually if</p> <p>13 we could go to -- oh, actually no?</p> <p>14 Did you -- do you recall speaking with</p> <p>15 Mr. Truman on the 14th?</p> <p>16 A. Can I pull up the CSI, please?</p> <p>17 Q. Sure?</p> <p>18 A. There. I can see.</p> <p>19 Q. Okay?</p> <p>20 A. Yes, we did. No, actually, no. This</p> <p>21 was the one where he was in a meeting, and we spoke</p> <p>22 with a female worker. On the -- when we pushed the</p> <p>23 button and asked to do a site inspection, she stated</p> <p>24 that Mr. Truman was in a meeting, was unable to let us</p> <p style="text-align: right;">Page 122</p>	<p>1 A. This is the gate that's on the north</p> <p>2 end.</p> <p>3 Q. The north endOkay.</p> <p>4 A. And then that's in the middle of the</p> <p>5 project where the office is, that you check in.</p> <p>6 Q. Okay. And how did you know it was the</p> <p>7 office?</p> <p>8 A. Just now there's a sign saying all</p> <p>9 visitors must check in.</p> <p>10 Q. Okay. Since August 14th, have you</p> <p>11 returned to the site?</p> <p>12 A. No, I don't believe -- oh, wait. I</p> <p>13 don't believe so. No.</p> <p>14 Q. For the purposes of this notice of</p> <p>15 violation, is the last inspection on August 14th,</p> <p>16 2024?</p> <p>17 A. Yes.</p> <p>18 Q. And then since August 14th, 2024. So</p> <p>19 not part of this notice violation, but have there been</p> <p>20 subsequent visits --</p> <p>21 A. Yes.</p> <p>22 Q. -- that you've been to?</p> <p>23 A. I believe on August 24th, I think.</p> <p>24 Q. Do you -- and again, if you recall, is</p> <p style="text-align: right;">Page 124</p>
<p>1 in to do an inspection and to come back later.</p> <p>2 Q. Okay. And is this a construction site</p> <p>3 inspection report that you prepared?</p> <p>4 A. I believe I -- no, I believe no.</p> <p>5 Yeah, no. That there's inspection this time because</p> <p>6 since it's in his area.</p> <p>7 Q. Okay. But you recall having that</p> <p>8 conversation with the -- with the employee, not Mr.</p> <p>9 Truman?</p> <p>10 A. Correct.</p> <p>11 Q. Okay?</p> <p>12 A. Noel and I had the conversation with</p> <p>13 her.</p> <p>14 Q. Okay?</p> <p>15 MS. JORGENSEN: Could you go to Exhibit</p> <p>16 C, Photo 16 and 17?</p> <p>17 BY MS. JORGENSEN:</p> <p>18 Q. Ms. Roswell, could you describe what</p> <p>19 these photographs depict, 16 and 17?</p> <p>20 A. Yeah, this is a view looking southeast</p> <p>21 at the close gate blocking access to the site observed</p> <p>22 during the follow-up inspection.</p> <p>23 Q. And is this the gate that's on the</p> <p>24 south end?</p> <p style="text-align: right;">Page 123</p>	<p>1 it your understanding that the site has -- oh, let me</p> <p>2 back up?</p> <p>3 So, notice of Violation 9994, you went</p> <p>4 on July, on February 1st the site was in compliance,</p> <p>5 so things were closed out and moved forward. Is that</p> <p>6 a correct statement?</p> <p>7 A. Correct.</p> <p>8 Q. For this notice of violation, after</p> <p>9 August 14th, 2024, is it your understanding that the</p> <p>10 site is now in compliance?</p> <p>11 A. No.</p> <p>12 Q. Okay?</p> <p>13 MS. JORGENSEN: I have nothing further</p> <p>14 for this witness.</p> <p>15 HEARING OFFICER: Thank you.</p> <p>16 Counsel?</p> <p>17 EXAMINATION.</p> <p>18 BY MR. GUBLER:</p> <p>19 Q. Ms. Roswell, so we've already</p> <p>20 discussed your prior visits before July. But you were</p> <p>21 on the property on July 17th, 25th, 31st, 7th, and</p> <p>22 14th; is that right?</p> <p>23 A. I was not on the 25th.</p> <p>24 Q. Not on the 25th. I apologize. So, on</p> <p style="text-align: right;">Page 125</p>



1 the -- on the 17th, how did you access the site?
2 **A. We drove in on the north side.**
3 Q. And did you check in?
4 **A. We did not.**
5 Q. Okay. And now, when you had spoken to
6 Mr. Truman before, he told you that you needed to
7 check in; is that right?
8 **A. And we told him he had to post signs.**
9 Q. But he told you that, is that -- isn't
10 that right?
11 **A. Correct.**
12 Q. Okay. Did you check in?
13 **A. We checked -- we talked to him, but we**
14 **didn't check -- we didn't push the button.**
15 Q. On July 17th, did you check in? So,
16 just for clarification?
17 **A. No, I don't believe so.**
18 Q. Okay. On -- and you said you weren't
19 there July 25th. July 31st, did you check in?
20 **A. Yes.**
21 Q. Okay. And you checked in with whom?
22 **A. Mr. Truman.**
23 Q. With Mr. Truman. And did you ask him
24 to enter the property for inspection?

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1 **A. Yes.**
2 Q. Okay. And did you present your
3 credentials?
4 **A. We have our credentials around our**
5 **neck at all times.**
6 Q. Okay. And what is that?
7 **A. My employee badge.**
8 Q. Your employee badge, that doesn't have
9 a certification on it, correct?
10 **A. It does not say. It says I have the**
11 **-- I have to have --**
12 Q. Just answer my question, please?
13 **A. No.**
14 Q. Okay. And it -- it's the same badge
15 that we had asked you about before; is that right?
16 **A. Correct.**
17 Q. Okay. So, let's see. Let's go to
18 July 31st. Did you check in?
19 **A. Yes.**
20 Q. And did you -- did you ask to enter
21 the property for inspection?
22 **A. Yes.**
23 Q. Okay. And did you present your
24 credentials?

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1 **A. We have our badges around our necks,**
2 **our vehicles, and our shirts at all times.**
3 Q. Okay. Did you present them to him --
4 to Mr. Truman?
5 **A. He didn't ask for them, so no.**
6 Q. Okay. And that's the same answer for
7 the 17th. He didn't ask them, so no; is that right?
8 **A. Correct.**
9 Q. Okay. On August 7th, did you ask to
10 enter the property for inspection?
11 **A. Yes.**
12 Q. And did you present your credentials?
13 **A. No.**
14 Q. Okay. On August 14th, did you ask to
15 enter the property for inspection?
16 **A. Yes.**
17 Q. And did you present your credentials?
18 **A. No.**
19 Q. Let me ask you this, on the days that
20 you said that you were on the property, what test
21 methods did you use?
22 **A. To determine -- what's the question?**
23 **I'm sorry.**
24 Q. You know, you said that my client's

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1 not in compliance, right?
2 **A. Correct.**
3 Q. So what test methods did you use?
4 **A. You can tell by looking at the soils**
5 **when there's two inches and you can see two inches of**
6 **tire trucks that the soils are not stable because you**
7 **should not be able to make tire trucks or footprints**
8 **if the soils are stable.**
9 Q. So under the regulations there's
10 certain test methods, correct?
11 **A. Correct.**
12 Q. Which one did you use?
13 **A. My visual training.**
14 Q. Is that one of the test methods used
15 in the regulations? It isn't, correct?
16 **A. I'm not familiar, so --**
17 Q. Okay. So I'm going to go under the
18 USC, the Uniform Commercial Code, the United States
19 Code, excuse me, Title 29, labor, Subtitle B,
20 regulations relating to labor, Chapter 17,
21 Occupational Safety, Health Administration, OSHA,
22 Department of Labor, Occupational Safety and Health
23 Standards, Part 1910, and Subpart Z, Toxic and
24 Hazardous Substance?

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<p>1 Ms. Roswell, do you have -- do you</p> <p>2 have hazmat training as required under Title 29 of the</p> <p>3 USC?</p> <p>4 A. I do not.</p> <p>5 Q. And why is that?</p> <p>6 A. Because it's not required for my</p> <p>7 position.</p> <p>8 Q. Okay. I don't have any other</p> <p>9 questions?</p> <p>10 HEARING OFFICER: Okay. Thank you.</p> <p>11 EXAMINATION.</p> <p>12 BY MS. JORGENSEN:</p> <p>13 Q. Ms. Roswell, was it your understanding</p> <p>14 that Mr. Truman recognized you and knew who you were</p> <p>15 on January -- I'm sorry, July 17th, July 31st, August</p> <p>16 7th, and August 14th?</p> <p>17 MR. GUBLER: Objection, speculation.</p> <p>18 THE WITNESS: Yes.</p> <p>19 MS. JORGENSEN: I asked about whether</p> <p>20 it was her understanding.</p> <p>21 HEARING OFFICER: Oh, well.</p> <p>22 BY MS. JORGENSEN:</p> <p>23 Q. Did he, on August 7th -- I believe it</p> <p>24 was, yeah, on August 7th, did he make a statement to</p> <p>Page 130</p>	<p>1 been going over two hours, so we'll go ahead and take</p> <p>2 a break.</p> <p>3 MS. JORGENSEN: Okay.</p> <p>4 HEARING OFFICER: It's like 10:16. So,</p> <p>5 we're going off the record. Is 10 minutes sufficient?</p> <p>6 Okay. So right before 10:26.</p> <p>7 (OFF THE RECORD).</p> <p>8 Okay. Are we ready to go back on the</p> <p>9 record? It's about 10:26, 10 minute after a 10-minute</p> <p>10 break. We all are ready.</p> <p>11 MS. JORGENSEN: Yeah, we're ready.</p> <p>12 HEARING OFFICER: Okay. Call your next</p> <p>13 witness.</p> <p>14 MS. JORGENSEN: I'd like to call Andrew</p> <p>15 Kirk. And just remind you, you're still under oath,</p> <p>16 Mr. Kirk.</p> <p>17 HEARING OFFICER: Yeah, go ahead.</p> <p>18 EXAMINATION.</p> <p>19 BY MS. JORGENSEN:</p> <p>20 Q. Mr. Kirk, are you familiar with notice</p> <p>21 of Violation 10078?</p> <p>22 A. I am.</p> <p>23 Q. And did you perform or visit the site</p> <p>24 that is a subject to that NOV on a couple of different</p> <p>Page 132</p>
<p>1 you, asking why you were there when you weren't</p> <p>2 supposed to (inaudible)? If you could describe again</p> <p>3 what the interaction you had with him on August 7th</p> <p>4 with regard to him pointing out, asking you why you</p> <p>5 were there?</p> <p>6 A. Yes. When he came out and he saw that</p> <p>7 I was there with Mr. Crandall, he said, why are you</p> <p>8 still here? I thought you were done with this area.</p> <p>9 Q. So, was it your understanding from</p> <p>10 that, that he remembered your discussion on July 31st</p> <p>11 when you introduced Mr. Crandall and stated that you</p> <p>12 would be changing areas?</p> <p>13 A. Correct. Yes.</p> <p>14 MS. JORGENSEN: Nothing further.</p> <p>15 HEARING OFFICER: Counsel?</p> <p>16 MR. GUBLER: Nothing.</p> <p>17 HEARING OFFICER: Okay. The next</p> <p>18 witness.</p> <p>19 MS. JORGENSEN: I'd like to call, Mr.</p> <p>20 Kirk.</p> <p>21 HEARING OFFICER: Take a break. Okay.</p> <p>22 A break have been requested.</p> <p>23 MS. JORGENSEN: Oh, okay.</p> <p>24 HEARING OFFICER: And we have actually</p> <p>Page 131</p>	<p>1 occasions in July of 2024?</p> <p>2 A. I did twice.</p> <p>3 Q. Did you visit the site on July 17th</p> <p>4 with Ms. Roswell?</p> <p>5 A. Yes.</p> <p>6 Q. And when you arrived on site, do you</p> <p>7 recall if the area around the site was blocked?</p> <p>8 A. Yes, I remember they were blocked.</p> <p>9 Q. So you couldn't -- previous to what</p> <p>10 you'd been able to do, you weren't -- back in January</p> <p>11 and February, you were no longer able to drive onto</p> <p>12 the site?</p> <p>13 A. That's correct.</p> <p>14 Q. And so when it was locked, what did</p> <p>15 you end up doing?</p> <p>16 A. We rang on the doorbell in the middle</p> <p>17 of the property on that west end. There's now a door</p> <p>18 that says, all visitors must check in, and there's a</p> <p>19 doorbell to ring, which we did.</p> <p>20 Q. Okay?</p> <p>21 MS. JORGENSEN: Could you go to -- Pam,</p> <p>22 could you go to Exhibit B of -- I know I'm going to be</p> <p>23 jumping around. Exhibit B of the reply. That's going</p> <p>24 to be the dust control. Yeah. And if you could go to</p> <p>Page 133</p>



1 the map. Okay.
2 BY MS. JORGENSEN:
3 Q. So Mr. Kirk, is this a map of the
4 site?
5 A. It is.
6 Q. And could you indicate -- I think you
7 have the clicker?
8 MS. JORGENSEN: Oh, and I was going to
9 say just for future reference, is this the only
10 clicker we have or? Okay. No, that's fine. So we'll
11 just -- if you end up needing it, then we can pass it
12 over when it's -- if it becomes important.
13 MR. GUBLER: On this?
14 MS. JORGENSEN: Yeah. Or anything.
15 BY MS. JORGENSEN:
16 Q. Okay. Mr. Kirk, if you could show
17 where you ended up pushing -- ringing a bell or
18 ringing a --
19 A. No. Try and get as close as possible,
20 but it's hard to tell without the aerial visible.
21 Q. Yeah?
22 A. But it's right in the middle.
23 Q. Okay?
24 A. I know what that arrow says.

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1 Q. Looks like it says MO3?
2 A. Oh, it's got nothing to do with it. I
3 think it's south of there.
4 Q. Okay?
5 A. There's a -- there's a door right
6 around here.
7 Q. Okay?
8 A. And then parking all up and down here.
9 Q. Okay?
10 A. Employee parking and stuff. And we
11 drove in and parked right next to the door.
12 Q. Okay. And what did you do next?
13 A. We rang on the doorbell and Mr. Truman
14 answered.
15 Q. Okay?
16 A. And we introduced ourselves.
17 Q. When I say -- when you say he
18 answered, like, he opened a door?
19 A. Yes.
20 Q. Okay?
21 A. Yes.
22 Q. Go ahead?
23 A. And then we introduced ourselves. And
24 then we had -- with Air Quality, here due to

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1 inspection. And then he asked us to grab some PPE,
2 which is a hard hat and a vest, which we just went to
3 the car, which is right next to where we were
4 standing. Grabbed that stuff, and then we entered
5 into the facility through that door.
6 Mr. Truman was on a phone call or
7 something. He went into the office, and Ms. Rowsell
8 and I stood outside. There's a little office area
9 here with some computers and phones and stuff like
10 that. We stood outside of that for a few minutes.
11 Q. Did he ask you to wait?
12 A. Yes.
13 Q. Okay. Go ahead?
14 A. And then he came out when he was
15 finished. And we just discussed, once again, what we
16 were here to do. And he allowed us access to complete
17 an inspection without presenting credentials.
18 Q. Okay?
19 A. Although we were wearing our badges
20 and shirts and the truck logos.
21 Q. Okay. And then did you return to the
22 site again on July 25th, 2024?
23 A. I did.
24 Q. And did you perform a full site

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1 inspection on that day?
2 A. I did not.
3 Q. And were you there with anyone else --
4 A. No, I was --
5 Q. -- from Air Quality?
6 A. No, it was just me.
7 Q. Okay. And did you speak with Mr.
8 Truman?
9 A. I did.
10 Q. And did you do the same thing where
11 you parked and then rang a doorbell?
12 A. Yes.
13 Q. And did he appear at the -- that door?
14 A. He did.
15 Q. And did he deny you access to the
16 site?
17 A. Yes. He said that he needed to get
18 approval from his lawyer, to give his access or not.
19 Q. Okay. Did you take any -- even though
20 you weren't able to go actually onto the site, did you
21 take any photographs of what you saw?
22 A. I did.
23 MS. JORGENSEN: And could we go to
24 Exhibit C, Photographs 7 through 11.

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1 BY MS. JORGENSEN:
2 Q. Mr. Kirk, could you go through those
3 five photographs and describe what they depict?
4 A. Yeah. So this is a picture, it's
5 looking east. This is the southwest gate where the
6 trucks come in and out. It was closed at the time. I
7 just took a picture through it. Photo number 8, that
8 is the same -- that's another gate on the -- that's a
9 northwest corner. You can see that it's closed.
10 And there's just a picture of the
11 conex boxes stacked on top. That's all along the
12 western end of the project. And I believe I have a
13 picture of the door next. Yes. Here's where you ring
14 the doorbell. And there's a sign that says, now
15 notice all visitors must check in or ring the
16 doorbell, and that's where we're greeted or we were
17 greeted by Mr. Truman.
18 Q. Okay?
19 A. And that's another picture of the
20 southwest gate just further back, because you can see
21 the entire area.
22 Q. So is the door further north?
23 A. Yes.
24 Q. Okay?

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1 MS. JORGENSEN: Could you go back to
2 Photograph 10, I think?
3 BY MS. JORGENSEN:
4 Q. Is this the same door that you
5 observed on July 17th?
6 A. Yes.
7 Q. Okay?
8 A. That's the only door entry and besides
9 the gates, that's the only way in.
10 Q. Okay. And -- let's see. Did you
11 prepare a construction site inspection report?
12 A. I did on the 25th.
13 Q. On the 25th?
14 A. Yes.
15 MS. JORGENSEN: Could we go to Exhibit
16 F?
17 BY MS. JORGENSEN:
18 Q. Mr. Kirk, could you please describe
19 what this document is?
20 A. Oh, so that's a construction site
21 inspection form that I filled out after my inspection
22 on the 25th, 3:00 p.m. -- 3:15 p.m.
23 Q. Okay. And did you include in the
24 inspector notes?

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1 A. I did.
2 Q. Could you please read those notes?
3 A. Yes. I attempted to conduct a
4 follow-up inspection of this project, was -- but was
5 denied access by the responsible official, Mr. Truman.
6 I therefore was not able to complete a close up
7 inspection of the soils, but could see through the
8 fence that they appear to be dry, loose, and powdery
9 and unchanged from the last inspection on July 17th,
10 2024.
11 I'm issuing another notice of
12 non-compliance for access being denied, which is a
13 violation of Section 4.1, D1 and NRS 445B240, and
14 NRS445B580. I did tell Mr. Truman that he must
15 stabilize all soils as immediately and maintaining the
16 moist crystal condition 24/7.
17 Q. To the best of your knowledge, had Mr.
18 Truman ever denied entry or access to the site to an
19 Air Quality inspector prior to your visit on July
20 25th?
21 A. Not that I'm aware of. That was the
22 first time.
23 Q. Okay. And I believe you've previously
24 testified you were there on January 9th, January 17th,

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1 February 1st, and July 17th?
2 A. I was.
3 Q. And he didn't deny access on any of
4 those days?
5 A. No.
6 Q. Was it a condition of the Dust Control
7 Operating Permit that Air Quality staff could conduct
8 inspections during business hours without notice?
9 A. Yes, it is.
10 Q. When Mr. Truman denied access on July
11 25th, did he state or give any indication that he was
12 denying access because he questioned whether you were
13 a Clark County Air Quality inspector?
14 A. No. It was specifically to get
15 approval from his lawyer.
16 Q. Okay. And when you were there, you
17 were in a county vehicle?
18 A. We -- yes, we were.
19 Q. And the county -- I'm talking July
20 25th?
21 A. Yes.
22 Q. And July -- and then July 17th?
23 A. Yes, all the times, yes.
24 Q. Okay. And that county vehicle has

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1 printing on it?
2 **A. Yes. Have like the Clark County seal**
3 **on the door and then Air Quality logo on both sides on**
4 **the bed of the truck.**
5 Q. And prior to your discussion with him
6 on July 25th, you had already talked -- you had also
7 talked to him on July 17th?
8 **A. Yes.**
9 Q. And did you -- and you were also
10 present when David Dean was having a discussion with
11 him on January 9th?
12 **A. Yes.**
13 Q. And then I know -- and then you also
14 saw him on July 17th; is that right?
15 **A. Yes.**
16 Q. Okay. Did you issue a notice of
17 non-compliance?
18 **A. I did.**
19 Q. And did you provide this notice of
20 non-compliance to Mr. Truman and his attorney?
21 **A. Yes.**
22 MS. JORGENSEN: Could we please go to
23 Exhibit G?
24 BY MS. JORGENSEN:

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1 Q. Could you, Mr. Kirk, please describe
2 what this document is?
3 **A. Yeah. So it's just a notice of**
4 **non-compliance with the deficiencies that were**
5 **observed that day, July 25th at the top. It goes**
6 **through that it failed to adhere to Section 4.1 D1, as**
7 **outlined in Dust Control Permit. And then I explained**
8 **exactly what section 4.1 says --**
9 Q. Okay?
10 **A. -- in that. And then I sent that by**
11 **e-mail, I believe the next Monday. I think that was a**
12 **Thursday I did that inspection. And then on Monday**
13 **that e-mail was sent to both of them.**
14 Q. Okay. And that on July 29th?
15 **A. Yes.**
16 Q. Okay. I don't have any further
17 questions?
18 MS. JORGENSEN: I don't have any
19 further questions.
20 HEARING OFFICER: Okay.
21 Counsel?
22 EXAMINATION.
23 BY MR. GUBLER:
24 Q. Mr. Kirk, hello again. So, just for

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1 clarification, you were on the property on July 17th
2 and July 25th; is that right?
3 **A. Yes.**
4 Q. Any other days other than in -- that
5 you had testified to before?
6 **A. No.**
7 Q. Okay?
8 **A. Just those two.**
9 Q. Just those two. So, on these days,
10 well, we had -- we had discussed a notice of violation
11 that you had -- that you had issued to the
12 respondents; is that right? Do you remember that
13 testimony?
14 MS. JORGENSEN: I'm sorry. Did you say
15 notice of violation.
16 MR. GUBLER: Yes. Was it notice of
17 violation? Notice of non-compliance? Which one was
18 it?
19 THE WITNESS: I -- can you repeat that?
20 That -- I guess with who.
21 BY MR. GUBLER:
22 Q. You issued -- you said that you issued
23 a notice of, I thought it was a violation, after the
24 visit on the 25th; is that right?

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1 **A. Yeah. A notice of non-compliance.**
2 Q. Notice of non-compliance. Thank you.
3 And what was that pursuant to?
4 **A. We issued notice of non-compliance is**
5 **when we found non-compliance issues on our inspections**
6 **of sites that have Dust Control Permits. And we put**
7 **on there the deficiencies that are observed at that**
8 **time. In this case it was denying access to the**
9 **property.**
10 Q. Okay. And on there, did -- when --
11 and did you ask to enter the property for inspection?
12 **A. On which date?**
13 Q. On the 25th?
14 **A. Yes.**
15 Q. Same question on July 17th, did you
16 ask to enter the property for inspection?
17 **A. Yeah. Yes, I did. And it was**
18 **approved.**
19 Q. Okay. Did you present appropriate
20 credentials on the 17th?
21 **A. Can you explain what you mean by**
22 **present, please?**
23 Q. Did you -- did you show Mr. Truman any
24 credentials? Your credentials?

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1 **A. With that explanation, yes.**
2 Q. Okay. Tell me what you did?
3 **A. I had my badge on my neck and Air**
4 **Quality shirt on.**
5 Q. Okay. And you -- and you -- and you
6 showed him and said, I'm so -- I'm Mr. Kurt from Air
7 Quality Control, and I request to enter your property
8 for inspection. Is that what you said?
9 **A. Yes.**
10 Q. Okay. And you said these are my
11 credentials. Is that what you said?
12 **A. I don't remember exactly what I said.**
13 **It was 10 months ago. I don't know if I used those**
14 **exact words.**
15 Q. I mean, you already testified that you
16 didn't present credentials, right? Now you're saying
17 the opposite, right? That's what you said in your
18 testimony on the 17th?
19 **A. Well, this is a different violation.**
20 Q. Yes. But you said you didn't present
21 credentials on the 17th, now you're changing your
22 story; is that right?
23 **A. I did not say that.**
24 Q. You did too -- you did too?

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1 MS. JORGENSEN: You've already asked
2 and answered -- it's already been asked and answered.
3 BY MR. GUBLER:
4 Q. On July 25th, did you present
5 appropriate credentials?
6 **A. Based on your explanation what present**
7 **means, yes, I did.**
8 Q. And so you showed him your badge and
9 said, I'm Mr. Kirk and these are my -- this is my
10 badge from Air Quality; is that right?
11 **A. Again, I don't remember exactly what I**
12 **said, but it was around my neck. So that is showing**
13 **my credentials.**
14 Q. But you didn't lift it up, say, this
15 is who I am, right?
16 **A. I don't remember.**
17 Q. And that badge --
18 **A. Probably not. I don't normally do**
19 **that. I don't normally have to take my badge and show**
20 **it to people, that's around my neck.**
21 Q. So on your -- on your badge that says
22 that -- does that say that you're authorized to
23 conduct inspections?
24 **A. No.**

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1 Q. Okay. Let me ask you something, are
2 you with the State Department of -- indulgence here.
3 Are you with the State Department of Conservation
4 Natural Resources?
5 **A. Can you -- I'm with the Department of**
6 **Environment and Sustainability, Division of Air**
7 **Quality.**
8 Q. So you're not with the State
9 Department of Conservation Natural Resources, correct?
10 **A. That is correct.**
11 Q. Do you know if Ms. Roswell is?
12 **A. She works for the same as me, DES,**
13 **Division of Air Quality?**
14 Q. And so would you agree she's not with
15 the State Department of Conservation Natural
16 Resources; is that correct?
17 MS. JORGENSEN: I object. They've
18 already all testified that they work for Clark County.
19 MR. GUBLER: I'm just --
20 HEARING OFFICER: I'm not so sure where
21 you're headed, but I -- it's an informal, I mean,
22 form.
23 MR. GUBLER: So, I mean, Ms. Roswell
24 had said that she sent a -- some type of a

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1 correspondence pursuant to NRS445B.580, which
2 identifies the department.
3 MS. JORGENSEN: I can also clarify
4 that. If you go to 445B.500, that is one of the
5 statutes, it's applicable to the county program. So
6 even though it says department in 580, 500 brings that
7 into the purview of Clark County as well.
8 MR. GUBLER: That's on what it says in
9 NRS 445.1125, the department --
10 MS. JORGENSEN: I -- honestly, you need
11 to look at the statutes, and if we can want to have
12 argument about statutes, we can do that.
13 HEARING OFFICER: Yeah.
14 MS. JORGENSEN: But I assure you that 5
15 -- 445B.500 does authorize the use of 580 for purposes
16 of the county.
17 MR. GUBLER: So, may I finish my
18 argument.
19 HEARING OFFICER: That's fine.
20 MR. GUBLER: The department means the
21 State Department of Conservation National Resources
22 under the statute.
23 BY MR. GUBLER:
24 Q. Mr. Kirk -- indulgence. When you were

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1 there on July 17th and July 25th, what test methods do
2 you use -- did you use?
3 **A. Oh, we didn't do any test methods --**
4 **Q. Okay?**
5 **A. -- on those days.**
6 **Q. No other question?**
7 **A. On the 17th.**
8 **Q. Thank you?**
9 MS. JORGENSEN: I have no further
10 questions.
11 HEARING OFFICER: One second. Okay.
12 MS. JORGENSEN: Thank you. Nothing
13 further for this witness.
14 HEARING OFFICER: Okay. Next witness.
15 MS. JORGENSEN: I'd like to call Noel
16 Crandall.
17 HEARING OFFICER: Okay. Mr. Crandall,
18 please raise your right hand. Do you solemnly swear
19 that you will tell the truth, whole truth, and nothing
20 but the truth, so help you God.
21 THE WITNESS: I do.
22 (WITNESS SWORN).
23 HEARING OFFICER: Okay.
24 EXAMINATION.

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1 BY MR. GUBLER:
2 **Q. Mr. Crandall, would you -- would you**
3 **please state your name for the record?**
4 **A. I'm Noel Crandall, Air Quality**
5 **Specialist 2.**
6 **Q. And what are your job duties?**
7 **A. Do inspections, investigate**
8 **complaints, go out and do routine inspections also.**
9 **Q. And is it all related to the Dust**
10 **program?**
11 **A. Yes.**
12 **Q. How long have you been with Air**
13 **Quality?**
14 **A. Excuse me. Going on almost 20 years.**
15 **Q. And how long have you been in your**
16 **current position?**
17 **A. About three.**
18 **Q. And I'm sorry, you said you're an Air**
19 **Quality Specialist 2?**
20 **A. Yes.**
21 **Q. And what were you prior to -- prior to**
22 **the three years ago?**
23 **A. I worked at the front desk.**
24 **Q. And what other positions have you**

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1 held?
2 **A. That's it in Air Quality.**
3 **Q. Okay. Did you visit the site on July**
4 **31st, August 7th, and August 14th with Ms. Rowsell to**
5 **perform site inspections on each of those days?**
6 **A. Yes, I did.**
7 **Q. Did Mr. Truman deny you and Ms.**
8 **Rowsell access to the site on July 31st, August 7th,**
9 **and August 14th?**
10 **A. No, he didn't.**
11 **Q. He did?**
12 **A. No, he didn't.**
13 **Q. He did not?**
14 **A. He did not denied access.**
15 **Q. So, when did he -- when did he -- did**
16 **he allow you on any of those dates?**
17 **A. No, he didn't. No, he did not.**
18 **Q. He did not allow you access. Okay.**
19 **Do you recall any of the reasons why Mr. Truman denied**
20 **access?**
21 **A. On August 30, July 31st, it was**
22 **because he said that we didn't have OSHA 40 training.**
23 **Q. Do you know what OSHA 40 training is?**
24 **A. Not at that time. It was probably**

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1 **related to hazardous materials.**
2 **Q. Okay. Was there any signs posted**
3 **saying that there was hazardous materials on site that**
4 **you recall seeing?**
5 **A. Not that I could see.**
6 **Q. Okay. Do you recall being introduced**
7 **to Mr. Truman on July 31st?**
8 **A. Yes.**
9 **Q. And did you speak with him or did Ms.**
10 **Rowsell do all the talking?**
11 **A. She spoke to him then after she**
12 **introduced me, I introduced myself, and I actually**
13 **held up my badge and showed him, you know, who I was.**
14 **Q. Okay. Do you recall any other reasons**
15 **why Mr. Truman denied access on any of those days?**
16 **July 31st, August 7th, or August 14th?**
17 **A. The 31st was OSHA 40. The seventh was**
18 **he was unable to -- his lawyer was not getting back to**
19 **him to allow us access, if -- you know, if we were**
20 **allowed access at the time.**
21 **Q. And I believe the previous testimony**
22 **regarding August 14th is that you did not see Mr.**
23 **Truman on August 14th?**
24 **A. I believe so. That's where the female**

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1 **worker came out and said he was in a meeting.**
2 Q. Okay. To the best of your knowledge,
3 did Mr. Truman ever state or give any indication that
4 he denied access because he -- because he questioned
5 whether you or Ms. Rowsell were Clark County Air
6 Quality inspectors?
7 Q. No, he didn't.
8 Q. When you went to the site on August
9 14th with Ms. Rowsell, did you prepare a construction
10 site inspection report?
11 **A. I believe so.**
12 MS. JORGENSEN: Could we go to Exhibit
13 L?
14 THE WITNESS: So I can see it right
15 here.
16 BY MS. JORGENSEN:
17 Q. Okay. Probably for my --
18 **A. Oh, okay.**
19 Q. Yeah. Mr. Crandall, could you
20 describe what this document is?
21 **A. It's a construction site inspection**
22 **report of the day that we inspected the site.**
23 Q. And which day is that?
24 **A. August 14th.**

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1 Q. And is this something that you
2 prepared?
3 **A. Yes.**
4 Q. And were you able to go on site and do
5 it a full inspection?
6 **A. No, we were denied access.**
7 Q. Okay. And did you include any
8 inspector notes on the report?
9 **A. Yes, I did.**
10 Q. And what did those notes state?
11 **A. It states, I attempted to conduct a**
12 **follow-up inspection with Air Quality inspector,**
13 **Canduela Rowsell, but was denied access to the site**
14 **by a female officer -- office worker. She stated that**
15 **Mr. Truman -- Moe Truman, who was responsible official**
16 **was in a meeting and was unable to let us in to do an**
17 **inspection and to come back later. I was unable to**
18 **tell if the soils were stable or unstable since access**
19 **was denied, but I did -- but it did appear that the**
20 **mailings have been applied throughout most of the site**
21 **from what could be seen through the fence.**
22 Q. Okay. And did you or Ms. Rowsell go
23 back later?
24 **A. No, we didn't.**

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1 Q. Okay. Did you provide a follow-up
2 e-mail to Mr. Truman and his attorney?
3 **A. I believe so.**
4 MS. JORGENSEN: And could we go to
5 Exhibit M?
6 BY MS. JORGENSEN:
7 Q. Mr. Crandall, could you please
8 describe what this document is?
9 **A. It's an e-mail to Mr. Truman, with our**
10 **findings to our inspection.**
11 Q. And what date? What's the date of
12 this e-mail?
13 **A. August 14th.**
14 Q. Okay. So you sent it the same day as
15 the -- as when you -- after you and Ms. Rowsell went
16 out to the site?
17 **A. Correct.**
18 Q. I have no further questions?
19 HEARING OFFICER: Okay.
20 Counsel.
21 MR. GUBLER: Thank you.
22 EXAMINATION.
23 BY MR. GUBLER:
24 Q. Mr. Crandall, so just for

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1 clarification, the days that you were on site included
2 the 30 -- July 31st, August 7th and August 14th; is
3 that right?
4 **A. Correct.**
5 Q. Were there any other days that I'm
6 missing there?
7 **A. Just for this particular NOV, it was**
8 **those days.**
9 Q. And let's just go through each of
10 those dates. On July 31st, did you -- did you ask to
11 enter the property for inspection?
12 **A. Yes.**
13 Q. Okay. And you present -- did you
14 present any credentials?
15 **A. Yes, when I was introduced to Mr.**
16 **Truman, I spoke to him and showed my badge who I was.**
17 Q. And what does that badge include?
18 **A. My picture, the county logo, my title.**
19 Q. Okay. And what is your title?
20 **A. Air Quality Specialist 2.**
21 Q. Air Quality Specialist 2. What did
22 you -- what was your qualifications to become an Air
23 Quality Specialist 2?
24 **A. We have to have training and then we**

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<p>1 have to, kind of, pass a knowledge test, I believe,</p> <p>2 you know, just where they feel that you could go out</p> <p>3 on your own and, you know, won't -- you know the</p> <p>4 regulations.</p> <p>5 Q. And how long does that take?</p> <p>6 A. It could vary, you know, whenever they</p> <p>7 feel that you're good to go and I'm able to do the</p> <p>8 job.</p> <p>9 Q. How long did it take you?</p> <p>10 A. I don't quite remember, sir.</p> <p>11 Q. Okay. Are we talking about more than</p> <p>12 six months of training?</p> <p>13 A. Probably six months, yeah, six months,</p> <p>14 around there.</p> <p>15 Q. Okay. So, on your -- does it -- does</p> <p>16 it call you a control officer on there, on your badge?</p> <p>17 A. No, it doesn't.</p> <p>18 Q. Does it have any certification saying</p> <p>19 that you're authorized to conduct inspections?</p> <p>20 A. No.</p> <p>21 Q. Any credential number on it?</p> <p>22 A. No.</p> <p>23 Q. Did you -- on -- let's go to August</p> <p>24 7th. Did you enter the property -- did you ask to</p> <p style="text-align: right;">Page 158</p>	<p>1 Q. Do you work for the State Department</p> <p>2 of Conservation Natural Resources?</p> <p>3 A. No.</p> <p>4 Q. I don't have any other questions?</p> <p>5 HEARING OFFICER: Okay. Thank you.</p> <p>6 MS. JORGENSEN: I don't have anything</p> <p>7 further. And no further witnesses for whether or not</p> <p>8 a violation occurred.</p> <p>9 HEARING OFFICER: Okay.</p> <p>10 Counsel, your case.</p> <p>11 MR. GUBLER: Where would you like him?</p> <p>12 Right here is fine.</p> <p>13 HEARING OFFICER: He's fine there?</p> <p>14 Yeah, that's fine.</p> <p>15 MR. GUBLER: Okay.</p> <p>16 HEARING OFFICER: Would you to leave</p> <p>17 that chair out, so you have more space?</p> <p>18 EXAMINATION.</p> <p>19 BY MR. GUBLER:</p> <p>20 Q. Mr. Truman --</p> <p>21 HEARING OFFICER: And I'll remind you,</p> <p>22 you're under oath. I believe I swore him in first.</p> <p>23 Thank you. Thank you. Mr. Truman.</p> <p>24 BY MR. GUBLER:</p> <p style="text-align: right;">Page 160</p>
<p>1 enter the property for inspection on August 7th?</p> <p>2 A. August 7th? Yes, I did.</p> <p>3 Q. Okay. And who -- with whom did you</p> <p>4 speak?</p> <p>5 A. Mr. Truman.</p> <p>6 Q. And did you present credentials to Mr.</p> <p>7 Truman?</p> <p>8 A. Just had my -- like everyone else, I</p> <p>9 had my badge and my shirt that stated I was working</p> <p>10 for Air Quality.</p> <p>11 Q. Okay. Let's go to August 14th. Did</p> <p>12 you request to enter the property for inspection?</p> <p>13 A. Yes, I did.</p> <p>14 Q. And did you present credentials to, I</p> <p>15 believe you said it was a female worker; is that</p> <p>16 right?</p> <p>17 A. Yes.</p> <p>18 Q. And did you -- did you show those</p> <p>19 credentials to the female worker?</p> <p>20 A. Same thing, we had our badges on our</p> <p>21 neck and our shirts.</p> <p>22 Q. Okay. At any time while you were</p> <p>23 there, did you perform some type of a test?</p> <p>24 A. No. Access was denied.</p> <p style="text-align: right;">Page 159</p>	<p>1 Q. You can go ahead and state and spell</p> <p>2 your name for the record?</p> <p>3 A. Mitchell, M-I-T-C-H-E-L-L, last name</p> <p>4 Truman, T-R-U-M-A-N. Middle name, Moe, M-O-E.</p> <p>5 Q. Mr. Truman, who's your employer?</p> <p>6 A. I work for two different companies.</p> <p>7 One is Tonopah Tidewater Railroad and one is ETON</p> <p>8 Transportation, denoted name as ETON.</p> <p>9 Q. Okay. And what is your position with,</p> <p>10 let's just do them individually Tonopah Tidewater?</p> <p>11 A. Manager.</p> <p>12 Q. Manager. And with ETON?</p> <p>13 A. Manager.</p> <p>14 Q. Manager. I'd like you to look at our</p> <p>15 Exhibit 2. First of all, do you recognize this</p> <p>16 document?</p> <p>17 A. I do.</p> <p>18 Q. What is it?</p> <p>19 A. It's incorporation of the railroad by</p> <p>20 the day George Keal for the Tonopah Tidewater</p> <p>21 Railroad.</p> <p>22 Q. And how long has it been in -- been --</p> <p>23 when was it formed?</p> <p>24 A. 2004.</p> <p style="text-align: right;">Page 161</p>



<p>1 Q. And what type of business does Tonopah 2 and Tidewater Railroad Company do?</p> <p>3 A. Move freight across railroads.</p> <p>4 Q. And how long has it done that?</p> <p>5 A. On and off since 2004.</p> <p>6 Q. Does it currently do that?</p> <p>7 A. No, it does not.</p> <p>8 Q. Does it --</p> <p>9 MS. JORGENSEN: I'm sorry, I can't hear</p> <p>10 very well.</p> <p>11 HEARING OFFICER: (Inaudible).</p> <p>12 THE WITNESS: It does not.</p> <p>13 BY MR. GUBLER:</p> <p>14 Q. Does the -- does it -- does it own</p> <p>15 railroads rails?</p> <p>16 A. It does.</p> <p>17 Q. And did it construct rails?</p> <p>18 A. It did.</p> <p>19 Q. And does -- did it -- and does it have</p> <p>20 access still to operate on those roads?</p> <p>21 A. It has an active license on property 22 of Las Vegas Paving, yes.</p> <p>23 Q. Okay. We're going to go ahead and --</p> <p>24 so, to your knowledge, before we leave this exhibit,</p> <p style="text-align: right;">Page 162</p>	<p>1 for it to be a Class 3 railroad -- rail carrier; is</p> <p>2 that right?</p> <p>3 A. An exemption from some of the safety 4 requirements of the Class 1 and Class 2s.</p> <p>5 Q. So if you didn't get this exemption,</p> <p>6 could it still be a railroad company?</p> <p>7 A. Yes. The only thing is, the Federal 8 Railroad Administration would've regulatory issues 9 over it.</p> <p>10 Q. Okay. I'd like you to just briefly to</p> <p>11 look at Exhibit 4. Do you recognize this?</p> <p>12 A. I do. We tried to do a name change 13 and we were unsuccessful with the name changed.</p> <p>14 Q. Why is that?</p> <p>15 A. Union Pacific Railroad thought that 16 the name was close to their name, which was our 17 intent, and they went through and filed an exception 18 report, which was granted.</p> <p>19 Q. So what did you do?</p> <p>20 A. Then we went back to operate the 21 railroad under the Tonopah and Tidewater Railroad.</p> <p>22 Q. And when you say operate the railroad,</p> <p>23 what are we talking about?</p> <p>24 A. Just the 2.6 miles. Just bring cars</p> <p style="text-align: right;">Page 164</p>
<p>1 the railroad company was formed under NRS Chapter 78;</p> <p>2 is that right?</p> <p>3 A. Correct.</p> <p>4 Q. Does it hold itself out as a railroad</p> <p>5 company?</p> <p>6 A. It does.</p> <p>7 Q. Still to this day; is that right?</p> <p>8 A. Correct.</p> <p>9 Q. I'd like to look at Exhibit 3?</p> <p>10 MR. GUBLER: And probably scroll down</p> <p>11 just a little bit.</p> <p>12 BY MR. GUBLER:</p> <p>13 Q. Do you recognize this document?</p> <p>14 A. It was -- I do.</p> <p>15 Q. What is it?</p> <p>16 A. It's actually for exemption from 17 regulatory issues by the Surface Transportation Board 18 as a Class 3 railroad.</p> <p>19 Q. What's a Class 3 railroad?</p> <p>20 A. The STB rates railroad by revenue 21 stream. Class one would be the UP, BNSF, the larger 22 revenue ones. Class 3 is the smallest revenue style 23 of railroads that they have.</p> <p>24 Q. And if -- so, this is an application</p> <p style="text-align: right;">Page 163</p>	<p>1 in off the main line, trans-loading them, loading 2 them, and send it back on the railroad. And then we 3 entered back into lease with Van Western to go through 4 and lease the property -- the railroad property back 5 again.</p> <p>6 Q. So, I'd like to look -- we're going to</p> <p>7 jump -- skip ahead just a little bit. Exhibit 20. Do</p> <p>8 you recognize this document?</p> <p>9 A. Yes.</p> <p>10 Q. What is it?</p> <p>11 A. We entered an agreement with a company 12 called Las Vegas Paving to jointly pay for switch off 13 the main line and to go through and get them a 14 perpetuity -- access in perpetuity. There was 15 agreement to go through and convey an easement across 16 a piece of property on West University to go ahead and 17 get onto their property. That way the Las Vegas 18 Paving piece of property have access across the Pan 19 Western property in perpetuity for the railing.</p> <p>20 Q. So, now it's saying Pan Western had</p> <p>21 its office in West University. Now, the property that</p> <p>22 we're dealing with on this easement, what is -- which</p> <p>23 property are we talking about? Is it the same one</p> <p>24 that we've been discussing earlier today?</p> <p style="text-align: right;">Page 165</p>



1 **A. It is. West University is where we**
2 **lived at this timeframe, which was backed up to Las**
3 **Vegas Paving property on Decatur. And the property in**
4 **question was over on Donovan Way -- 4910 Donovan Way.**
5 Q. Okay. So the property that we've been
6 discussing where there were some --
7 **A. Rail equipment?**
8 Q. Well, where -- well, before, that
9 we've been discussing all morning. On that property
10 that has, you know, the Conex box?
11 **A. Oh, the Stratford?**
12 Q. The Stratford Avenue. Is this a
13 separate property?
14 **A. It is.**
15 Q. And so, the Stratford Avenue property
16 is what?
17 **A. Supports the Las Vegas Paving piece**
18 **that we have the property or the rail equipment on.**
19 Q. And it's -- is it a yard of Tonopah
20 Tidewater?
21 **A. It is.**
22 Q. So just looking at page 3 of this
23 exhibit. Mitchell Truman, do you recognize that
24 person?

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1 **A. I do.**
2 Q. Who is that?
3 **A. Myself.**
4 Q. Okay. And so, you were involved with
5 Pan Western Corporation as well; is that right?
6 **A. I was.**
7 Q. And what was your position there?
8 **A. In this time I was vice president.**
9 Q. Okay. And just going back and, I
10 guess, page 5 of this document, do you recognize these
11 signatures?
12 **A. I do. One's Richard Truman, who's my**
13 **father, is deceased, and one's Robert Mendenhall, is**
14 **also deceased.**
15 Q. Okay. Now, after this document was
16 signed, what did you do to it?
17 **A. We had it where you give it to the**
18 **county and they record it. There's work.**
19 Q. You had it recorded. And I see on the
20 very top, there is a number on every page,
21 199703060001677. Is that the recorded easement?
22 **A. It's probably the recorded document**
23 **number.**
24 Q. The recorded document?

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1 **A. Uh-huh.**
2 Q. Thank you. Moving on, let's look at
3 Exhibit 21. Do you recognize this document?
4 **A. I do.**
5 Q. What is it?
6 **A. It's a conveying of the original**
7 **recorded document or recorded easement, putting**
8 **Tonopah Tidewater in Pan Western's position.**
9 Q. So -- but this is a license agreement.
10 And it looks like, if you look down --
11 **A. Oh, sorry, sorry, sorry. This one's**
12 **for the right of way across Paving property.**
13 Q. So this is -- this is for a right of
14 way across Las Vegas Paving property; is that right?
15 **A. Correct.**
16 Q. And down below, so Paragraph 1, it
17 looks like it says railroad right of way act across
18 described property with an APN of 12331302001. Do you
19 see that?
20 **A. Correct.**
21 Q. So what was your understanding what
22 this -- what this does?
23 **A. That APN number is the Las Vegas**
24 **Paving piece, and that gives us access to go through**

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1 **and run the rail across our property and access to the**
2 **ability to use that right of way.**
3 Q. Okay. And what is the permitted use
4 under this?
5 **A. Permitted to use -- operate on**
6 **Industrial Railroad.**
7 Q. Okay. Now, the -- now looking under
8 the ground of the license, can you just read that
9 part?
10 **A. The license or grants license and**
11 **exclusive license to use the property, the license**
12 **from March 6th, 2008 until the parties provide to the**
13 **parties 90 -- 60 days written notice to terminate the**
14 **agreement, such period of time.**
15 Q. Is this agreement still valid?
16 **A. As I understand it, yes.**
17 Q. Has it been -- has anybody given
18 notice that they intend to terminate?
19 **A. No, not that I've seen.**
20 Q. Okay. So just going to exhibit or the
21 same exhibit, page 5?
22 THE CLERK: No, I don't think so.
23 MR. GUBLER: That's great, thank you.
24 No, you're good. Done by the signatures. Would be

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1 great. That's page 5, it looks like. I don't know,
2 somehow it got mixed up.
3 BY MR. GUBLER:
4 Q. Do you recognize these signatures?
5 A. I recognize mine. I guess that's
6 Bob's, kind of was an office worker, I think at
7 Paving.
8 Q. Okay. Did you sign these at the same
9 time?
10 A. We did.
11 Q. Okay. So you watched Bob Mendenhall
12 sign this?
13 A. Uh-huh.
14 Q. Yes?
15 A. Yes.
16 MR. GUBLER: Let's go to Exhibit 22.
17 BY MR. GUBLER:
18 Q. Do you recognize this document?
19 A. Yes. It's where we moved the asset
20 from Pan Western into Tonopah Tidewater all the rail
21 and ties and switches and all the other associated
22 rail paraphernalia.
23 Q. Okay. So Tonopah Tidewater purchased
24 these rails; is that right?

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1 A. Correct.
2 Q. Do they still own them?
3 A. They do.
4 Q. Okay?
5 MR. GUBLER: And let's fully leave
6 there. Let's go to page 6 of this document.
7 BY MR. GUBLER:
8 Q. Do you recognize these signatures?
9 A. I do.
10 Q. And who are they?
11 A. Catherine Truman, my wife, and myself.
12 Q. And so Tonopah Tidewater owns those
13 rails; is that right?
14 A. Correct.
15 Q. And where are those rails today?
16 A. Still over the Las Vegas Paving piece
17 of property.
18 Q. Okay. Will you look at Exhibit 23?
19 A. Do you have a pointer? So I can go
20 ahead and -- there is property line between the Pan
21 Western piece and the Las Vegas Paving piece. So
22 everything on this site is on the Las Vegas Paving
23 piece. This right here was the old Pan Western piece.
24 Again, the rail line comes in from the main line,

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1 comes across the easement on the Pan Western slash
2 rail across line that comes over Las Vegas Paving. And
3 that's the stuff we had purchased.
4 Q. And so, does Tonopah Tidewater operate
5 these rails?
6 A. Not today, no -- not today, no.
7 Q. It owns them, correct?
8 A. Correct.
9 Q. And it has -- and it can go and
10 operate them; is that right?
11 A. Absolutely.
12 Q. And it does maintain them; is that
13 right?
14 A. We do.
15 Q. Okay. And you are paid to have them
16 put there; is that right?
17 A. Yes.
18 Q. And so any -- anything -- anytime
19 Tonopah and Tidewater wants, they can utilize those
20 rails?
21 A. Correct.
22 MR. GUBLER: Let's go to Exhibit 1,
23 please.
24 BY MR. GUBLER:

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1 Q. Do you recognize this document?
2 A. I do. It's when we bought the
3 property on Stratford.
4 Q. Okay. And Tonopah Tidewater Railroad
5 Company is the owner; is that right?
6 A. Correct.
7 Q. And that's still till today?
8 A. It is.
9 MR. GUBLER: Let's go to Exhibit 5.
10 BY MR. GUBLER:
11 Q. Do you recognize this?
12 A. It's a commercial lease. Looks like
13 we started in 2023, between Tonopah Tidewater and
14 ETON.
15 Q. And what is this lease for?
16 A. ETON was getting evicted from their --
17 evicted but their rent had gone up on their Losee
18 address. They needed to a place to land, so we leased
19 them the property for several months.
20 Q. Okay. Does ETON do any work for to
21 Tonopah Tidewater Railroad Company?
22 A. It transports material off the rail
23 line from time to time.
24 Q. Okay. And does it do any other type

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1 of work?
2 **A. Yeah, it's a -- it's a common carrier,**
3 **regulated under the Interstate Commerce Commission.**
4 **It was superseded by the Service Transportation Board.**
5 **So it has a STB number or a DOT number to operate in**
6 **Interstate Commerce.**
7 Q. Okay. Is Tonopah Tidewater able to do
8 that as well?
9 **A. It's not a trucking company nor does**
10 **it put itself out to the trucking company. So it uses**
11 **ETON to do its trucking.**
12 Q. But it does ship product across state
13 lines?
14 **A. Absolutely.**
15 Q. Okay. So both ETON and Tonopah
16 Tidewater do that?
17 **A. Tonopah Tidewater will bring material**
18 **in from other states and they'll ship, yes.**
19 Q. So ETON, under what state is it
20 organized?
21 **A. It should be stated Nevada, I think.**
22 Q. Okay. And it's -- and it's organized
23 as a -- as a company under the State of Nevada?
24 **A. As a corporation, yes.**

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1 Q. Okay. And now, I believe what we were
2 showing a permit previously; is that right?
3 **A. Or a few permits?**
4 Q. That ETON had applied for a dust
5 permit?
6 **A. On behalf of ETON, since they needed**
7 **access to the property, I went through and filled out**
8 **a dust permit for ETON to go through and do the**
9 **grabbing and grading on the Stratford property.**
10 Q. And that's -- and that was -- is ETON
11 still on property?
12 **A. Eton? Yes.**
13 Q. Okay. Does -- so, what did ETON do as
14 far as this grabbing for Tonopah Tidewater?
15 **A. It had bought some equipment, a**
16 **loader, dozer, some other moving equipment in it,**
17 **would own trucks. It leveled the truck and, or**
18 **leveled the property, cleaned it off, put the material**
19 **that was organic, sent it to the landfill, and then**
20 **roll in some field to go through and bring it up to a**
21 **usable piece of property for the railroad.**
22 Q. Now, we'd already talked a little bit
23 about the railroad. Does the railroad do any type of
24 work for the Department of Defense?

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1 **A. It has the defense, yes.**
2 Q. What type of work has it done?
3 **A. From time to time the DOD will go**
4 **ahead and have either trains of personal carriers or**
5 **tanks that they need to get off the main line and they**
6 **would go through and bring it into the facility to**
7 **clear the main line, and then they'd go through and**
8 **put it back on the main line and take it either to**
9 **Barstow or to where the other just department facility**
10 **would be. Typically, would be airline.**
11 **HEARING OFFICER: Just to -- just to**
12 **pause here. And it's just -- it's a time thing. I**
13 **didn't realize, I thought we have the room till 1:00,**
14 **but we have it till 12:00.**
15 MS. JORGENSEN: We have it till 12:00.
16 However, I've just asked to see if we can maybe move
17 into a different room in the event we go past 12:00.
18 So --
19 **HEARING OFFICER: Yeah, because it's**
20 **only fair. I want -- he's going through --**
21 **MS. JORGENSEN: Absolutely.**
22 **HEARING OFFICER: -- and I'm -- I've**
23 **reviewed the briefs and I see tracking. It's going to**
24 **be some time going through this.**

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1 MS. JORGENSEN: Yeah.
2 **HEARING OFFICER: So I want to have**
3 **them to have sufficient time.**
4 MS. JORGENSEN: Absolutely. So, Ms.
5 Sutowska is looking to see if we can move into a
6 different room once we hit noon.
7 **HEARING OFFICER: Okay.**
8 **Continue.**
9 **MR. GUBLER: Thank you.**
10 **BY MR. GUBLER:**
11 Q. Let's go ahead and look at Exhibit 7.
12 Do you recognize this document?
13 **A. I do.**
14 Q. What is it?
15 **A. It's a partial stuff of auction of**
16 **some equipment.**
17 Q. Okay. And what is this showing this?
18 **A. That right there is just a postal**
19 **driver -- postal driver.**
20 Q. Did Tonopah Tidewater, does it own any
21 track equipment? Well, let's scroll through?
22 **A. Oh, there. It's right there. It's a**
23 **D9L, so yes, that's part of Tonopah Tidewater.**
24 Q. Okay. And where is -- well, I --

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<p>1 we've heard some testimony, but please describe what</p> <p>2 this track equipment looks like?</p> <p>3 A. The one testimony was close, it's</p> <p>4 about 200,000 pounds is what the weight is, not 20 or</p> <p>5 10,000 pounds. It is -- he's correct, 15 feet tall,</p> <p>6 12 feet wide with a blade, and then with a ship --</p> <p>7 with a ripper shank on it. It's about 28 feet long.</p> <p>8</p> <p>9 Q: Now, if you drove this on asphalt or concrete,</p> <p>10 what would it do?</p> <p>11 A. It would -- the grousers, the part</p> <p>12 that actually makes it into a tractor would destroy it</p> <p>13 in quick order because of the weight of the material</p> <p>14 or the weight of the -- of the dozer.</p> <p>15 Q. Now, have you ever purchased asphalt</p> <p>16 before?</p> <p>17 A. We have.</p> <p>18 Q. Is it expensive?</p> <p>19 A. Yes.</p> <p>20 Q. Will you give us an idea of how</p> <p>21 expensive that is? Are you able to do that?</p> <p>22 A. I don't think -- I think they sell it</p> <p>23 by the ton, and I think it's about \$150 to \$200 a ton,</p> <p>24 depends on the design you have.</p> <p>Page 178</p>	<p>1 Q. Is there a barrier around the</p> <p>2 property?</p> <p>3 A. There is. We have to comply to a</p> <p>4 federal regulation just called HM 232, which is</p> <p>5 regulated by PHMSA. Where we, if it's stated</p> <p>6 incorrectly in their testimony, we don't have</p> <p>7 hazardous waste, we have hazardous material.</p> <p>8 Hazardous material that haul in trucks. If they had</p> <p>9 some hazardous communication, there's a flip chart on</p> <p>10 the -- on the trailers.</p> <p>11 The flip chart has a nomenclature of</p> <p>12 what material you have. As an example, if the flip</p> <p>13 chart says Class 7, that would be radioactive.</p> <p>14 Inhalation damage or inhalation danger would be one of</p> <p>15 the other flip charts, explosives, flammable. So the</p> <p>16 flip charts which are on the trailers determine what's</p> <p>17 in the trailers.</p> <p>18 So as a transporter, and I'll read HM</p> <p>19 232 requires shippers, which is ourselves,</p> <p>20 transporters, which are ourselves, of hazards smeared</p> <p>21 materials to create a formal written security plan to</p> <p>22 prevent equipment or cargo from being used as a weapon</p> <p>23 and terrorist attack.</p> <p>24 So based on the 9/11 unfortunate</p> <p>Page 180</p>
<p>1 Q. And to place it on this property that</p> <p>2 we've been discussing today, not where the rails are,</p> <p>3 but when I say the property, I'm just going to refer</p> <p>4 to the --</p> <p>5 A. Stratford?</p> <p>6 Q. -- Stratford, yes. If you were to put</p> <p>7 asphalt on that property, what would happen?</p> <p>8 A. Oh, the dozer would -- to its -- to</p> <p>9 its determining on the gravel it would bring it back</p> <p>10 into its native components, which is gravel with some</p> <p>11 mass, although they call it rip wrap or what they call</p> <p>12 it, regrind is one of the other names for it.</p> <p>13 Q. What areas of the property does this</p> <p>14 dozer go?</p> <p>15 A. Typically goes where it's needed to</p> <p>16 go. So, it's romes the whole property. When you have</p> <p>17 to load it, you need to be off the asphalt to load it</p> <p>18 and unload it, otherwise you destroy it. So it's</p> <p>19 problematic to go through and find out other place.</p> <p>20 It's not going be --</p> <p>21 Q. Now, we saw some pictures earlier, do</p> <p>22 you recall that? There's some Conex boxes and things</p> <p>23 like that, right?</p> <p>24 A. Correct.</p> <p>Page 179</p>	<p>1 accident that happened with the Twin Towers, before</p> <p>2 there and after that, the federal government had put</p> <p>3 in place the people who hazard -- who haul hazards</p> <p>4 material have a safety plan on their sites so that the</p> <p>5 material in transit isn't dropped overnight or over</p> <p>6 the weekend that, somebody doesn't get into that area,</p> <p>7 grab the truck and now they have a arbitrarily a</p> <p>8 potential bomb that they can go through and take out</p> <p>9 Hofer Dam or some other high profile facility.</p> <p>10 So as we reach to our HM 232 plan, we</p> <p>11 did a security analysis of the old property, the new</p> <p>12 property. We updated every three years of thread</p> <p>13 analysis. And that's our requirement to go through</p> <p>14 and keep the site safe. Just so that the hearing</p> <p>15 officer will know, the killing field of a rail car of</p> <p>16 chlorine is about 15 miles. So that's what the UP</p> <p>17 requires or suggests when there's a breach of a rail</p> <p>18 car, that the 15 square miles around that is</p> <p>19 evacuated. So every day there's has some material</p> <p>20 going up and down I95 and I15 through the -- through</p> <p>21 the Valley.</p> <p>22 Q. So, we're going to go back just a</p> <p>23 little bit. We started talking about barriers and --</p> <p>24 A. So that's part of our security plan.</p> <p>Page 181</p>



<p>1 Q. Just part of the security plan. And</p> <p>2 we'll get to that here shortly. How tall are these</p> <p>3 barriers at a minimum?</p> <p>4 A. Containers are nine feet tall, so</p> <p>5 they're 18 feet if you put them on top of each other.</p> <p>6 Q. Okay. So at least nine feet tall; is</p> <p>7 that right?</p> <p>8 A. Correct.</p> <p>9 MR. GUBLER: Let's go to Exhibit 7 (b).</p> <p>10 BY MR. GUBLER:</p> <p>11 Q. Do you recognize this photograph?</p> <p>12 A. I do.</p> <p>13 Q. Who took it?</p> <p>14 A. Myself.</p> <p>15 Q. Okay. And what is this showing you?</p> <p>16 A. A track piece of equipment. D9 is the</p> <p>17 model number.</p> <p>18 Q. Okay. And is this the same track</p> <p>19 equipment that's on the property?</p> <p>20 A. Correct.</p> <p>21 Q. Okay. Why does Tonopah Tidewater have</p> <p>22 this tracked equipment?</p> <p>23 A. Probably an issue that we have at the</p> <p>24 rail lines. This is the best equipment to go through</p> <p style="text-align: right;">Page 182</p>	<p>1 drove by the security guards. And they, again,</p> <p>2 alerted me that she was there.</p> <p>3 Went back and tried to find out why</p> <p>4 she was there. The door was locked to her vehicle.</p> <p>5 She rolled down the window and I asked her what the</p> <p>6 heck she was doing there. We were a controlled</p> <p>7 environment. We had a hazardous goods on site,</p> <p>8 non-hazardous waste. And wanted to know what she was</p> <p>9 doing back here, where she went by the security</p> <p>10 people.</p> <p>11 Q. Do you know who she was?</p> <p>12 A. Through testimony, it's the lady that</p> <p>13 testified that she was there. I don't remember her</p> <p>14 name or much of what she looked like when she was in</p> <p>15 the car. I would match it with the testimony's been</p> <p>16 given. I would not doubt that she was who she was on</p> <p>17 that date.</p> <p>18 She presented no credentials. And I</p> <p>19 asked her again why she was here, and she told me that</p> <p>20 she had the right to be there. And I let her know in</p> <p>21 some (inaudible) via our security plan, under the HM</p> <p>22 232, that you needed to go through and check in</p> <p>23 because we're a controlled yard.</p> <p>24 Q. And did you ever revoke that</p> <p style="text-align: right;">Page 184</p>
<p>1 and clear the rail line. It's large enough to push</p> <p>2 rail cars off the railroad to go ahead and clear the</p> <p>3 line.</p> <p>4 Q. And do you do this work for just</p> <p>5 Tonopah Tidewater or is it for other railroad</p> <p>6 companies?</p> <p>7 A. Primarily for us. And if the UP needs</p> <p>8 help, we've been offered that and helped them in the</p> <p>9 past.</p> <p>10 Q. Now, we -- we've heard some testimony</p> <p>11 about various visits on January 8th, 9th, I believe</p> <p>12 February 1st, July 17th, July 25th, July 31st, July --</p> <p>13 August 7th, and August 14th. Do you recall that</p> <p>14 testimony, first of all?</p> <p>15 A. I do.</p> <p>16 Q. Okay. And on January 8th, 2024, can</p> <p>17 you tell us what happened?</p> <p>18 A. Was that the first time?</p> <p>19 Q. Yes?</p> <p>20 A. We got a radio call from one of the</p> <p>21 security guards that we had an intruder on the</p> <p>22 facility. And so they told me where it was at. So I</p> <p>23 went out in the back of the property and found a</p> <p>24 person there. Had no clue why she was there, but she</p> <p style="text-align: right;">Page 183</p>	<p>1 statement, that she did need to check in?</p> <p>2 A. No, I've never revoked that statement.</p> <p>3 This statement still stands.</p> <p>4 Q. Now, you mentioned the security guard.</p> <p>5 Where's the security guard located?</p> <p>6 A. You can see, first of all, there is --</p> <p>7 right there, there's a person who is -- during normal</p> <p>8 work hours, is in that facility. On the other side,</p> <p>9 there's another facility person who sits there.</p> <p>10 Q. And was the security guard there when,</p> <p>11 I believe it was Ms. Roswell said that she showed up</p> <p>12 on January 8th. Was the security guard there?</p> <p>13 A. That's -- the security guard let me</p> <p>14 know by radio that we had an intruder.</p> <p>15 Q. And so what -- and so that's when you</p> <p>16 went and to find out who it was?</p> <p>17 A. Correct.</p> <p>18 Q. And did that person request entry of</p> <p>19 the property?</p> <p>20 A. No.</p> <p>21 Q. Did that person present credentials?</p> <p>22 A. No.</p> <p>23 Q. And, I guess, you know, before we get</p> <p>24 into too much of these other dates, tell me, when I</p> <p style="text-align: right;">Page 185</p>



<p>1 say credentials, what -- what's your understanding of</p> <p>2 credentials?</p> <p>3 A. So I've been here 55 years at the same</p> <p>4 company -- same companies. And so in that timeframe,</p> <p>5 I have worked with lots of federal agencies, the FBI,</p> <p>6 we've worked with the Department of Treasury, we've</p> <p>7 worked with ATF, worked with the Department of Energy,</p> <p>8 worked with the police on several issues, State Nevada</p> <p>9 Department of Taxation, Home and Security, FEMA. I'm</p> <p>10 trying to think.</p> <p>11 And they all seem to have the same</p> <p>12 pattern as they introduce themselves, and they present</p> <p>13 their credentials, and say, I'm here with the FBI,</p> <p>14 here's my badge. And the badges all look to -- look</p> <p>15 the same. They have a number that's identifiable that</p> <p>16 you can call back to headquarters and go through and</p> <p>17 find out who they're. And once they've gone through</p> <p>18 their credentials, they ask, can we come on site?</p> <p>19 The FBI, we had some issues with some</p> <p>20 -- it was a joint issue. There were some drugs coming</p> <p>21 in from Mexico along the railroad cars that were</p> <p>22 hidden inside. So they came in on site before they</p> <p>23 got a -- what do you call it where the judge issues?</p> <p>24 Q. Search warrant?</p> <p style="text-align: right;">Page 186</p>	<p>1 seen to follow the same format here. So I am, here's</p> <p>2 my credentials, can we come in?</p> <p>3 Q. And so going off of some of these, you</p> <p>4 mentioned FEMA, you mentioned the FBI, you dealt with</p> <p>5 Department of Justice?</p> <p>6 A. Department of Justice came by, Michael</p> <p>7 Chu, and he also went through and say, I'm Michael Chu</p> <p>8 with DOJ and here's my credentials.</p> <p>9 Q. Okay. And Federal Railroad</p> <p>10 Administration, have you -- have you dealt with them?</p> <p>11 A. Same routine. Special agents will</p> <p>12 come in and also just regular audits out of Roseville,</p> <p>13 this is where the department that we go. They'll come</p> <p>14 in with credentials. My name is so and so, here's my</p> <p>15 credential. State of Nevada Public Service Commission</p> <p>16 has a railroad department. Same issue. They'll come</p> <p>17 in, tell me who they're, they'll show me their</p> <p>18 credentials.</p> <p>19 Q. The PUC?</p> <p>20 A. Public Utilities Commission, that's</p> <p>21 what you just talked about.</p> <p>22 Q. Okay. That -- that's the same one</p> <p>23 that you're talking about?</p> <p>24 A. Uh-huh.</p> <p style="text-align: right;">Page 188</p>
<p>1 A. Search warrant to come on site. They</p> <p>2 ask if they could come on with their dogs and search</p> <p>3 the rail cars. So that's the same. We had the -- a</p> <p>4 fatality of a person killed in transit from Mexico in</p> <p>5 a rail car. We called the Coroner's office, came and</p> <p>6 they prevented their credentials. I'm so and so. I'm</p> <p>7 with the Clark County Coroner's Office, here's my</p> <p>8 credentials.</p> <p>9 So there is a -- seems to be a common</p> <p>10 thread of when somebody comes in a regulatory issue to</p> <p>11 go through and present their credentials of who they</p> <p>12 are. And they all typically have the same type of</p> <p>13 information, which is something that's hard to</p> <p>14 replicate, a badge that's raised or a hologram or</p> <p>15 something of this nature to go through and do that.</p> <p>16 Department of Transportation, they</p> <p>17 come and do audits on us. Federal agency, state</p> <p>18 agency, but they do the same thing. Before they ever</p> <p>19 do anything they always, I'm with Department of</p> <p>20 Transportation, here's my credentials. And they go</p> <p>21 through and show that before they go through and do</p> <p>22 that.</p> <p>23 So, of the 55 years in the -- in the</p> <p>24 different departments we've dealt with, they've all</p> <p style="text-align: right;">Page 187</p>	<p>1 Q. How about the Coroner's Office?</p> <p>2 A. Same drill. Here I am, here's my</p> <p>3 credentials. We had a fatality in the back of the</p> <p>4 facility. We had a undercover police officer came by.</p> <p>5 Same deal. I'm officer so and so, here's my badge.</p> <p>6 And we had a fire marshal come in the same routine.</p> <p>7 I'm officer or fire marshal, so and so, here's my</p> <p>8 credentials.</p> <p>9 Q. Okay. And so, we'll just go down this</p> <p>10 list briefly. The Vegas Valley Water District, did</p> <p>11 they have credentials?</p> <p>12 A. They did.</p> <p>13 Q. The Department of Energy, are they --</p> <p>14 did they have credentials?</p> <p>15 A. DOE, we've done quite a bit of cleanup</p> <p>16 jobs with some hazardous waste out the Tonopah test</p> <p>17 range and also Berkely. And every time they present</p> <p>18 the same type of credentials, I'm so and so with DOE.</p> <p>19 Q. The Clark County Aviation?</p> <p>20 A. We dealt with Randy Walker's office</p> <p>21 quite a bit of bring rail by fuel way rail for the</p> <p>22 airport in the same dance. I'm Randy Walker with</p> <p>23 Clark County Aviation and here's my credentials.</p> <p>24 Q. Department of Defense?</p> <p style="text-align: right;">Page 189</p>



1 **A. DOD, moving on the rail cars we talked**
2 **about, same dance. I'm officer so and so, here's my**
3 **Navy credentials.**
4 **Q. US Air Force?**
5 **A. USAF, Air Force, they wanted some help**
6 **with some cleanup, and the same dance. I'm a petty**
7 **officer, so and so, here's my credentials.**
8 **Q. A dog (inaudible)?**
9 **A. They're up on my neighborhood. Pretty**
10 **funny that he also would show his credentials before**
11 **he did anything.**
12 **Q. And when they -- what -- I guess,**
13 **backing up, when they show you these credentials, what**
14 **were they doing? What were they asking for?**
15 **A. Sometimes entry, sometimes**
16 **information, but they have the same issue to identify**
17 **themselves that they have a standing to do something.**
18 **Q. How about the Constable?**
19 **A. Constable's Office, we've dealt with**
20 **them quite a bit for truck drivers and railroad**
21 **workers that have garnishments. And they come to do**
22 **the same thing, I'm Officer or Constable Ellison. And**
23 **he would have his credentials.**
24 **Q. The FDIC?**

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1 **A. We had problems with a bank that**
2 **somebody -- we took some material off of a facility**
3 **that they wanted to know where it went to. So the**
4 **FDIC came over and they again showed their**
5 **credentials, wanted to know where that equipment we**
6 **transported went to.**
7 **Q. How about the BLM?**
8 **A. BLM. Had problems with -- they**
9 **thought we were on their property and they came over**
10 **and wanted to show up and get an order officer, fill**
11 **someone with a Bureau of -- Bureau of Land Management**
12 **and show me their credentials. Government issues.**
13 **Q. What of IRS?**
14 **A. IRS, they came over doing some, you**
15 **know what rims are?**
16 **Q. What is it?**
17 **A. Fuel tax when you do -- when you do**
18 **environment or when you do diesel field. They give**
19 **you a rims credit and the IRS tracks that. And so we**
20 **had bring in diesel or ethanol in the State of Nevada.**
21 **And so they wanted to know where that was going**
22 **because rims were being fraudulently applied. So the**
23 **IRS came and wanted do an audit of the rail cars that**
24 **came in. Again, the same problem, I'm officer so and**

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1 **so with the IRS, here is my credentials.**
2 **Q. Metro?**
3 **A. We talked about Metro.**
4 **Q. We talked about Metro, Fire**
5 **Department, we talked about the ATF?**
6 **A. Again, that was on some -- the**
7 **smuggling of stuff from Mexico. So they showed up.**
8 **Again, they showed their credentials of we're with the**
9 **ATF.**
10 **Q. The Highway Patrol?**
11 **A. Safety audit. They come in and,**
12 **again, they do the same thing. I'm officer so and so,**
13 **here's my credentials.**
14 **Q. OSHA?**
15 **A. OSHA, we've had actions on site. And**
16 **they, again, will identify themselves as their name.**
17 **And OSHA will show their state issued credentials,**
18 **which will typically have, we'll always have an ID**
19 **number so we can check with their office to find out**
20 **if they're a bonafide officer.**
21 **Q. Now, just so that we understand. So,**
22 **let's look at Exhibit 8, going to second page. So, is**
23 **this typically something that -- what is typical is**
24 **something that you would see with these credentials**

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1 **that you've been shown?**
2 **A. Either a raised seal that's hard to**
3 **replicate, and if not, it I'll be very official**
4 **looking like a government issued. And then they will**
5 **always have a -- ID number that's be able to go back**
6 **to their home office and call and see if they're valid**
7 **as inspector. And I'll have a date that it's good**
8 **for, and their signature in the picture.**
9 **Q. Is it -- is it common to have a**
10 **statement that, this person's authorized to conduct**
11 **whatever it is, inspections or anything like that?**
12 **A. Yeah, it gives them jurisdictional**
13 **issues. Is -- that says that on their ID information**
14 **that they have the scope of work that they're able to**
15 **do.**
16 **Q. And have you had credential training?**
17 **A. I have.**
18 **Q. Tell us about that?**
19 **A. Part of our Homeland Security training**
20 **at the railroad yard is we have to go through and do a**
21 **site assessment. And a site assessment is we go to**
22 **training at DOE over their office Losee and Atomic**
23 **Wave, is where we do their training, and they go**
24 **through to help us do a site selected process.**

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<p>1 And one of the things they do is</p> <p>2 school us on what we should look for people who are</p> <p>3 trying to enter the process or the yard or facility</p> <p>4 fraudulently. And so we go through and have been</p> <p>5 trained by that department of what to look for and how</p> <p>6 to put that in our plan.</p> <p>7 Q. So on these -- let's go back to some</p> <p>8 of these dates. January 8th you already testified to,</p> <p>9 but January 9th, was there a request for entry?</p> <p>10 A. There was -- there was not. Again, I</p> <p>11 knew they're on property when one of the security</p> <p>12 guards let us know we had an intruder on site. And</p> <p>13 that's where I came out and find them. I think they</p> <p>14 had a big pickup of -- a big ford pickup of dual cab,</p> <p>15 and there was three individuals in there.</p> <p>16 Q. And so, were there -- were there any</p> <p>17 credentials presented?</p> <p>18 A. No, they were not like the typical</p> <p>19 government agencies where they say, I'm so and so,</p> <p>20 here's my credentials. That was not presented.</p> <p>21 Q. Okay. And going through -- we're</p> <p>22 going to ask same question on July 17th, 25th, July</p> <p>23 31st, August 7th, August 14th. On any of those days,</p> <p>24 is there a request for entry on the property?</p> <p>Page 194</p>	<p>1 I said, does it have a -- an ID number on it that I</p> <p>2 could call and find out if you're legitimate or not?</p> <p>3 And there's no signature on it. And she just sort of,</p> <p>4 that's all I got.</p> <p>5 Q. Okay. And was that typical? Did</p> <p>6 anybody else show you anything like that?</p> <p>7 A. Nobody showed me and presented it like</p> <p>8 other government officials have, that I am so and so,</p> <p>9 here is my credentials.</p> <p>10 Q. And why is that important to you?</p> <p>11 A. You know, I've learned as we've gone</p> <p>12 through this process that they have a dance, meaning</p> <p>13 that the county officials have a dance to do also is</p> <p>14 to present credentials. Present to me is like the</p> <p>15 adjective says, present is to give, to show.</p> <p>16 Q. Let's take a look here?</p> <p>17 MR. GUBLER: Let's pull Exhibit 24,</p> <p>18 please.</p> <p>19 BY MR. GUBLER:</p> <p>20 Q. Do you recognize this?</p> <p>21 A. I do.</p> <p>22 Q. What is this?</p> <p>23 A. It's an owner's responsibility for the</p> <p>24 trucking and the railroad companies to meet and have a</p> <p>Page 196</p>
<p>1 A. Define that for me.</p> <p>2 Q. Was there a request for entry? Did</p> <p>3 they ask you, I'm here to inspect this, may I enter</p> <p>4 your property?</p> <p>5 A. They did later on. Not in the</p> <p>6 beginning, but later on. But then they never followed</p> <p>7 that up with presentation of credentials.</p> <p>8 Q. Okay. Did anybody come out on August</p> <p>9 28th, 2024?</p> <p>10 A. Is that the one where they testified</p> <p>11 that somebody from the office talked to them and I was</p> <p>12 on the phone?</p> <p>13 Q. No, I believe this was later?</p> <p>14 A. I can't tell you that. If we could</p> <p>15 look at their exhibit maybe.</p> <p>16 Q. At any time -- let me ask you this.</p> <p>17 At any time, did anybody show up and did you ask them</p> <p>18 for credentials?</p> <p>19 A. I did at the -- at the last. It's</p> <p>20 towards the last, I guess. The lady for one, and she</p> <p>21 said, I have no credentials. And she pulled out her</p> <p>22 human resource tiny little thing. And she said, all I</p> <p>23 have is this. And I use this just to swipe to get</p> <p>24 into the office. And I said -- and I laughed at her.</p> <p>Page 195</p>	<p>1 security plan.</p> <p>2 Q. What's a security plan?</p> <p>3 A. The site where we have a terminal,</p> <p>4 we're required to go through and provide a security</p> <p>5 plan to keep it secure.</p> <p>6 Q. And so this tells you what those</p> <p>7 requirements are; is that right?</p> <p>8 A. It does. You start off with the</p> <p>9 threat assessment. Is where you look at the</p> <p>10 geographic and demographic property that you're</p> <p>11 talking about, and go through and look at what threats</p> <p>12 are available to that property. And then you design a</p> <p>13 security plan to go through and meet the threats of</p> <p>14 that property to keep terrorists from gaining access</p> <p>15 to it and then gaining access to the trucks and</p> <p>16 trailers that have the hazardous material inside them.</p> <p>17 Q. Okay?</p> <p>18 MR. GUBLER: Let's go to, I think it's</p> <p>19 three pages in on this one. Stop, go back.</p> <p>20 BY MR. GUBLER:</p> <p>21 Q. So, I think you had mentioned this,</p> <p>22 the little triangle. Do you see that on the truck?</p> <p>23 A. Yes, we call it the flip chart, but</p> <p>24 yes.</p> <p>Page 197</p>



1 Q. And that's what you were referring to
2 before?
3 A. Yes.
4 Q. Okay. And what is that again?
5 A. That is the triangle that tells the
6 material that's inside the container and has it has or
7 has hazardous communication training, will teach the
8 employee what that placard means.
9 Q. Okay. So, did you ever come up with a
10 security plan?
11 A. We have. We do.
12 Q. Let's take a look at Exhibit 25. What
13 is this?
14 A. Social security plan.
15 Q. Okay. When was this created?
16 A. It was created 2005, would've been
17 updated when we moved in 2023.
18 Q. And did it exist before January of
19 2024?
20 A. It did.
21 Q. Okay. So going to the second page of
22 this, down towards the end, part of the -- part of the
23 plan, if you look the second to last point, do you see
24 that? Fake ID look for ID on badge?

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1 A. Correct.
2 Q. Why is that on there?
3 A. It's a big part of stopping people who
4 fraudulently are trying to get onto a secured site.
5 Q. And that was part of your security
6 plan before?
7 A. It was.
8 Q. And so when you were -- when these
9 individuals all showed up on the January and July and
10 August, was this a concern for you?
11 A. Yes. I mean, they presented nothing
12 that I'd ever dealt with before that looked official.
13 Q. And again, why -- I -- you probably
14 touched on this, but why is that important?
15 A. The official list allows us to know
16 that they're going to be safe on site.
17 Q. Okay. And if they're not safe on
18 site, what could happen?
19 A. The potential, again, as I'll
20 reiterate -- the killing field of a rail car with
21 chlorine is 15 miles. And so it's incumbent upon us
22 to keep our society and our little part of the world
23 safe.
24 Q. And is that -- so you mentioned

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1 chlorine. Is that -- is that type of thing on a -- on
2 the property?
3 A. Well, it's truth to put. I mean, the
4 material comes and goes, that's why they call it a
5 terminal. So the cars will come in or tanker cars
6 will come in. They either get repowered, sit there
7 for the weekend. The drivers take their hours of
8 service off, and then depart again.
9 Q. Okay. Well let's look at Exhibit 17.
10 So -- well, do you -- what is this? Do you recognize
11 this?
12 A. It's from FRA.
13 Q. What's the FRA?
14 A. It's a sub department of the
15 Department of Transportation. Stands for Federal
16 Railroad Administration.
17 Q. Okay. So, it says trespassing is
18 dangerous and illegal. Would you agree or disagree
19 with that statement?
20 A. Trespassing is illegal.
21 Q. And why is that?
22 A. There is -- most of -- most of the
23 hazmat in this country is moved by rail. And so with
24 such a large profile potential material to get into

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1 terrorist hand it's important that they are secured,
2 to the point that the railroad has its own police
3 department to go through and provide security.
4 MR. GUBLER: Let's go to Exhibit 18.
5 Sorry.
6 BY MR. GUBLER:
7 Q. And again, do you recognize this?
8 A. I do.
9 Q. And what is it?
10 A. It's, again, it's the Federal Railroad
11 Administration talking about trespassers and help us a
12 railroad go through and understand and watch out for.
13 Q. And is that a real safety issue?
14 A. It is.
15 Q. Okay. And that's because of the
16 hazardous materials and such that they're on the
17 property?
18 A. It is.
19 Q. That come and go on the property.
20 Now, do you have any signage on your property?
21 A. We do.
22 Q. Okay. What does that look like?
23 A. No camping here.
24 Q. Okay. Railroad property, no

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1 trespassing, federal statute. I -- it looks to me
2 like there's some dust on there. How long has that
3 been on the property?
4 **A. That was put in October, I want to**
5 **say.**
6 Q. Of what year?
7 **A. '23.**
8 Q. 2023?
9 **A. Uh-huh.**
10 Q. And where was it displayed?
11 **A. It's been in several different places.**
12 **It's ended up on the gates and then front, before that**
13 **it would've just been on the front of the property.**
14 Q. So if you wanted to enter the
15 property, would you have seen this sign?
16 **A. I -- that's a speculation. I don't**
17 **know their acuity.**
18 Q. Is it -- is it obviously posted in the
19 front?
20 **A. To me it was, but again, it's probably**
21 **different for everybody.**
22 Q. Okay. But it was -- it was there in
23 January, 2024, posted --
24 **A. Yes.**

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1 Q. -- on the front of the property?
2 **A. Uh-huh.**
3 Q. What else do you have there?
4 **A. Just the signs we have about all**
5 **visitors need to check in.**
6 Q. And where is that posted?
7 **A. From time to time -- right now they're**
8 **on both gates in the middle. It's always been on the**
9 **-- on the very front where the gate was at.**
10 Q. When you say always, what do you mean?
11 **A. Since we were set up there in October.**
12 Q. October of 2023?
13 **A. Correct.**
14 Q. Okay. Are you familiar with
15 rotomilling?
16 **A. I am.**
17 Q. What is it?
18 **A. It's the aftermath of -- aftermath of**
19 **somebody taking a machine and grinding up the asphalt,**
20 **either to rehabilitate it or to go through and regrind**
21 **it.**
22 Q. And what's the size of this material?
23 **A. Typically, three inch to quarter inch.**
24 Q. Okay?

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1 MR. GUBLER: And let's go to Exhibit 9,
2 please.
3 BY MR. GUBLER:
4 Q. Do you recognize this picture?
5 **A. I do.**
6 Q. What is it?
7 **A. 2596 Stratford Avenue.**
8 Q. Okay. So this is the property,
9 correct?
10 **A. Correct.**
11 Q. And is this what it looks like to me?
12 **A. It does.**
13 Q. Now, that on the ground, what is that?
14 **A. Roto-Mill.**
15 Q. And what areas of the property does
16 that cover?
17 **A. 98 percent.**
18 Q. Okay. The nine -- the 2 percent,
19 where's that at?
20 **A. Offices.**
21 Q. The offices, so there's a structure?
22 **A. It's some concrete.**
23 Q. It's some concrete. Okay. Otherwise,
24 this covers the property; is that right?

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1 **A. Correct.**
2 Q. Okay. And how deep is it?
3 **A. About six-inch lift.**
4 Q. So six inches deep?
5 **A. Correct.**
6 Q. Why is this on the property?
7 **A. Best practices for dust abatement.**
8 Q. For dust abatement, you said?
9 **A. Yes.**
10 Q. How do you know that?
11 **A. I asked my date neighbor, Jay Smith,**
12 **but from Las Vegas Paving on what the best product**
13 **would be and he said the best product is six inches of**
14 **Roto-Mill.**
15 Q. Have you used Roto-Mill before,
16 though?
17 **A. I have.**
18 Q. Where?
19 **A. We used it at university property, we**
20 **used the Donovan Way property, and we used it at the**
21 **Losee Road property.**
22 Q. Okay. And why did you use it?
23 **A. It's the most economical, best**
24 **material to -- as a pallet to stop the dust emissions.**

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<p>1 Q. How much is this a ton?</p> <p>2 A. Jay gave me a good price. So, maybe</p> <p>3 \$20 a ton.</p> <p>4 Q. Dollars a ton compared to how much is</p> <p>5 that?</p> <p>6 A. Probably 10 percent of what</p> <p>7 (inaudible) is.</p> <p>8 Q. Okay. And when you use this, has this</p> <p>9 created any type of dust plumes?</p> <p>10 A. Not that I can tell.</p> <p>11 Q. Now, does this work as effectively as</p> <p>12 asphalt for your property?</p> <p>13 A. You know, there's some qualifiers in</p> <p>14 there because of the track equipment we have, because</p> <p>15 of that, I think it works better than asphalt, because</p> <p>16 then we don't have to destroy what we just put down as</p> <p>17 we use the -- get rid of the -- remove the loader for</p> <p>18 an assignment.</p> <p>19 Q. Does this material maintain?</p> <p>20 A. Yeah, we have it laid right there and</p> <p>21 maintains it.</p> <p>22 Q. Okay. And is this -- is this work as</p> <p>23 effectively as water?</p> <p>24 A. Qualify that because water's in when</p> <p style="text-align: right;">Page 206</p>	<p>1 them?</p> <p>2 A. I did.</p> <p>3 Q. And did -- and so what did they</p> <p>4 recommend?</p> <p>5 A. Roto-Mill.</p> <p>6 Q. Both of them did?</p> <p>7 A. Correct.</p> <p>8 MS. JORGENSEN: And I'm going to stop</p> <p>9 you right there because I know you're going to</p> <p>10 probably go to their affidavits. But we're -- the</p> <p>11 time. So we've got a -- that's more or less. So I</p> <p>12 have to check first because I only anticipated being</p> <p>13 here for -- so, there is a conference room available</p> <p>14 that I booked on this first floor. It's by the east</p> <p>15 entrance to the building.</p> <p>16 HEARING OFFICER: Okay. And how long</p> <p>17 do we anticipate? Because -- or what's the hours that</p> <p>18 we're --</p> <p>19 MS. JORGENSEN: We can have it until</p> <p>20 the end of the day.</p> <p>21 HEARING OFFICER: Of the day. Yeah.</p> <p>22 MR. GUBLER: Did you want them to stay</p> <p>23 till 3:00 instead.</p> <p>24 HEARING OFFICER: Well, the problem is,</p> <p style="text-align: right;">Page 208</p>
<p>1 in a drought? So it's --</p> <p>2 Q. Well, I mean, is it -- was this</p> <p>3 cheaper than watering this 24/7 to put this Roto-Mill</p> <p>4 down?</p> <p>5 A. It's probably more socially</p> <p>6 responsible than water. Because, again, we are in a</p> <p>7 drought and this material would go to landfill. So</p> <p>8 it's a recycled material. So does it work better than</p> <p>9 water? It's equal to, I've had to say that, but</p> <p>10 again, it's more socially responsible.</p> <p>11 Q. So, with water, do you have to employ</p> <p>12 anybody to put that?</p> <p>13 A. You do. So you have CO2 emissions</p> <p>14 from the water truck, and then you just, again, have</p> <p>15 the whole issue to pump the water. Is power</p> <p>16 intensive.</p> <p>17 Q. Now, did you do any type of inquiries?</p> <p>18 What would be the best dust pallet for your property?</p> <p>19 A. Just asking the experts.</p> <p>20 Q. Okay. Who are those experts?</p> <p>21 A. Two asked -- what I asked would Jay</p> <p>22 Smith from Las Vegas Paving and Floyd Milgram from</p> <p>23 Houston, Southern Nevada Paving.</p> <p>24 Q. Okay. And you spoke with both of</p> <p style="text-align: right;">Page 207</p>	<p>1 yeah, I only -- I have to take off time to be here as</p> <p>2 well. That's the whole day that I'm out. And I did</p> <p>3 not plan on that from my office.</p> <p>4 MR. GUBLER: Do we need to reschedule</p> <p>5 it.</p> <p>6 HEARING OFFICER: So I have to check</p> <p>7 with my office. Let's just take a break. We'll take</p> <p>8 a break right now and reconvene at -- it's 11:54</p> <p>9 --11:55. So right before noon, so I can figure out</p> <p>10 whether --</p> <p>11 MR. GUBLER: Or we reschedule it?</p> <p>12 MS. JORGENSEN: No.</p> <p>13 HEARING OFFICER: Well, is hard to get</p> <p>14 a room.</p> <p>15 MR. GUBLER: No, no. For a different</p> <p>16 --</p> <p>17 HEARING OFFICER: Day. That's -- I</p> <p>18 mean, because everybody's here today, so -- Yes.</p> <p>19 Okay. So the options are to have a room. If I can be</p> <p>20 here till 05:00.</p> <p>21 MS. JORGENSEN: But it'd be available</p> <p>22 till 5:00.</p> <p>23 HEARING OFFICER: Right. And then I</p> <p>24 have to return to my office and we'll discuss this.</p> <p style="text-align: right;">Page 209</p>



<p>1 Let's -- we'll come back right before -- let's do --</p> <p>2 let's do like a three minutes, 55 to 56. So we're</p> <p>3 going off the record at 11:55. I can find out by --</p> <p>4 within the next three minutes and we can discuss</p> <p>5 whether we move to another day or if we --</p> <p>6 MS. JORGENSEN: And then if we were</p> <p>7 going to reschedule, then we'd need dates.</p> <p>8 HEARING OFFICER: Right.</p> <p>9 MS. JORGENSEN: Okay.</p> <p>10 (OFF THE RECORD).</p> <p>11 HEARING OFFICER: Okay. We are going</p> <p>12 to go back on the record. We convened shortly before</p> <p>13 12:00. It's now 12:16. We were trying to come up</p> <p>14 with dates or times to ensure that respondent has</p> <p>15 plenty of time to put on their case in chief. And we</p> <p>16 have enough time for cross and to address the penalty</p> <p>17 phase because we are still in the violation phase.</p> <p>18 So, we have confirmed that we can</p> <p>19 reconvene on the 5th of November, Tuesday, which is</p> <p>20 next Tuesday. So we will start -- I can start at</p> <p>21 8:00.</p> <p>22 MS. JORGENSEN: No, no, no.</p> <p>23 HEARING OFFICER: Okay.</p> <p>24 MS. JORGENSEN: That would not be my</p> <p>Page 210</p>	<p>1 (Off the record.)</p> <p>2 (Whereupon, the proceeding was adjourned at</p> <p>3 12:18 p.m.)</p> <p>4 ***</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>Page 212</p>
<p>1 preference.</p> <p>2 HEARING OFFICER: Okay.</p> <p>3 MS. JORGENSEN: Could we start at 9:00?</p> <p>4 This way I know I'll be on time too. Yeah, we -- I</p> <p>5 come from Henderson, so --</p> <p>6 HEARING OFFICER: Is 9:00 okay?</p> <p>7 MS. JORGENSEN: 9:00 is fine for me.</p> <p>8 THE CLERK: 9:00 a.m.</p> <p>9 HEARING OFFICER: 9:00 a.m.? Okay. We</p> <p>10 will --</p> <p>11 MR. GUBLER: I'll follow you later.</p> <p>12 HEARING OFFICER: I'm sorry?</p> <p>13 MR. GUBLER: I said I'll follow you</p> <p>14 later on. 9:00's fine.</p> <p>15 HEARING OFFICER: Oh, I can do later.</p> <p>16 MR. GUBLER: No. (Inaudible).</p> <p>17 HEARING OFFICER: I cannot agree to</p> <p>18 that. Okay. So we'll reconvene on the fifth, which</p> <p>19 is next Tuesday, November 5th at 9:00 a.m. And then</p> <p>20 this adjourns the meeting now it is 12:17 -- 12:18.</p> <p>21 MS. JORGENSEN: Okay.</p> <p>22 HEARING OFFICER: Thank you.</p> <p>23 MR. GUBLER: Thank you.</p> <p>24</p> <p>Page 211</p>	



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EXHIBIT 31

1 APPEARANCES :

2

3 RUSSELL G. GUBLER, ESQUIRE
4 Johnson & Gubler, P.C.
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25



<p>1 PROCEEDINGS</p> <p>2 ***</p> <p>3 THE CLERK: This is the Air Pollution</p> <p>4 Control Hearing Officer Meeting. It's approximately</p> <p>5 8:30 a.m., on November 5th, 2024.</p> <p>6 Holly Fic is the presiding hearing</p> <p>7 officer.</p> <p>8 HEARING OFFICER: (Indiscernible) it's</p> <p>9 9:00, and this is going to be the time to start.</p> <p>10 I'm going to call the meeting to order. This is the</p> <p>11 Air Pollution Control Hearing Officer Meeting. This</p> <p>12 is the continuation from the 1029 testimonies and</p> <p>13 representations by air quality and ETON</p> <p>14 Transportation Corp in regards to NOB 9994 and</p> <p>15 10078.</p> <p>16 ETON Transportation had the floor putting</p> <p>17 their case on chief, so we want to continue from</p> <p>18 there. I'm going to -- sir, would you raise your</p> <p>19 right hand? Do you solemnly swear that you'll tell</p> <p>20 the truth, the whole truth, and nothing but the</p> <p>21 truth, so help you God?</p> <p>22 THE WITNESS: I do.</p> <p>23 HEARING OFFICER: Okay. And you may</p> <p>24 continue with your case in chief.</p> <p>25 MR. GUBLER: Before we get involved, any</p> <p style="text-align: right;">Page 3</p>	<p>1 Mr. Kirk, Mr. -- Ms. Crandall, sorry, Byers and</p> <p>2 Kirk.</p> <p>3 HEARING OFFICER: I mean, this is an open</p> <p>4 forum and it's usually open to everyone. That's --</p> <p>5 my concern, is that we usually don't invoke</p> <p>6 exclusionary rules and it's open. It's just that</p> <p>7 this happens to be a -- a special time that's set</p> <p>8 away for that -- set away for that. And you're</p> <p>9 going to call all of these people to testify today?</p> <p>10 MR. GUBLER: Yes. It'll -- it'll be</p> <p>11 different testimony. I'm not -- I'm not seeking to</p> <p>12 ask them things that I've -- I've asked --</p> <p>13 HEARING OFFICER: Okay.</p> <p>14 MR. GUBLER: -- previously.</p> <p>15 HEARING OFFICER: Okay.</p> <p>16 MR. GUBLER: Hoping to be very brief.</p> <p>17 HEARING OFFICER: Okay.</p> <p>18 MR. GUBLER: Okay.</p> <p>19 HEARING OFFICER: I'm going to allow it if</p> <p>20 -- if it's different from what he's saying, and I</p> <p>21 just want to give them every opportunity to present</p> <p>22 their case. So -- and they are witnesses and he's</p> <p>23 going to call them, and he has a reason for that.</p> <p>24 Although this is -- is an open proceeding, this is</p> <p>25 -- we've put it to this time. So I'm just going to</p> <p style="text-align: right;">Page 5</p>
<p>1 -- here just briefly. I'm going to make a request</p> <p>2 to sequester witnesses.</p> <p>3 HEARING OFFICER: Okay. And reason being?</p> <p>4 MR. GUBLER: I -- I -- I intend to call</p> <p>5 after Mr. Truman, I intend to call in some more</p> <p>6 witnesses that are in the room. And I do not want</p> <p>7 them to collude on their -- on their testimony. I</p> <p>8 believe that there was last time, I think we all</p> <p>9 observed how -- how the testimonies had changed</p> <p>10 throughout the hearing last time. And so that's why</p> <p>11 I would like it sequestered today.</p> <p>12 HEARING OFFICER: Okay. Respondent's</p> <p>13 counsel, any objections?</p> <p>14 MS. JORGENSEN: I think it's too late. I</p> <p>15 think it's a -- a belated request and I think the</p> <p>16 representation that testimony change I think it is</p> <p>17 unsupported, and I -- I don't think it's necessary.</p> <p>18 I mean, and my only concern is, I mean, we're here a</p> <p>19 week later if -- whatever was said was said. I -- I</p> <p>20 understand you're to say that they're going to --</p> <p>21 that certain witnesses are going to collude on</p> <p>22 testimony. But questions that you're going to ask</p> <p>23 today, what -- specifically, who do you want</p> <p>24 excluded?</p> <p>25 MR. GUBLER: I would ask for Ms. Roswell,</p> <p style="text-align: right;">Page 4</p>	<p>1 -- well, they'll have to be, I guess, on standby to</p> <p>2 be called in. Well, there wouldn't be a reason to</p> <p>3 exclude them right now, until they start testifying,</p> <p>4 at least based on the representations by counsel.</p> <p>5 MR. GUBLER: No. I would like them</p> <p>6 excluded with Mr. Truman's testimony.</p> <p>7 HEARING OFFICER: Again, it's an informal</p> <p>8 proceeding, but if he's got a good faith basis that</p> <p>9 he's saying, that I would want him to put on his</p> <p>10 testimony, just so that they won't be prepared for</p> <p>11 that. And that happens in a normal process, I don't</p> <p>12 see that as unreasonable. So I'm going to allow it.</p> <p>13 MS. JORGENSEN: Okay. So who's being</p> <p>14 excluded?</p> <p>15 MR. GUBLER: We've asked Roswell.</p> <p>16 HEARING OFFICER: Roswell?</p> <p>17 MR. GUBLER: Forgive me. Yes.</p> <p>18 HEARING OFFICER: Uh-huh.</p> <p>19 MR. GUBLER: Roswell. Thank you.</p> <p>20 HEARING OFFICER: Mr. Kirk.</p> <p>21 MR. GUBLER: Byers, Dean, and Kirk.</p> <p>22 HEARING OFFICER: Dean is not here today.</p> <p>23 I believe I stated last time that he would not be</p> <p>24 here.</p> <p>25 MR. GUBLER: That -- that -- that's fine</p> <p style="text-align: right;">Page 6</p>



<p>1 -- that's fine.</p> <p>2 HEARING OFFICER: So, Byers.</p> <p>3 MR. GUBLER: Uh-huh.</p> <p>4 HEARING OFFICER: Roswell, Kirk, Byers and</p> <p>5 Crandall I thought you said.</p> <p>6 MR. GUBLER: Crandall.</p> <p>7 HEARING OFFICER: Okay. Okay. It is now</p> <p>8 9:06, and I've granted counsel's request to exclude</p> <p>9 potential witnesses while we -- he puts his case on</p> <p>10 and starts with the -- his case. So you may</p> <p>11 continue.</p> <p>12 MR. GUBLER: Thank you so much.</p> <p>13 EXAMINATION</p> <p>14 BY MR. GUBLER:</p> <p>15 Q. Mr. Truman, do you recall last time we</p> <p>16 were talking about credentials, do you remember</p> <p>17 that?</p> <p>18 A. Yes.</p> <p>19 Q. Now, you -- you -- we went through -- we</p> <p>20 won't go through all that again. But we went</p> <p>21 through different agencies that had come and -- and</p> <p>22 -- and presented their credentials to you for</p> <p>23 different various reasons relating to -- to business</p> <p>24 and personal experience. Do you remember that?</p> <p>25 A. Yes.</p> <p>Page 7</p>	<p>1 signed on behalf of a representative of ETON, you</p> <p>2 signed a permit; is that right?</p> <p>3 A. Correct. Electronically.</p> <p>4 Q. Now, when you signed this permit, what</p> <p>5 were you thinking?</p> <p>6 A. Well, before this on the permit, I looked</p> <p>7 at the statutes, the code, whatever, to go through</p> <p>8 and understand what that would entail. And in the</p> <p>9 county code, it presented a protocol of how they</p> <p>10 would go through and present themselves to enter the</p> <p>11 property.</p> <p>12 So with -- with that understood of how the</p> <p>13 protocol would work, I guess you'd call the -- the</p> <p>14 rule of law. Here's how the law's going to be</p> <p>15 presented to you, Mr. Truman, I then signed that --</p> <p>16 that they would've access to the property, based on</p> <p>17 their presentation in their literature of what the</p> <p>18 code required them to do.</p> <p>19 Q. Why is that important to you?</p> <p>20 A. I've had several opportunities to work</p> <p>21 with the government agencies where they have -- have</p> <p>22 been heavy handed and have come on my properties</p> <p>23 over -- over the years without duly presenting</p> <p>24 credentials. And then we have negotiated out under</p> <p>25 the Fourth Amendment issues, that they came under</p> <p>Page 9</p>
<p>1 Q. At any time did the same person from the</p> <p>2 same agency ever come back?</p> <p>3 A. Yes, they have.</p> <p>4 Q. And -- and when they came back -- so the</p> <p>5 first time your testimony was, and correct me if I'm</p> <p>6 wrong, that -- that they presented their</p> <p>7 credentials, whatever that was, said what they were</p> <p>8 there for, stated their purpose. Did they say</p> <p>9 anything else?</p> <p>10 A. Sometimes they would ask what they were</p> <p>11 there for. If they could come on property, if they</p> <p>12 could talk to somebody. So it depended on the</p> <p>13 reason they were there.</p> <p>14 Q. Okay. So when they returned, what did</p> <p>15 they do?</p> <p>16 A. The same, for lack of a better word,</p> <p>17 dance. They present themselves that I'm so and so</p> <p>18 from this department, here's my credentials. Can I</p> <p>19 come on site? Can I talk to somebody? So it was --</p> <p>20 every time they would come back, it would be the</p> <p>21 same protocol of introducing themselves, presenting</p> <p>22 credentials, and then I ask if they could come on</p> <p>23 site if they needed to come on site for some reason.</p> <p>24 Q. Now, I believe that there was some</p> <p>25 testimony previously kind of moving on, that you had</p> <p>Page 8</p>	<p>1 issues that they provided unreasonable seizures --</p> <p>2 search and seizures.</p> <p>3 The first time would've been with my aunt</p> <p>4 who owned a company called Trainer Wholesale. And</p> <p>5 the feds came on her property to go ahead and get</p> <p>6 some information without a warrant and without</p> <p>7 asking her, she was not at the home or the business</p> <p>8 when they came by. And that was settled out?</p> <p>9 And then my own personal first one was</p> <p>10 with the water district. The water district came on</p> <p>11 a piece of property we owned or leased, and a</p> <p>12 representative or a city inspector of the water</p> <p>13 district came on site, and rejected some pipe, and</p> <p>14 then proceeded to graffiti my property that -- that</p> <p>15 I had there.</p> <p>16 And so, when this happened, I told the --</p> <p>17 the water district and they sent out an investigator,</p> <p>18 and we went through what happened. And when I was</p> <p>19 in college, I -- I was a history major first, and so</p> <p>20 I studied -- the study was 1780 to 1790 was my part</p> <p>21 of history that I specialized in, which had a lot to</p> <p>22 do with the Bill of Rights.</p> <p>23 And so, I knew somewhat of what the</p> <p>24 historical context was of the Bill of Rights,</p> <p>25 particularly the Fourth Amendment. And particularly</p> <p>Page 10</p>



<p>1 at -- at college, I got to know a guy by the name of</p> <p>2 Bruce Hafen (ph), who taught constitutional law at</p> <p>3 the college -- legal college, next to the college I</p> <p>4 went to. We got to know him.</p> <p>5 And so through my study of history, my</p> <p>6 relationship with him and followed up with</p> <p>7 relationship with Judge George here in Las Vegas,</p> <p>8 where we got to know him through his kids and spent</p> <p>9 some time with him at his home and his chambers</p> <p>10 discussing that 1880 to 1890 or 1780 to 1790 time</p> <p>11 period, I became somewhat information -- informed</p> <p>12 about the Fourth Amendment.</p> <p>13 Q. So let me just break this up just a little</p> <p>14 bit. You -- you've mentioned the Fourth Amendment a</p> <p>15 couple times. What does that mean to you?</p> <p>16 A. Historically, the -- the British would</p> <p>17 come onto the -- the Colonist property without any</p> <p>18 ability to stop them. And so, Madison went through</p> <p>19 and helped to write that into the Fourth Amendment,</p> <p>20 that, that would be a keystone of the new</p> <p>21 constitution, the new country that government did</p> <p>22 not have that right to come on site without some</p> <p>23 sort of warrant, some sort of information, some sort</p> <p>24 of process.</p> <p>25 So protected and -- the integrity of -- of</p> <p>Page 11</p>	<p>1 Next time we have problems with the Fourth</p> <p>2 Amendment, those was Clark County waste department.</p> <p>3 We have a client, a person who rented from us called</p> <p>4 Renew Oil, and a overzealous (indiscernible) jumped</p> <p>5 the fence, searched some containers that they had on</p> <p>6 site to find out if there's any solid waste that had</p> <p>7 come from the casinos.</p> <p>8 Again, we went back to the county this</p> <p>9 time and found somebody who was in charge of the</p> <p>10 solid waste in the the legal department. I guess</p> <p>11 it's the -- I don't know if it's the DA's or what</p> <p>12 sub-department, but he came out of Chicago and he</p> <p>13 was very familiar with the -- the solid waste</p> <p>14 landscape with interstate commerce.</p> <p>15 And so he was quite conversant with what</p> <p>16 interstate commerce meant. Again, they backed out,</p> <p>17 got the letter of apology from the Solid Waste</p> <p>18 Department of Clark County of their -- their</p> <p>19 enforcement agency jumping on the fence to go</p> <p>20 through and present an illegal search and seizure of</p> <p>21 our property.</p> <p>22 So those are the -- the big ones that I</p> <p>23 haven't been involved with personally to understand</p> <p>24 what overreach of the government is, but also the</p> <p>25 rule of law. If you understand what the the</p> <p>Page 13</p>
<p>1 somebody's personal property that they just could</p> <p>2 not show up and say, okay, I'm here. That there's a</p> <p>3 process that the government had to go through to --</p> <p>4 to get on the property. And so, that was -- they</p> <p>5 validated when we dealt with the -- the water</p> <p>6 district and -- and they concurred that the Fourth</p> <p>7 Amendment was violated. They put in place to train</p> <p>8 their -- their employees of what that became.</p> <p>9 The next issue with the Fourth Amendment</p> <p>10 was, we had problems with a -- a government agency</p> <p>11 called an Air Force, we owned a property next to the</p> <p>12 Air Force Base at Sloan and Range Road. We had some</p> <p>13 monitoring wells we put on to find out whether some</p> <p>14 aviation fuel had leaked from somebody's tanks was</p> <p>15 come across our property.</p> <p>16 And the Air Force came on our -- our</p> <p>17 property and took samples off from of our monitor</p> <p>18 wells. And we had to -- to go to the base commander</p> <p>19 with the attorney at the time, with Stan Perry, to</p> <p>20 go through and get it straightened out that they had</p> <p>21 no ability to come on my property.</p> <p>22 Even though they're the government, even</p> <p>23 though they had this, I was protected in the Fourth</p> <p>24 Amendment. Air Force backed down, we were issued a</p> <p>25 letter -- a policy from the Air Force.</p> <p>Page 12</p>	<p>1 responsibilities of the parties going in, you should</p> <p>2 be able to determine and hold fast to what both</p> <p>3 party says.</p> <p>4 So if the -- the county air quality</p> <p>5 control says, we statutorily or -- or our code says</p> <p>6 that this is how we'll enter your property, I signed</p> <p>7 that, contractually in my mind, that this is how it</p> <p>8 would happen. If they wanted to come on property,</p> <p>9 it'd present their credentials and has to come on.</p> <p>10 Q. So you -- you heard testimony before from</p> <p>11 some of the government employees. One related to</p> <p>12 saying there's no security guard, there's no signs.</p> <p>13 You know, last time that you -- you brought a couple</p> <p>14 different signs, what did those signs say again?</p> <p>15 A. One was the issue about the trespassing,</p> <p>16 and there the federal CFR, and the other was just a</p> <p>17 -- a blue and white line that told them they needed</p> <p>18 to stop at the property, and sign in.</p> <p>19 Q. Okay. Now, do you believe that they did</p> <p>20 not see any security guard?</p> <p>21 A. I -- I can't testify what they saw or --</p> <p>22 or cannot see.</p> <p>23 Q. I'm asking what you believe.</p> <p>24 A. I believe they -- they did not look for</p> <p>25 one.</p> <p>Page 14</p>



1 Q. Okay. So you brought some -- some things
2 today with you?
3 **A. I did.**
4 Q. What is it?
5 **A. One is -- two items from when I bought**
6 **something from Amazon, and then the other two are**
7 **actual pictures of the signs that were on the site**
8 **at the time in question that they arrived on site.**
9 Q. Okay. And what else did you bring?
10 **A. Affidavits of the security guards on duty**
11 **of both the 8th and the 9th.**
12 Q. Okay. I -- I know this -- this is a
13 little unusual, but we'd ask to at least present
14 those so that they're in the record --- --- ---
15 HEARING OFFICER: So they're not ones yet.
16 So these are new that haven't been presented or
17 because I know there are quite a few affidavits in
18 there.
19 MR. GUBLER: Correct. That is correct.
20 There's -- there's two, they're very short. It's
21 basically saying that this is what they observed.
22 HEARING OFFICER: Any objection
23 (indiscernible) to review it?
24 MS. JORGENSEN: I believe these are -- I
25 assume that these are employees of either ETON or
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1 Tonopah & Tidewater. So I -- best evidence is, they
2 should have brought these witnesses too, so I can
3 have the ability to cross-examine them. So I would
4 object to the entrance of these affidavits.
5 HEARING OFFICER: And --
6 MS. JORGENSEN: As to the other items, I
7 don't know what those are yet.
8 HEARING OFFICER: My only concern is that
9 too. I mean, you guys have the opportunity I review
10 them and -- and I know you presented all your
11 exhibits, and that would've been a time when they
12 would have fair times to respond to that. And it's
13 like after the fact we're in day 2 of trial, and so
14 it's -- it's -- it's unfair.
15 But I get, it's -- it's -- it's an
16 informal process, so I'll -- I'll allow it. But
17 it's -- it's because of how brief it is, I don't
18 want pages that are new to give them the opportunity
19 to respond to it. And then, I mean, I guess you --
20 you can testify about how those affidavits came out,
21 but best evidence would be that (indiscernible).
22 MR. GUBLER: May I approach.
23 HEARING OFFICER: Yes. Oh.
24 MR. GUBLER: Sorry.
25 HEARING OFFICER: Yes. No, that's fine.
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1 MR. GUBLER: No disrespect.
2 HEARING OFFICER: And -- and I assume
3 you're going to question the witnesses. Would you
4 question some of the air quality about this as well?
5 MR. GUBLER: About the picture, yes.
6 HEARING OFFICER: Okay. I'm going to --
7 because it's informal, I mean, obviously I get trial
8 by ambush, but because it's informal, and no
9 opportunity to cross-examine, and these are -- I
10 assume either ETON though it's not -- doesn't say
11 who they work for. So it's -- clearly they could
12 have had these people here if they had so chosen.
13 And I -- that's something that I will
14 consider. And -- and -- and I have my own questions
15 as well too. So -- but I will consider that, I'll
16 allow it because we are informal because that's --
17 that's, you know, the process here. And you'll be
18 allowed to cross and we'll just -- I'd rather have
19 it in than have this, you know, I just want to give
20 him every opportunity. So go ahead and proceed.
21 BY MR. GUBLER:
22 Q. Let's go ahead and look at the declaration
23 of Willard Stickler. Who's Mr. Stickler?
24 **A. He's an employee of ETON.**
25 Q. Of ETON. And what's Mr. Sticklers
Page 17

1 responsibilities?
2 **A. General yard labor and security guard.**
3 Q. And I -- I believe that you showed us in
4 some pictures, where the -- the security shack is.
5 What is -- what's the security shack look like?
6 Please describe that.
7 **A. That's an 8 by 20 office building mobile.**
8 Q. Okay. And where is it located?
9 **A. Just inside the south entrance to the**
10 **property.**
11 Q. So what -- what did Mr. -- so January 9th,
12 what did Mr. Stickler report to you? Tell -- tell
13 me in your own words, what -- what happened?
14 **A. We used the Nextcom radio on site for**
15 **communication, and he just got on the next tel, let**
16 **us know there was a potential intruder on site. And**
17 **I was walking out and I said, no, let me go and see**
18 **who it is.**
19 Q. Do you know -- do you know how he knew
20 that there was an intruder -- potential intruder on
21 site?
22 **A. Inside the security shack there's video**
23 **monitors at the site. So he -- he -- he would've**
24 **either saw them that way or the door was open, he**
25 **would've seen them coming (indiscernible).**
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<p>1 Q. Drive by?</p> <p>2 A. Correct.</p> <p>3 Q. So you mentioned a -- a sign that was</p> <p>4 posted saying that all visitors must check in; Is</p> <p>5 that right?</p> <p>6 A. Correct.</p> <p>7 Q. And where was that located?</p> <p>8 A. Would've been in three places. Would've</p> <p>9 been on the south, the north, and the middle.</p> <p>10 Q. So how did -- how did Mr. Stickler contact</p> <p>11 you?</p> <p>12 A. Just on the radio.</p> <p>13 Q. Okay. And what did he tell you?</p> <p>14 A. Just giving a trigger on side pass.</p> <p>15 Q. And so what did he do?</p> <p>16 A. Went out there to find out who it was.</p> <p>17 Q. Okay. Did you involve Mr. Stickler at all</p> <p>18 after that?</p> <p>19 A. No. He needed to stay in his post.</p> <p>20 Q. Okay. So then after -- after he informed</p> <p>21 you, Mr. Stickler informed you that there were</p> <p>22 intruders on the property, what did you do?</p> <p>23 A. Went out and met them.</p> <p>24 Q. Okay. And who was it?</p> <p>25 A. I don't know their names, but they're a</p> <p style="text-align: right;">Page 19</p>	<p>1 Q. Okay. So what did she report to you?</p> <p>2 A. Just there's a car in the back of the</p> <p>3 property that just came in.</p> <p>4 Q. And so what did you do?</p> <p>5 A. Went back there to find out who was there,</p> <p>6 why they're there.</p> <p>7 Q. And who was it?</p> <p>8 A. I think her name is -- I take it from last</p> <p>9 time, Candy or something. Cindy, Candy or something</p> <p>10 of that nature.</p> <p>11 Q. Okay. You also brought some pictures and</p> <p>12 invoices; is that correct?</p> <p>13 A. Correct.</p> <p>14 Q. Tell us what these are.</p> <p>15 A. Early on in October, we had problems with</p> <p>16 people understanding where the office was. Security</p> <p>17 was spending way too much time trying to chase them</p> <p>18 down, and we likewise were helping them chase the</p> <p>19 people down that came on the property. So we bought</p> <p>20 illuminated signs that said office on them, and put</p> <p>21 them on the perimeter of the facility, and the</p> <p>22 interior of the facility.</p> <p>23 Q. When were they installed?</p> <p>24 A. The end of November.</p> <p>25 Q. What year?</p> <p style="text-align: right;">Page 21</p>
<p>1 white Ford pickup crew cab. We saw them last time</p> <p>2 we're here. I -- I don't recall their names, but</p> <p>3 there's two females and -- maybe one female and two</p> <p>4 males.</p> <p>5 Q. Crystal Thorne, who's -- who is she?</p> <p>6 A. She's a long time employee that does</p> <p>7 security, you know, by security, day security for</p> <p>8 us.</p> <p>9 Q. Okay. Who does she work with?</p> <p>10 A. ETON -- ETON.</p> <p>11 Q. And so she discusses an incident on</p> <p>12 January 8th, looks like in her declaration. Where</p> <p>13 was she located? Where was her post on January 8th?</p> <p>14 What was she -- what duties were she performing?</p> <p>15 A. Same, security office or shack.</p> <p>16 Q. It's same -- same as Mr. -- where Mr.</p> <p>17 Stickler was?</p> <p>18 A. Correct.</p> <p>19 Q. Okay. And -- and so tell us what</p> <p>20 happened.</p> <p>21 A. Same issue. She called me on the radio.</p> <p>22 The security people are not to leave their -- their</p> <p>23 post. So whoever's on the radio and closer will go</p> <p>24 through and look and find out who the people are and</p> <p>25 find out why they're here.</p> <p style="text-align: right;">Page 20</p>	<p>1 A. 2023.</p> <p>2 Q. And so looking at, there's -- looks like</p> <p>3 there's two pictures. What are these pictures of?</p> <p>4 A. They show the signs that get on the</p> <p>5 perimeter and then on the interior.</p> <p>6 Q. And -- okay. So which one's the interior?</p> <p>7 A. The one with the red Conex, with the green</p> <p>8 outline around it, that would be on the interior,</p> <p>9 and the security person would then -- if somebody</p> <p>10 came in, signed up, they would then use that as a</p> <p>11 landmark for them of where to go, where to park.</p> <p>12 Q. So this was installed in November of 2023.</p> <p>13 Is it still there?</p> <p>14 A. It is.</p> <p>15 Q. Has it ever been taken down?</p> <p>16 A. No.</p> <p>17 Q. Is the light -- when -- when -- when the</p> <p>18 office is open, is the light always on?</p> <p>19 A. It's always on.</p> <p>20 Q. It's always on?</p> <p>21 A. Yes. Because we get Amazon on the</p> <p>22 outside, and so we're having an Amazon dropbox on</p> <p>23 the outside shown in the -- the one picture with the</p> <p>24 car in it. So it helps Amazon people at that time</p> <p>25 know where to take the Amazon packages.</p> <p style="text-align: right;">Page 22</p>



1 Q. So are -- is the -- is it pretty obvious
2 where the office is, at -- at the Stanford property?
3 **A. Seems to be to everybody else who comes on**
4 **site.**
5 Q. Okay. So there's also some -- looks like
6 -- looks like a couple emails. Where are these?
7 **A. The receipts back from the courier where**
8 **we bought signs from?**
9 Q. So this is just the receipt for the
10 purchase of the two signs?
11 **A. Correct.**
12 MR. GUBLER: Just for, I guess, purposes,
13 we could just mark Mr. Stickler's as Exhibit 26 and
14 Ms. Thorne's as 27, and the -- the pictures with the
15 invoices as 28.
16 HEARING OFFICER: Okay. All together?
17 MR. GUBLER: Yes.
18 HEARING OFFICER: Okay. So marked Exhibit
19 26 is Stickler's affidavit, Exhibit 27 is Thorne's
20 affidavit, and 28 is the pictures along with the
21 invoices.
22 (Exhibit 26 through 28 marked for
23 identification).
24 MR. GUBLER: Thank you.
25 HEARING OFFICER: (Indiscernible) so, I

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1 guess I'll just -- you're fine, that's fine.
2 (Indiscernible). Okay. Continue.
3 BY. MR. GUBLER:
4 Q. When any of these visitors or your --
5 whether it was the 8th, the 9th, 17th, 25th, excuse
6 me -- 8th and 9th of January, 17th of January, July
7 17th, February 1st, February the 8th. We've had --
8 we've had testimony about those days already, given
9 some testimony. Did you ever witness anybody
10 performing any tests?
11 **A. None.**
12 Q. Let's go to Exhibit 9. I -- I think we
13 had sort of left off around here last time. Again,
14 this is Exhibit 9. This is -- I believe you
15 testified that this is the -- the yards Stratford?
16 **A. Correct. The property.**
17 Q. The property. And -- and the the guard
18 gravel, what is that?
19 **A. Rotor Mill.**
20 Q. And what is a Rotor Mill?
21 **A. It's the end product of a process where**
22 **they use a cutter head to go through and take up**
23 **asphalt.**
24 Q. And what is the size of this?
25 **A. 3 inch to quarter inch maybe.**

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1 Q. Okay. So it's a pretty good size?
2 **A. It is.**
3 Q. It's -- it's above a quarter of an inch;
4 is that right?
5 **A. That's -- yeah, the cut. 3 inch to a**
6 **quarter inch.**
7 Q. Now, how deep is -- is this Rotor Mill?
8 **A. I think I testified the last time. I put**
9 **about six inches of Rotor Mill.**
10 Q. Okay. So before you put down this Rotor
11 Mill, did you do anything else to the property?
12 **A. We did. And our discussion with Jay Smith**
13 **from Las Vegas (indiscernible) of a product called**
14 **chad.**
15 Q. And what is chad?
16 **A. It's limestone that's mined out of the**
17 **Apex plant. Lime's a very hard -- hard material,**
18 **very dense. And they -- they crush it and gets to a**
19 **3 inch to quarter inch cut, and you put that down,**
20 **it's like gold standard for buildings. Put water on**
21 **it and start to revert back to limestone again.**
22 Q. And did -- did you put chad below this
23 Rotor Mill?
24 **A. We did, so it's native. 6 inches of chad**
25 **and then 6 inches of Rotor Mill.**

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1 Q. So you have a full foot that you -- that
2 was put on this property?
3 **A. Correct.**
4 Q. And what parts of the property does it
5 cover?
6 **A. 95 percent. There's some -- there's some**
7 **concrete, then there's some buildings. Everything**
8 **else is -- has a -- the chad and Rotor Mill.**
9 Q. So everywhere but concrete and -- and the
10 --
11 **A. Buildings.**
12 Q. The buildings.
13 **A. Uh-huh.**
14 Q. Now, do you remember a visit in or about
15 August 24th, 2024, from Ms. Roswell?
16 **A. Was she by herself or with another person?**
17 Q. It would -- it would've been the last time
18 that anybody visited?
19 **A. There were two of them, but the last time**
20 **that they visited they came on property, they**
21 **quickly left and it surprised me.**
22 Q. Why?
23 **A. Because typically they were -- they were**
24 **just so quick.**
25 Q. Okay.

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1 **A. And I asked if everything's okay and she**
2 **said there was no dust here and they left.**
3 Q. I would like you to look at Exhibit 10.
4 Do you recognize this?
5 **A. I do.**
6 Q. How'd you recognize it?
7 **A. It's a declaration by Joel Miller.**
8 Q. Who's Joel Miller?
9 **A. He worked for Ames Construction here in**
10 **Las Vegas. And from Ames he went to Frederick**
11 **Construction.**
12 Q. Do you know Joel Miller?
13 **A. I do.**
14 Q. How do you know him?
15 **A. Met him when he was working at Ames**
16 **Construction, when he did a -- a water line from**
17 **(indiscernible) and then I kept in contact when he**
18 **worked for my uncle over at Frederick Construction.**
19 Q. Okay. Did you consult Mr. Joel Miller?
20 **A. I did.**
21 Q. What did you consult him about?
22 **A. Just ask him his opinion of Rotor Mill.**
23 Q. Okay. What did he tell you?
24 **A. He was okay with it. It does what it's**
25 **supposed to do which is suppress the dust.**

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1 Q. Okay. What -- what about with respect to
2 -- did he have any opinion as Rotor Mill versus
3 Blacktop?
4 **A. With tracked equipment he understood just**
5 **from being in the industry that Blacktop and tracked**
6 **equipment don't -- don't last. One has to go**
7 **because of the tractor equipment will turn the**
8 **asphalt back into Rotor Mill.**
9 Q. Okay. What if you had concrete?
10 **A. Overtime same thing.**
11 Q. And so what did he recommend to you?
12 **A. Well, everybody else uses (indiscernible)**
13 **with tracked equipment Rotor Mill.**
14 Q. Okay. Let's go to Exhibit 11. Do you
15 know Paul Harbor -- Harbor?
16 **A. I do.**
17 Q. Who's Paul Harbor?
18 **A. He owned the Harbor Company.**
19 Q. What type of visits was that?
20 **A. Underground general contracting company.**
21 Q. Okay. And did you consult Mr. Harbor?
22 **A. I did. He owned a yard ---**
23 Q. Go ahead.
24 **A. He owned a yard over there at Creek Road**
25 **and Lamb, and we had a similar situation we have**

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1 **here where he had tracked equipment and they wanted**
2 **him to -- to pay this yard.**
3 Q. Okay.
4 **A. And it was -- it was no point -- it**
5 **wouldn't work with the tracked equipment.**
6 Q. Now what does no bueno mean?
7 **A. It won't work.**
8 Q. And what -- so what did -- so what did Mr.
9 Harbor recommend?
10 **A. A Rotor Mill.**
11 Q. And why is that?
12 **A. It does -- it does suppress it, but it**
13 **also stays together the environment of the tracked**
14 **equipment.**
15 Q. So we -- we talked about tracked equipment
16 before. Do you remember that testimony?
17 **A. Yes, sir.**
18 Q. What -- what -- what part of the property
19 does the tracked equipment go -- your tracked
20 equipment go on -- on the property?
21 **A. When it's needed. If a truck gets stuck,**
22 **we use it all with the property to go through and**
23 **get the truck or trailer unstuck.**
24 Q. Okay. So it's not just to unload and
25 load; is that right?

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1 **A. Correct.**
2 Q. Okay. So ---
3 **A. Acts as a wrecker on site.**
4 Q. And you -- and -- and -- and the reason
5 though, that you keep this tracked equipment is for
6 what purpose?
7 **A. Typically for emergencies if we a**
8 **(indiscernible) for the Railroad (indiscernible.)**
9 Q. Okay.
10 Q. Let's go to Exhibit 12. Do you know David
11 McDonough?
12 **A. We do.**
13 Q. Who's David McDonough?
14 **A. He's the -- the principal in a company**
15 **called Aztech Material Testing and they test**
16 **materials which includes, concrete sand, everything**
17 **to do with underling or -- or base material around**
18 **the valley.**
19 Q. And did you consult Mr. McDonough?
20 **A. I did. I asked him what would be the --**
21 **the -- the best product for our application and he**
22 **came back with Rotor Mill.**
23 Q. And you had him signed declarations; is
24 that right?
25 **A. We did.**

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<p>1 Q. Is this true and accurate copy of that</p> <p>2 declaration?</p> <p>3 A. It is.</p> <p>4 Q. And I don't know if I did that with the</p> <p>5 other ones, but you obtained the declaration from</p> <p>6 Joe Miller as well?</p> <p>7 A. Correct.</p> <p>8 Q. And is that a true and correct copy of the</p> <p>9 declaration?</p> <p>10 A. Correct.</p> <p>11 Q. And -- and from Paul Harbor, is that a</p> <p>12 true and correct -- and accurate copy of a</p> <p>13 declaration?</p> <p>14 A. Correct. That's what they sent back to</p> <p>15 me.</p> <p>16 Q. Okay. Let's go to Exhibit 13. Recognize</p> <p>17 this?</p> <p>18 A. I do.</p> <p>19 Q. What is this?</p> <p>20 A. It's Floyd's declaration.</p> <p>21 Q. Who's Floyd Miller?</p> <p>22 A. He's owned Southern Brother Paving for</p> <p>23 years and years and years.</p> <p>24 Q. Okay.</p> <p>25 A. He's a licensed engineer out of Utah, came</p> <p style="text-align: right;">Page 31</p>	<p>1 used, what was his ultimate opinion to you?</p> <p>2 A. It's not a good solution if you're trying</p> <p>3 to go through and meet greenhouse gas emissions.</p> <p>4 Q. When you say it, we're talking about what?</p> <p>5 A. The virgin asphalt is -- is not beneficial</p> <p>6 to greenhouse gas reduction.</p> <p>7 Q. As environmental aspects aside, did he</p> <p>8 give you his opinion about the -- whether it was a</p> <p>9 good palliative, whether Rotor Mill was a good</p> <p>10 palliative or alternative to flag top or asphalt?</p> <p>11 A. For -- for the use of tracked equipment,</p> <p>12 it's the best in his opinion, based on, I think what</p> <p>13 it says.</p> <p>14 Q. Now, you had mentioned some emissions and</p> <p>15 things like that. Come back here 14. Let's go to</p> <p>16 Exhibit 19. Do you recognize it?</p> <p>17 A. I do.</p> <p>18 Q. What is it?</p> <p>19 A. It's (indiscernible) executive order on</p> <p>20 climate goals and --</p> <p>21 Q. What is it -- what is it saying?</p> <p>22 A. We direct agencies to evaluate policies</p> <p>23 regulatory strategy to achieve the long term goal of</p> <p>24 greenhouse gas emission, reductions as required by</p> <p>25 Senate Bill 254 in accordance with Nevada commitment</p> <p style="text-align: right;">Page 33</p>
<p>1 down and started the business here. Very</p> <p>2 successful.</p> <p>3 Q. And did you consult with Floyd Miller as</p> <p>4 to Rotor Mill or anything else?</p> <p>5 A. I did. I asked what the best product</p> <p>6 would be to -- to put down a for dust suppressor.</p> <p>7 Q. And what did he tell you?</p> <p>8 A. (Indiscernible.) He went on about the just</p> <p>9 the cost of -- environmentally of virgin asphalt</p> <p>10 versus the cost of Rotor Mill, just a sustainability</p> <p>11 issue, disaster (indiscernible) recycling would</p> <p>12 work.</p> <p>13 Q. Okay. Did he go -- you said he -- he told</p> <p>14 you a lot. He went into -- I guess some -- some</p> <p>15 information about making asphalt; is that right?</p> <p>16 A. He did. Just environmental cost of mining</p> <p>17 it, milling it, and then all the other components</p> <p>18 that it takes to go through and heat the asphalt,</p> <p>19 heat the -- heat the rock up, and then coat the rock</p> <p>20 with asphalt oil and transportation and all of --</p> <p>21 all the components, that I never thought about that</p> <p>22 goes into making virgin asphalt.</p> <p>23 Q. And -- and so, you know, with the mining</p> <p>24 of it and the fuel costs and the transportation and</p> <p>25 generator use and I guess all the machinery that's</p> <p style="text-align: right;">Page 32</p>	<p>1 as a member of the US Climate Alliance to achieve</p> <p>2 these reduction targets administration led by DC&R,</p> <p>3 DOE will coordinate statewide efforts including</p> <p>4 facilitation agencies, stakeholder participation.</p> <p>5 So my understanding is that,</p> <p>6 (indiscernible) that the document sort of speaks for</p> <p>7 itself is that the -- the governor to his directive</p> <p>8 takes all public, they're all governmental agencies</p> <p>9 to look at their practices and reevaluate them and</p> <p>10 do things necessary to lower the greenhouse gas</p> <p>11 emission.</p> <p>12 Q. He -- he was concerned about global</p> <p>13 warming, correct?</p> <p>14 A. Probably the Paris -- Paris Accord, Paris</p> <p>15 Treaty, but yes.</p> <p>16 Q. I mean, in it at the beginning, talks</p> <p>17 about as the climate continues to warm, that is 1,</p> <p>18 2, 3, 4, fifth paragraph down from the beginning.</p> <p>19 Do you see that?</p> <p>20 A. Yes.</p> <p>21 Q. And the severity and length of droughts,</p> <p>22 do you see that?</p> <p>23 A. I do.</p> <p>24 Q. So obviously, a public policy concern for</p> <p>25 heat and water use; is that right?</p> <p style="text-align: right;">Page 34</p>



1 **A. Correct.**
2 Q. So let's -- let's jump back now to Exhibit
3 14. Do you recognize this?
4 **A. Oh, I'm there. Yes.**
5 Q. Who is Michael Montandon?
6 **A. He was the former, I think, three term**
7 **mayor of North Las Vegas.**
8 Q. Okay. Did you consult Michael Montandon
9 on Rotor Mill?
10 **A. I did.**
11 Q. Why?
12 **A. He was in the hot seat as the mayor of**
13 **North Las Vegas. They too have inner workings, or**
14 **local agreements with Clark County AQM, find out his**
15 **thought processes as the city owned so much**
16 **property. Particularly Creek Road -- Creek Road**
17 **Ranch comes to mind where they had the large parking**
18 **area that he went through with somebody's**
19 **authorization and they use Rotor Mill to go through,**
20 **use a dust palliative there on Creek Road Ranch**
21 **parking lot.**
22 Q. Why did they do Rotor Mill for that, do
23 you know?
24 **A. Probably the most effective solution for**
25 **the dust palliative.**

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1 Q. So what -- what -- what -- what did he --
2 you -- you consulted him, what did he tell you?
3 **A. For -- for the city standpoint that was**
4 **the best solution for keeping all parties happy,**
5 **global warming, the dust people and keeping the**
6 **water usage down. So it led to everybody's**
7 **consensus in one product.**
8 Q. So the city of North Las Vegas used Rotor
9 Mill less an alternative to asphalt?
10 **A. Guess I've driven around the city**
11 **extensively.**
12 Q. Did -- did any of these people -- by the
13 way, is that declaration a true and correct copy?
14 **A. Yes.**
15 Q. Is -- did any of them have any opinions
16 about the effectiveness of Rotor Mill compared --
17 well, we already talked about pavement, what about
18 water?
19 **A. Mike was -- Mike, sorry, Mayor Mike --**
20 **Mayor Montandon. It's just a big expense for the**
21 **city to -- to water all the time. So that was his**
22 **big objection to that. And the same with Floyd,**
23 **it's just a very expensive way to go through and**
24 **maintain dust palliative.**
25 Q. Was it just as -- was Rotor Mill just as

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1 effective as one?
2 **A. In their minds, yes.**
3 Q. And why is that?
4 **A. I can't testify why they -- they think**
5 **that, but I would surmise or guess.**
6 Q. They didn't tell you?
7 **A. They didn't tell me.**
8 Q. Okay. So going back a little bit, as far
9 as the property goes is there any fencing around the
10 property?
11 **A. There is.**
12 Q. Is there a barrier completely around the
13 property?
14 **A. There is.**
15 Q. How tall is it?
16 **A. Approximately 6 to 8 feet.**
17 Q. With -- with this -- with this Rotor Mill,
18 it's been in the -- in the property. Have you
19 driven across it?
20 **A. I have.**
21 Q. Have you noticed any dust plumes?
22 **A. I have not seen any fugitive dust from my**
23 **driving across or I've not noticed any fugitive dust**
24 **leaving the property.**
25 Q. If you'll look at Exhibit 15. Do you

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1 recognize this?
2 **A. I do.**
3 Q. Have you been there before?
4 **A. I have.**
5 Q. What is this?
6 **A. It's a Boulder City Railroad.**
7 Q. Okay. And that's in Clark County,
8 correct?
9 **A. Yes, it is.**
10 Q. Okay. What did you observe at this firm?
11 **A. From the Railroad and the right of way**
12 **next to the Railroad, and it's -- there's no pallet**
13 **put on it. You can see that the disturbed stuff up**
14 **here towards the -- the right of way is driven over.**
15 **And this area through here has been driven over.**
16 **(Indiscernible) kids, there's -- there's dust coming**
17 **off the property.**
18 Q. And --
19 **A. And that up further by the buildings on**
20 **the other side there's -- there's additional, you**
21 **can see where the trucks been, right there through**
22 **there where they've driven next to the Railroad.**
23 Q. So how about down here? You -- you see
24 the -- the pink line down at the bottom, and then
25 there's some buildings in there. Do you see that?

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<p>1 A. Oh, right there by the round house.</p> <p>2 There's areas here that you can see that they've</p> <p>3 driven over with -- with no dust palliative but also</p> <p>4 altered here. There's state officials or state</p> <p>5 employees or people who go out there and do stuff</p> <p>6 for free (indiscernible).</p> <p>7 Q. So -- so not only the runways, but the --</p> <p>8 the yards as well; is that right?</p> <p>9 A. Correct.</p> <p>10 Q. Go two -- two pages down. How about this</p> <p>11 property, do you recognize this property?</p> <p>12 A. I do.</p> <p>13 Q. Have you been there before?</p> <p>14 A. I have, with the right of way inspector of</p> <p>15 the Railroad.</p> <p>16 Q. Okay. Why were you there?</p> <p>17 A. We were looking at some potential places</p> <p>18 to put a -- a spur on. So this is county-owned</p> <p>19 property and this is the area that the Railroad</p> <p>20 constantly drives up and down on to go through and</p> <p>21 maintain or look at state of the rail that's</p> <p>22 unpaved.</p> <p>23 Q. Does it have any dust palliative at all?</p> <p>24 A. Sure does not.</p> <p>25 Q. Go two -- two pages down. You recognize</p> <p style="text-align: right;">Page 39</p>	<p>1 palliative next to the rail.</p> <p>2 Q. How about down here in New York?</p> <p>3 A. Here?</p> <p>4 Q. There or within -- up -- up in there.</p> <p>5 A. Yeah. There's -- there's containers there</p> <p>6 but there's no dust palliative at all. It's just</p> <p>7 native, maybe type two color.</p> <p>8 Q. Okay. And you've been to this property?</p> <p>9 A. I have.</p> <p>10 Q. Two more pages down. Recognize this</p> <p>11 property?</p> <p>12 A. I do. Railroad goes across it. There's a</p> <p>13 Railroad right of way that they -- right of way</p> <p>14 people drive on all the time it's unimproved native,</p> <p>15 not even type two.</p> <p>16 Q. No -- no dust palliative?</p> <p>17 A. Dust palliative. No, sir.</p> <p>18 Q. And you've been to this property?</p> <p>19 A. I have.</p> <p>20 Q. Go two pages down. You recognize this?</p> <p>21 A. Yes. They call it the Y. This goes out</p> <p>22 to Simplot material. Again, there's the Railroad</p> <p>23 right of way (indiscernible) this is a -- a</p> <p>24 runaround they have -- and this is a whole building</p> <p>25 they have here. They used to do transloading, that</p> <p style="text-align: right;">Page 41</p>
<p>1 it?</p> <p>2 A. I do. County-owned property. Again,</p> <p>3 there is the -- the right of way that the Railroad</p> <p>4 track versus on county property, no dust palliative.</p> <p>5 Q. And how about separate, you see how the --</p> <p>6 the pink line goes out? See that in there?</p> <p>7 A. Out here?</p> <p>8 Q. Yeah.</p> <p>9 A. It's -- there's no dust palliative at all</p> <p>10 on the county property.</p> <p>11 Q. Would you agree that those look like</p> <p>12 tracks there?</p> <p>13 A. It does to me, yes.</p> <p>14 Q. Have you been out to this property?</p> <p>15 A. I have.</p> <p>16 Q. And -- and are those tracks?</p> <p>17 A. They are.</p> <p>18 Q. Any dust palliative on this property?</p> <p>19 A. None that was available to me to see.</p> <p>20 Q. Go two pages. You recognize this?</p> <p>21 A. I do.</p> <p>22 Q. What is it?</p> <p>23 A. It's Creek Road and -- over there by I15.</p> <p>24 Again, this is the (indiscernible), there's a</p> <p>25 Railroad, right of way and there's no dust</p> <p style="text-align: right;">Page 40</p>	<p>1 all native type two.</p> <p>2 Q. Have you been to this property?</p> <p>3 A. I have.</p> <p>4 Q. Now, on some of the notice that there's a</p> <p>5 recorded dock date, dock number, when -- when the</p> <p>6 property was deeded to whoever owns it. Do you see</p> <p>7 that to the left?</p> <p>8 A. Yes.</p> <p>9 Q. And are you able to tell looking at that</p> <p>10 -- what at -- at a minimum when that property's been</p> <p>11 owned?</p> <p>12 A. The first four numbers was a -- a big year</p> <p>13 of recording, so it would've been 2022.</p> <p>14 Q. Okay. And we'll go two -- two more pages</p> <p>15 down. Do you recognize this property?</p> <p>16 A. I do.</p> <p>17 Q. Have you been there?</p> <p>18 A. I have.</p> <p>19 Q. And what is it?</p> <p>20 A. It's Simplot Sand Mine out there in</p> <p>21 Logandale. End of Logandale. This is their</p> <p>22 facility. Again, there's the right of way. This is</p> <p>23 their property here that they coal into, and it's</p> <p>24 all native, no dust -- dust palliative.</p> <p>25 Q. Two more pages down. Recognize this?</p> <p style="text-align: right;">Page 42</p>



1 **A. I do it's apex where they have a line**
2 **plant. The black materials to co-pile. This is --**
3 **old state 91, and this is all the facility here that**
4 **is unpaved. There is the right of way paved, no**
5 **dust palliative in there.**
6 Q. You've been out there?
7 **A. I have.**
8 Q. And that's what you have observed?
9 **A. I have.**
10 Q. Next two pages. Recognize this?
11 **A. I do. It's the (indiscernible) site on**
12 **Arville. Again, there's the right of way that the**
13 **Railroad transverses consistently. (Indiscernible)**
14 **owns it, but there's some sort of easement that the**
15 **Railroad comes across (indiscernible) dust**
16 **palliative.**
17 Q. And you have been out this property?
18 **A. I have.**
19 Q. Two more pages down, please. Do you
20 recommend this property?
21 **A. I do. It's the -- (indiscernible) used to**
22 **be the name of it. Again, this is the Railroad**
23 **right of way and this is where they traverse to go**
24 **ahead and come up on side the rails and if**
25 **necessary, fix it. No -- no dust palliative.** Page 43

1 Q. You've been on this property?
2 **A. I have.**
3 Q. And that's what you observed?
4 **A. Correct.**
5 Q. Go to the next two pages, please. Do you
6 recognize this property?
7 **A. I do. This piece right here was in a**
8 **James Bond movie. But this is their Railroad that**
9 **they have right there, this is their unsupported**
10 **facility, and this is all their right of way**
11 **unpaved. You can see where the tractor is there**
12 **with regard to the quarry, quite dusty.**
13 Q. Is there any dust palliative?
14 **A. No.**
15 Q. And you've been out there?
16 **A. I have.**
17 Q. And so far all these are in Clark County;
18 is that right?
19 **A. Correct.**
20 Q. Next two pages. You recognize this?
21 **A. It's a bigger picture of the**
22 **(indiscernible).**
23 Q. Who we have already seen, huh?
24 **A. Uh-huh.**
25 Q. Two more pages. Do you recognize this? Page 44

1 **A. I do. It's a yard out the old BMI complex**
2 **Anderson.**
3 Q. Okay. What is this? What have you
4 observed?
5 **A. It's the -- it's an old rail yard that is**
6 **unpaved, no dust palliative in there.**
7 Q. How about the other parts?
8 **A. This is all complex, none of then is paved**
9 **or have any dust palliative at all.**
10 Q. Have you been out there?
11 **A. I have.**
12 Q. And that's what you observed?
13 **A. I have.**
14 Q. (Indiscernible.)
15 **A. This is a retention base known by the**
16 **(indiscernible) County, and there's all of the sand**
17 **that comes in there that's a mess with blows,**
18 **there's no dust palliative over where the county**
19 **zone, of water -- water, flood control people.**
20 Q. Next -- next. Do you recognize this, sir?
21 **A. Yes.**
22 Q. What is it?
23 **A. Right there you can see where the property**
24 **owners let the railroad go across there with no dust**
25 **palliative.** Page 45

1 Q. You've been out this property?
2 **A. I have.**
3 Q. And you observed -- this what you
4 observed?
5 **A. Correct.**
6 Q. Two more pages. Do you recognize this?
7 **A. It's right off the freeway by the hidden**
8 **valley exit. They -- they produce -- processed corn**
9 **here. Cars come in. As you can see on the railroad**
10 **property, there's no dust palliative. Again, when**
11 **the wind blows it's (indiscernible.)**
12 Q. And you recognize -- and you've been here?
13 **A. I have.**
14 Q. And that's what you have observed, yeah?
15 **A. Correct.**
16 Q. Let's go to Exhibit 16. Do you recognize
17 this?
18 **A. I do.**
19 Q. What is it?
20 **A. It's the (indiscernible) supports the two**
21 **gold mines up in Elko County.**
22 Q. Have you been there?
23 **A. I have.**
24 Q. And what do you observe in there?
25 **A. It's your atypical rail yard, ballast with** Page 46



1 **no dust palliative of -- of any (indiscernible).**
2 Q. Next -- next two pages. Do you recognize
3 this?
4 **A. I do.**
5 Q. What is it?
6 **A. The train yard for the -- I think the**
7 **state sponsors this.**
8 Q. Okay. Have you been there?
9 **A. I have.**
10 Q. What did you observe?
11 **A. There's the shed that they put their**
12 **mobiles commotors in and there's their yard. Again,**
13 **no -- no dust palliative.**
14 Q. Next two pages. Do you recognize this?
15 **A. I have.**
16 Q. What is it?
17 **A. It's an oil terminal up in -- outside of**
18 **Reno.**
19 Q. Okay. And you've been there?
20 **A. I have.**
21 Q. What have you observed there?
22 **A. Your typical rail yard, no dust**
23 **palliative. Type two down to -- to go ahead and**
24 **keep water from -- everything sinking.**
25 Q. You recognize this?

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1 **A. I do.**
2 Q. What is this?
3 **A. Can I clarify, the last one was a**
4 **(indiscernible), this is the -- the real oil site.**
5 **It's -- they bring hot oil in, they put in the tank**
6 **so they go through and mix it to go through and take**
7 **it to the asphalt plants. There's a rail line and**
8 **there's all the unpaved facility around it. And**
9 **this is not paved at all.**
10 Q. Have you been there?
11 **A. I have.**
12 Q. And that's what you have observed?
13 **A. Correct. There's a -- this is the UP**
14 **right -- right there again is the right of ways next**
15 **it is not paved.**
16 Q. Where is it?
17 **A. This is outside Reno.**
18 Q. The next two pages. What is this?
19 **A. This downtown Reno. My grandfather used**
20 **to work here. It's the old rail yard. Again, it's**
21 **not paved. They call it a switching yard. Multiple**
22 **tracks there to go through and put different cars**
23 **and build different cars together, change**
24 **directions, moving the cars.**
25 Q. You've been there?

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1 **A. I have.**
2 Q. And did you observe any dust palliative?
3 **A. Not at all.**
4 Q. So let's -- let's talk about ETON and
5 Tonopah & Tidewater. I believe you testified
6 earlier that ETON is -- does interstate commerce; is
7 that right?
8 **A. Correct. It has a DOT number and MC**
9 **number.**
10 Q. And -- and then upon Tonopah & Tidewater,
11 they -- they have product that does come through on
12 rail; is that right?
13 **A. Not today. It owns rail, but it does not**
14 **produce that in this county. Produces stuff in**
15 **other counties the -- the Railroad, turns to ETON to**
16 **move for it.**
17 Q. Okay. So -- so it's -- it's product does
18 get moved out outside of -- into interstate commerce
19 as well?
20 **A. Correct.**
21 Q. And -- and so some of the -- the Air
22 Quality control regulations that ETON's been
23 required to observe and find for, as well as Tonopah
24 7 Tidewater, are -- are those burdens on the
25 Railroad company?

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1 **A. And the trucking company, based on the**
2 **other places where we work in that don't have that**
3 **same sort of burden put upon interstate commerce.**
4 Q. Okay. So with -- is it a burden on
5 interstate commerce as well?
6 **A. It is. It's not level playing field.**
7 Q. So tell me -- tell me how it's a burden.
8 **A. It's just a financial burden to -- to put**
9 **it down and then maintain it. So you look up here**
10 **in Reno to get a -- a terminal such as ETON in Reno**
11 **there's no requirement to -- to pay Reno or in Ely**
12 **or an Elko or in (indiscernible.)**
13 Q. Okay. And -- and so, I think you've
14 already testified, I don't think we have to go over
15 them again, but you said that the financial expense,
16 what -- what does that include you? We mentioned
17 asphalt last time. Anything else?
18 **A. Just the continuation of -- of maintaining**
19 **the asphalt or the -- of the product or project or**
20 **the property.**
21 Q. Why would you have to maintain asphalt if
22 you paint it?
23 **A. It works out. It gets wet and it freezes**
24 **and it gets water damage it -- it's not a standalone**
25 **forever product. If you look at the freeways, you**

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1 **see Las Vegas paving all the time out there,**
2 **currently putting -- fixing potholes. It's -- it's**
3 **not a onetime process.**
4 Q. And that's if you don't have tracked
5 equipment; is that right?
6 **A. That is correct. If you have tracked**
7 **equipment, then it becomes a -- a more onerous**
8 **responsibility to maintain it.**
9 Q. We -- we have talked about, you know,
10 people you've consulted and everything, Rotor Mill
11 chad versus (indiscernible) and I guess, let me stop
12 here for just a minute. You -- you said that Jay
13 Smith was the big proponent of chad; is that right?
14 **A. Hugely.**
15 Q. Who's Jay Smith?
16 **A. Oh, he's the president of Las Vegas**
17 **Paving.**
18 Q. Okay. And what -- did he say why he is a
19 proponent of chad?
20 **A. It's the most functional product for dust**
21 **control.**
22 Q. What does chad mean? What is it?
23 **A. Limestone.**
24 Q. Okay. Just -- just a mineral; is that
25 right?

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1 **A. Just limestone, yeah.**
2 Q. And did he expound on that or anything
3 else?
4 **A. He's not politically correct, so I -- I**
5 **won't say what he said.**
6 Q. Okay. So do you believe that the chad and
7 the Rotor Mill are the best practical methods for
8 the Railroad company and ETON?
9 **A. For the people in the industry that I've**
10 **asked that have practical experience over sometimes**
11 **50, 60 years, they're still in business. I believe**
12 **their professional opinion is that that is the best**
13 **solution. As I've looked around and see what the**
14 **county has done with its properties, particularly**
15 **over North West Vegas airport, where it's quite**
16 **visible, the county also must agree with them**
17 **because they have applied Roto rMilling to the**
18 **properties adjacent to either the county air or**
19 **county (indiscernible) who runs the airport. That**
20 **department of the county has extensively over a**
21 **couple hundred -- maybe a hundred acres out there,**
22 **but their prospect is very important.**
23 Q. Similar question. Do you believe, the
24 Rotor Mill chad are reason -- are the reasonable
25 available methods for the Railroad and ETON's

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1 application?
2 **A. I do. Based on what the -- I have seen**
3 **the county do with their own property and the people**
4 **in the industry suggest it is the best method based**
5 **on tracked equipment.**
6 MR. GUBLER: I think I'm about done here,
7 give me just (indiscernible.)
8 HEARING OFFICER: Okay.
9 MR. GUBLER: Can we take a quick break
10 about --
11 HEARING OFFICER: Okay.
12 MR. GUBLER: -- about 10 minutes.
13 HEARING OFFICER: It's 10:14, we'll come
14 back in five minutes.
15 MR. GUBLER: Thank you.
16 (Recess at; 10:14 a.m. to 10:21 a.m.)
17 BY MR. GUBLER:
18 Q. Has the railroad company ever had any
19 other terminals?
20 **A. We -- we have.**
21 Q. Where -- where?
22 **A. We've had one in EV Nevada, Elko, Nevada.**
23 **We've had one in Golconda, Nevada. We've had one in**
24 **Wendover, Nevada, and also Wendover, Utah.**
25 Q. In any of those -- in any of those

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1 terminals, did you have any regulatory people come?
2 **A. We did. We had the county people come out**
3 **in -- in all of them.**
4 Q. And what did they say, if anything?
5 **A. We pre-met them before we actually started**
6 **business and finding out what they wanted for**
7 **regulatory compliance to their respective county,**
8 **and we complied. And all of them wanted some sort**
9 **of dust abatement, coming in as a new facility. And**
10 **they all accepted ROTO-MILL as the dust pallet that**
11 **they accepted as best practical, or most best**
12 **practicable, I think, is the term they used of that**
13 **nature that would suffice them.**
14 Q. Did you have any other issues with them?
15 **A. No. They would come up -- oh, after we**
16 **got commissioned, they would come out and go through**
17 **and check to make sure we're in compliance and they**
18 **would come by every six months or so.**
19 Q. Now, going back, if we had -- we -- we had
20 talked about credentials quite a bit last time. I
21 believe your testimony was -- is that nobody had
22 ever presented credentials to you; is that right,
23 from the county?
24 **A. From the -- from the Air Quality Control?**
25 Q. Correct.

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1 **A. Nobody came through and said, my name is**
2 **so and so, here is my credentials. Nobody came with**
3 **-- with that (indiscernible).**
4 Q. Okay. If they had requested to come on
5 the property and presented their credentials, would
6 you have let them on?
7 **A. Yes. That's what the statute or the code**
8 **that I signed stated. And yes, I would let them on.**
9 MR. GUBLER: I'm going to pass the
10 witness.
11 HEARING OFFICER: Okay. Thank you.
12 Counsel, cross.
13 MS. JORGENSEN: Thanks.
14 EXAMINATION
15 BY MS.
16 Q. Could we go to exhibit -- let me make sure
17 I get this right. This is part of Air Quality's
18 reply, Exhibit A, the dust control operating permit.
19 Okay. Mr. Truman, do you recognize what this
20 document is?
21 **A. Yeah.**
22 Q. And could you go ahead and please scroll
23 through the whole thing. And feel free to, Mr.
24 Truman, have her stop whenever you'd like. Okay.
25 Before you continue on. So, Mr. -- go ahead and

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1 stop there. Mr. Truman, do you recognize what that
2 document is?
3 **A. I -- I've not seen it in that format**
4 **before. I would imagine it's equal to the one that**
5 **was electronically on your website.**
6 Q. Okay. Could you go to the first page?
7 Okay. So you're saying you haven't seen this actual
8 format yet?
9 **A. The one I thought I saw when I was there**
10 **was when we were on your website and we did**
11 **everything electronically on the website.**
12 Q. So what do you recognize this to be?
13 **A. A pulled off version of what was on your**
14 **website?**
15 Q. Of what?
16 **A. Of a dust permit? The DCOP.**
17 Q. And does the DCOP, is this the one -- is
18 the permit ETON?
19 **A. Yes. That's what it says on the document.**
20 Q. And is this a permit you applied for on
21 behalf of ETON?
22 **A. It is.**
23 Q. And who's the designated onsite
24 representative?
25 **A. Most probably myself.**

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1 Q. And then who's the responsible official?
2 **A. Myself.**
3 Q. And when was this issued or when did it
4 become effective, I guess, is a better way to say
5 it?
6 **A. Based on the document, it says on August**
7 **30th.**
8 Q. Do you have any reason to believe that it
9 should be something different?
10 **A. Not a sheer document. So I -- I don't**
11 **have any reason to believe.**
12 Q. But this is -- isn't this your ETON's dust
13 control operating permit?
14 **A. It is, but I -- I just don't know where I**
15 **signed it, so that's a little bit of a quandary.**
16 Q. Okay. So you don't -- you don't recall
17 applying for a dust permit?
18 **A. I applied. I know I applied for one, I**
19 **just don't know if the dates are correct. I mean,**
20 **there's no -- there's no subject on my end.**
21 Q. Okay. So since this isn't signed, you
22 don't -- you don't believe that this is necessarily
23 correct?
24 **A. I'm not arguing with you about that, I**
25 **just don't know that it's -- it's -- the dates are**

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1 **right, but I believe it's your document.**
2 Q. So what authority did you have to perform
3 any dust or perform any construction on the site
4 under the Air Quality regulations?
5 **A. I acknowledge I -- I applied for one, I**
6 **just don't remember what dates are correct. But if**
7 **there was a signature that I would've signed and put**
8 **a date by it, then I would've known for sure that**
9 **this is the correct document.**
10 Q. What dates do you think they could have
11 been if these aren't the correct dates?
12 **A. You know, I don't know.**
13 Q. Okay. Could you scroll down just a little
14 on this first page? Mr. Truman, could you -- I
15 don't know if this is -- well, do you recall --
16 actually, could we go to the third page? And I
17 believe you stated that -- or recognized that you're
18 the responsible official; is that correct?
19 **A. Correct.**
20 Q. Okay. And I believe it's that second
21 paragraph down.
22 **A. Can I make a comment?**
23 Q. You want to make a comment?
24 **A. We -- I ordered, excuse me, I -- I did two**
25 **dust control permits, one for a property over on**

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1 Jones, and for this one. So that's why I am --
2 there was a time frame that we were going to move on
3 to Jones, that property fell through, so that's why
4 I'm -- I'm little bit --
5 Q. Okay. So you applied for them both at the
6 same time or approximately the same time?
7 A. About a month -- month and a half
8 difference between the two of them. So that's why I
9 --
10 Q. Okay.
11 A. -- I hesitate to tell you for sure that
12 this is the date.
13 Q. Okay. That second paragraph says, "By
14 submitting this commitment application
15 electronically, the user responsible official
16 acknowledges the following." And I'm reading B. "In
17 accordance with the DCOP and the AQRs, the applicant
18 and the permittee shall consent to inspection of the
19 site during normal hours of operation, by Division
20 of Air Quality, DAQ, staff without prior notice to
21 determine compliance with the terms and conditions
22 of the DCOP and the AQRs." Do you recall that
23 particular acknowledgement?
24 A. Based on, again, that your requirements
25 would be met firsthand, that your people would show

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1 up, present credentials and ask to go on the site.
2 Q. And --
3 A. Based on your own -- based on your own
4 code, is what I signed that, that you would do that
5 first.
6 Q. So it's your testimony today that you did
7 some research, found that, and then you felt
8 comfortable signing this document?
9 A. We live in the country based on rule of
10 law, yes, ma'am.
11 Q. So does this document -- does it state in
12 that particular section that they would need to
13 request entry and present credentials based on this
14 dust control operating permit provision?
15 MR. GUBLER: Objection. Document speaks
16 for itself.
17 THE WITNESS: Do I respond?
18 HEARING OFFICER: I'll allow.
19 MS. JORGENSEN: Please go ahead.
20 HEARING OFFICER: Yeah. Respond.
21 THE WITNESS: I signed it based on the
22 information that you presented before I signed this.
23 So this is how it would go down.
24 BY MS. JORGENSEN:
25 Q. Well, I didn't present any information.

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1 I'm asking you --
2 A. Your website did.
3 Q. That's what I'm asking. So your --
4 A. Your website presented that the -- there's
5 the -- the code, and the people who would show up
6 would present credentials and ask to come on site.
7 Q. And that it -- your testimony is that you
8 researched that prior to submitting this
9 application?
10 A. Correct.
11 Q. So back in -- sometime in August 2023, you
12 went and reviewed the Clark County Air Quality
13 Regulations --
14 A. It was probably --
15 Q. -- and determined that -- that that would
16 be required?
17 A. Probably in June when we looked at the
18 other piece of property.
19 Q. And when you say, "we," who do you mean?
20 A. Myself. Sorry.
21 Q. Okay. So when -- on -- on January 8th,
22 when Ms. Rowsell, came on site, I believe you had
23 testified that you were notified that there was an
24 intruder on site; is that correct?
25 A. Correct.

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1 Q. And when you -- did you locate her?
2 A. Yes.
3 Q. And where was she?
4 A. She was at the back part of the property,
5 so I have to say the east -- northeast part of the
6 property?
7 Q. Okay. And what did you do?
8 A. I went up to try find out why she was
9 there. Tried to open her door, her door was locked.
10 And then she rolled her door down and -- and then I
11 asked her, what are you doing here?
12 Q. And what did she say?
13 A. She told me that she was with some agency.
14 Q. She didn't mention which agency it was?
15 A. I -- I -- I can't recall what agency she
16 told me --
17 Q. Okay.
18 A. -- at this time.
19 Q. Did she give you a business card?
20 A. Can't remember.
21 Q. Was she in a vehicle with a -- any sort of
22 logo with insignia on it?
23 A. Didn't even look.
24 Q. Okay. And what else -- so she said she's
25 with some agency, and what did you do next?

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1 **A. Asked her to leave -- asked her to sign in**
2 **and then -- hold on, let me rephrase this in my**
3 **mind. Open up the door up there, rolled the window**
4 **down. We had the dialogue of -- we have a hazardous**
5 **material here in the back. And then she tells me**
6 **that she's qualified because her husband has some**
7 **hazardous material training. I said, that doesn't**
8 **work for me or the -- the feds. And I said, you**
9 **know what, you need to sign in, and then dialog goes**
10 **something of that nature, then she leaves.**
11 Q. Did she sign in?
12 **A. No, she didn't.**
13 Q. And did you call the police?
14 **A. I know she left the property.**
15 Q. If she had stayed longer, would you have
16 called the police?
17 **A. Absolutely.**
18 Q. So on January 9th, when you received a
19 call that there were intruders on the property,
20 you've testified that you received that information
21 from, I believe it's Mr. Stickler (phonetic)?
22 **A. Oh, Billy? Yeah.**
23 Q. Why don't you tell me about that
24 encounter?
25 **A. Got a call, Nextel. Went out and we saw a**

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1 **gentleman. I remember seeing him leave his car, go**
2 **to the restroom and came back out the restroom. And**
3 **I approached the three of them. Wanted to know what**
4 **they -- what they were doing.**
5 Q. And what did they tell you?
6 **A. He said he was from the government agency**
7 **and I -- I --**
8 Q. Again, you had no idea what government
9 agency?
10 **A. No. The sustainability, you've changed**
11 **the name. So I -- I probably didn't pay attention**
12 **to what he was, but I got that he was from --**
13 **probably from the county. Want to know why I tried**
14 **to open the door of his employee or somebody has**
15 **oversight of. And I let her know and she was backed**
16 **by some material that was hazardous, that she had no**
17 **business being back there. She didn't check in.**
18 **And then we had the altercation of he had**
19 **any training, and then we go back to -- force open**
20 **of the (indiscernible). And then I said, okay. So**
21 **you're telling me that you can just walk into the**
22 **Nevada test site and just get onsite without having**
23 **to go through the clearance process? And he says,**
24 **yes.**
25 **And then I said, okay. Do you have a Q**

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1 **clearance? And he says, yes. I asked him, could**
2 **you produce that? And then he backtracks on his**
3 **ability to have a Q clearance. And then I remind**
4 **him, I said, by the way, do you know that the test**
5 **site is in Nye County? And Clark County has no**
6 **authority in Nye County? And he just looks stupid**
7 **at me.**
8 Q. So during this entire conversation, you
9 had no idea they are from Air Quality?
10 **A. I knew he was there from the county.**
11 Q. Did you have any idea that they were there
12 based on the dust control operating permit that you
13 had applied for and received?
14 **A. Never presented any credentials to me,**
15 **ma'am.**
16 Q. No. I'm just asking, did you have any
17 idea that they were relayed there for Air Quality?
18 **A. No.**
19 Q. Did you see their vehicle that they were
20 in?
21 **A. All I recall, it was a dual cab Ford.**
22 Q. And do you recall seeing any sort of
23 insignia on the -- on the car itself?
24 **A. Wasn't looking for one, so I did not see**
25 **it.**

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1 Q. Did you happen to see that they had badges
2 around their necks?
3 **A. They -- if I did, they were not**
4 **outstanding enough to call my attention to them.**
5 **Like a -- a police officer is -- no, I did not**
6 **notice that they had badges around their necks.**
7 Q. Okay. And did -- did you recall that Mr.
8 Dean gave you a business card?
9 **A. I do not.**
10 Q. Is that site, the Stratford site, similar
11 to the Nevada test site?
12 **A. Secured facility, yes, ma'am.**
13 Q. So do all of your employees -- what did
14 you call it, a Q?
15 **A. That's not part of our -- our security**
16 **plan, but the --**
17 Q. So then it's different from the Nevada
18 test site then?
19 **A. Everybody has their uniqueness of their**
20 **site.**
21 Q. So what is stored on that site?
22 **A. On our site?**
23 Q. Yeah.
24 **A. From time to time we have ammonium per**
25 **clay, we have ammonium nitrate, we've had chlorine,**

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1 we've had caustic soda, we've had depleted uranium,
2 we've had americium.
3 Q. And who's in charge of that?
4 A. It comes and goes. We're a trucking
5 company on the ETON site, so we're for hire. So if
6 the -- if anybody wants to hire us, well, we hire to
7 them and we hold their products for them.
8 Q. So ETON owns vehicles -- owns trucks?
9 A. Yes. That's what the trucking company
10 does.
11 Q. How many trucks does ETON own?
12 A. Less than 40, maybe.
13 Q. And does ETON have authorization to be on
14 the property, the -- the Stratford property?
15 A. Yes. There's a lease.
16 MS. JORGENSEN: Okay. Could we go to
17 that. Lease?
18 THE CLERK: Five?
19 MS. JORGENSEN: It's under response number
20 -- Exhibit 5.
21 THE CLERK: (Indiscernible) the same.
22 MS. JORGENSEN: No. I'm sorry, it's under
23 response. Under ETON's response. Oh, yeah. Put a
24 written explanation and then scroll down to number
25 5. Yeah. Okay.

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1 BY MS. JORGENSEN:
2 Q. And if you could take a look at this, Mr.
3 Truman. Is this the lease -- a copy of the lease
4 you're referring to?
5 A. No. There would be one that follows up on
6 this one.
7 Q. I'm sorry, say that again?
8 A. There'll be a -- a secondary one that
9 follows up on this one.
10 Q. So there's a lease that -- there's another
11 lease?
12 A. Correct. It wasn't germane to the -- the
13 case, so we didn't present it or I didn't present it
14 to -- to counsel.
15 Q. Oh, okay. So when did that lease become
16 effective?
17 A. It would've gone -- would've gone the next
18 day, but it went from ETON to ETON Transportation
19 Company. So it was -- the name was changed.
20 Q. Okay. Wait. So let me -- so you have
21 another lease with Tonopah and Tidewater or you have
22 another lease or this -- is this lease still in
23 effect?
24 A. No. I think it truncated. Let's go back
25 and look at the --

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1 MS. JORGENSEN: Go ahead and scroll
2 wherever he would like you to go.
3 THE WITNESS: Go down. Let's find out
4 where the -- hold on. So this one truncated on
5 December 31st.
6 BY MS.(inaudible)?
7 Q. Well, it does say, "Should the tenant
8 remain in possession of the premises with the
9 consent of the landlord, after the natural
10 expiration of this lease, a new tenancy for
11 month-to-month will be created between the landlord
12 and tenant."
13 A. Okay.
14 Q. So I'm just -- so is this lease expired?
15 Is that your position?
16 A. Term -- term ends upon 12:00 noon of
17 December 31st --
18 Q. Okay.
19 A. -- of '23. A new one was issued between
20 Tonopah and ETON -- ETON Corporation. There's two
21 different companies. There's ETON, which is
22 Environmental Transportation Nevada, and there's
23 another corporation called ETON Corporation. One's
24 an LLC. The ETON is an LLC and the other one's a
25 corporation.

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1 Q. So which one applied for the dust control
2 operating permit?
3 A. ETON.
4 MS. JORGENSEN: Could you scroll to the
5 top of that lease? Okay.
6 BY MS. JORGENSEN:
7 Q. So which lease -- who's the ETON in this
8 lease?
9 A. The Environmental Transportation ---
10 Environmental Transportation Nevada is the acronym
11 for -- for ETON.
12 Q. Don't they both have a -- I have -- let's
13 see --
14 A. So ETON has a DOT number, ETON or ETON
15 Corporation does not have a DOT number. It's --
16 Q. So Environmental Transportation Nevada
17 LLC. DBA ETON?
18 A. Correct.
19 Q. And then there is Environmental
20 Transportation Nevada. Oh, no. That's the DBA one
21 again.
22 A. And then if you were coming up --
23 Q. Then ETON Transportation Corporation?
24 A. And then there's the -- yes.
25 Q. So there's two or there's three?

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1 **A. There's two different companies.**
2 Q. Okay.
3 **A. This one is ETON, is Environmental**
4 **Transportation Nevada.**
5 Q. And how do you know that?
6 **A. Because I -- I did the -- the -- the thing**
7 **on the website for the dust control.**
8 Q. No. I mean how do you know how -- from
9 the -- from this commercial lease, how do you know
10 which one it is?
11 **A. The other one is the ETON Corp. That's**
12 **how we keep them separate in terms of -- for tax and**
13 **for leases.**
14 Q. Okay. So it's your testimony that this
15 lease is related to --
16 **A. The LLC.**
17 Q. -- the LLC?
18 **A. Uh-huh.**
19 Q. Okay. This is the lease. And then it's
20 your testimony that subsequent to December 31st,
21 2023 --
22 **A. Three.**
23 Q. -- that the Corp --
24 **A. Entered into --**
25 Q. -- entered into a separate lease with --

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1 **A. Tonopah and Tidewater.**
2 Q. -- Tonopah Tidewater. Okay.
3 **A. It was the end of the tax year.**
4 Q. So when you amend or as the responsible
5 official sought to revise the dust control operating
6 permit, was that as the LLC or the corporation?
7 **A. So the LLC pulled the dust permit.**
8 Q. Okay. Pulled the dust permit. And then
9 who revised the permit?
10 **A. The LLC.**
11 Q. So does the LLC -- does the -- so this is
12 the LLC, right, the -- the permit or the lease that
13 expired in December 31st?
14 **A. Okay. Are we talking about this document**
15 **here?**
16 Q. I'm just trying to figure out --
17 **A. So the LLC did the -- did the construction**
18 **work on the Stratford property.**
19 Q. So the LLC -- and the LLC also had this
20 particular lease?
21 **A. Correct.**
22 Q. Okay. And then this lease expired. Did
23 the LLC have authority to be on that property after
24 December 31st, 2023?
25 **A. The LLC had no equipment.**

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1 Q. But didn't the LLC pull -- revise the dust
2 control operating permit?
3 **A. That's correct. But it owns no equipment**
4 **--**
5 Q. No. I'm just saying, did they have
6 authority to be on that property?
7 **A. After the date?**
8 Q. After December 31st, 2023.
9 **A. What I'm trying to tell you is they were**
10 **gone.**
11 Q. So when you revised the dust control
12 operating permit on behalf of the LLC, no one --
13 ETON wasn't -- the LLC wasn't there anymore?
14 **A. Restate the -- the questions again,**
15 **please.**
16 Q. Okay. So let me make sure I understand.
17 So ETON LLC and then ETON Corp. ETON LLC entered
18 into the permit, dust control operating permit, as
19 well as this commercial lease that expired on
20 December 31st, 2023?
21 **A. Correct.**
22 Q. Okay. So that's DCOP and lease with
23 Tonopah Tidewater through 12/31/23.
24 **A. So --**
25 Q. And then it's your testimony that after

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1 12/31/23, ETON Corp entered into a lease with
2 Tonopah and Tidewater effective what, January 1st,
3 2024?
4 **A. Correct.**
5 Q. Okay.
6 **A. But the LLC still had to finish its scope**
7 **of work until the dust permit was done.**
8 Q. Okay. So the LLC has authority to -- had
9 during -- well, does ETON LLC have authority to be
10 on the Tonopah and Tidewater property right now?
11 **A. It -- yes.**
12 Q. Okay. And what is that based on, an oral
13 agreement? Is that based on a written agreement?
14 **A. Just month-to-month rental of -- of yard**
15 **-- of truck spaces, as we call them.**
16 Q. Okay. Month-to-month rental. And is that
17 based on a written document?
18 **A. No. It's just -- well...**
19 Q. And when did it become month-to-month?
20 **A. Through the first of the year '24.**
21 Q. So can you scroll down to that -- let's
22 see. Scroll down again. So keep scrolling. So
23 under term it says, "The term of the lease commences
24 at noon on September 1st, and ends noon on December
25 31st?"

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<p>1 And then under 6 it says, "Should the</p> <p>2 tenant remain in possession of the premises with the</p> <p>3 consent of the landlord after the natural expiration</p> <p>4 of the lease, a new tenancy for month-to-month will</p> <p>5 be created between the landlord and tenant, which</p> <p>6 will be subject to all the terms and conditions of</p> <p>7 this lease, but will be terminable upon either party</p> <p>8 giving one month's notice to the other party." So is</p> <p>9 it your testimony that the LLC is not continuing to</p> <p>10 operate under this lease?</p> <p>11 A. Yes. Just like number 5 says, it ended on</p> <p>12 noon.</p> <p>13 Q. Right. But didn't -- it says, "The tenant</p> <p>14 remain in possession of the premises with the</p> <p>15 consent of the landlord, then a new tenancy for</p> <p>16 month to month will be created." So you're saying</p> <p>17 that didn't occur?</p> <p>18 A. It did not occur.</p> <p>19 Q. Did anything change from December 31st,</p> <p>20 2023 to January 1st, 2024 with respect to how ETON,</p> <p>21 LLC. Operated?</p> <p>22 A. No. They just went to -- to</p> <p>23 month-to-month on per truck basis.</p> <p>24 Q. But that is just something that's --</p> <p>25 there's nothing in writing about that?</p> <p>Page 75</p>	<p>1 into the agreement to -- to do, is go ahead and do</p> <p>2 the dust permit.</p> <p>3 Q. Okay. Is there another document that</p> <p>4 talks about agreement for the dust permit? Because</p> <p>5 I don't believe there's anything in this lease that</p> <p>6 talks about the dust permit.</p> <p>7 A. No.</p> <p>8 Q. So that was also just an oral agreement?</p> <p>9 A. It was just company -- corporate notes</p> <p>10 between the two companies. Corporate -- you have</p> <p>11 your corporate meetings, you have your corporate --</p> <p>12 there's a term you use when you go through and</p> <p>13 somebody writes the notes in the corporate meetings.</p> <p>14 Corporate --</p> <p>15 Q. Like the minutes.</p> <p>16 A. Thank you.</p> <p>17 Q. Okay. I don't know if you -- if you</p> <p>18 recall, but in the response that ETON submitted in</p> <p>19 response to these two notices of violation, it</p> <p>20 states that ETON did -- had no right to be on the</p> <p>21 property after December 31st, 2023. Is that a true</p> <p>22 statement?</p> <p>23 A. In the -- in the position that they --</p> <p>24 first position they had, that is correct. That came</p> <p>25 back in the second position just as month-to-month</p> <p>Page 77</p>
<p>1 A. No. Just internal.</p> <p>2 Q. Internal?</p> <p>3 A. Uh-huh.</p> <p>4 Q. What do you mean by internal?</p> <p>5 A. It's -- it's a common ownership between</p> <p>6 all the companies.</p> <p>7 Q. So between the two different -- the two</p> <p>8 same owners, they've agreed with themselves that</p> <p>9 it's going to be month-to-month?</p> <p>10 A. Correct.</p> <p>11 Q. Okay. But nothing changed between this</p> <p>12 one and -- and the oral agreement?</p> <p>13 A. So this lease was terminated on the set</p> <p>14 date.</p> <p>15 Q. So where it says, "Rent \$10,000," what is</p> <p>16 the rent amount now?</p> <p>17 A. Again, it's by the truck that's parked on</p> <p>18 the property.</p> <p>19 Q. So how much per truck?</p> <p>20 A. It's \$400 per truck, per month.</p> <p>21 Q. And is there -- and there was an agreement</p> <p>22 to allow ETON, LLC. To hold a dust control</p> <p>23 operating permit for the Tonopah and Tidewater water</p> <p>24 property?</p> <p>25 A. Correct. That's what they were entering</p> <p>Page 76</p>	<p>1 customer.</p> <p>2 Q. So they did have a right to be there for</p> <p>3 purposes of the dust control operating permit?</p> <p>4 A. Say that again.</p> <p>5 Q. They did have a right to be there for</p> <p>6 purposes of the dust control operating permit?</p> <p>7 A. In my mind that is --</p> <p>8 MR. GUBLER: I'm just going to -- I'm</p> <p>9 going to object as to -- it's the -- the question's</p> <p>10 vague. What time frame are we talking about?</p> <p>11 BY MS. JORGENSEN:</p> <p>12 Q. Well, let's actually, let's go to the --</p> <p>13 the document. Let's go to the response. Sorry,</p> <p>14 just give me a second (indiscernible). Okay. Could</p> <p>15 you go to page 4? I'm sorry. Go to the bottom of</p> <p>16 page 3. Okay. So number 6, it says, "ETON obtained</p> <p>17 a dust control permit for grubbing effective August</p> <p>18 31st -- August 30th, 2023. And that's ETON, LLC.;</p> <p>19 is that correct?</p> <p>20 A. Correct.</p> <p>21 Q. Okay. And then if we go to number 7.</p> <p>22 During its occupancy, ETON performed services for</p> <p>23 the railroad company," that's referencing Tonopah</p> <p>24 and Tidewater, "at the property in the assistance of</p> <p>25 its business of moving goods across state lines and</p> <p>Page 78</p>



1 interstate commerce." Is that a true statement?
2 **A. Yes.**
3 Q. "The lease concluded on December 31st,
4 2023"; is that correct?
5 **A. Yes.**
6 Q. And then since January 1st, 2024, the
7 railroad company has occupied the property, the
8 railroad company never applied for or executed a
9 dust control permit; is that correct?
10 **A. Correct.**
11 Q. And -- but is it also correct that ETON
12 applied for and executed a dust control permit on
13 behalf of, or for the purpose of Tonopah and
14 Tidewater property; is that correct?
15 **A. So there's a -- there was -- in our -- we**
16 **would term it -- there was a commercial transaction**
17 **between Tonopah and Tidewater to the LLC company to**
18 **do a scope of work, which was to go through and get**
19 **the dust permit, get the site ready for the**
20 **transaction, or the sunseting of the dust permit**
21 **was what they were employed to do.**
22 **So there's two transaction. One is the**
23 **lease to the property, two is the -- the**
24 **construction or the transaction that's necessary to**
25 **go ahead and get the site in compliance with**

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1 **respective statewide plan.**
2 Q. Okay. So when did they -- so when did
3 ETON complete its responsibilities under the dust
4 control operating permit for Tonopah and Tidewater?
5 **A. I think when it sunsetted sometime in --**
6 **whatever the -- the gear period would've come around**
7 **from its inception and the material, the ROTO-MILL,**
8 **was put on site.**
9 Q. Okay. So ETON did have authority to be on
10 the property after December 31st, 2023 for purposes
11 of the dust control operating permit?
12 **A. I'm confused how you're -- you're --**
13 **you're co-joining the equipment side and the action**
14 **of the dust permit. Can we break them apart?**
15 Q. I'm trying to figure out what's going on
16 with respect to these.
17 **A. Can we break them apart, because they're**
18 **not aligned, they're broken apart.**
19 Q. Sure. Sure. Go ahead.
20 **A. You have -- the dust control permit is a**
21 **function that has nothing to -- to do -- to -- to --**
22 **to get it, to pay the fine -- to pay the fees to go**
23 **ahead and do that part. And then the**
24 **transportation, you're trying to conjoin it in my**
25 **mind --**

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1 Q. I'm just trying to -- I'm just kind of
2 following along with this. So I just -- let me just
3 -- I'll ask it one more time, see if I -- we can
4 settle on something. So the entire time that -- so
5 ETON has authority to be on the -- on the Tonopah
6 and Tidewater property. I'm just -- just generally,
7 they have authority to be there.
8 **A. So on the -- on -- on the trucking side or**
9 **the -- the dust permit side? Because we need to**
10 **sort of break them apart.**
11 Q. Okay.
12 **A. Does that make sense?**
13 Q. Sure. The trucking side, they have
14 authority to be there?
15 **A. After the 31st, it was month-to-month.**
16 Q. Okay. And then with regard to the dust
17 control operating permit?
18 **A. They could be there wherever they need it**
19 **to be, to go through -- so --**
20 Q. Until it's -- until it's finished up
21 closed out, it is -- they have authority to be on
22 there for purposes of the dust control operating
23 permit?
24 **A. Yes.**
25 Q. Okay.

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1 Q. Does that make sense that we separate the
2 two functions?
3 Q. Sure. Sure.
4 MS. JORGENSEN: Okay. Could we go back to
5 Exhibit A of the reply -- of Air Quality's reply?
6 And if you could scroll to the end of that, there
7 were some emails. Okay. Could you go to the
8 beginning of those emails? Okay. Right there. So
9 could you kind of just scroll through, so Mr. Truman
10 has a chance to look at those?
11 BY MS. JORGENSEN:
12 Q. Mr. Truman, could you -- do the -- do you
13 recognize these emails?
14 **A. Yes. Sort of.**
15 Q. And what do you recognize them to be?
16 **A. Came from me on the 30th. Some questions**
17 **and answer with their specialist. She asked a**
18 **question, I answer.**
19 Q. Okay. And so one of the last questions
20 was, is this parcel going to be developed in the
21 future? And then how did you respond?
22 **A. So that was questioned on 239. I**
23 **responded on 247. There were some trees to be taken**
24 **down. So foundation for a water truck -- water tank**
25 **trash.**

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<p>1 Q. Actually, I'm sorry, I think it goes the 2 other direction. Make sure. Can you scroll? Yeah. 3 So she asked the question at 237, you responded at 4 247. 5 A. So do we need to go on? 6 Q. Yeah. So it starts --- 7 A. Okay. So we're --- 8 Q. -- reverse order. 9 A. So there's some trees we've taken down. 10 The site needs to be cleared to let the survey crew 11 to start coming down. We're going (indiscernible) 12 plan. And so we're going to go back up. 13 Q. Yeah. You need to scroll back up. 14 A. Is the partial going to be build in the 15 future? Yes. 16 Q. Okay. And what was -- on August 30th when 17 you responded yes, what was the purpose of -- what 18 did you mean by developed in the future? What was 19 going to be developed? 20 A. Just a rail yard. Just a rail support 21 yard. 22 Q. And did you ever amend your permit to 23 indicate that it was going to become a rail yard or 24 rail support yard? 25 A. Did she respond back with -- with another</p> <p style="text-align: right;">Page 83</p>	<p>1 with anything the railroad does. Doesn't come out 2 and look at their rail specs, doesn't come out and 3 find out the -- the rail ties on them -- 4 Q. Okay. Is there anything on this property 5 on -- I keep forgetting the name. 6 A. Stratford. 7 Q. Thank you. On the Stratford property, 8 that is indicative that it's a railroad or are there 9 any tracks on that property? 10 A. If you look at state statutes -- 11 Q. No. I'm just asking about the property 12 itself. Is there anything on there that --- 13 A. Yeah. There's some issues the equipment 14 that supports rail, transloading. 15 Q. Is there any -- are there any tracks on 16 that property that are laid down? 17 A. No. 18 Q. And I - I want to make sure that I get a 19 yes or no answer on this. Is this -- is Tonopah and 20 Tidewater a federally recognized railroad? 21 A. No. 22 Q. Okay. 23 A. It's been given an exemption. 24 Q. So is ETON -- I'm sorry? 25 A. It's been given an exemption from -- from</p> <p style="text-align: right;">Page 85</p>
<p>1 question? 2 Q. No. I'm just asking you, when did you 3 intend to develop it in the future? 4 A. Not that I know of. And the other -- 5 other facilities we've dealt with, they're 6 considered or treated like a utility, and the county 7 typically doesn't give the water district or Nevada 8 Power or any of the utilities oversight. They -- 9 they push that back or give that to the utilities to 10 maintain their own issues. 11 Just like Nevada or Southwest Gas, you 12 don't have a -- a crew or people going through and 13 look at their -- their workmanship or what they do. 14 You treat them as utilities. And -- 15 Q. So is is ETON a utility? 16 A. Tonopah and Tidewater is a railroad. 17 Q. Is Tonopah and Tidewater a railroad under 18 federal law? 19 A. Federal, no. State. 20 Q. So it's -- okay. So it's your testimony, 21 Tonopah and Tidewater is a state recognized 22 railroad? 23 A. And just like the -- the county, when the 24 railroad brings a -- or builds up a shoo fly or puts 25 another bridge over, the county doesn't get involved</p> <p style="text-align: right;">Page 84</p>	<p>1 oversight, but go ahead. 2 Q. Oh, wait. So when did that happen? 3 A. It's in the federal register. That's 4 where we put an issue for exemption. It was a Class 5 III railroad. 6 Q. Okay. So I believe that exemption -- Can 7 we go to exhibit -- let's see. This is back to -- 8 well, let's look -- it's back to the NRF. The -- 9 A. No. It -- it'll be the federal register. 10 Q. No, I'm sorry. I'm trying to help her 11 find where it's located. Let's see. It's back to 12 ETON's Response Exhibit 3, I believe. Under written 13 explanation? 14 A. Yes. 15 Q. Oh, thank you. Okay. 16 A. The -- 17 Q. So this is when you're referencing that 18 this -- that the Tonopah and Tidewater became a -- 19 A. No. 20 Q. Okay. So which one are you talking about? 21 A. This is where we request exemption from 22 oversight from the FRA. That's what the -- the -- 23 the whole exemption is. 24 Q. Can you scroll to the top of the second 25 column? So it says, "TTRR will become a Class III</p> <p style="text-align: right;">Page 86</p>



<p>1 rail carrier. TTR certifies that it's projected</p> <p>2 revenues" -- okay. It goes on talks about Class</p> <p>3 III. So this notice is about becoming a Class III</p> <p>4 railroad; isn't that correct?</p> <p>5 A. No. Again, Class III railroad is --</p> <p>6 Q. Okay. Why don't we scroll down to the</p> <p>7 beginning of this. And why don't you go ahead and</p> <p>8 read that for us.</p> <p>9 A. For the beginning?</p> <p>10 Q. Where it says to Tonopah and Tidewater</p> <p>11 Railroad Company, a non-carrier has filed a verified</p> <p>12 -- go ahead and read that file.</p> <p>13 A. "Valid verified notes of exemption from</p> <p>14 49CFR 1130.31 to lease from Pan Western Corporation,</p> <p>15 parenthesis Pan Western operated approximately 2.6</p> <p>16 miles of private rail lines owned by the Pan</p> <p>17 Western, extending from mile post 0.0 to mile post</p> <p>18 2.66 in Clark County, Nevada Pan Western to lease</p> <p>19 the railroad lines TTR. So the TTR may initiate and</p> <p>20 provide common carrier rail operations on and over</p> <p>21 lines. TTR will become a Class III railroad</p> <p>22 carrier. TTR certifies its projected revenues are</p> <p>23 not expected to exceed those of the Class III</p> <p>24 railroad carrier -- carrier or 5 million annually.</p> <p>25 The transaction was due to consummate on or about</p> <p style="text-align: right;">Page 87</p>	<p>1 exemption." So you're saying that's not what it</p> <p>2 means, it means something different?</p> <p>3 A. It means that we asked the -- the STB that</p> <p>4 Tonopah and Tidewater does not have to meet all the</p> <p>5 requirements of 49 CFRs that regulates Class Is and</p> <p>6 Class IIs.</p> <p>7 Q. Right. So you become a Class III?</p> <p>8 A. But -- but they don't tell us that.</p> <p>9 Q. That says exactly right there.</p> <p>10 A. The FRA, by revenue stream, tells you what</p> <p>11 you are.</p> <p>12 Q. It says, "TTRR will become a Class III</p> <p>13 rail carrier. TTRR certifies that its projected</p> <p>14 revenues are not expected to exceed those of a Class</p> <p>15 III rail carrier or 5 million annually."</p> <p>16 A. Okay. The exemption that we requested was</p> <p>17 from oversight of the Federal Railroad</p> <p>18 Administration. You can read what you want, but</p> <p>19 from a --</p> <p>20 Q. No. I'm reading --</p> <p>21 A. -- from a rail -- from a rail guy --</p> <p>22 Q. Believe me I'm not -- I'm just reading</p> <p>23 what it says.</p> <p>24 A. It's ask for exemption from having to do</p> <p>25 with 49 CFRs.</p> <p style="text-align: right;">Page 89</p>
<p>1 September 9th, 2004. The effective date of the</p> <p>2 exemption, seven days after" --</p> <p>3 Q. Okay. You can -- you can go ahead and</p> <p>4 stop there. So isn't this about Tonopah and</p> <p>5 Tidewater becoming Class III rail carrier?</p> <p>6 A. No, ma'am.</p> <p>7 Q. Oh, what is this about then?</p> <p>8 A. It's exemption from oversight by the</p> <p>9 Federal Railroad Administration. The Federal</p> <p>10 Railroad Administration looks at the railroad</p> <p>11 revenue streams and classifies you by a Class II,</p> <p>12 Class I based on your railroad revenues. So this</p> <p>13 has nothing to do with that other than an exemption</p> <p>14 that the oversight from the FRA is truncated.</p> <p>15 Q. So don't you become -- to get that exempt,</p> <p>16 isn't this exemption in order to become a Class III</p> <p>17 rail carrier --</p> <p>18 A. No.</p> <p>19 Q. -- through -- so you're saying that</p> <p>20 beginning part when it says that by entering into</p> <p>21 this lease agreement with Pan Western, then you</p> <p>22 become a Class III rail carrier, and then it says --</p> <p>23 and then seven days -- so isn't this a notice of</p> <p>24 exemption? At the very beginning it says, "A non</p> <p>25 carrier has filed a notice -- a verified notice of</p> <p style="text-align: right;">Page 88</p>	<p>1 Q. And isn't that have to do with a verified</p> <p>2 notice of exemption, so you become a Class III rail</p> <p>3 carrier as opposed to a II or -- a I or a II?</p> <p>4 You're saying that's not what this says?</p> <p>5 A. No. We're asking for exemption from 49</p> <p>6 CFR 1150.31.</p> <p>7 Q. Well, no, it's -- the exemption is</p> <p>8 authorized under 49 CFR 1150.</p> <p>9 A. Well, we're asking to be authorized</p> <p>10 underneath that.</p> <p>11 Q. Right. And this provided said, you enter</p> <p>12 into this lease, then you're authorized?</p> <p>13 A. Yes.</p> <p>14 Q. Okay. Did you ever enter -- did Tonopah</p> <p>15 and Tidewater ever enter a lease with Pan Western?</p> <p>16 A. It did.</p> <p>17 Q. Do you have a copy of that lease?</p> <p>18 A. Not with me. We'll have to go through the</p> <p>19 records and find it.</p> <p>20 Q. So it's your testimony that there actually</p> <p>21 was a lease at one point, but your -- you or -- or</p> <p>22 your counsel did not provide that for this hearing</p> <p>23 today?</p> <p>24 A. We did because that's the only way that</p> <p>25 the State of Nevada PUC did not come regulate us.</p> <p style="text-align: right;">Page 90</p>



<p>1 Otherwise State of Nevada PUC --</p> <p>2 Q. No. I'm asking, there is -- so you're</p> <p>3 saying there is a lease. Does that --</p> <p>4 A. For this transaction, yes, there would</p> <p>5 have -- there was ---</p> <p>6 Q. Okay. Well, let's go to the next -- the</p> <p>7 next exhibit, Exhibit 4. Okay. So this is from</p> <p>8 2006. There's a footnote. I'm looking at -- can</p> <p>9 you scroll down just a little bit more. And can you</p> <p>10 make it a little bit bigger? And -- and let's look</p> <p>11 at the footnote. Okay. So that footnote, I'm going</p> <p>12 to go ahead and read it?</p> <p>13 It say's, "The verified notice of</p> <p>14 exemption was originally filed under the name of</p> <p>15 UPL" -- go to -- I'm sorry, Footnote 2. It says,</p> <p>16 "This line was a subject of a notice of exemption</p> <p>17 that according to the current verified notice was</p> <p>18 never consummated." See Tonopah and Tidewater lease</p> <p>19 and operation citing back to that one. So you're</p> <p>20 saying it was consummated that there was a lease?</p> <p>21 A. Yes.</p> <p>22 Q. And when did that lease occur?</p> <p>23 A. Time frame before we actually put the --</p> <p>24 the first notice in.</p> <p>25 Q. What -- what -- I'm sorry.</p> <p>Page 91</p>	<p>1 to begin with for the original one, a lease for them</p> <p>2 to go forward. I don't know if they filed it or</p> <p>3 not.</p> <p>4 Q. So you're saying that the Footnote 2 is</p> <p>5 wrong?</p> <p>6 A. Based on what we provided to Wilson Hines</p> <p>7 in the beginning, correct.</p> <p>8 Q. Okay. Well, I -- all right. So when</p> <p>9 Nevada Pacific Railroad Corporation wanted to lease</p> <p>10 for Pan Western that same rail line, were they going</p> <p>11 to take it over from Tonopah and Tidewater?</p> <p>12 A. The goal was to go through and do a name</p> <p>13 change to go through for marketing reasons. And</p> <p>14 that's where we went with back to Wilson and Hines</p> <p>15 to do that and they squashed that. So they went</p> <p>16 back to the business as usual after the UP filed --</p> <p>17 UP filed the protest.</p> <p>18 Q. What do you mean, business as usual?</p> <p>19 A. Tonopah and Tidewater were still running</p> <p>20 the -- the -- the line.</p> <p>21 Q. Okay. I'm sorry. I still can't get over</p> <p>22 the fact that this says that Tonopah and Tidewater</p> <p>23 never entered into that lease with Pan Western. And</p> <p>24 your testimony is that they did?</p> <p>25 A. Yeah. Because it --</p> <p>Page 93</p>
<p>1 A. If you go back to Exhibit 3 before that</p> <p>2 date, we would've provided that -- that lease to</p> <p>3 counsel out of Thompson Hine.</p> <p>4 Q. Okay. So you're saying that the -- oh,</p> <p>5 let's go back to 2006. So you're saying sometime</p> <p>6 before September 30th, 2004, Tonopah and Tidewater</p> <p>7 entered into agreement with Pan Western to become as</p> <p>8 -- as authorized in that notice?</p> <p>9 A. Yes. To file an exemption, yes.</p> <p>10 Q. Okay. So under -- under the second</p> <p>11 footnote where it says, "This line was the subject</p> <p>12 of notice of exemption. According to the current</p> <p>13 verified notice, was never consummated." So is that</p> <p>14 -- is that wrong?</p> <p>15 A. So we would've provided with Thompson</p> <p>16 Hines, our counsel back in D.C., a copy of the</p> <p>17 lease.</p> <p>18 Q. But I'm telling you, this says right here,</p> <p>19 the line -- that -- it says that line -- that was a</p> <p>20 -- that was subject to the notice of exemption</p> <p>21 according to the current verified. So the one from</p> <p>22 2006. It's saying that one that was referenced in</p> <p>23 2004 was never consummated. There was never a lease</p> <p>24 according to this.</p> <p>25 A. I just know that we provided Wilson Hines</p> <p>Page 92</p>	<p>1 Q. And it's also your testimony that there's</p> <p>2 no copy of that lease in any of the exhibits today?</p> <p>3 A. Correct.</p> <p>4 Q. Okay.</p> <p>5 A. We -- we can bring that forward.</p> <p>6 Q. Okay. All right. So let's go back to</p> <p>7 exhibit -- this is back to Air Quality's reply,</p> <p>8 Exhibit B. Okay. Mr. Truman, what is this document</p> <p>9 of -- can you tell?</p> <p>10 A. Looks like it's where we -- I had to add</p> <p>11 acreage to the original document.</p> <p>12 Q. Okay. And did you make any other changes</p> <p>13 with respect to the project?</p> <p>14 A. No. Somebody brought to -- to my</p> <p>15 attention that I admitted and -- and I thought</p> <p>16 everything was one -- on one APN number when I</p> <p>17 originally did that. And then I found out there was</p> <p>18 two additional APNs penned into that. And then we</p> <p>19 went through in good faith, revised it based on the</p> <p>20 adding the two new APN numbers.</p> <p>21 Q. Okay. Could you scroll to the next page.</p> <p>22 Where it says project description, could you please</p> <p>23 describe what that is or look at it and -- and then</p> <p>24 tell me what the purpose of the revision was?</p> <p>25 A. "M1 equals plus or minus 1.8</p> <p>Page 94</p>



1 (indiscernible) site bring in fill survey, get
2 drainage study, get zoning, bring -- bring in chat
3 on top of base, roll and compact and shoot with AC
4 30 parking lot base.
5 Q. Okay. So the project when you revised it
6 on behalf of ETON was to get it paved?
7 A. Correct.
8 Q. Okay. And could you scroll to the end of
9 the document where there's the emails? Okay. And
10 go ahead and scroll through those and -- and then,
11 Mr. Truman, I have some questions about those
12 emails. So do you recognize these emails?
13 A. It went pretty quickly. I didn't read all
14 of them. But in general, sort of, yes.
15 Q. Okay. And in this email chain, did you
16 confirm that it -- that the area was going to be
17 paved?
18 A. It looks like I did.
19 Q. What changed?
20 A. Got counsel involved and looked at the
21 opportunities of what was available that was done in
22 other facilities, and saw that there was a
23 disconnect of what the county wanted us to do, where
24 we didn't operate necessarily in the county, but we
25 operated more generally as an interstate commerce

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1 carrier. And questioned their ability to go
2 through.
3 And one is that there's a -- a court case
4 down in California of we belong to an associate of
5 the railroad as a associated group in the State of
6 California, and our association clashed over a south
7 coast, I think it's South Coast Air Quality.
8 Q. Let me just stop you real quick. So if I
9 understand correctly, you're -- you're saying that
10 because Tonopah and Tidewater is a railroad, it is
11 on the same par as that railroad that was the
12 subject of that lawsuit in that case in California?
13 A. No. I'm saying because we're engaged in
14 interstate commerce, whether the railroad or the
15 transportation, the STB gathers us the same.
16 Q. Doesn't the STB regulate railroads?
17 A. They do.
18 Q. And just railroads?
19 A. No. Transportation.
20 Q. So we looked at the -- what I think it's
21 the interstate commerce.
22 A. It was changed to STB. There's a couple
23 iterations.
24 Q. Right. And you believe that that is more
25 than just railroads?

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1 A. It's -- yes, I do.
2 Q. Okay.
3 A. It's -- it's all to do with things to deal
4 with the commerce clause. So can I finish my
5 testimony or you're going to --
6 Q. No. I -- I don't think we need to get
7 into that because we have a --
8 A. Oh, I'd like to --
9 Q. -- we have a fundamental -- I mean, your
10 -- your -- your -- attorney can --
11 A. Well, you asked a question, Counsel.
12 HEARING OFFICER: Your attorney can do --
13 Hold on. She ask a question, if you answer it. You
14 can't do commentary. So ask --
15 MS. JORGENSEN: Yeah. I'm -- yeah.
16 THE WITNESS: So let me finish the
17 question she asked me.
18 MS. JORGENSEN: No, there's -- you're not
19 answering my question. You're just going on and on
20 about, and then your attorney --
21 THE WITNESS: Ma'am, you asked me a
22 question.
23 MS. JORGENSEN: Your attorney can do
24 follow up when he does redirect.
25 THE WITNESS: Okay.

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1 HEARING OFFICER: Yeah.
2 BY MS. JORGENSEN:
3 Q. So did you ever have -- after you had
4 indicated to Air Quality that you were going to pave
5 the facility or pave the -- the Stratford site, did
6 you ever have further discussions with Air Quality
7 about, no, I think it should be something different.
8 Here's why?
9 Did you -- did you ever have that
10 conversation with the Air Quality? Look, I've
11 changed my mind. I don't think this is appropriate.
12 I think I should be able to do something different.
13 A. Could I talk now?
14 Q. I'm asking if you had those conversations
15 with Air Quality?
16 A. I said, does it -- can I get to answer
17 now?
18 Q. Yes.
19 A. Not that I know of.
20 Q. The -- you -- as part of those exhibits
21 and your testimony, you testified that you spoke
22 with, I believe it starts with Exhibit 10. We can
23 go back to the response. Not -- not Air Quality's
24 reply. Yeah. Let's scroll down and see if this is
25 the first one?

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<p>1 Okay. Actually could you scroll a little</p> <p>2 bit more? Okay. So we have what, Exhibits 10</p> <p>3 throug, is it 16 or -- let me just look and make</p> <p>4 sure I have that right. No. Yeah. Let's look at</p> <p>5 15. No. Let's go to 14.</p> <p>6 Okay. So Exhibit 10, we go back up to</p> <p>7 that. Joe Miller. Let's go to -- that's Exhibit</p> <p>8 10. Let's look at Exhibit 11. Paul Harbour</p> <p>9 (phonetic), who else do we have for 12? David</p> <p>10 McDonough. 13, it's Floyd Meldrum. And then 14 is</p> <p>11 Michael. How do you say his last name?</p> <p>12 A. Onetendan (phonetic).</p> <p>13 Q. Onetendan. And I believe you also</p> <p>14 testified that you had a conversation with Jay</p> <p>15 Smith; is that correct?</p> <p>16 A. Correct.</p> <p>17 Q. And -- but you don't have an affidavit</p> <p>18 from Jay Smith? I'm just asking.</p> <p>19 A. He's afraid of you guys.</p> <p>20 Q. So you don't have an affidavit from him?</p> <p>21 A. No. It was a personal conversation with</p> <p>22 him.</p> <p>23 Q. Okay. And when did you have these</p> <p>24 conversations with these five individuals plus Mr.</p> <p>25 Smith?</p> <p>Page 99</p>	<p>1 A. With Jay, no. Because Jay's -- had</p> <p>2 ongoing conversations with him from an early --</p> <p>3 early standpoint. So, you know, without going</p> <p>4 through and looking at my exchange and find out when</p> <p>5 the email started, I -- or I'm under oath, I got to</p> <p>6 tell you, I can't tell you right now.</p> <p>7 Q. Okay. Could you go ahead and keep</p> <p>8 scrolling down till we get to pictures? Okay. So</p> <p>9 the Boulder City Railroad, I believe these and the</p> <p>10 -- the subsequent ones are ones that you testified</p> <p>11 you've been to these personally and you see -- and I</p> <p>12 think your testimony was also that there's areas</p> <p>13 that are unpaved roads and unpaved parking area. Is</p> <p>14 that a --</p> <p>15 A. Correct.</p> <p>16 Q. -- a correct statement? Okay. For this</p> <p>17 particular one, the Boulder City one, is this</p> <p>18 located in the Las Vegas Valley?</p> <p>19 A. It's -- it's not the airshed of Las Vegas</p> <p>20 town, it's in Boulder City.</p> <p>21 Q. So do you know the airshed numbers? Do</p> <p>22 you know what --</p> <p>23 A. I don't know.</p> <p>24 Q. Area 212?</p> <p>25 A. I do -- do not know the airshed, but --</p> <p>Page 101</p>
<p>1 A. Probably the first two weeks of September.</p> <p>2 Q. And when did you lay down the rotomilling?</p> <p>3 A. That's a good question. I honestly -- I</p> <p>4 don't -- honestly don't have a date. I'm sorry.</p> <p>5 Q. I believe there's -- well, was the</p> <p>6 rotomilling laid down before you had these</p> <p>7 conversations with these five individuals plus Mr.</p> <p>8 Smith? And I believe there was testimony last time</p> <p>9 from the Air Quality inspectors that they observed</p> <p>10 rotomilling in August.</p> <p>11 A. I don't want to -- I can't honestly --</p> <p>12 Q. So is it possible that you -- it was laid</p> <p>13 down before you had the conversations with these</p> <p>14 individuals plus Mr. Smith?</p> <p>15 A. I'm trying to find a reference number. My</p> <p>16 -- my -- my memory to go through and -- and</p> <p>17 reference with all this. One is, I would have to</p> <p>18 get some skill tickets from Las Vegas Paving and</p> <p>19 when we bought the RotoMill from them. And then</p> <p>20 two, I'd have to go back and -- and look at emails I</p> <p>21 sent out to all the parties, to find out when we had</p> <p>22 this discussions with them.</p> <p>23 Q. Okay. So I'm just asking, is it possible</p> <p>24 that the rotomilling was laid down before you had</p> <p>25 those conversations?</p> <p>Page 100</p>	<p>1 Q. Okay. But you know that this is not in</p> <p>2 the Las Vegas Valley airshed?</p> <p>3 A. Correct. It's in Water Bridge, yes.</p> <p>4 Q. Okay. Do you know if this area's been</p> <p>5 designated as non-attainment for PM10?</p> <p>6 A. I do not.</p> <p>7 Q. Do you know if this area has a stationary</p> <p>8 source prevent?</p> <p>9 A. I do not.</p> <p>10 Q. Do you know what the condition of this</p> <p>11 site was or of this -- of this unpaved road before</p> <p>12 June of 2000?</p> <p>13 A. I did not.</p> <p>14 Q. Okay. Let's go to the next one. And</p> <p>15 which one's this again? Oh, this is the Department</p> <p>16 of Aviation?</p> <p>17 A. Uh-huh.</p> <p>18 Q. So this is in the Clark County. I mean,</p> <p>19 this is the Las Vegas Valley; is that right?</p> <p>20 A. It's in our shed -- the -- the airshed --</p> <p>21 Q. The 212?</p> <p>22 A. Yes.</p> <p>23 Q. Okay. Do you know if Clark County</p> <p>24 Aviation has a stationary source permit?</p> <p>25 A. Not that I found.</p> <p>Page 102</p>



1 Q. Do you know what the condition of this
2 unpaved road was prior to June of 2000?
3 **A. I do not.**
4 Q. Okay. Let's go to the next one. Okay.
5 This is more like public works. And I believe your
6 concerns were, was it a road that's being used? Is
7 that what -- I think you have the clicker so you
8 could --
9 **A. So the railroad always has a road next to**
10 **the railroad. So if something happens then they can**
11 **get it to facilitate itself.**
12 Q. Okay. And so how is this similar to the
13 Stratford property?
14 **A. Well, ours has rotomilling on it.**
15 Q. No. I mean, is there a railroad on the
16 Stratford property?
17 **A. Doesn't matter but --**
18 Q. No. I'm just asking you, is there one?
19 **A. No.**
20 Q. Okay. And do you know what condition of
21 this road was before June of 2000?
22 **A. I do not.**
23 Q. Okay. Let's go to the next one. Okay.
24 And I believe your concerns were, again, was it
25 railroad?

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1 **A. Correct.**
2 Q. Okay. And do you know what the condition
3 of this site was prior to June of 2000?
4 **A. Wasn't there. The -- the railroad was put**
5 **in after that.**
6 Q. When was it put in?
7 **A. Mid 2000, 2005, 2006.**
8 Q. And do you have any knowledge -- did you
9 pull any information about this other than this
10 aerial photo? And I believe you're -- I -- assuming
11 it's your memory of the 2005, 2006?
12 **A. No. We -- we -- we brought in the ballast**
13 **to this facility, so that's how we knew it was new**
14 **construction.**
15 Q. Okay. So your testimony, 2005, 2006, and
16 prior to that it was just desert?
17 **A. It was native.**
18 Q. Okay. Let's go to the next one. And then
19 what are your concerns about this site?
20 **A. Same as we've mentioned, we have a -- a**
21 **unpaved --**
22 Q. Unpaved where? Around the railroad?
23 **A. Next to the railroad.**
24 Q. Okay. Any idea what the site was around
25 the railroad prior to June 2006?

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1 **A. On this one I --**
2 Q. I mean, I'm sorry, 2000?
3 **A. I don't know.**
4 Q. Okay. Let's go to the next one. Hidden
5 Valley, where is this located?
6 **A. Different airshed. It's in the --**
7 Q. So 216. Also there's -- there's 212,
8 which is the Las Vegas Valley. And then 216, 217,
9 that are part of the Apex.
10 **A. So it's further in Apex.**
11 Q. Okay.
12 **A. It's on Nevada Power and --**
13 Q. Oh, Nevada Power. Do you know if this
14 site has a -- a stationary source operating permit?
15 **A. It -- it had when the Apex, both commodity**
16 **had a transfer facility out there that subsequently**
17 **they've -- they've taken down.**
18 Q. And do you know what the condition of this
19 area was before June of 2000?
20 **A. Before, no.**
21 Q. Okay. Let's go to the next one. And
22 where's this? This is within -- no, this is outside
23 of 212, 216, 217. Is that --
24 **A. That's even further. That's Logandale.**
25 Q. Okay. And any idea what the condition of

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1 the site was before June of 2000?
2 **A. It was native because they put the rail**
3 **line in late -- early 2002, 2003.**
4 Q. Okay. Let's go to the next one. Enlost,
5 that's -- that's within it; isn't it?
6 **A. That's Apex.**
7 Q. And do you know if this site has a -- a
8 stationary source operating permit?
9 **A. I do not.**
10 Q. And do you know what the condition of the
11 site was prior to June of 2000?
12 **A. We brought ballast into this late 2010-ish**
13 **when they put some new rail line in.**
14 Q. Okay. And -- but again, you have no idea
15 if this is a -- a site that's covered by a
16 stationary source permit?
17 **A. I do not, but I would assume it does where**
18 **they have baking lime.**
19 Q. Can you just go to the next one? Nevada
20 Ready Mix. Does this site have a stationary source
21 operating permit? Did you know?
22 **A. I do not know.**
23 Q. And what was condition of the site prior
24 to June of 2000?
25 **A. Fly over. I, you know, I don't -- I don't**

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<p>1 know what happened before that time.</p> <p>2 Q. Okay. Let's go to the next one. And</p> <p>3 where's this located?</p> <p>4 A. In our airshed. It's over off from</p> <p>5 Ponderosa and Lake Russell.</p> <p>6 Q. Okay. Over by Jake's Crane Rigging.</p> <p>7 Q. And what is it? It's...</p> <p>8 A. It's an oil terminal.</p> <p>9 Q. Okay. Does this site -- do you know if</p> <p>10 this site has a stationary source permit?</p> <p>11 A. I -- I do not.</p> <p>12 Q. And what -- what about the condition of</p> <p>13 the site prior to June of 2000?</p> <p>14 A. It wasn't there.</p> <p>15 Q. Okay. Go ahead. PABCO, does this have a</p> <p>16 stationary source permit that you know of?</p> <p>17 A. I do not know.</p> <p>18 Q. And the condition of site prior to June</p> <p>19 2000?</p> <p>20 A. I don't know.</p> <p>21 Q. Okay. Let's go to the next one. And is</p> <p>22 -- this is -- this is outside of --</p> <p>23 A. It's -- it's -- it's up -- up at the lake.</p> <p>24 It's paved.</p> <p>25 Q. Okay. So not in 212, 216, or 217?</p> <p>Page 107</p>	<p>1 A. Would've been our -- our airshed.</p> <p>2 Q. In 212, and then what's your concern on</p> <p>3 this one?</p> <p>4 A. Again, the unpaved road.</p> <p>5 Q. Is that -- are those rail lines?</p> <p>6 A. They are.</p> <p>7 Q. So any idea what the condition was prior</p> <p>8 to June of 2000?</p> <p>9 A. Native.</p> <p>10 Q. And how do you know that?</p> <p>11 A. Because it is native dirt that the</p> <p>12 railroad drove across. So did the road exist before</p> <p>13 2000? Is that --</p> <p>14 Q. When -- when were the rail lines put in;</p> <p>15 do you know?</p> <p>16 A. The rail lines would've been -- been put</p> <p>17 in 1908. The --</p> <p>18 Q. Okay. So it's possible that they were</p> <p>19 driving over that prior -- sometime after 1908?</p> <p>20 A. Maybe, but --</p> <p>21 Q. Okay. Let's go to the next one. And</p> <p>22 where's this?</p> <p>23 A. In front of -- it should come down the</p> <p>24 hill going into more upper Valley.</p> <p>25 Q. Okay. So outside is 216 -- outside of Las</p> <p>Page 109</p>
<p>1 A. No.</p> <p>2 Q. Okay. Pioneer Americas?</p> <p>3 A. Henderson, so it's in our airshed.</p> <p>4 Q. Within 212? Okay. Does the site have a</p> <p>5 stationary source permit, if you know?</p> <p>6 A. The -- the site or the APM?</p> <p>7 Q. Well, whatever your concern is.</p> <p>8 A. Not that I know of.</p> <p>9 Q. Okay. And do you know what the condition</p> <p>10 was prior to June of 2000?</p> <p>11 A. There at the bottom was native.</p> <p>12 Q. I'm sorry?</p> <p>13 A. In the bottom it was native.</p> <p>14 Q. The bottom, which part? And is that --</p> <p>15 are there rail lines?</p> <p>16 A. There are.</p> <p>17 Q. Do you know when those rail lines were put</p> <p>18 in?</p> <p>19 A. They did a plan expansion sometime mid --</p> <p>20 mid 2005 again.</p> <p>21 Q. And it's your understanding, so that's</p> <p>22 part of Pioneer America?</p> <p>23 A. It is.</p> <p>24 Q. Okay. Can you scroll? And where's this</p> <p>25 located? This is Clark County.</p> <p>Page 108</p>	<p>1 Vegas Valley and Apex?</p> <p>2 A. Yes.</p> <p>3 Q. Okay. Let's keep going. Elko clearly</p> <p>4 outside of 216, 217 and 212? Outside of Clark</p> <p>5 County?</p> <p>6 A. Yes.</p> <p>7 Q. Okay. Ely, same thing outside of Clark</p> <p>8 County?</p> <p>9 A. Yes.</p> <p>10 Q. Okay. And Fernley, outside of Clark</p> <p>11 County?</p> <p>12 A. Correct.</p> <p>13 Q. Again, Fernley outside of Clark County?</p> <p>14 A. Correct.</p> <p>15 Q. Reno outside of Clark County?</p> <p>16 A. Correct.</p> <p>17 Q. Okay. Do you know if any of those areas</p> <p>18 outside of Clark County have ever been designated as</p> <p>19 non-attainment for PM10?</p> <p>20 A. I do not.</p> <p>21 Q. Okay. Are you aware that Clark County</p> <p>22 area 212 has been designated as non-attainment for</p> <p>23 PM10, and is currently in maintenance for that --</p> <p>24 for that particular standard?</p> <p>25 A. I have heard, but I don't know for sure.</p> <p>Page 110</p>



1 Q. Okay. When you -- so I believe you -- you
2 testified on June 8th, sorry, January 8th and
3 January 9th, when the Air Quality people came, that
4 you didn't know that they were from Air Quality; is
5 that right?
6 **A. Correct. They never presented me with**
7 **their credentials.**
8 Q. So you had no idea why they were on your
9 -- on the -- the Tonopah and Tidewater or the ETON
10 property?
11 **A. Correct.**
12 Q. And did you ever call the police on them?
13 **A. Again, I testified I did not.**
14 Q. On any of those dates that they came?
15 **A. No. I -- I testified --**
16 Q. And -- and why -- why wouldn't you, since
17 you had no idea who they were?
18 **A. They left peaceably.**
19 Q. Okay. And on July 17th, 2000, I'm sorry,
20 2024, at that point, did they -- if you recall, did
21 they come and -- to the office and request to be
22 allowed in? And this would've been Andrew Kirk and
23 Canduella Rowsell?
24 **A. Some folks showed up, but they presented**
25 **no credentials to me and then they requested** Page 111

1 **entrance, so --**
2 Q. Did you let them in?
3 Q. Pardon?
4 Q. Did you let them in on the 17th?
5 **A. One day.**
6 Q. So why did you let them in?
7 **A. I erred.**
8 Q. What do you mean you erred?
9 **A. I -- I again, went against our security**
10 **plan. I was on the phone, I let them in. That was**
11 **an absolute mistake on my side of our security plan.**
12 Q. But why did you let him in?
13 **A. I just told you I made a mistake.**
14 Q. I know you made a mistake, but what --
15 what was the basis of the mistake?
16 MR. GUBLER: Objection. Asked and
17 answered.
18 MS. JORGENSEN: I don't think he has.
19 MR. GUBLER: He didn't answer it how she
20 wanted it.
21 MS. JORGENSEN: No. He just said he
22 erred. I want to know why he let them in.
23 THE WITNESS: I made a mistake.
24 BY MS. JORGENSEN:
25 Q. What was the basis of the mistake? Page 112

1 **A. I was --**
2 MR. GUBLER: It was asked and answered.
3 THE WITNESS: I was busy on the phone. To
4 expedite going back to the phone, I let them on. I
5 made a mistake with our security plan.
6 BY MS. JORGENSEN:
7 Q. Didn't you instruct them to go get their
8 hard hats and vests before you would let them go
9 onto the property?
10 **A. I don't recall that.**
11 Q. And since I think the last date of the --
12 of the second notice violation is August 14th, but
13 there's been testimony that they did come onto the
14 -- that they returned after August 14th; is that
15 correct?
16 **A. I -- I can't -- I can't testify the dates**
17 **that I know that.**
18 Q. Okay. Do you -- so do you -- you don't
19 recall -- well, do you recall whether or not anybody
20 appeared from Air Quality on August 28th?
21 **A. Not that I recall. They would've showed**
22 **credentials that showed they were with your -- that**
23 **department you mentioned.**
24 Q. You mean -- you mean Division of Air
25 Quality? Page 113

1 **A. Yes.**
2 Q. So is it your testimony -- so since -- so
3 on August 20 -- if I submit to you that August 28th,
4 that you allowed them to go onto the property, as
5 long as they put their cameras away and did not
6 bring them onto the property that you allowed them
7 on.
8 **A. When was the date?**
9 Q. August 28th.
10 **A. Was there two of them or three of them?**
11 Q. I believe -- well, I'll submit to you,
12 there was two.
13 **A. At one time three of them came by. Had a**
14 **-- a trainee.**
15 Q. Do you recall having a discussion with
16 them about, as long as they didn't bring their
17 cameras with them, that you would allow them on?
18 **A. Yes.**
19 Q. And why did you allow them on?
20 **A. Well, again, I -- I erred in my security**
21 **plan.**
22 Q. Well, why -- again, what was the basis of
23 that err?
24 **A. If you tripped, you tripped. I erred.**
25 Q. I understand that you're saying that you Page 114



1 made a mistake, but I want to know why did you think
2 it was okay at the time?
3 MR. GUBLER: Objection. Misstates
4 testimony. I don't think he's testified to that.
5 HEARING OFFICER: Well, I just -- I want
6 to understand. He said before he was on the phone.
7 So the claim was that he was busy and not paying
8 attention. And this time is another date. So what
9 was behind that? What's the difference? If I'm
10 understanding that correctly, because that's what I
11 --
12 MS. JORGENSEN: I'm -- yeah. I'm trying
13 to figure out why was it okay on August 28th to
14 allow them on to do an inspection as long as they
15 put their cameras away.
16 HEARING OFFICER: I -- I get you're saying
17 you erred. Because earlier in your testimony,
18 you're saying if -- if they requested, you would've
19 allowed them on the property. I have that in my
20 notes, yes.
21 THE WITNESS: With credentials. If they
22 would've presented credentials, I think I testified.
23 MS. JORGENSEN: Okay.
24 THE WITNESS: I probably just got tired of
25 dealing with them.

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1 BY MS. JORGENSEN:
2 Q. But why would you tell them they had to
3 put their cameras away?
4 A. **Because I got tired of dealing with them.**
5 **They just wore me down.**
6 Q. And on all these visits that they came,
7 you had no idea where they were from?
8 A. **Again, they never presented any**
9 **credentials.**
10 Q. I totally understand that that's your
11 testimony. I'm asking whether you understood where
12 they were from?
13 MR. GUBLER: Objection. Asked and
14 answered.
15 MS. JORGENSEN: That was not answered.
16 MR. GUBLER: It was but no arguing.
17 HEARING OFFICER: I think it's a different
18 question because he's -- the claim is, they didn't
19 present proper credentials, but then you let people
20 on your property or trespassers on 8/28. So I mean,
21 that's the question I would want to know and
22 understand. It's -- it's not flowing logically.
23 But --
24 THE WITNESS: So again, I --
25 BY MS. JORGENSEN:

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1 Q. So is it your testimony that you -- during
2 all those visits that they went there, you had no
3 idea where they were from?
4 A. **Okay. There's two things. There's a**
5 **hunch, and then there was --**
6 Q. I -- your hunch or belief or whatever,
7 just did you have any idea where they were from?
8 A. **I maybe had a hunch, but again --**
9 Q. No. A hunch that they were from where?
10 A. **Can I finish?**
11 Q. I want you to answer my question.
12 A. **Hunch they're from where? But I thought**
13 **they might be from the county.**
14 Q. Anything to do with air quality and the
15 dust control operating permit?
16 A. **Not necessarily, no.**
17 Q. Okay?
18 HEARING OFFICER: I -- I -- yeah. We can
19 move along.
20 MS. JORGENSEN: Yeah. Okay.
21 HEARING OFFICER: I get it.
22 BY MS. JORGENSEN:
23 Q. If we could go to the reply, not Air
24 Quality's, but ETON's -- ETON's. If you go to
25 Exhibit 21. And, Mr. Truman, if you could take a

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1 look at this and tell me what it is?
2 A. **It's a lease agreement between Paving and**
3 **Tonopah and Tidewater.**
4 Q. And when was it entered into?
5 A. **Looks like the 6th of March.**
6 Q. 2008?
7 A. **Correct.**
8 Q. And it was to allow Tonopah Tidewater onto
9 Las Vegas Pavings land?
10 A. **Yes. There was rail lines laid on the Pan**
11 **Western piece of property, and there's rail lines**
12 **that were laid on the Las Vegas Paving piece of**
13 **property in a big loop.**
14 Q. So this was allowing the connection
15 between the two?
16 A. **Access to -- to get on the Las Vegas**
17 **Paving piece to use the rail, yes.**
18 Q. Okay. And if you can scroll down a bit
19 further. The license fee. So the licensee will pay
20 the license or a license fee composed of, California
21 Portland Cement will pay Las Vegas Paving 50,000
22 every month for rent on behalf of Tonopah and
23 Tidewater. Did Tonopah and Tidewater have a -- an
24 agreement with CalPortland?
25 A. **Through sister company, Pan Western.**

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<p>1 Q. So CalPortland had a -- an agreement with</p> <p>2 Pan Western, and as part of that agreement, Tonopah</p> <p>3 and Tidewater would pay Las Vegas Paving 50,000?</p> <p>4 A. No.</p> <p>5 Q. Okay.</p> <p>6 A. California Portland paid -- paid Las Vegas</p> <p>7 Paving \$50,000. In exchange for that, CalPortland</p> <p>8 got to use the -- the property for their rail line.</p> <p>9 Q. Which property?</p> <p>10 A. The Las Vegas Paving piece. So there are</p> <p>11 two rail lines that go across Las Vegas Paving</p> <p>12 piece. One owned by CalPortland and one owned by</p> <p>13 Pan -- Pan Western/ Tonopah and Tidewater Railroad.</p> <p>14 So if you look at the pictures, there is four rail</p> <p>15 lines that go across the Las Vegas Paving piece, and</p> <p>16 then there's some straight track. CalPortland is --</p> <p>17 has rail line too on -- on both -- both pieces of</p> <p>18 the property. And --</p> <p>19 Q. So why would CalPortland pay on behalf of</p> <p>20 Tonopah Tidewater?</p> <p>21 A. Because they had free access to a switch</p> <p>22 off the main line.</p> <p>23 Q. CalPortland had free access?</p> <p>24 A. Yeah. That was part of the transaction is</p> <p>25 the switch was put in by Las Vegas Paving and Pan</p> <p style="text-align: right;">Page 119</p>	<p>1 agreement with Las Vegas Paving.</p> <p>2 Q. And does CalPortland have an agreement</p> <p>3 with any of the, I guess, sister companies that</p> <p>4 might be related to Tonopah and Tidewater?</p> <p>5 A. Not that I know of.</p> <p>6 Q. So is CalPortland still paying Las Vegas</p> <p>7 Paving on behalf of Tonopah and Tidewater?</p> <p>8 A. They are.</p> <p>9 Q. Based on what?</p> <p>10 A. Well, they paid it on behalf of</p> <p>11 themselves.</p> <p>12 Q. I know. So what -- why --</p> <p>13 A. They were beneficiary of that.</p> <p>14 Q. -- why would they be needing something for</p> <p>15 Tonopah and Tidewater?</p> <p>16 A. We're the beneficiary of that payment.</p> <p>17 Q. So if CalPortland decided to stop paying,</p> <p>18 could Tonopah Tidewater enforce this agreement?</p> <p>19 A. No.</p> <p>20 Q. And I think you mentioned there's an</p> <p>21 underlying agreement between CalPortland and Pan</p> <p>22 Western; is that right?</p> <p>23 A. Yes.</p> <p>24 Q. And is that agreement still in effect?</p> <p>25 A. No.</p> <p style="text-align: right;">Page 121</p>
<p>1 Western to get off the rail line -- the main line</p> <p>2 onto the property.</p> <p>3 Q. Okay. But what -- what was Tonopah and</p> <p>4 Tidewater providing to CalPortland in order to have</p> <p>5 CalPortland pay 50,000 for them to be on Las Vegas</p> <p>6 Pavings property?</p> <p>7 A. Switching services.</p> <p>8 Q. Switching services?</p> <p>9 A. We switched the cars -- the railroad cars.</p> <p>10 Q. Was there an agreement that said that?</p> <p>11 I'm sorry, an agreement in writing?</p> <p>12 A. Yeah. There's -- there's one. Maybe we</p> <p>13 can go ahead and bring that forward.</p> <p>14 Q. Does Tonopah and Tidewater -- is this</p> <p>15 agreement still in place?</p> <p>16 A. I understand that it is.</p> <p>17 Q. What does that mean, you understand that</p> <p>18 it is?</p> <p>19 A. It's not been revoked by the Las Vegas</p> <p>20 Paving.</p> <p>21 Q. I'm sorry, say it again.</p> <p>22 A. It's not been revoked by Las Vegas Paving.</p> <p>23 Q. And does CalPortland still have an</p> <p>24 agreement with Pan Western?</p> <p>25 A. The -- they do not, but they still have an</p> <p style="text-align: right;">Page 120</p>	<p>1 Q. And that was the basis for the 50,000?</p> <p>2 A. No. The basis was that they got to use</p> <p>3 the switching services.</p> <p>4 Q. Is Tonopah and Tidewater still providing</p> <p>5 those switching services to CalPortland?</p> <p>6 A. As -- as needed.</p> <p>7 Q. And how -- how do you access those</p> <p>8 switching services?</p> <p>9 A. Just with the switch engine?</p> <p>10 Q. No. I'm -- could we scroll to the map? I</p> <p>11 think you keep scrolling, I'm not sure exactly where</p> <p>12 it is. Go to 23. Okay.</p> <p>13 A. So here's the terminal in CalPortland.</p> <p>14 Q. Okay.</p> <p>15 A. These cars are what needs to get moved.</p> <p>16 There's 1, 2, 3, there's 4 tracks there, two owned</p> <p>17 by CalPortland and two owned by Tonopah and</p> <p>18 Tidewater Railroad.</p> <p>19 Q. Wait, wait. Tonopah and Tidewater owns</p> <p>20 tracks?</p> <p>21 A. They own the track. They bought it from</p> <p>22 Pan Western. So the track --</p> <p>23 Q. But isn't that Las Vegas Pavings property?</p> <p>24 A. It's a real property. The property here</p> <p>25 is owned by -- the track is owned by Pan -- by Pan</p> <p style="text-align: right;">Page 122</p>



<p>1 Western, sold to Tonopah and Tidewater Railroad.</p> <p>2 That's what the lease is, is to go ahead and give</p> <p>3 Tonopah and Tidewater leasing to -- to run around</p> <p>4 tracks, but we go ahead and see fit that we have</p> <p>5 business for.</p> <p>6 Q. So you -- so Tonopah and Tidewater owns</p> <p>7 tracks on Las Vegas Pavings land?</p> <p>8 A. That's what the lease is.</p> <p>9 Q. No.</p> <p>10 A. It indicates.</p> <p>11 Q. No. That lease is -- it's a license</p> <p>12 agreement to use the tracks.</p> <p>13 A. Sorry. But yes. The track is owned by</p> <p>14 Tonopah and Tidewater Railroad.</p> <p>15 Q. So if we called Las Vegas Paving to</p> <p>16 testify, they would say that track's owned by</p> <p>17 Tonopah and Tidewater?</p> <p>18 A. Okay.</p> <p>19 Q. No. I'm asking.</p> <p>20 A. Say that again.</p> <p>21 Q. So if we called Las Vegas -- someone from</p> <p>22 Las Vegas Paving to testify, they would say that</p> <p>23 Tonopah and Tidewater own that track on their land?</p> <p>24 A. And they said?</p> <p>25 Q. No. I'm asking if that's what they would</p> <p>Page 123</p>	<p>1 land belongs Tonopah and Tidewater?</p> <p>2 A. Not that I know of.</p> <p>3 MS. JORGENSEN: I don't have any further</p> <p>4 questions.</p> <p>5 HEARING OFFICER: Okay. Next witness or</p> <p>6 rebuttal.</p> <p>7 MR. GUBLER: Just a few questions.</p> <p>8 HEARING OFFICER: My apologies. Redirect.</p> <p>9 EXAMINATION</p> <p>10 BY MR. GUBLER:</p> <p>11 Q. Look at Exhibit 1, please. I believe</p> <p>12 there might have been a question whether or not the</p> <p>13 property at Stratford had any indication that any</p> <p>14 connection to the railroad company. Do you remember</p> <p>15 that testimony for those questions?</p> <p>16 A. Yes.</p> <p>17 Q. Going back to this, we looked at this</p> <p>18 before. Who's the owner of -- of this property at</p> <p>19 Stratford?</p> <p>20 A. Tonopah and Tidewater Railroad Company in</p> <p>21 Nevada corporation.</p> <p>22 Q. Okay. So -- and this -- this is -- this</p> <p>23 document is recorded with Clark County?</p> <p>24 A. Could you go down to the ---</p> <p>25 Q. Can you scroll up a little bit.</p> <p>Page 125</p>
<p>1 say?</p> <p>2 A. Yeah.</p> <p>3 Q. And do you have any agreements showing</p> <p>4 that that track that you're saying is -- belongs to</p> <p>5 Tonopah and Tidewater, do you have any agreements</p> <p>6 showing that that -- that this is Tonopah and</p> <p>7 Tidewater's track?</p> <p>8 A. So we have an agreement where Pan Western</p> <p>9 sold their track to Tonopah and Tidewater Railroad.</p> <p>10 Q. Okay. Let's go to that one. Exhibit 22,</p> <p>11 go ahead and look through that, Mr. Truman, tell me</p> <p>12 what this is?</p> <p>13 A. Purchase agreements of 2010.</p> <p>14 Q. Okay. And is this the purchase agreement</p> <p>15 you're talking about between Pan Western and Tonopah</p> <p>16 and Tidewater?</p> <p>17 A. Correct.</p> <p>18 Q. And is there any indication in this</p> <p>19 agreement where that track is located?</p> <p>20 A. Could you scroll down, please? Scroll</p> <p>21 once more. Some more, please. Some more. Some</p> <p>22 more. Some more. It does not, that I see.</p> <p>23 Q. Okay. And are you aware of any agreement</p> <p>24 between Las Vegas Paving and Tonopah and Tidewater</p> <p>25 that indicates that the track on Las Vegas Pavings</p> <p>Page 124</p>	<p>1 A. --- bottom or to -- yes, it's recorded.</p> <p>2 Q. So who owns the -- the property of</p> <p>3 Stratford?</p> <p>4 A. One more time, the Tonopah and Tidewater</p> <p>5 Railroad Company.</p> <p>6 Q. Okay. Go ahead to Exhibit 2. Again, you</p> <p>7 recognize this -- this document, correct?</p> <p>8 A. It looks like it's from the state of</p> <p>9 Nevada's Secretary of State ---</p> <p>10 Q. Okay. And when was Tonopah and Tidewater</p> <p>11 formed?</p> <p>12 A. It shows 2004.</p> <p>13 Q. Okay. Does Tonopah and Tidewater Railroad</p> <p>14 Company hold itself out as a Railroad company?</p> <p>15 A. It does.</p> <p>16 Q. Has it since its formation?</p> <p>17 A. It has.</p> <p>18 Q. And does it operate rail lines?</p> <p>19 A. Not presently.</p> <p>20 Q. Okay. It owns rail lines?</p> <p>21 A. It does.</p> <p>22 Q. And it has access to them?</p> <p>23 A. Correct.</p> <p>24 Q. Does it maintain them?</p> <p>25 A. It does.</p> <p>Page 126</p>



<p>1 Q. So at any time, Tonopah and Tidewater can</p> <p>2 go to these rail lines and use them?</p> <p>3 A. If the business is there, yes.</p> <p>4 Q. Okay. Let's go to Exhibit 4. You were</p> <p>5 asked about this -- this exhibit in Nevada Pacific</p> <p>6 Railroad Corporation. Do you remember those</p> <p>7 questions?</p> <p>8 A. Yes.</p> <p>9 Q. Now, you -- you had -- you had sort of</p> <p>10 mentioned that there was some type of a name change;</p> <p>11 is that right?</p> <p>12 A. We -- we tried to go through and start a</p> <p>13 new corporation, and then take that new corporation</p> <p>14 and go through and put it in position of the Nevada</p> <p>15 -- sorry, this is the Nevada Pacific. So yes, we</p> <p>16 tried to go through and start a new rail line with a</p> <p>17 new name.</p> <p>18 Q. Okay. And what happened?</p> <p>19 A. There was a -- the Union Pacific Railroad</p> <p>20 filed a -- a issue where they contested the -- the</p> <p>21 name is too close to their name.</p> <p>22 Q. Okay. So what did you do?</p> <p>23 A. We -- we dropped a request for a</p> <p>24 exemption.</p> <p>25 Q. And when you say, we, who's we?</p> <p style="text-align: right;">Page 127</p>	<p>1 A. Correct.</p> <p>2 Q. I believe that there was some -- some</p> <p>3 information about -- or some questions about the STB</p> <p>4 and regulating interstate commerce. Do you recall</p> <p>5 that?</p> <p>6 A. I do.</p> <p>7 Q. And do you recall there was a question</p> <p>8 that you felt like you wanted to explain yourself;</p> <p>9 is that right?</p> <p>10 A. Correct.</p> <p>11 Q. What was that question, do you remember?</p> <p>12 A. She asked about STB and its authorization,</p> <p>13 and I was trying to bring up a case -- case law in</p> <p>14 Southern California on the federal side where the</p> <p>15 Association of Railroads sued South Coast Air</p> <p>16 Quality, and it ended up into the federal court</p> <p>17 jurisdiction.</p> <p>18 And the federal court ruled, in my</p> <p>19 language, that STB had the ability to regulate</p> <p>20 Railroads, and the Railroads had the ability to go</p> <p>21 through and have the Commerce Clause of the</p> <p>22 Constitution to go through and have a happy medium</p> <p>23 between state regulatory issues and federal</p> <p>24 regulatory issues.</p> <p>25 And they found out that the surface</p> <p style="text-align: right;">Page 129</p>
<p>1 A. Myself.</p> <p>2 Q. Okay. And so did Nevada Pacific Railroad</p> <p>3 Corporation, did it move forward?</p> <p>4 A. It -- it did not.</p> <p>5 Q. So is it still a business?</p> <p>6 A. No. It's never been in business.</p> <p>7 Q. Okay. So -- so who -- when we talk about</p> <p>8 these -- these rail lines, who uses them?</p> <p>9 A. Tonopah and Tidewater Railroad.</p> <p>10 Q. Okay. So what -- so if I understand your</p> <p>11 -- your testimony, UP, meaning the Union Pacific,</p> <p>12 objected to a certain name change; is that right?</p> <p>13 A. Correct. Not -- not to a name change, but</p> <p>14 to a name to go through and -- and operate as a</p> <p>15 railroad.</p> <p>16 Q. And so there was an objection, and so you</p> <p>17 didn't move forward with that -- that company with</p> <p>18 that name; is that right?</p> <p>19 A. Correct.</p> <p>20 Q. And so instead you went with -- you</p> <p>21 utilized which company as a railroad company?</p> <p>22 A. We fell back to Tonopah and Tidewaters</p> <p>23 operating railroad company.</p> <p>24 Q. And so moving forward you -- you used</p> <p>25 Tonopah and Tidewater Railroad Company?</p> <p style="text-align: right;">Page 128</p>	<p>1 transfer -- the South Coast Air Quality had a higher</p> <p>2 standard of EPA compliance than the State of</p> <p>3 California did. And the federal court found that</p> <p>4 for compliance with the Commerce Clause, that the</p> <p>5 state had to have a statewide plan that any place --</p> <p>6 because any place that Railroad or Railroads worked</p> <p>7 in the State of California, it should have a common</p> <p>8 regulatory set of rules to abide by.</p> <p>9 And where the state of -- or the South</p> <p>10 Coast Air Quality had the ability to regulate the</p> <p>11 citizens who did work within that airshed or that</p> <p>12 quality, it had that ability to go through and</p> <p>13 regulate them. But it was precluded from a stricter</p> <p>14 standard than the state plan for those people</p> <p>15 engaged in interstate commerce.</p> <p>16 MS. JORGENSEN: I object to that</p> <p>17 representation. If -- if they want to actually put</p> <p>18 on and say what the case says, they should present</p> <p>19 the case. It shouldn't be just a recitation by the</p> <p>20 witness.</p> <p>21 HEARING OFFICER: Correct. Because</p> <p>22 there's different interpretations. I mean, that's</p> <p>23 his interpretation of -- and it's not -- it should</p> <p>24 have been presented in this that we could have</p> <p>25 responded. There could have been a response, but</p> <p style="text-align: right;">Page 130</p>



<p>1 ---</p> <p>2 MR. GUBLER: I believe it was. You're</p> <p>3 talking about ---</p> <p>4 MS. JORGENSEN: Factual case --- so</p> <p>5 reference to the case -- the case was not included.</p> <p>6 What I object to is the testimony from the witness</p> <p>7 explaining what the case says.</p> <p>8 HEARING OFFICER: Yeah. Yeah. I mean,</p> <p>9 his interpretation of the case, I mean, that's --</p> <p>10 yeah.</p> <p>11 MS. JORGENSEN: As a witness, he's not</p> <p>12 confident to testify as to what a case is.</p> <p>13 HEARING OFFICER: I -- I agree. Because</p> <p>14 he got a different interpretation of what that is.</p> <p>15 I mean, in terms -- that's the argument so --</p> <p>16 MR. GUBLER: So -- so we'll move on.</p> <p>17 HEARING OFFICER: Okay. Thank you.</p> <p>18 MR. GUBLER: Sure. Yep.</p> <p>19 BY MR. GUBLER:</p> <p>20 Q. Was there anything else that you felt like</p> <p>21 you weren't able to explain that you were asked the</p> <p>22 question for?</p> <p>23 A. Not that I can recall.</p> <p>24 Q. There's a mention of --of something that</p> <p>25 happened on August 28th, do you recall that? A</p> <p style="text-align: right;">Page 131</p>	<p>1 HEARING OFFICER: Back on the record. We</p> <p>2 took a short break. It is now 12:16 and we are</p> <p>3 going back on the record. And, Counsel, you may</p> <p>4 call your next witness.</p> <p>5 MR. GUBLER: We're going to call, Ms.</p> <p>6 Canduella Rowsell.</p> <p>7 HEARING OFFICER: Okay. We're going to</p> <p>8 have you raise your right hand.</p> <p>9 CANDUELLA ROSWSELL</p> <p>10 having been first duly sworn to testify to the</p> <p>11 truth, the whole truth, and nothing but the truth,</p> <p>12 was examined and testified as follows:</p> <p>13 HEARING OFFICER: Okay. Counsel, you want</p> <p>14 to ask questions.</p> <p>15 EXAMINATION</p> <p>16 BY MR. GUBLER:</p> <p>17 Q. Ms. Rowsell, I'll try to keep this brief.</p> <p>18 Thank you. I believe last time we did ask you</p> <p>19 about, you know, specifically what -- what happened</p> <p>20 when you went up to the property. When I say the</p> <p>21 property, I'm referring to the property at</p> <p>22 Stratford. Could you -- how long have you -- you</p> <p>23 worked for Air Quality?</p> <p>24 A. Two years and three months.</p> <p>25 Q. And -- and what is your education</p> <p style="text-align: right;">Page 133</p>
<p>1 visit by you thought that they were county</p> <p>2 officials?</p> <p>3 A. Yes.</p> <p>4 Q. Okay. Inclination, I don't know exactly</p> <p>5 the words you used. To your knowledge, is the 28th</p> <p>6 subject of this hearing today?</p> <p>7 A. Not that I know of.</p> <p>8 MR. GUBLER: I'm -- I'm finished with the</p> <p>9 witness --</p> <p>10 HEARING OFFICER: Okay.</p> <p>11 MR. GUBLER: -- now. So --</p> <p>12 HEARING OFFICER: Any further redirect --</p> <p>13 re-cross?</p> <p>14 MS. JORGENSEN: Just one question.</p> <p>15 Actually, I don't.</p> <p>16 HEARING OFFICER: Okay.</p> <p>17 HEARING OFFICER: Can we take a</p> <p>18 five-minute break and then we will -- you can call</p> <p>19 -- we'll get ready to start calling your next</p> <p>20 witness.</p> <p>21 MR. GUBLER: Yeah. That's fine.</p> <p>22 HEARING OFFICER: Okay. All right. And</p> <p>23 we're going off the record. It's 12:04. We'll come</p> <p>24 back on at 12:10.</p> <p>25 (Recess at; 12:04 p.m. to 12:16 p.m.)</p> <p style="text-align: right;">Page 132</p>	<p>1 background?</p> <p>2 A. I have a bachelor's degree in</p> <p>3 environmental science from UNLV.</p> <p>4 Q. And when did you obtain that?</p> <p>5 A. 2012.</p> <p>6 Q. Before you worked at Air Quality, did you</p> <p>7 work anywhere else?</p> <p>8 A. Yes.</p> <p>9 Q. Where was that?</p> <p>10 A. Albertsons and Mall.</p> <p>11 Q. Had -- I believe that I may have asked</p> <p>12 you, I don't know if it was you or others, but you</p> <p>13 have had some training with Air Quality since you've</p> <p>14 -- you've worked for Air Quality; is that right?</p> <p>15 A. Correct.</p> <p>16 Q. And have you ever had training on</p> <p>17 presenting your credentials?</p> <p>18 A. We show up in with our uniform and our</p> <p>19 badge around our neck. And I don't understand what</p> <p>20 you're saying.</p> <p>21 Q. So have you actually had a class on how to</p> <p>22 present your credentials?</p> <p>23 A. It's not a class, but we're told to</p> <p>24 introduce ourselves, and who we work for and why</p> <p>25 we're there.</p> <p style="text-align: right;">Page 134</p>



1 Q. Okay. Does that -- do you role play in
2 that?
3 **A. No. We're just told, when we go on site,**
4 **if we're asked who we are, we introduce ourselves**
5 **and give them a business card.**
6 Q. Okay. Any other instructions?
7 **A. I don't understand. We had a lot of**
8 **instructions.**
9 Q. As far as your training goes with -- with
10 presenting your credentials, have -- did you have
11 any other instructions?
12 **A. No. But I can get on Creech Air Force**
13 **Base with my credentials I have right now.**
14 Q. Okay. Have you ever had any training as
15 far as -- I mean, let me back up. You -- I mean,
16 you work for a government entity. Would you agree
17 with that?
18 **A. Yes.**
19 Q. And have you had -- had any training on --
20 on Fourth Amendment issues?
21 **A. Specifically the Fourth Amendment, no.**
22 Q. Have you had any training as far as
23 searches and seizures?
24 **A. No.**
25 Q. What -- what is your understanding of the

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1 Fourth Amendment?
2 **A. Of what?**
3 Q. Of the Fourth Amendment.
4 **A. I'd have to read it because I don't have**
5 **it in my mind right now.**
6 Q. So when -- when you go onto a property,
7 and we're going to be specific, to the Stratford
8 property, what authority do you have to -- to go
9 onto the property?
10 **A. Per the permit that he signed and he**
11 **authorized, we have the right to go out there and**
12 **conduct an inspection without asking, unless it's**
13 **specifically noted with a sign which it was not.**
14 Q. So as far as -- have you read the
15 regulations -- the Air Quality regulations before?
16 **A. Yes.**
17 Q. Regulation 94.5. Are you aware of the --
18 of the, now this is entitled permit requirements.
19 Have you read that section before?
20 **A. Yes.**
21 Q. And are you aware in that section, it
22 says, no person shall refuse access if the control
23 officer requests entry for the inspection and
24 presents appropriate credentials. Are you aware of
25 that?

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1 **A. Yes.**
2 Q. And -- and so I think we've already gone
3 over what your credentials look like. I won't go
4 over that again. But I -- so you've also -- have
5 you ever -- do you ever receive what they call
6 personnel directives from Clark County, from the
7 county manager?
8 **A. Regarding?**
9 Q. It's just personal directives. Do you
10 ever get those?
11 **A. We get all kinds of stuff from our**
12 **management team.**
13 Q. Are there documents? Have you ever seen
14 this document before?
15 **A. I believe I have, yes. We review when we**
16 **are hired.**
17 Q. So would you agree that -- that this --
18 one of the purposes is to ensure that employees
19 operate to uphold public trust in the actions of the
20 county, are you aware of that?
21 **A. Yes.**
22 Q. Okay. And -- and that it is expected that
23 all employees shall conduct the operations of the
24 government with loyalty to the law. Is that -- is
25 that your understanding as well?

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1 **A. Yes.**
2 Q. Okay. So -- so based on your trainings
3 and -- and of course the regulation that I read to
4 you, what -- the 94.5, what is the government's
5 protocol of having to present your credentials
6 before you enter the property?
7 **A. We don't have to present our credentials**
8 **unless there's a sign at the front gate stating who**
9 **we are.**
10 Q. And that's from your training; is that
11 right?
12 **A. It's per the permit and the training, and**
13 **the -- the regulations.**
14 Q. So if you can't find anybody to present
15 your credentials to, you can just go on the
16 property; is that your understanding?
17 **A. As long as it's not posted, correct.**
18 Q. Okay.
19 **A. Because you signed the permit allowing**
20 **that access.**
21 Q. So you -- your -- your testimony is that
22 you've never seen -- you never saw any signs to
23 check in at the Stratford property; is that right?
24 HEARING OFFICER: Which dates?
25 BY MR. GUBLER:

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<p>1 Q. Well, we'll start with January 8th.</p> <p>2 A. No.</p> <p>3 Q. How about January 9th?</p> <p>4 A. I wasn't there on the 9th.</p> <p>5 Q. How about any time after January 9th?</p> <p>6 A. Yeah. There was after a while.</p> <p>7 Q. Okay. Is it -- is it possible that it was</p> <p>8 there and you didn't see it or you just didn't see</p> <p>9 it when you went the first time?</p> <p>10 A. I took photos of the entire area. It was</p> <p>11 not there when I went the first time, and I have</p> <p>12 photos that could show.</p> <p>13 Q. So you went -- did you present those</p> <p>14 today?</p> <p>15 A. I did not.</p> <p>16 MR. GUBLER: I'm going to have her look at</p> <p>17 Exhibit 28, which -- let's see. Who did I give</p> <p>18 those to? It's not going to be up there.</p> <p>19 BY MR. GUBLER:</p> <p>20 Q. On January 8th, were you -- did you see</p> <p>21 any of these two signs that say, office?</p> <p>22 A. I did.</p> <p>23 Q. Did you check in?</p> <p>24 A. I did not have to. I knew we were posted</p> <p>25 to check in.</p> <p>Page 139</p>	<p>1 So I went and I turned my camera and my phone into</p> <p>2 my truck, and then I came back with my hard hat and</p> <p>3 my vest and he allowed me on site.</p> <p>4 Q. And -- and did you -- did you show him any</p> <p>5 type of badge?</p> <p>6 A. My badge is always around my neck where he</p> <p>7 can see it clearly.</p> <p>8 Q. Did you discuss that badge with him on</p> <p>9 that day?</p> <p>10 A. No. He didn't ask for it.</p> <p>11 Q. Okay. So you didn't have any conversation</p> <p>12 as to whether that allowed you into the building at</p> <p>13 Clark County?</p> <p>14 A. At Clark County?</p> <p>15 Q. Yeah. Any Clark County building, like</p> <p>16 access?</p> <p>17 A. The date that I was there on site with</p> <p>18 him?</p> <p>19 Q. Yeah. On the 28th.</p> <p>20 A. Why would I discuss my badge?</p> <p>21 Q. I was asking, did you?</p> <p>22 A. No.</p> <p>23 Q. What does the word density mean to you?</p> <p>24 A. I'm sorry, what word?</p> <p>25 Q. The word density. What is density?</p> <p>Page 141</p>
<p>1 Q. So the answer is no?</p> <p>2 A. No.</p> <p>3 Q. Now, did you go out to the property on</p> <p>4 August 28th?</p> <p>5 A. Yes.</p> <p>6 Q. And -- and you -- and you went on --</p> <p>7 actually, went into the -- the property; is that</p> <p>8 right?</p> <p>9 A. After Mr. Eton allowed us on the property,</p> <p>10 yes.</p> <p>11 Q. Mr. Eton?</p> <p>12 A. I'm sorry. Mr. Truman. I'm sorry.</p> <p>13 Q. Yeah. I think we all understood that.</p> <p>14 But that's ---</p> <p>15 A. Yep.</p> <p>16 Q. Yeah. Perfectly understands. Did Mr.</p> <p>17 Truman ask -- ask you to see your credentials up on</p> <p>18 that day?</p> <p>19 A. No. He asked me for my camera and my</p> <p>20 phone. He wanted -- he had a cardboard box that he</p> <p>21 held out to us and he stated he would allow us</p> <p>22 access to the site if we would turn over our cameras</p> <p>23 and our phones, and I stated to him that I will not,</p> <p>24 because it's Clark County property. That I would go</p> <p>25 put it in my county vehicle. And he said, go ahead.</p> <p>Page 140</p>	<p>1 A. Like kind of like volume amount, depending</p> <p>2 upon how it's used.</p> <p>3 Q. Do you know the difference between the</p> <p>4 density of different materials that's used in -- in</p> <p>5 the -- in Clark County?</p> <p>6 A. Well, like what -- what material are you</p> <p>7 talking about?</p> <p>8 Q. I'm just asking you ---</p> <p>9 A. Milk, water?</p> <p>10 Q. --- can you look at material, dirt and</p> <p>11 determine what type of material that is?</p> <p>12 A. Absolutely not. You have to go through</p> <p>13 the scientific.</p> <p>14 Q. Okay. Are you able to tell its density</p> <p>15 just by looking at dirt material?</p> <p>16 A. No. You have to use testing.</p> <p>17 Q. Now, would you agree with me that the</p> <p>18 issue here is -- is fugitive dust?</p> <p>19 A. The issue is unstable soils that could</p> <p>20 cause fugitive dust, and a violation of the permit</p> <p>21 that he signed.</p> <p>22 Q. So if material is denser than, I guess,</p> <p>23 the material that causes fugitive -- fugitive dust,</p> <p>24 would it leave the property?</p> <p>25 A. Can you please repeat that question?</p> <p>Page 142</p>



1 Q. I -- yeah, I'll try. Okay. So fugitive
2 dust is -- is a -- would it -- would it be a lighter
3 denser material?
4 **A. It depends on the wind -- the strength of**
5 **the wind.**
6 Q. Okay.
7 **A. Any item can go airborne. Look at**
8 **tornadoes, hurricanes.**
9 Q. And so is that the type of test that
10 you're testing when you go out there, is -- is
11 tornado strength?
12 **A. No. I'm testing for unstable soil.**
13 Q. Okay. So if -- if -- if material is
14 unstable, will it cause fugitive dust?
15 **A. It can.**
16 Q. Okay. Now, if it's denser, if -- if a
17 material is denser, will it -- will it still cause
18 fugitive dust based on your testing?
19 **A. It can with the winds.**
20 Q. Now -- now, I'm looking at your testing
21 not necessarily the wind, right? Or -- or is that
22 part of the test, it's the wind?
23 **A. If the soils are unstable and they're not**
24 **a solid crust, they can cause fugitive dust with the**
25 **wind.**

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1 Q. Okay. And is it more or less likely to
2 leave the property if -- if the -- if the material
3 is denser?
4 **A. It just depends on the wind, again. It's**
5 **less likely the lighter the material the more it'll**
6 **blow, correct.**
7 Q. Okay. Did anybody turn ETON or Arizona or
8 Tonopah and Tidewater in for fugitive destinations?
9 **A. I don't believe. Mine were unstable**
10 **soils. I don't believe so, no. But I'd have to**
11 **look at everyone else's inspections.**
12 Q. But -- but did any other third parties out
13 signed?
14 **A. Oh, no. It was not a complaint, it was a**
15 **routine inspection.**
16 Q. Did -- did you or anybody you know report
17 my -- my client Eaton to Osha?
18 **A. Not that I'm aware of.**
19 Q. So you did not; correct?
20 **A. I did not.**
21 MR. GUBLER: I have no other questions.
22 HEARING OFFICER: Okay. Any cross?
23 MS. JORGENSEN: I don't have any
24 questions.
25 HEARING OFFICER: Okay. You can call your

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1 next witness.
2 MS. JORGENSEN: She can stay here now.
3 HEARING OFFICER: Okay.
4 THE WITNESS: Can I go get my backpack?
5 MS. JORGENSEN: Yeah.
6 THE WITNESS: Okay.
7 MR. GUBLER: We'll just go with Katrinka
8 Byers. We could call somebody else if you would
9 like.
10 HEARING OFFICER: We said you can call
11 somebody else. That's up to you.
12 MR. GUBLER: Andrew Kirk? We can do
13 Andrew Kirk.
14 HEARING OFFICER: Okay. You can raise
15 your right hand please, Ms. Byers.
16 KATRINKA BYERS
17 having been first duly sworn to testify to the
18 truth, the whole truth, and nothing but the truth,
19 was examined and testified as follows:
20 HEARING OFFICER: Go ahead, Counsel.
21 EXAMINATION
22 BY MR. GUBLER:
23 Q. Ms. Byers, thanks for coming. Could you
24 just tell us a little bit, do you have any
25 educational background, what that is?

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1 **A. Yes. I have a bachelor degree in**
2 **environmental science.**
3 Q. Okay. And when did -- where did you
4 obtain that?
5 **A. The University of Oregon.**
6 Q. When was that?
7 **A. I graduated, I believe, in 2005.**
8 Q. And how long have you worked for Air
9 Quality?
10 **A. A little over 11 years now.**
11 Q. And what is your position now?
12 **A. I'm a senior air quality specialist.**
13 Q. Now -- now, Air Quality does some training
14 with -- with the employees; is that right?
15 **A. Yes.**
16 Q. Could you tell us what training Air
17 Quality has done -- what training you have received,
18 excuse me, when it comes to presenting credentials?
19 **A. Sure. So when I was first hired onto**
20 **Clark County Air Quality, the first thing you're**
21 **given is a badge. It allows you to generally access**
22 **the site. It also allows you to access the Kronos**
23 **time clock, and it allows you to get onto job sites**
24 **as an inspector.**
25 Q. Okay. And -- and so I want to -- you said

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1 you were given a badge?
2 **A. Uh-huh.**
3 Q. And so did somebody just tell you this,
4 Hey, this is to get you on sites, this is -- shows
5 you're an inspector. Is that what it -- is that
6 what the training entails?
7 **A. I mean, yes. That it's a credential, not**
8 **only the badge, but also my card, my county logo**
9 **shirt, my county vehicle with the county logo and it**
10 **says Air Quality.**
11 Q. Now -- now, I understand all that. Is
12 there actually training that you receive as to how
13 to present your credentials?
14 **A. I've never had a class that told me how to**
15 **present a credential of a card, no. It's -- it's**
16 **pretty common sense.**
17 Q. Okay. Have you ever had any type of
18 training on the Fourth Amendment?
19 **A. Go ahead and please tell me what the**
20 **Fourth Amendment is.**
21 Q. It's -- so I'm going to say probably not.
22 **A. Well, would you please tell me what the**
23 **Fourth Amendment says.**
24 Q. As far as unlawful searches and seizures?
25 **A. I've never had training on that.**

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1 Q. Okay.
2 **A. I've never had to have training on that.**
3 **I'll rephrase that.**
4 Q. So we're going to -- again, we're going to
5 get specific here. We're going to talk about the
6 Stratford property. Okay. But I guess this is more
7 general, but what is your understanding, what
8 authority do you have to go onto a property?
9 **A. What authority do I have to go on a**
10 **property or to ETON's property?**
11 Q. Well, yeah, let's just stick with ETON.
12 That's fine.
13 **A. So as a -- as an inspector for Clark**
14 **County Air Quality, when a permittee applies for a**
15 **dust control operating permit, it's very clear in**
16 **the permit it says that we have the authority to go**
17 **on and inspect the site without notification, to**
18 **make sure that the site is in compliance with all**
19 **Air Quality regulations.**
20 Q. Okay. So that's -- you're going off based
21 on the permit; is that right?
22 **A. That's correct.**
23 Q. So you -- you've read the Air Quality
24 Regulations; is that right?
25 **A. Yes.**

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1 Q. 94.5 permit requirements. Are you aware
2 of those?
3 **A. Yes.**
4 Q. Okay. Are you -- are you aware that it
5 says that no person shall refuse access if the
6 control officer requests entry for inspection and
7 presents appropriate credentials? Are you aware of
8 that?
9 **A. Yes. I'm looking at that up on the**
10 **monitor now.**
11 Q. Great. And that is part of the permit
12 requirements; is that right?
13 **A. Yes.**
14 Q. So based on the -- so based on the
15 government's protocol, having to present your
16 credentials before you enter the property, if you
17 can't find anybody to present your credentials to,
18 how do you proceed?
19 **A. Again, I --**
20 MS. JORGENSEN: Objection. I have an
21 objection. I think it mischaracterizes the
22 regulation and also mischaracterizes her testimony.
23 HEARING OFFICER: Okay. Restate the --
24 the question, Counsel?
25 BY MR. GUBLER:

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1 Q. So if you go onto a property and nobody is
2 there to present your credentials to, or to request
3 to go onto the property, how do you proceed?
4 **A. Well, the dust control operating permit**
5 **says I don't have to show credentials. If they have**
6 **a dust control operating permit, I can show up**
7 **unannounced or I can show up announced.**
8 Q. The same permit where I just read the
9 regulations saying that you need to present
10 credentials?
11 MS. JORGENSEN: That's not what it says.
12 BY MR. GUBLER:
13 Q. So I -- I -- I want you to point out here
14 or I'll point out that it says, if the control
15 officer requests entry, that's -- that's affirmative
16 on the control officer, and presents, that's
17 affirmative on the control officer, is it not? I'm
18 asking her a question.
19 MS. JORGENSEN: I know you're asking a
20 question. You're asking a question about the law,
21 and we can now have an argument about the law.
22 HEARING OFFICER: Yeah. Let's just --
23 MS. JORGENSEN: It says, no person shall
24 refuse access.
25 MR. GUBLER: If --

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1 MS. JORGENSEN: Right. But you're missing
2 the whole first part of it. This is directed at the
3 permittee.
4 HEARING OFFICER: Let's -- let's move
5 along. I see where you're headed and just let's
6 move along with the questions.
7 BY MR. GUBLER:
8 Q. So what is -- how do you proceed? Did you
9 answer that question?
10 A. I would proceed to the site and I would
11 look for the conditions that I usually look for on
12 all sites. The kind of actual permit boundaries,
13 making sure they're not going outside the permit
14 boundaries. I look for a proper desk sign that it's
15 valid, and upstate and current and public view. I'd
16 make sure the site are also -- or crusted and
17 stable.
18 And I would try to find a site supervisor
19 or someone on the job site to speak with regarding
20 just compliance and mitigation issues with the
21 control measures for water trucks, that kind of
22 thing. Verify desk cards. And again, if nobody's
23 on the site, which I've inspected many sites with
24 nobody on site, I just proceed with my -- going
25 through my checklist and then I -- and then I leave.

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1 I document my findings.
2 Q. So you just go on to the site; is that
3 right?
4 A. Correct.
5 Q. And if there is somebody there, what do
6 you do?
7 A. I just told you. I would speak with them.
8 You're talking about like --
9 Q. Are you -- do you speak to them after you
10 -- you do your inspection or before?
11 A. If I see them, I would definitely let them
12 know who I am, yes. I proceed to follow up with
13 them and let them know I'm with Air Quality. Again,
14 I should present my badge. I usually hand them one
15 of my business cards and let them know why I'm on
16 site.
17 Q. So what -- let me ask you this, if I could
18 have you look at -- there's an Exhibit 28. I
19 believe it should still be there. Yeah. Now, how
20 many times did you go out to the property?
21 A. I've been out to the site, I believe for
22 sure, one time.
23 Q. So -- so probably January 9th and possibly
24 the 17th of January, does that sound about right?
25 A. Yes.

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1 Q. Okay. When you went out there, did you --
2 did you notice -- looking at these two pages, did
3 you notice either of these two office signs?
4 A. I can't remember seeing that office sign,
5 but I know we looked for one because Canduella said
6 that, during her first site, Mr. Eton tried to open
7 her door. He asked us to check in with the office.
8 So I know we had tried to find the office when we
9 pulled in and parked first. I don't remember seeing
10 the sign though. No.
11 Q. And -- and pulled in where?
12 A. The front -- soon as we pulled in, we took
13 a left, and there was several big, large bays where
14 they were doing maintenance work. Maybe a small
15 little -- I honestly don't even know if it was a
16 trailer.
17 Q. So -- and -- and just for clarification
18 for the record, you said Mr. Eton. Who are you
19 referring to?
20 A. Mr. Moe Eton.
21 Q. Mr. Truman?
22 A. I'm sorry. Yes. I apologize. Yes. Mr.
23 Moe -- Moe Truman. I apologize.
24 Q. Did you -- do you know what the word
25 density means?

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1 A. Yes.
2 Q. What is it?
3 A. It refers to dense -- dense particles. It
4 just depends on your perspective of what you're
5 asking me. Density of what?
6 Q. We're talking about dirt here.
7 A. Okay.
8 Q. Okay.
9 A. Yeah.
10 Q. So are you able to tell the difference of
11 the density of different dirt materials?
12 A. So in my profession, we don't look for the
13 density. We look to see if the site soils are moist
14 or crusted 24/7. So I look for dry, loose and
15 pottery site soils. Not so much the density of the
16 soil, no.
17 Q. Okay. So what would the drop ball test
18 tell me?
19 A. The drop ball is a soil crust
20 determination that would tell you if the site soils
21 had an actual crust to -- usually conduct those to
22 show if the site was crusted or not.
23 Q. Okay. So -- so the -- the drop ball test
24 is used to tell whether a material is crusted; is
25 that right? Is that what your testimony is?

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1 **A. That -- that's correct, yes.**
2 Q. Okay. Did -- did anybody outside of Air
3 Quality turn my client in for fugitive test, like a
4 complaint?
5 **A. You know, I would have to look at all the**
6 **complaints submitted. I'm sorry, I don't know that.**
7 **Possibly.**
8 Q. Did -- do you -- did you or anybody, you
9 know, turn my client into OSHA?
10 **A. Did I or anybody I know?**
11 Q. Correct.
12 **A. I'm not familiar with that, no. No.**
13 Q. Just -- just briefly, as far as the office
14 signs, did -- did anybody point to you after the
15 fact the office signs?
16 **A. Point to me.**
17 Q. Yeah. I asked you about -- sorry, I'll
18 ask you about that picture, Exhibit 28, just looking
19 at that again. You -- you had testified earlier
20 that you did not see those signs when you entered
21 the property; is that right?
22 **A. I don't remember seeing the sign, that's**
23 **correct. And I don't remember -- re spoke with**
24 **Eton, I'm sorry, we spoke with Mr. Moe Truman when**
25 **we pulled in, and he may or may not have pointed**
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1 **them to us. It's been almost a year, sir. So I**
2 **don't remember.**
3 Q. Did you ever remember seeing these signs?
4 **A. I don't remember, no.**
5 MR. GUBLER: Okay. I don't have any other
6 questions for you.
7 HEARING OFFICER: Okay.
8 MS. JORGENSEN: One question.
9 EXAMINATION
10 BY MS. JORGENSEN:
11 Q. Ms. Byers, for drop ball or to determine
12 whether or not a site has a sufficient crust or is
13 dry, loose and powdery, do you have to perform a
14 drop ball test?
15 **A. No. That's not necessary, especially when**
16 **you can visually see that it's dry, loose, and**
17 **powdery. When you go to drop the drop ball and**
18 **conduct a test, if you can visually see that the**
19 **loose, the drop ball will be basically surrounded by**
20 **loose particles. Then the drop ball test is --**
21 **there's no point in dropping the ball because I**
22 **would lose the ball most likely in a dry pottery**
23 **site soils.**
24 Q. And is it -- how big is the drop ball?
25 **A. It's 5-8 inch steel ball.**
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1 Q. Okay. And just round?
2 **A. It's pretty small, yeah.**
3 Q. And is the drop ball test -- when is the
4 drop ball test most useful?
5 **A. It's most useful when we go to sites that**
6 **want to close out, they're -- they -- we -- we want**
7 **to make sure that they meet BNT 11. So sometimes**
8 **sites will block an area and they will cross it over**
9 **with the water or a dust palliative. And in that**
10 **situation, we can conduct the drop ball test and**
11 **just confirm that it does have a nice sufficient**
12 **crust. It's going to last for long term.**
13 MS. JORGENSEN: Okay. Thank you. Nothing
14 further.
15 HEARING OFFICER: Okay. Redirect?
16 BY MR. GUBLER:
17 Q. Did you perform the drop ball test?
18 **A. I would have to pull up the inspection, if**
19 **that's okay.**
20 Q. To your knowledge no, correct?
21 **A. No, I believe on -- I believe on Mr.**
22 **Eton's site, the drop off test was conducted that**
23 **day. But I can -- I'd have to look at my notes and**
24 **--**
25 Q. Do you have those here?
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1 **A. Yeah.**
2 MS. JORGENSEN: Are you talking about
3 January 9th?
4 MR. GUBLER: Yes.
5 MS. JORGENSEN: Okay. Let me go to the
6 notice of violation 9994, I believe. January 9th
7 Exhibit -- the Exhibit -- would it be H. No, that's
8 the 17th.
9 THE WITNESS: January 9th. That's mine.
10 January 9th is mine.
11 MS. JORGENSEN: Okay.
12 THE WITNESS: Yep. We did a follow up.
13 And if you go down to BNP compliance, you can do --
14 you can see that the drop ball soil crust
15 termination, it did fail. That means it was done
16 that day. It does say observed driverless and power
17 site soils with no available back.
18 We observed several areas on the site that
19 day. There was 1.76 acres that was disturbed
20 outside the permit boundary. I believe we did it
21 out there just to confirm it was crusted or not, and
22 it did fail.
23 BY MR. GUBLER:
24 Q. Where does it say the drop ball test?
25 I've not seeing that.
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<p>1 A. If you go under BMP compliance, it's 2 highlighted in bold. It'll say, site soils were -- 3 project soils were unstable. There was 4 approximately 1.5 acres, so as size of instability. 5 Track out control device was not needed or sorry, 6 no, it was needed. And however, there was no track 7 out.</p> <p>8 And then it says, mitigation equipment, it 9 was inadequate. There was no water truck on site to 10 -- or anything to mitigate the dry, loose powdery 11 site soils that we observed. And it says soil crust 12 determination fail.</p> <p>13 Q. Sorry, I'm still trying to see where it 14 says you did the drop ball test. And where does 15 that say that?</p> <p>16 A. Fail.</p> <p>17 Q. Where does it say that you used the drop 18 ball test?</p> <p>19 A. It doesn't give a specific location. On 20 the farm it doesn't give a specific location. 21 Within the areas of disturbed soil is where we 22 would've conducted the drop ball stabilization test.</p> <p>23 Q. Do you actually recall performing the drop 24 ball test?</p> <p>25 A. I don't recall it. So I was there with</p> <p style="text-align: right;">Page 159</p>	<p>1 Q. And where did you obtain that?</p> <p>2 A. I was at State University of New York, 3 Plattsburgh.</p> <p>4 Q. And what year was that that you obtained 5 that degree?</p> <p>6 A. Did you say what year?</p> <p>7 Q. Yes.</p> <p>8 A. 1997.</p> <p>9 Q. How long have you worked for Air Quality?</p> <p>10 A. Just over 10 years.</p> <p>11 Q. In -- in that 10 years, have you had any 12 training on presenting credentials?</p> <p>13 A. Yes. During our first year when we're in 14 our original training. When we go onto sites and 15 things, we're told to wear our badges and our shirts 16 and drive the company vehicles.</p> <p>17 Q. And is there any -- any other training on 18 actually presenting your credentials?</p> <p>19 A. I don't remember exactly.</p> <p>20 Q. Have you ever had any training on Fourth 21 Amendment, searches and seizures?</p> <p>22 A. Not that I can recall.</p> <p>23 Q. So what's your understanding -- what -- 24 what authority do you have when you go onto a 25 property? And we're specifically talking about</p> <p style="text-align: right;">Page 161</p>
<p>1 several other coworkers, and I just know that during 2 that time I wrote it up. I believe another coworker 3 did it. I did not do it.</p> <p>4 Q. So you didn't do it?</p> <p>5 A. I did not conduct it. I just know the 6 form says we did.</p> <p>7 MR. GUBLER: Okay. No other questions. 8 Thank you.</p> <p>9 HEARING OFFICER: Thank you. Any further?</p> <p>10 MS. JORGENSEN: No.</p> <p>11 HEARING OFFICER: Okay. You can call your 12 next witness. It was Mr. Kirk, I believe. Okay. 13 Thanks. Yeah. That's fine. Okay. Mr. -- please 14 raise your right hand.</p> <p>15 ANDREW KIRK</p> <p>16 having been first duly sworn to testify to the 17 truth, the whole truth, and nothing but the truth, 18 was examined and testified as follows:</p> <p>19 HEARING OFFICER: Okay. Counsel.</p> <p>20 EXAMINATION</p> <p>21 BY MR. GUBLER:</p> <p>22 Q. Mr. Kirk, thank you for coming. Could you 23 describe your education background, please?</p> <p>24 A. I have a four-year bachelor's degree in 25 environmental science.</p> <p style="text-align: right;">Page 160</p>	<p>1 ETON, the -- the -- the property at Stratford.</p> <p>2 A. The authority that I have by the dust 3 control operating permit.</p> <p>4 Q. Okay. And so if -- if you go into a 5 property and nobody's there, how do you proceed?</p> <p>6 A. I just do our inspection.</p> <p>7 Q. You just go on the property; is that 8 right?</p> <p>9 A. Unless there's signage or something that 10 says not to or to check in.</p> <p>11 Q. If -- if there's anybody there, how do you 12 proceed?</p> <p>13 A. I just do the inspection, and then when 14 I'm done I usually when try and meet with someone to 15 explain what I found. Especially if there's 16 deficiencies, we have to call the responsible 17 official and let them know what was found.</p> <p>18 Q. Now, real quick, what -- let's just review 19 this briefly. What -- what days were you on the 20 Stratford property? Do you recall that?</p> <p>21 A. Not at the top of my head. Pretty much 22 every day in the first interview except the first 23 one.</p> <p>24 Q. So the 9th and 17th?</p> <p>25 A. 9th and 17th, yes.</p> <p style="text-align: right;">Page 162</p>



<p>1 Q. Okay.</p> <p>2 A. And then July 17th and 25th, I believe.</p> <p>3 Q. Any other days that you're aware of?</p> <p>4 A. No. Not that I can recall.</p> <p>5 Q. I'd like you to look at -- I'd like you to</p> <p>6 look at Exhibit 28. There's two pictures that's</p> <p>7 involved with this. Did you ever see these -- these</p> <p>8 signs when you went on the property on any of those</p> <p>9 dates?</p> <p>10 A. Did I receive these signs?</p> <p>11 Q. Did you ever see them?</p> <p>12 A. Oh, see them?</p> <p>13 Q. Yeah.</p> <p>14 A. I don't recall whether I -- I saw that or</p> <p>15 not.</p> <p>16 Q. You don't remember?</p> <p>17 A. I mean, I -- it -- it just -- it looks new</p> <p>18 to me, so no, I did not see them.</p> <p>19 Q. You never did?</p> <p>20 A. No.</p> <p>21 Q. Did you look for them?</p> <p>22 A. I wouldn't know to look for something like</p> <p>23 that if it's -- it's pretty small, no. I was</p> <p>24 looking for signage on the fence specifically where</p> <p>25 you enter -- enter and exit the site, and there was</p> <p style="text-align: right;">Page 163</p>	<p>1 material and determine what the product is and it's</p> <p>2 density?</p> <p>3 A. I don't believe you can figure out the</p> <p>4 density just by looking at it, but sometimes you can</p> <p>5 decide. You can determine what kind of soil it is.</p> <p>6 But that -- I don't know. How is that relevant?</p> <p>7 Q. What is fugitive dust?</p> <p>8 A. It's (indiscernible) of soil particles</p> <p>9 that is usually kicked up from winds or vehicles</p> <p>10 driving over unstable soils, things like that.</p> <p>11 Q. Does density play any part in -- in</p> <p>12 fugitive dust?</p> <p>13 A. I'm not sure.</p> <p>14 Q. When -- you know what the drop ball test</p> <p>15 is?</p> <p>16 A. I do.</p> <p>17 Q. What is that?</p> <p>18 A. It's a way to determine if it's soil</p> <p>19 crust. It's actually called a soil crust</p> <p>20 determination test. It's a way to determine whether</p> <p>21 the soils have a crust that is good enough to</p> <p>22 prevent loose particles from being dislodged.</p> <p>23 Q. At any time did you perform the -- the</p> <p>24 draw ball test?</p> <p>25 A. I did not. I -- I did not. It was not</p> <p style="text-align: right;">Page 165</p>
<p>1 no -- there was no documentation saying to sign in</p> <p>2 or anything like that.</p> <p>3 Q. Did --</p> <p>4 A. Even if I had seen it, which I don't</p> <p>5 recall that I did, it just says office, that doesn't</p> <p>6 -- that wouldn't -- that doesn't tell me anything.</p> <p>7 Q. Because you don't normally proceed, you</p> <p>8 just go into the -- the site first; is that right?</p> <p>9 A. Correct. And then discuss what was found,</p> <p>10 if there's just, you know, discrepancies or things</p> <p>11 wrong with the site, we call the responsible</p> <p>12 official or the superintendent that's on site to</p> <p>13 discuss it.</p> <p>14 Q. Do you know what density means?</p> <p>15 A. Density, the weight or something? Is that</p> <p>16 what you --</p> <p>17 Q. When it comes -- when -- related to dirt,</p> <p>18 the density of a material?</p> <p>19 A. I would just probably say the weight of</p> <p>20 it. So like it's not.</p> <p>21 Q. Are there different densities of different</p> <p>22 materials, dirt?</p> <p>23 A. Between like clays, silts and sands and</p> <p>24 things like that, yes.</p> <p>25 Q. Okay. And are you able to just look at</p> <p style="text-align: right;">Page 164</p>	<p>1 necessary because the pictures that we have and what</p> <p>2 we saw was clear that the soils were loose, which is</p> <p>3 the intent of the test.</p> <p>4 Q. Did anybody that you know of turn, you</p> <p>5 know, outside of Air Quality turn -- turn my client</p> <p>6 in for fugitive dust at all?</p> <p>7 A. I -- I'm not aware of that.</p> <p>8 Q. And do you know if had -- did you or</p> <p>9 anybody you know turn my client in to OSHA?</p> <p>10 A. I did not. I'm not familiar with that.</p> <p>11 MR. GUBLER: I don't have any other</p> <p>12 questions. Thank you.</p> <p>13 HEARING OFFICER: Okay. Cross?</p> <p>14 MS. JORGENSEN: Could we pull up the map?</p> <p>15 Probably a good map is, let's see, under Air</p> <p>16 Quality's reply Exhibit B. Yeah. Could be. And</p> <p>17 then scroll until you find a map. I don't know if</p> <p>18 that's the best one.</p> <p>19 EXAMINATION</p> <p>20 BY MS. JORGENSEN:</p> <p>21 Q. Okay. Mr. Kirk, could you describe what</p> <p>22 this document is?</p> <p>23 A. That is a map covering the property in</p> <p>24 question. The purple triangle I believe is the</p> <p>25 original dust control permit that was pulled. There</p> <p style="text-align: right;">Page 166</p>



<p>1 was two areas at the top that are in green, were not 2 included on the original dust control permit, but 3 were added later. 4 Q. Okay. And do you recall on January 9th 5 how you entered the site? 6 A. I do. 7 Q. Where did you enter from? 8 A. Up here. 9 Q. Okay. 10 A. There's a gate that was open. 11 Q. And I don't know if you can estimate this, 12 but can you describe or can you estimate the length 13 of the frontage of this particular site on 14 Stratford? 15 A. The actual length from here to here? 16 Q. Yes. 17 A. I don't know 500, 600 feet maybe. 18 Q. Okay. And do you have any idea where the 19 office is located? 20 A. I might do now, yes. 21 Q. And where is it located? 22 A. Around here. 23 Q. Okay. 24 A. Inside. 25 MS. JORGENSEN: All right. And I don't</p> <p>Page 167</p>	<p>1 again, what is your position with Air Quality? 2 A. Inspector. 3 Q. And as an inspector, what are your duties? 4 A. We do inspections on complaints that come 5 in. We go to construction job sites, inspect it 6 that they're following the AQ regulations. 7 Q. Did -- did you receive any complaints 8 related to the Stratford property? 9 A. No, sir. 10 Q. In -- in your -- in your job, you -- you 11 received training; is that right? 12 A. Yes. 13 Q. Have you ever been trained in how to 14 present credentials? 15 A. I didn't know there was training. 16 Q. I'm just asking. Have you ever been 17 trained -- 18 A. No. 19 Q. -- how to present credentials? So no role 20 playing, nothing like that? 21 A. No. It's -- 22 Q. Have you ever been trained with respect to 23 Fourth Amendment, searches and seizures? 24 A. No. 25 Q. So when you go and inspect a property,</p> <p>Page 169</p>
<p>1 have anything further. 2 HEARING OFFICER: Any further? 3 MR. GUBLER: No. 4 HEARING OFFICER: Okay. Thank you. And 5 next witness. 6 MR. GUBLER: Noel Crandall. 7 HEARING OFFICER: Mr. Crandall, please 8 raise your right hand. 9 NOEL CRANDALL 10 having been first duly sworn to testify to the 11 truth, the whole truth, and nothing but the truth, 12 was examined and testified as follows: 13 HEARING OFFICER: Okay. 14 EXAMINATION 15 BY MR. GUBLER: 16 Q. Mr. Crandall, thank you. Could you please 17 describe to me your education background? 18 A. High school. 19 Q. Any other type of education? 20 A. No. 21 Q. How long have you worked for Air Quality? 22 A. Nineteen. 23 Q. Nineteen years? 24 A. Yes, sir. 25 Q. In -- in your -- and -- and remind us</p> <p>Page 168</p>	<p>1 tell me what your understanding is and what 2 authority have to come onto the property. 3 A. Well, when the committee permit pulls a 4 permit, it states that they're allowing us, the 5 inspectors, to come in on site unannounced, and they 6 must allow us entry to inspect the site. 7 Q. Okay. And you have -- you've read the 8 regulations, haven't you? 9 A. Yes. 10 Q. And in the regulation of 94.5 permit 11 requirements, you've read that as well then? 12 A. Well, not -- I don't quite remember right 13 now. You could -- if I have to look at it and I can 14 see. 15 Q. You don't read that to go to sleep or 16 anything? 17 A. No, sir. 18 Q. Okay. So in the permit requirements, 19 you're aware that it says no person shall refuse 20 access if the control officer requests entry for 21 inspection and presents appropriate credentials, 22 you're aware of that? 23 A. Which one is that? 24 Q. 94.5 Subsection (f)(1). 25 A. I'm aware of it, yes.</p> <p>Page 170</p>



1 Q. Okay. So tell me what is the protocol,
2 when you go onto a property -- when you go to a
3 property and nobody's there, what do you do?
4 **A. If we have access to it, we go in. If**
5 **there's no sign that states, you know, check in or,**
6 **you know, only authorize, you know, we're --**
7 **according to the permit, we're authorized to enter.**
8 Q. So otherwise you just go on in. So if
9 there's -- there is somebody there, then what do you
10 do?
11 **A. We'll try to make contact with them if,**
12 **you know, find out if they're a super or responsible**
13 **official.**
14 Q. And you do that before you do any testing?
15 **A. Not necessarily, no. Because sometimes**
16 **they don't request us to -- they don't call us over**
17 **or anything, and so we just go ahead and do our**
18 **inspection. And if they request -- if they call us**
19 **over, we'll go talk to them.**
20 Q. I'd like to look at that Exhibit 28.
21 Before I do that, what -- what days were you at the
22 property?
23 **A. In the -- I think maybe the end of June,**
24 **and then the 7th, the 14th, the 21st and 28th, I**
25 **believe.**

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1 Q. So you were there July 25th, 31st, August
2 7th, 14th and 28th?
3 **A. I believe so.**
4 Q. Did -- when you were there, did you ever
5 perform a drop ball test?
6 **A. No. We were denied entry most of the days**
7 **we tried to get in.**
8 Q. So you never -- you never did; is that
9 right?
10 **A. I -- I myself, no.**
11 Q. Do you know if anybody else did?
12 **A. No. Not that I could tell you.**
13 Q. Okay. Looking at that Exhibit 28, at any
14 time while you were out there on any of those days,
15 did you ever see any of these two signs that say,
16 office? And -- and you have to look at the next
17 page as well.
18 **A. I can't recall. I just knew that prior to**
19 **my first day going there, they were refused, so we**
20 **-- I was told that we had to go check-in at the**
21 **front office.**
22 Q. Do you know what the word density is?
23 **A. How is it used though? I mean, the**
24 **density could be the density of a material, density**
25 **of this, you know.**

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1 Q. So let's -- let's talk about dirt, right?
2 **A. Okay.**
3 Q. Density of material, dirt. What -- what
4 is density, when you hear that?
5 **A. Thickness. Hardness.**
6 Q. It -- it -- is density important in -- in
7 what you do?
8 **A. In?**
9 Q. In your job?
10 **A. It depends, you know.**
11 Q. Okay. What does it depend on?
12 **A. What we're talking about, you know, what**
13 **are we talking about, density of?**
14 Q. Density of material, dirt.
15 **A. It, you know, it depends if, you know, if**
16 **certain regulations got to be a -- a thickness of**
17 **material to be approved by us or, you know, a**
18 **density of how much material needs to be applied to**
19 **meet our AQ regulations.**
20 Q. Okay. Can you -- can you look at material
21 and determine what the product is and its density?
22 **A. By looking at it, you can -- I can**
23 **somewhat tell, you know. If I don't go up there and**
24 **see it itself, you know, touch it, I can just**
25 **assume, you know, what it is, and I don't think**

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1 **there's anybody out that can just look at something**
2 **just -- and see the density by looking at it.**
3 Q. Do you know if -- if anybody turned my
4 client in into OSHA, you or anybody that you know
5 of?
6 **A. Oh, I inquired.**
7 Q. What's that?
8 **A. I -- I inquired.**
9 Q. To what?
10 **A. OSHA.**
11 Q. You inquire to OSHA?
12 **A. Yes, sir.**
13 Q. What did you inquire about?
14 **A. Well, you know, we -- we work with other**
15 **agencies and, you know, we -- and we've talked to**
16 **other agencies when we, you know, we come across a,**
17 **you know, a hazard or -- or some type where we got**
18 **to find out some information from other entities.**
19 **We work with NDEP, EPA, you know, so...**
20 MR. GUBLER: I don't have any other
21 questions.
22 HEARING OFFICER: Okay. Cross?
23 EXAMINATION
24 BY MS. JORGENSEN:
25 Q. Just follow. Mr. Crandall, were you at

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<p>1 the site -- so the notice of violation, the second</p> <p>2 one, the last site inspection date where you</p> <p>3 attempted to perform inspection was August 14th.</p> <p>4 Since that time, did you go to the site on August</p> <p>5 28th?</p> <p>6 A. I believe so.</p> <p>7 Q. And do you recall whether you went with</p> <p>8 anybody?</p> <p>9 A. I went with Canduella.</p> <p>10 Q. Okay. And when you went with her, do you</p> <p>11 remember if you were able to get onto the site?</p> <p>12 A. I believe that day we did, but there was a</p> <p>13 -- a certain condition we had to meet --</p> <p>14 Q. And what was that condition?</p> <p>15 A. That we weren't allowed to bring any</p> <p>16 cameras, like recording devices, that we had to</p> <p>17 leave our phones. He wanted -- he had a box and he</p> <p>18 wanted us to put our personal phones and work phones</p> <p>19 inside there, and Canduella stated that, you know,</p> <p>20 she wasn't giving it up because it was her</p> <p>21 responsibility for the county phones. And so we</p> <p>22 said we'll put in our trucks if that's okay, and Mr.</p> <p>23 Truman agreed.</p> <p>24 MS. JORGENSEN: Okay. And I don't have</p> <p>25 anything further.</p> <p>Page 175</p>	<p>1 As you -- you've heard testimony that</p> <p>2 there was a dust control operating permit. Mr.</p> <p>3 Truman is the responsible official, he had -- and</p> <p>4 also he's the one who applied for the permit. He</p> <p>5 indicated that there would be grubbing and some</p> <p>6 demolition, and that the site would be developed</p> <p>7 further. When they got on site, it looked like it</p> <p>8 was a full-blown unpaved trucking yard.</p> <p>9 In addition to that, they found that there</p> <p>10 were additional areas that were not permitted that</p> <p>11 were also being used. There's photographs, there's</p> <p>12 site inspections, and I submit to you that based on</p> <p>13 the testimony that these sites were all -- all</p> <p>14 included some level of unstable soil.</p> <p>15 With regard to the second Notice of</p> <p>16 Violation 10078, there are two types of violations.</p> <p>17 One was a failure to implement dust control</p> <p>18 measures, and that's for the date of July 17th. And</p> <p>19 then the other -- on the other -- on three other</p> <p>20 dates, there was a -- a failure to allow access to</p> <p>21 the control officer for purposes of inspection, and</p> <p>22 that's July 31st, August 7th, and August 14th.</p> <p>23 On July 17th, Mr. Truman did allow them on</p> <p>24 the property. I believe at that point there's some</p> <p>25 testimony that they could no longer just enter,</p> <p>Page 177</p>
<p>1 HEARING OFFICER: Okay. Anything further?</p> <p>2 MR. GUBLER: No.</p> <p>3 HEARING OFFICER: All right. Next</p> <p>4 witness.</p> <p>5 MR. GUBLER: That is it.</p> <p>6 HEARING OFFICER: Okay.</p> <p>7 MR. GUBLER: No other witness.</p> <p>8 HEARING OFFICER: Closing arguments?</p> <p>9 MS. JORGENSEN: Sure.</p> <p>10 HEARING OFFICER: Okay.</p> <p>11 MS. JORGENSEN: Thanks. Ms. Hearing</p> <p>12 Officer, the -- there's two notes of violations that</p> <p>13 have been issued by Air Quality. One involves --</p> <p>14 well, they both involve the same site, the one</p> <p>15 that's on the picture today around the screen right</p> <p>16 now. The first one involves -- and if I may, this</p> <p>17 is closing argument to determine whether or not a</p> <p>18 violation occurred.</p> <p>19 HEARING OFFICER: Right.</p> <p>20 MS. JORGENSEN: Okay. So the first one</p> <p>21 has dates of violation of August -- January 8th,</p> <p>22 9th, and 17th, all involving failure to implement</p> <p>23 best available control measures, and comply with</p> <p>24 soil stabilization standards at the site on -- on</p> <p>25 those three dates.</p> <p>Page 176</p>	<p>1 those areas were blocked off where they had entered</p> <p>2 previously back earlier in the year. So they did</p> <p>3 speak with Mr. Truman and were granted access, did</p> <p>4 an inspection and determined that there was failure</p> <p>5 to implement dust control measures on the 17th.</p> <p>6 On the 25th, that's not a date that's in</p> <p>7 the -- that's one of the alleged violations. But on</p> <p>8 the 25th, Mr. Kirk appeared, and that's the first</p> <p>9 time Mr. Truman said, no, you can't enter. And Air</p> <p>10 Quality didn't cite -- include that as a violation</p> <p>11 because essentially, they're treating as sort of a</p> <p>12 one-off.</p> <p>13 And -- but then beginning on July 31st, he</p> <p>14 refused. August 7th, he refused. And again, on</p> <p>15 August 14th, he refused. There's been allegations</p> <p>16 that they didn't present appropriate credentials,</p> <p>17 but there's also been plenty of testimony that there</p> <p>18 was sufficient indicia that these individuals were</p> <p>19 from Clark County.</p> <p>20 They all had their badges. They all were</p> <p>21 in vehicles that either one or I don't know if</p> <p>22 there's more than one at a time, but vehicles with</p> <p>23 the county logo. They all had their Air Quality</p> <p>24 T-shirts, and at -- at different points in time,</p> <p>25 they provided business cards to Mr. Truman.</p> <p>Page 178</p>



<p>1 And we've also heard testimony that</p> <p>2 subsequent on August 28th, he also let them on the</p> <p>3 property again. So it just seems to be sort of a</p> <p>4 hit and miss, and at no time did Mr. Truman ever</p> <p>5 allege or ever state to them, to the inspectors who</p> <p>6 were there, I'm not letting you on the property</p> <p>7 because you don't have proper credentials.</p> <p>8 The excuses were, I need -- my -- my -- my</p> <p>9 attorney won't let me, or my attorney is working</p> <p>10 something out with Air Quality's attorney. It was</p> <p>11 never that there was any -- that he had any doubts</p> <p>12 that these were people from Air Quality.</p> <p>13 And so I would submit that there's</p> <p>14 sufficient evidence that -- demonstrating that Mr.</p> <p>15 Truman on behalf of ETON, which the -- the holder of</p> <p>16 dust control permit, had refused entry sufficient</p> <p>17 for finding a violation. Thank you?</p> <p>18 HEARING OFFICER: Thank you. Counsel?</p> <p>19 MR. GUBLER: Thank you. There's been some</p> <p>20 -- thank you. There's been some talk about this --</p> <p>21 this railroad company. In -- we show in Exhibit 2</p> <p>22 since 2004 Tonopah and Tidewater is -- is organized</p> <p>23 with the state of Nevada as the Tonopah and</p> <p>24 Tidewater Railroad Company.</p> <p>25 It's a domestic corporation under chapter</p> <p>Page 179</p>	<p>1 testified that was still current. That is the same.</p> <p>2 "This is an agreement to convey easement."</p> <p>3 And this is -- this is recorded with Clark County</p> <p>4 recorder. It's between Pan Western and Las Vegas</p> <p>5 Paving and gives them an easement right to access</p> <p>6 over the property that was owned by Pan Western.</p> <p>7 And -- and so that is all related.</p> <p>8 Tonopah and Tidewater has access to that. And then</p> <p>9 in Exhibit 21, we see that Tonopah and Tidewater has</p> <p>10 exclusive license to -- to a railroad to operate</p> <p>11 those rails. It says there in grant of lease</p> <p>12 exclusive license, and that Mr. Truman testified</p> <p>13 that that has not been revoked.</p> <p>14 And then as to Exhibit 22, we have the</p> <p>15 purchase agreement of the rails. Those are the same</p> <p>16 rails that are in Exhibit 23 as far as the -- that</p> <p>17 -- that are pictured in -- on that property. And</p> <p>18 they do connect to the main railroad line and able</p> <p>19 to transport in interstate commerce uses ETON to --</p> <p>20 to do so. And it's still there all to date.</p> <p>21 And in Exhibit 1, we also have the deed as</p> <p>22 far as the yard goes. That -- that is owned by</p> <p>23 Tonopah and Tidewater Railroad Company. It's --</p> <p>24 again, it's -- it's recorded with the county and</p> <p>25 Tonopah and Tidewater is -- it is related to a</p> <p>Page 181</p>
<p>1 -- NRS Chapter 78, formation dated, July 9th, 2004.</p> <p>2 It's -- it's held itself out as a railroad company,</p> <p>3 and -- and going to the -- the case, it's a 2019</p> <p>4 case in Bombardier Transport Holdings USA vs.</p> <p>5 Nevada Labor Commissioner.</p> <p>6 The Supreme Court looked at what the</p> <p>7 definition of a railroad company was and -- and</p> <p>8 actually determined that a statute did not actually</p> <p>9 say that even though Chapter 78 says that if the</p> <p>10 railroad company is -- is formed under this -- this</p> <p>11 chapter, then there -- there's certain rights.</p> <p>12 But the Supreme Court of Nevada looked up</p> <p>13 the definition in Black's Law dictionary, instead of</p> <p>14 corporation organized to construct, maintain and</p> <p>15 operate railroads. That -- that Tonopah and</p> <p>16 Tidewater Railroad Company does meet that. It -- it</p> <p>17 -- it -- it does -- it did construct, maintain, and</p> <p>18 operate and has those railroads.</p> <p>19 Now there's been some testimony as -- as</p> <p>20 to whether it operates it right now, it still has</p> <p>21 access and it's when as -- as needed, and so that is</p> <p>22 still current. As far as -- as far as the other</p> <p>23 information as to whether it even has rails, we --</p> <p>24 we point to Exhibit 20, and that there is an</p> <p>25 agreement to convey an easement that Mr. Truman</p> <p>Page 180</p>	<p>1 railroad company, and it's -- and it's held out as</p> <p>2 such. And that was in 2023 that that was recorded.</p> <p>3 Talking a little bit about the -- the SDB on the</p> <p>4 federal register, Tonopah and Tidewater did get an</p> <p>5 exemption under 49 CFR 1150.31.</p> <p>6 That is a grant of -- that grant of</p> <p>7 authority and -- and this is -- it's attached to the</p> <p>8 Air Quality's reply as Exhibit D. There's some --</p> <p>9 it -- it -- where it is said that the grant of</p> <p>10 authority is permissive. And so then after that,</p> <p>11 it's just between the -- the parties opportunity to</p> <p>12 go forward with any type of an agreement.</p> <p>13 Pan Western, Mr. Truman testified that --</p> <p>14 that they did -- Tonopah and Tidewater did enter</p> <p>15 into that agreement with -- with Pan Western. And</p> <p>16 then, you know, later they had -- they had tried a</p> <p>17 different business deal and -- but -- and -- and</p> <p>18 there was an objection from the Union Pacific.</p> <p>19 And that Union -- and the Union Pacific,</p> <p>20 because of their objection, Mr. Truman and -- and --</p> <p>21 and the owners of Tonopah and Tidewater decided to</p> <p>22 move forward with Tonopah and Tidewater. And -- and</p> <p>23 that's where you get those exhibits related to the</p> <p>24 easement with Las Vegas Paving with -- with the</p> <p>25 rails -- the purchase of the rails and everything,</p> <p>Page 182</p>



<p>1 which -- which occurred after the fact.</p> <p>2 And so it is a railroad company, and this</p> <p>3 -- it is allowed as a -- it is allowed as a yard.</p> <p>4 We heard some testimony or we looked at -- at a</p> <p>5 document talking about the purpose of the Clark --</p> <p>6 of -- of Clark County to establish ethical standards</p> <p>7 for appropriate and transparent behavior of all</p> <p>8 employees of the county, ensuring that the employees</p> <p>9 operate to uphold the public trust in the actions of</p> <p>10 the county.</p> <p>11 Its fiduciary responsibilities to the</p> <p>12 taxpayer citizens, and the manner by which the</p> <p>13 operations of county business are conducted. They</p> <p>14 expected that all employees, including elected</p> <p>15 officials, shall conduct the operations of the</p> <p>16 government with loyalty to the law -- loyalty to the</p> <p>17 law, and with integrity and impartiality.</p> <p>18 So we understand that -- that there are</p> <p>19 some regulations that -- to enforce, however that</p> <p>20 applies both ways. And -- and that comes to this --</p> <p>21 this 94.5 permit requirements. We heard testimony</p> <p>22 multiple times by the county employees that their</p> <p>23 authority to go on the property was -- was because</p> <p>24 of the signed permit.</p> <p>25 Now, conditions of that permit</p> <p>Page 183</p>	<p>1 After the first visit, it was well aware</p> <p>2 that my clients, the respondents, required that, and</p> <p>3 -- but that still wasn't followed. If there's -- if</p> <p>4 there were any, you know, looking at Exhibit 8, this</p> <p>5 is just downloaded from the EPA website. Because I</p> <p>6 mean, we are talking about the clean air act really,</p> <p>7 and -- and -- and the county's authority. The --</p> <p>8 the permit requirements say -- presents appropriate</p> <p>9 credentials.</p> <p>10 We submit that they're not appropriate</p> <p>11 credentials. And looking at this as the standard</p> <p>12 set by the EPA, there's -- there's no</p> <p>13 (indiscernible) seal, there's no chip. There's no</p> <p>14 -- there's no credential number to -- to call.</p> <p>15 There's no expiration date. There's no statement of</p> <p>16 authority. There's no signature on these -- on</p> <p>17 these -- these cards that -- that were around their</p> <p>18 neck, which were -- the testimony was -- is, they</p> <p>19 did not raise them to -- to show Mr. Truman.</p> <p>20 As -- as we go into the January 8th and</p> <p>21 9th, and even later, except for the 17th -- 17th of</p> <p>22 July, I believe that there were -- there was no</p> <p>23 request to enter was what the testimony was. And so</p> <p>24 the first prong -- the permit -- of the permit</p> <p>25 requirements that's on the government was not met.</p> <p>Page 185</p>
<p>1 requirements under 94.5 (f) does put affirmatively</p> <p>2 that on the county. That is -- that is very common</p> <p>3 with search and seizures. It's very common that the</p> <p>4 -- the -- well, the Fourth Amendment is -- is an</p> <p>5 outlier in looking at these because it's -- it's</p> <p>6 government oversight, and so the government is the</p> <p>7 one that is concerned to be careful about whether</p> <p>8 they follow certain procedures.</p> <p>9 And so these procedures are in there,</p> <p>10 which they haven't been trained on properly. And it</p> <p>11 says, "The person shall -- no person shall refuse</p> <p>12 access if the control officer requests entry for</p> <p>13 inspection and presents appropriate credentials".</p> <p>14 That puts the affirmative -- affirmative action on</p> <p>15 the county official.</p> <p>16 Whether it's -- it's under the Air</p> <p>17 Quality, I believe it's 4.1, or whether it's under</p> <p>18 the NRS 444 -- 445B. The requirement is the same,</p> <p>19 the language is very similar, it's the same. As far</p> <p>20 as -- one -- one comment on this was that everybody</p> <p>21 claims that they didn't see a check-in sign. Mr.</p> <p>22 Truman testified that it's been there for -- since</p> <p>23 before any of this started happening in January of</p> <p>24 2024. And it says, no trespassing and to check into</p> <p>25 the office.</p> <p>Page 184</p>	<p>1 Now, I -- I believe that what I'm, you</p> <p>2 know, what I'm -- what we're hearing is -- and well</p> <p>3 -- and then there was no presentation of credentials</p> <p>4 either. I believe what we're hearing here is -- is</p> <p>5 we're, you know, we're saying that, you know, I</p> <p>6 think the government's arguing substantial</p> <p>7 compliance.</p> <p>8 Normally with -- with credentials, every</p> <p>9 time it's almost like a script is what Mr. Truman's</p> <p>10 testimony was, is that they -- they show him their</p> <p>11 badge every time, whether they've been there or not.</p> <p>12 And -- and they -- they -- they say, this is who I</p> <p>13 am and this is what I'm here for. May I come to</p> <p>14 your property? May I ask you some questions?" And</p> <p>15 they state their purpose and they show them their</p> <p>16 credentials, and that was not done here. Now, why</p> <p>17 is that important here is -- is there -- there is --</p> <p>18 there are hazardous materials that come in and off</p> <p>19 the property. It's been the testimony.</p> <p>20 And so it is important to check-in. And</p> <p>21 that is federally mandated, which has a -- there is</p> <p>22 a -- in the supremacy clause that -- that the</p> <p>23 federal government -- federal law is superior to any</p> <p>24 state or local laws.</p> <p>25 Just -- just very briefly, Mr. Truman gave</p> <p>Page 186</p>



<p>1 testimony of different people that carry credentials</p> <p>2 over the -- over the years. FEMA, the FBI, Nevada</p> <p>3 Department of Taxation, the Clark County Coroner's</p> <p>4 Office, the DEA, the fire department, OSHA,</p> <p>5 Department of Energy, the dog catcher, FMSA, all of</p> <p>6 them?</p> <p>7 They've presented their credentials and --</p> <p>8 and that has not occurred. When -- when we -- last</p> <p>9 time that we were here, what's -- what's kind of</p> <p>10 interesting about this is that, when I first started</p> <p>11 asking, and -- and that's why I had asked for the</p> <p>12 witnesses to be separated.</p> <p>13 But to me, I believe that it was pretty</p> <p>14 obvious that they were listening to the answers, I</p> <p>15 was asking very similar questions to the employees.</p> <p>16 And at the beginning, we -- we -- we hear that, you</p> <p>17 know, did you -- did you present any credentials?</p> <p>18 And -- and didn't really know what that was.</p> <p>19 You know, and then somebody started</p> <p>20 saying, well, I -- I have a -- a -- a cut around my</p> <p>21 neck. But -- but then -- by then there, you know,</p> <p>22 when I asked the question, it was, yes, I presented</p> <p>23 these. And according to how you stated it, I</p> <p>24 presented these.</p> <p>25 And clearly has not had proper</p> <p>Page 187</p>	<p>1 credentials, then no person shall approve. It's --</p> <p>2 it is a strict compliance because of the language,</p> <p>3 also because of the subject matter. This is about</p> <p>4 searches and seizures, it's about trespass, it's</p> <p>5 about Fourth Amendment violations.</p> <p>6 These are the things that we hold dear.</p> <p>7 And, you know, that -- that life, liberty, pursuit</p> <p>8 of happiness, all of that originally put in the</p> <p>9 declaration of independence. And -- and that's why</p> <p>10 those were -- were -- those amendments were added.</p> <p>11 Trespass, I mentioned that. NRS 207.200,</p> <p>12 trespassing is entering someone else's property</p> <p>13 without permission or remaining on their property</p> <p>14 after being instructed to leave. Carries a fine of</p> <p>15 a \$1000 and six months in jail.</p> <p>16 That corresponds to Exhibit 17 and 18 as</p> <p>17 well. As far as trespasses -- trespassing on -- on</p> <p>18 railroad property, on -- on -- in state -- in</p> <p>19 general private property. I think the argument is,</p> <p>20 well, we had -- we had permission based on the -- on</p> <p>21 the permit. But that does not alleviate the dust --</p> <p>22 the permit requirements that are still in that 94.5.</p> <p>23 Nowhere have I seen -- have they presented</p> <p>24 anything that says that that is alleviated. Talked</p> <p>25 about trespass, talk a little bit about Fourth</p> <p>Page 189</p>
<p>1 instruction. The government has not had proper</p> <p>2 instruction from Clark County, as far as presenting</p> <p>3 their credentials and that did not happen. And then</p> <p>4 even if they did, they don't even have proper</p> <p>5 credentials according to these -- this EPA standard.</p> <p>6 Now, as far as this, I -- I did touch on</p> <p>7 it for a minute and then I went off of it. But</p> <p>8 substantial compliance statutes and rules require</p> <p>9 strict compliance in this situation. Saticoy Bay</p> <p>10 LLC vs. Nevada Association Services, 135 Nevada 180</p> <p>11 2019 case says, "To determine whether a statute and</p> <p>12 rule requires strict compliance or substantial</p> <p>13 requirement or compliance, this court looks at the</p> <p>14 language used in policy and equity considerations."</p> <p>15 And -- and so doing this, court examines</p> <p>16 whether the purpose of the statute or rule can be</p> <p>17 adequately served in a manner other than by</p> <p>18 technical compliance with the statutory rule</p> <p>19 language. This court has recognized as a general</p> <p>20 tenant, the time and manner requirements are</p> <p>21 strictly construed, where substantial compliance may</p> <p>22 be sufficient performed and content requirements.</p> <p>23 Here, this is a manner requirement. The</p> <p>24 -- the rule says, if the control officer requests</p> <p>25 entry for inspection and presents appropriate</p> <p>Page 188</p>	<p>1 Amendment issues here. Requires having a suitable</p> <p>2 warrant procedure to -- to effect unconsented</p> <p>3 administrative entry and inspection of private</p> <p>4 commercial premises that applies State of Seattle,</p> <p>5 387 US 541 1967 case.</p> <p>6 There's -- any tests that are conducted on</p> <p>7 a premises would be considered unreasonable search</p> <p>8 and seizure, if you don't have permission. If you</p> <p>9 don't have -- even if the -- even if the owner -- it</p> <p>10 was in the daylight knowledge consent, they had to</p> <p>11 check in. There were signs there.</p> <p>12 I know that that is disputed, but there</p> <p>13 are signs there. We -- Mr. Truman brought in the</p> <p>14 signs that had -- had dust on the signs, has been</p> <p>15 there for a very long time, and he testified that</p> <p>16 they were there way before January of 2024. And --</p> <p>17 as well as to the office the neon lights, they -- it</p> <p>18 all -- it all corresponds, purchased those, those</p> <p>19 were -- those were hung well before.</p> <p>20 As far as -- again, going back to the --</p> <p>21 the county mandate purpose, these employees have a</p> <p>22 duty to uphold the regulation both ways. And so we</p> <p>23 -- we submit that any finding of violation because</p> <p>24 either was it requested, wasn't presented properly,</p> <p>25 is considered the fruit of the poisonous tree, and</p> <p>Page 190</p>



<p>1 should be extended to this as -- as a government 2 actor, Clark County.</p> <p>3 Talking a little bit about -- even if that 4 wasn't the case, so if -- if Mr. Truman let them on 5 ETON, let them on the property, there is nobody that 6 has recollection of performing the proper test. And 7 they say, oh, it can be -- I can see it. But that's 8 not what the regulation says. The regulation 94.12 9 talks about -- talks about the different types of 10 methods that can be implemented to maintain dust 11 control, this is subsection B.</p> <p>12 And it -- and it says, "On all disturbed 13 soils on construction sites and staging areas, to 14 the extent necessary, to pass the drop ball test 15 described in section 94.15.5." When I ask Ms. -- I 16 want to show her name. We can do that before -- Mr. 17 -- Ms. Russel. She -- she testified that she didn't 18 perform any tests.</p> <p>19 There was one testimony that said that she 20 didn't perform the test, but that there were some -- 21 some tests performed. I asked the others here 22 whether they had performed a test, a drop ball test, 23 and the answer was no. Again, that does not meet 24 the standard in order to find my client responsible 25 under these regulations?</p> <p>Page 191</p>	<p>1 promulgate EPA approved statewide plans under 2 federal environmental laws, such as a statewide 3 implementation plans, that's under the Clean Air 4 Act, that's how it defined the Clean Air Act. The 5 state -- if -- if it's -- if -- if state implemented 6 plans are not approved by the EPA, then they do not 7 have the force and effect of federal law. And 8 that's why different rules apply.</p> <p>9 You know, why our state implemented plan 10 is so vital in a case like this, it's because we 11 have carriers that engage in interstate commerce. 12 And so, a -- even if the -- it was a 13 county-implemented plan that would affect interstate 14 commerce, and that's why it's so important. And so 15 that it doesn't unreasonably burden railroad 16 activity and the -- or -- or interstate commerce.</p> <p>17 The EPA bypassed this whole requirement by 18 implementing -- not approving that statewide 19 program, the AQR -- when the AQR was approved. 20 That's section 52.1490, subsection 61 of Title 40 of 21 the CFR, shows that the plan that was approved by 22 the EPA, is with the Clark County board of 23 commissioners, it's not with the Nevada State 24 legislature.</p> <p>25 And that's what's being affected here, and</p> <p>Page 193</p>
<p>1 If you're not going to perform the test, 2 if you're too lazy to get out of the truck and 3 perform the test, then this is, again, a government 4 actor. You need to -- we need to be careful with 5 that and -- and they need to meet their obligations. 6 And I -- let me draw back on that. I apologize for 7 any -- for that comment, lazy.</p> <p>8 But either way, it still applies, and the 9 government has a -- has a duty to perform. Talking 10 about the supremacy clause a little bit with -- when 11 it comes to Interstate Commission Termination Act of 12 1995, applies to the railroad. We -- we established 13 that Tonopah and Tidewater is railroad and -- and 14 uses ETON for carrying materials interstate.</p> <p>15 And that also under 49 USC 10501, applies 16 to services and facilities of carriers, warehouses, 17 yards and property. Now, there was some discussion 18 about the Association of American Railroads v. The 19 South Coast Air Quality Management District case 622 20 F.3d 1094, Ninth Circuit, 2010 case?</p> <p>21 Where the -- the Ninth Circuit said, if an 22 apparent conflict exists between ICCTA and a state 23 or local law, usually what happens is general rules 24 apply -- different rules apply. The -- it -- that 25 case required, where that state and local agencies</p> <p>Page 192</p>	<p>1 -- and that of course is affecting interstate 2 commerce. It's not a state -- the AQR is not a 3 state implemented plan, it's a -- it's a county 4 implemented plan. And there's -- and there's 5 clearly differences. The 94.13 talks about 6 employing BAC and BACM, Best Available Control 7 Measures.</p> <p>8 And it -- and those mean control measures 9 that are best available with current technology for 10 reducing or eliminating the release of a particulate 11 matter in the atmosphere. Now, in contrast, in 12 Nevada, the state implemented plan would be -- it 13 has different language. It -- it's to require the 14 use of reasonably available methods, which is a lot 15 difference -- different than the best available 16 methods.</p> <p>17 Another -- another use of language in the 18 NAC against state regulations would be best 19 practical methods. And that includes things such as 20 chemical stabilization. We spent some time 21 presented evidence as -- as far as rotor milling, 22 Mr. Truman consulted with some professionals in the 23 -- in the area.</p> <p>24 HEARING OFFICER: No I -- and I -- I hate 25 to do this in your closing argument, but just to</p> <p>Page 194</p>



<p>1 shortcut the time. The testimony and evidence that</p> <p>2 I'm hearing and that was a big issue for me, is when</p> <p>3 was the rotor milling done? And that picture was</p> <p>4 not dated. And it seems to me that the rotor</p> <p>5 milling was done after all of these dates, if that's</p> <p>6 what I'm hearing from the testimony.</p> <p>7 So just -- just to let you know, going</p> <p>8 through this. And the -- the evidence that you were</p> <p>9 presenting, that rotor milling, you've gotten all</p> <p>10 these affidavits and, you know, that this is -- this</p> <p>11 is a, you know, that you shouldn't have had to pay,</p> <p>12 and you should have put the rotor milling down.</p> <p>13 What I was looking for is who made -- who made the</p> <p>14 requirements paid?</p> <p>15 And then I see the evidence is that, you</p> <p>16 listed that as a reason. And I'm hearing it and you</p> <p>17 said from your own testimony, you didn't contact</p> <p>18 them to -- so to me, the whole rotor milling now is</p> <p>19 a total distraction and took up a great deal of our</p> <p>20 time, because I was under the impression somehow air</p> <p>21 quality, the way the evidence was presented, is that</p> <p>22 rotor milling, you know, you would've done this,</p> <p>23 this would've taken care of this.</p> <p>24 And -- but that happened after the fact.</p> <p>25 And so, if you would've done that in the beginning</p> <p style="text-align: right;">Page 195</p>	<p>1 that's where I'm at with that.</p> <p>2 MR. GUBLER: So the rotor milling -- so</p> <p>3 the paving was required by them. That's -- that's</p> <p>4 what was -- was originally emailed to the</p> <p>5 respondents, but -- but that paving didn't work.</p> <p>6 And -- and so, yes, they -- they said that, but then</p> <p>7 that just doesn't work under these conditions. And</p> <p>8 --</p> <p>9 HEARING OFFICER: Okay. But he testified</p> <p>10 too that he didn't reach out to try and work</p> <p>11 something out differently. But the -- the thing is</p> <p>12 that, I just didn't want to spend a lot of time on</p> <p>13 that, because I think that is a way to do -- to take</p> <p>14 care of these issues, but it happened after the</p> <p>15 fact. It didn't -- I -- there's no dated picture.</p> <p>16 Like the dry, loose, powdery soil that I'm seeing</p> <p>17 from air qualities, I can see it, I -- I can see it.</p> <p>18 They've got well documented, they've got dated</p> <p>19 pictures.</p> <p>20 The rotor milling, there was -- it was not</p> <p>21 a dated picture. And what I'm hearing in the</p> <p>22 testimony presented that it happened either in</p> <p>23 August or September of this year. So I was waiting</p> <p>24 to hear what the date of that picture was, the</p> <p>25 Exhibit 9 and that was not presented. And that's</p> <p style="text-align: right;">Page 197</p>
<p>1 or worked with air quality, but the way it was</p> <p>2 presented, is that you were going to do paving, and</p> <p>3 that was what they followed along with.</p> <p>4 And reading the arguments, because I did</p> <p>5 go through all of this, Air quality did not require</p> <p>6 you to do that. That was something that you came up</p> <p>7 with. The rotor milling, great, everybody put up</p> <p>8 all these affidavits. Great. That's -- but that</p> <p>9 was done after the fact. And the pictures I see</p> <p>10 presented, there's loose powdery dry soils.</p> <p>11 So if you're going to spend time and that</p> <p>12 granted, you can do the closing argument, but we've</p> <p>13 been here for now half an hour, 45 minutes listening</p> <p>14 to that. I'm going to shortcut you right there,</p> <p>15 because to me, that was a big issue for me that</p> <p>16 wasn't dated. That -- it seems to me that that was</p> <p>17 done after these dates that happened, and which you</p> <p>18 would've done in the beginning, because then might</p> <p>19 not have been here to do this.</p> <p>20 So that's what I didn't understand from</p> <p>21 the whole argument, that you were presenting rotor</p> <p>22 miller, and to me, I was like, are they preventing</p> <p>23 you from doing that? No. It -- it was a way to do</p> <p>24 stuff, but it was because the plan and the project</p> <p>25 started from you, from the paving. So that's --</p> <p style="text-align: right;">Page 196</p>	<p>1 passing dates on like January. This is July, this</p> <p>2 is August. So I -- I mean, but I just didn't want</p> <p>3 to spend a lot of time because I -- I get that, but</p> <p>4 I mean, go ahead, continue.</p> <p>5 MR. GUBLER: So the -- the importance of</p> <p>6 it is -- is that it -- it doesn't matter because</p> <p>7 these other dates, there was no presentment, there</p> <p>8 was no request to be on there. And so you have --</p> <p>9 you have -- whether it was in August or September,</p> <p>10 it really doesn't matter because they don't meet</p> <p>11 their burden. You -- you mentioned the drop ball</p> <p>12 test, but that wasn't for -- or that -- they had</p> <p>13 pictures, but that wasn't performed. And that's</p> <p>14 what's in the regulation.</p> <p>15 HEARING OFFICER: Okay. I understand that</p> <p>16 and that's your argument. I just don't want to -- I</p> <p>17 -- I -- rotor milling was a way to address these</p> <p>18 issues. I just -- to me, it was done after the</p> <p>19 fact, so I just don't want to spend a lot of time on</p> <p>20 that. So I -- and I -- I got -- I read everything,</p> <p>21 I read all the affidavits saying that's the best way</p> <p>22 to do it, which is fine. But it's after these</p> <p>23 dates, is what I'm understanding that was done, if</p> <p>24 I'm correct, right? It was done after these dates.</p> <p>25 Am I -- am I correct? That the -- I was looking for</p> <p style="text-align: right;">Page 198</p>



<p>1 the date of that picture. The Exhibit 9.</p> <p>2 MS. JORGENSEN: Right. And I could</p> <p>3 clarify that yes, paving actually is required,</p> <p>4 unless there are reasons for it not to be paved.</p> <p>5 HEARING OFFICER: Okay.</p> <p>6 MS. JORGENSEN: And one of those reasons</p> <p>7 could be the tracked equipment and where does that</p> <p>8 tracked equipment go, but there's never been an</p> <p>9 opportunity for air quality to go on site and make</p> <p>10 that evaluation.</p> <p>11 HEARING OFFICER: Okay. Okay.</p> <p>12 MR. GUBLER: As far as -- as -- as far as</p> <p>13 the tracked equipment, Mr. Truman's testimony is</p> <p>14 that it -- it does go all over this -- this</p> <p>15 property. And -- and there's -- I appreciate that</p> <p>16 -- that you have read all the declarations. And so,</p> <p>17 it's -- we submit that it's not feasible for -- to</p> <p>18 have the paving that is -- is the requirement. And</p> <p>19 -- and that it is the -- that it does burden</p> <p>20 interstate commerce.</p> <p>21 HEARING OFFICER: Okay.</p> <p>22 MR. GUBLER: We submitted this at the</p> <p>23 beginning. I'll briefly touch on this. But again,</p> <p>24 we do not believe that this is the forum to have</p> <p>25 these decisions made. And the reason why is because</p> <p style="text-align: right;">Page 199</p>	<p>1 evidence, as to, you know, state mandate about water</p> <p>2 being a precious resource.</p> <p>3 And again, with track equipment, the best</p> <p>4 available control measure does -- is not</p> <p>5 appropriate, and as the track equipment goes all</p> <p>6 over that property. Talking about the -- the</p> <p>7 difficulties of -- of asphalt and making it, that's</p> <p>8 again, in Floyd Meldrum's Exhibit 13 declaration on</p> <p>9 the process of making that. Contributes to a lot of</p> <p>10 waste of resources, a lot of -- well, to water, to a</p> <p>11 lot of -- well, even as to global warming.</p> <p>12 The -- the product that was put down, the</p> <p>13 rotor milling, the -- the chart is -- and -- and if</p> <p>14 -- if -- if there is some consideration as far as</p> <p>15 mitigating, we would ask that -- that that be taken</p> <p>16 into consideration as well. That here, this rotor</p> <p>17 mill, the chart, is over a quarter of an inch,</p> <p>18 somewhere between quarter inch to 3 inches, which</p> <p>19 would meet the requirements.</p> <p>20 There -- there was testimony that there</p> <p>21 was no dust emissions, no plumes, clean the -- it</p> <p>22 would -- it would qualify as clean gravel dust</p> <p>23 suppressant, and that for this application, it works</p> <p>24 better. And it's sufficient for long-term</p> <p>25 stabilization. As far as anything else we -- we</p> <p style="text-align: right;">Page 201</p>
<p>1 of the Supreme Court cases in -- in Loper and Corner</p> <p>2 post that were issued earlier this year.</p> <p>3 Talk about whether agencies decide</p> <p>4 questions relevant to -- of law and interpret</p> <p>5 statutory provisions. There's many statutory</p> <p>6 provisions. Specifically, we had talked about the</p> <p>7 associated railroads, the -- the case that was cited</p> <p>8 earlier and, you know, the railroad issue and under</p> <p>9 the Clean Air Act, whether -- whether this was</p> <p>10 properly approved and related to interstate</p> <p>11 commerce.</p> <p>12 In those cases, the court reinforced that</p> <p>13 the courts, not agencies, will decide all relevant</p> <p>14 questions of law arising on review of agency action</p> <p>15 and -- and prescribed no deferential standards for</p> <p>16 courts to employ in answering those legal questions.</p> <p>17 It is a federal issue as it relates to the Clean Air</p> <p>18 Act under that -- under that Association of American</p> <p>19 Railroads, and it has to be a statewide plan.</p> <p>20 Again, the -- the burden on the interstate</p> <p>21 commerce, it -- the pavement, the asphalt's</p> <p>22 expensive. I believe that Mr. Truman had testified</p> <p>23 that it was expensive, causing burdens on the</p> <p>24 business, and that it wasn't responsible, was -- was</p> <p>25 also the response. We -- we've seen some -- some</p> <p style="text-align: right;">Page 200</p>	<p>1 also submit on Exhibit 15, talking about the</p> <p>2 different rail track or yards, whether they're paved</p> <p>3 or not, and again, that that would go to</p> <p>4 discrimination under the 14th amendment. We -- we</p> <p>5 ask the -- the Hearing Officer to reject the -- the</p> <p>6 -- the violations. And thank you.</p> <p>7 HEARING OFFICER: Okay. Thank you.</p> <p>8 MS. JORGENSEN: If I -- I'd like to adjust</p> <p>9 a couple of things.</p> <p>10 HEARING OFFICER: Okay.</p> <p>11 Thank you. ETON has submitted that the</p> <p>12 owner of the property, Tonopah and Tidewater is a</p> <p>13 railroad company. I think they're arguing that it's</p> <p>14 recognized under federal laws, railroad company.</p> <p>15 The testimony was they showed Exhibit 3, which is</p> <p>16 that first federal register notice from 2004, where</p> <p>17 it said they enter into the contract with Pan</p> <p>18 Western, they've become a Class III. And that is</p> <p>19 one of the ways -- the exemption under that</p> <p>20 particular CFR.</p> <p>21 Then you look at Exhibit 4, which is the</p> <p>22 2006 federal register. And it clearly states that</p> <p>23 that -- that that contract was never entered into --</p> <p>24 that -- that relationship was never consummated</p> <p>25 between Pan Western and Tonopah and Tidewater. The</p> <p style="text-align: right;">Page 202</p>



<p>1 testimony from Mr. Truman is, oh, no, no, that</p> <p>2 happened sometime before the 2006.</p> <p>3 Well, it clearly states in the federal</p> <p>4 register, based on the application that was provided</p> <p>5 by another company related to the Truman's, is that</p> <p>6 no, that didn't occur. So this whole idea that is a</p> <p>7 federally recognized, governed by the STB, and</p> <p>8 subject to ICCTA, the federal law is -- is</p> <p>9 unsupported and in my view, completely bogus.</p> <p>10 And all of the language or all of the --</p> <p>11 the case law that's referenced in that first</p> <p>12 document submitted by ETON, is all based on the idea</p> <p>13 that Tonopah and Tidewater is a federally recognized</p> <p>14 railroad. They are not. And so this idea that the</p> <p>15 SIP is important is not important in this case,</p> <p>16 because there is no case law that has been provided</p> <p>17 to indicate that even if they are somehow a state</p> <p>18 recognized railroad, that they can ignore local</p> <p>19 regulations.</p> <p>20 Setting that aside, just real briefly with</p> <p>21 the SIP. The way the SIP works in Nevada, is there</p> <p>22 are three entities. There's -- there's the NDEP,</p> <p>23 the state, there's Washoe and there's Clark County.</p> <p>24 And when Washoe and Clark County put together the</p> <p>25 requirements that are necessary for their areas of</p> <p>Page 203</p>	<p>1 The exhibits -- there's an agreement to</p> <p>2 convey an easement. Can you pull up -- actually if</p> <p>3 you can go to the open web and pull up APN</p> <p>4 123-31-402-006. It can pull -- make it a little bit</p> <p>5 bigger. Okay. And you might recognize that loop at</p> <p>6 the top as one of the exhibits, I think it's Exhibit</p> <p>7 23.</p> <p>8 That property right there is owned by Las</p> <p>9 Vegas Paving. And the agreement from -- that's</p> <p>10 referenced in Exhibit 20 was at the time -- well,</p> <p>11 actually not at the time. And this was subject to a</p> <p>12 -- a case back in 2015 when Las Vegas sued the</p> <p>13 subsequent owners of the properties underneath.</p> <p>14 So if you click on one of them underneath</p> <p>15 that loop, I believe those properties used to be --</p> <p>16 belonged to Pan Western and the ETON family limited</p> <p>17 partnership. And then I believe in 2012 they were</p> <p>18 taken over by a completely separate entity, Rail</p> <p>19 Acres.</p> <p>20 And the -- the agreement that they entered</p> <p>21 into in 1997, that's the subject of Exhibit 20, was</p> <p>22 entered into by Pan Western. And Pan Western was</p> <p>23 not an owner of either of those properties at the</p> <p>24 time. So there was a 2015 lawsuit where that all</p> <p>25 came out, that made it clear that that -- those</p> <p>Page 205</p>
<p>1 responsibility, is submitted to the state, and then</p> <p>2 the state submits that to EPA for submission into</p> <p>3 the SIP.</p> <p>4 So this idea that somehow Clark County's</p> <p>5 just working directly with EPA is completely</p> <p>6 incorrect. And also, I think what they mean by</p> <p>7 statewide is, what they mean is that the same rules</p> <p>8 have to apply everywhere for it to be a valid sip.</p> <p>9 And if that's what they mean, that's completely</p> <p>10 incorrect.</p> <p>11 Because when a standard is established</p> <p>12 related to the five criteria pollutants, one of</p> <p>13 which is PM10, one of the things the state does is</p> <p>14 they make a determinations, where is the -- where is</p> <p>15 that standard being exceeded? And what we try to do</p> <p>16 collectively is just try to narrow it down to those</p> <p>17 areas where it's been exceeded. So that's where the</p> <p>18 additional requirements need to be put in place.</p> <p>19 And unfortunately for Clark County, we had</p> <p>20 a really bad PM10 problem for a while. We've been</p> <p>21 able to tamp it down, but that's based on these</p> <p>22 rules that we have, and that have been put in place</p> <p>23 to comply with the -- the Clean Air Act. I know --</p> <p>24 and then if I -- I could real briefly, this whole</p> <p>25 idea that these -- right here.</p> <p>Page 204</p>	<p>1 easement had no -- it was -- it was -- it was</p> <p>2 invalid.</p> <p>3 Regardless, the easement was for Las Vegas</p> <p>4 Paving to go onto Pan Western's property, which at</p> <p>5 the time wasn't Pan Western's property. It had</p> <p>6 nothing to do with Tonopah and Tidewater having</p> <p>7 access to Las Vegas Paving.</p> <p>8 So all of this -- this -- this -- these</p> <p>9 documentation, it's just smoke and mirrors. It --</p> <p>10 it doesn't get back to the -- to the issue that at</p> <p>11 the site where Eton had taken out a dust control</p> <p>12 operating permit, they failed to comply with best</p> <p>13 available control measures and keep the site in a</p> <p>14 stable condition. And that's the first -- the --</p> <p>15 the first NOV.</p> <p>16 Can you pull up Section 94? Go to Section</p> <p>17 94.5. I'm sorry, 94.12. The 94.12 does not require</p> <p>18 that a dust -- that a drop ball test be done. What</p> <p>19 it says, if you read through it says, the</p> <p>20 responsible official, meaning the permittee, shall</p> <p>21 ensure that all contractors, operators, and other</p> <p>22 persons involved in construction employ effective</p> <p>23 control measures.</p> <p>24 B, one of the more -- "One or more of the</p> <p>25 following methods shall be implemented to maintain</p> <p>Page 206</p>



<p>1 dust control." This is on the responsible official 2 and -- and then all the control -- all their 3 operators and contractors. And here's how they can 4 determine themselves whether or not the dust -- 5 whether not the soil is sufficiently crusted. 6 That's the way 94.12 is written. Now, the 7 inspectors do perform drop ball tests, but they 8 don't have to, and that does not require them to. 9 Could you go to 94.5? Similar with 94.5 10 Subsection f, which ETON has relied on quite a bit, 11 says, "No person shall refuse access if the control 12 officer request entry for inspection and presents 13 appropriate credentials." And the first notice of 14 violation, there was no need to request access. 15 They could get on. And that's how normally dust 16 control -- dust sites work, which this ostensibly 17 was. 18 Then in July -- on July 17th, which is the 19 beginning of the second notice of violation, Mr. 20 Truman allowed them on, even though he's been -- 21 he's been claiming that he had no idea who they 22 were. And he -- and they didn't show credentials. 23 He allowed them -- he allowed two, I believe it was 24 Mr. Kirk and Mr. -- and Ms. Rowsell on. They did an 25 inspection, and then after that it was shut down. Page 207</p>	<p>1 any sense. And it certainly doesn't make any sense 2 for the -- the dust control permit that was agreed 3 to. 4 And then with regard to Exhibit 17 and 18, 5 which are referenced that deal with trespass, when 6 you read through them, it's all to do with sites 7 that have tracks -- railroad tracks. And we all -- 8 we all can agree that that Stratford site does not 9 have any railroad tracks laid down that people 10 potentially would be trespassing on. 11 And again, Air Quality, they weren't 12 trespassing. They were there to perform a function 13 based on the dust control permit that was pulled. 14 Thank you. 15 HEARING OFFICER: Anything further? 16 MR. GUBLER: Yeah. I -- I think this 17 comes -- this comes down to whether they follow 18 their own regulations. The answer is no. They did 19 not -- that there is an affirmative duty on the 20 county employee under that 94.5. Under -- under -- 21 there was comments that, you know, this was smoke 22 and mirrors as far as the railroad company. 23 The testimony that's in evidence that -- 24 that's been presented is that Tonopah and Tidewater 25 access to that and they're able to access the rail Page 209</p>
<p>1 He wouldn't allow people on until August 28th when 2 he allowed them on again, although with conditions. 3 Now, August 28th isn't the subject of this 4 particular notice of violation, but it just seems 5 like Eton wanted the dust permit, but then they 6 didn't want to comply with the dust permit. They 7 didn't want to follow the rules of the dust permit. 8 The other testimony has been and I believe 9 it's from the last hearing, Mr. Truman brought in a 10 look, potentially a two or three foot wide sign and 11 said, here it says that they needed to check in. 12 But we also heard testimony that that length along 13 Stratford was probably 500 or 600 feet. 14 I recall the testimony on the previous one 15 is there was one sign, we've heard today that there 16 was three signs, so I'm not sure which is accurate. 17 But you've heard plenty of testimony that -- from 18 the inspectors that if they saw a sign, they would 19 stop, check in and then move on. 20 And -- but I believe from the previous, 21 when we were here last week, that this idea of a 22 construction site being all closed off is completely 23 foreign to the way dust sites normally function. 24 And so this idea that everything's going to be 25 closed off of the dust permits doesn't really make Page 208</p>	<p>1 lines. Tonopah and Tidewater, there was testimony 2 of -- of many -- much oversight of federal agencies. 3 And that has to do with it being a railroad company 4 and also it putting product in interstate commerce. 5 As far as 94.12 goes, that is related to 6 on the drop ball test. The drop ball test is a 7 standard. It says that it -- that the property will 8 be maintained with one of these conditions so that 9 it -- to the extent necessary to pass the drop ball 10 test. That -- that does put the -- that does put a 11 requirement that that is the test to be performed. 12 I have nothing further? 13 HEARING OFFICER: Okay. Okay. With that 14 being said, I appreciate I did extensively review 15 these, I reviewed these a second time. As a matter 16 of fact, before today's continued hearing. I have 17 took extensive notes. I have -- I appreciate, I 18 have all the law that was presented. Appreciate 19 closing arguments. And based on everything I 20 reviewed and the evidence and testimony presented to 21 me as it pertains to this dust permit, I am going to 22 find that the violations did occur. 23 I understand that we can -- we can discuss 24 mitigation when we -- when we move into that phase. 25 I am, however -- so I'm going to find that the Page 210</p>



1 violations did occur on NOV 9994 18, 19, 117,
2 because what was important to me was that it was
3 brought into compliance on February 1st.
4 So there -- you know, the test permit was
5 requested. It was supposed to be followed. It's --
6 it states what needs to be there. The evidence
7 shows this -- the loose soils. It -- I don't think
8 that the drop ball is required, especially when the
9 pictures and the evidence show me.
10 I -- I do appreciate that there there was
11 -- we didn't see fugitive dust or plumes, but it was
12 definitely unstable soil. I mean, it met the
13 definition and it's -- and, you know, the -- the air
14 quality did say what, you know, that it was there
15 and there it was 18, 19 and 117. So I'm going to
16 find that it occurred as to NOV 9994, and then we
17 move into the violation.
18 As to NOV 10078, I'm going to find that
19 violation one did occur on 7/17. As to refusing
20 entry or access I'm going to find that occurred that
21 on 8/7 and 8/14, I'm going to dismiss 7/31. I do
22 realize, and I went back and looked that there was a
23 date for 7/25 that was said as a one off. I went
24 back and looked at that there was an issue about
25 certification. There was a lot of evidence

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1 presented. I'm going to give even the benefit of
2 the doubt on that one, even though the same people
3 had been there.
4 I mean that -- that I took into
5 consideration that these faces should have been
6 familiar by then, that the vehicle is says Air
7 Quality, they wear shirts, they were badges. That's
8 within my realm of doing this. This is the way
9 they've been doing it.
10 That's the first I've heard an argument
11 with the credentials. And the thing is, he did
12 allow them onto the property previous times, but I
13 am going to give the benefit of doubt and I'm going
14 to dismiss and or deny the 7/31. But I am going --
15 so as the violation number two on the 10078 I'm
16 going to find that it did occur as 8/7, 8/14 by
17 those dates. And then we can move into the penalty
18 phase and discuss. And I understand you said for
19 mitigation purposes, and we can go into put the
20 testimony onto that. Thank you.
21 HEARING OFFICER: Would you prefer that we
22 go through, just deal with both of them at the same
23 time?
24 MS. JORGENSEN: Yes. For purposes of time
25 since we've been here.

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1 HEARING OFFICER: Okay.
2 MS. JORGENSEN: And because I -- I've
3 pretty much, I've got a good understanding and notes
4 of where I'm headed, so yes.
5 HEARING OFFICER: Okay.
6 MS. JORGENSEN: I'd like to call Ms.
7 Sotoska (ph).
8 HEARING OFFICER: Okay.
9 SOTOSKA
10 having been first duly sworn to testify to the
11 truth, the whole truth, and nothing but the truth,
12 was examined and testified as follows:
13 EXAMINATION
14 BY MS. JORGENSEN:
15 Q. Ms. Sotoska, are you familiar with notice
16 of violation 9994?
17 A. I am.
18 Q. And what is your responsibility with
19 regard to the penalty of this notice of violation?
20 A. I'm an Air Quality supervisor in the
21 enforcement section. I review and approve the
22 penalties that are recommended.
23 Q. Okay. And when you say recommended, does
24 Air Quality establish the penalty?
25 A. No.

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1 Q. Who ultimately has responsibility to
2 determine or who -- who actually has the authority
3 to assess a penalty?
4 A. The hearing officer or the hearing board
5 upon appeal.
6 Q. Okay. And in this case what is the
7 recommended penalty?
8 A. For notice of violation 9994, it's
9 \$4,687.50.
10 Q. And can you -- there's an Exhibit A on the
11 screen. Could you describe what this depicts?
12 A. Sure. This is the penalty calculation
13 table and it shows how we arrived at -- well, it
14 shows the dates of violation as Air Quality observed
15 and the base penalty amounts and aggravating
16 factors.
17 Q. Okay. And then what is the maximum that
18 could be charged per day per violation?
19 A. The regulatory maximum that can be
20 assessed is \$10,000 per day per violation.
21 Q. And that's based on language and NRS for
22 5B?
23 A. It is as well as Air Quality Regulation
24 Section 9.
25 Q. Okay. And then if you could just go

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<p>1 through and describe just take us to that final 2 number.</p> <p>3 A. Sure. So in the matter of notice of 4 violation 9994 issued to Eton Transportation 5 Corporation, we have one documented violation that 6 occurred on January 8th, January 9th and January 7 17th, 2024, for failing to fully implement best 8 developable control measures and comply with sole 9 stabilization standards as documented in the 10 compliance officer's testimonies. The base penalty 11 that the department applies for violations of 12 unstable site soils is based on the size of unstable 13 strolls observed during that day. For --</p> <p>14 Q. So if I could, just real quickly, so the 15 first, sorry. The first two days, it was a larger 16 amount?</p> <p>17 A. That's correct.</p> <p>18 Q. And then the -- the last day was a smaller 19 amount, so -- so there wasn't as many -- there 20 wasn't as much that was unstable?</p> <p>21 A. That's correct.</p> <p>22 Q. Okay.</p> <p>23 A. So for January 8th and ninth it was 24 greater than or equal to one acre and less than, or 25 equal to five acres. On January 17th, it was less</p> <p style="text-align: right;">Page 215</p>	<p>1 did occur within a thousand feet of a residential 2 area for a total penalty amount for violation, one 3 of \$1,562.50.</p> <p>4 Violation two occurred on three separate 5 days since Madam Hearing Officer dismissed July 6 31st. I'll go on to August 7th and the 14th, August 7 7th and 14th were for failing to allow access to the 8 control officer for the purposes of inspection.</p> <p>9 A violation of section Air Quality 10 Regulation 4.1 D1 as documented in the compliance 11 officer's testimon. The penalty that air quality 12 applies for failing to allow access is \$10,000 per 13 day per violation for August 7th and August 14th, 14 \$10,000 was applied for each day for a total penalty 15 amount for violation number two of \$20,000, 16 excluding July 31st for a total penalty amount for 17 NOV 10078 of \$21,562.50.</p> <p>18 Q. And this -- what you've described about 19 aggravating factors and base penalty amounts how is 20 there a policy or some sort of guidance that Air 21 Quality uses internally to come up with these 22 numbers?</p> <p>23 A. Yes. We have a penalty procedure for 24 Section 94 violations. And it does point out base 25 penalty amounts for various things like unstable</p> <p style="text-align: right;">Page 217</p>
<p>1 than or equal to one acre. So for January 17th, a 2 base penalty of a thousand dollars was applied for 3 January 8th and ninth a base penalty of \$1,250 was 4 applied.</p> <p>5 There were aggravating factors added to 6 each of the days. For the first day -- while all 7 three days, the violations occurred within a 8 thousand feet of a residential area. So 25 percent 9 aggravation factor was added for each day. For 10 January 9th an additional 25 percent aggravation 11 factor was added for a second consecutive day of 12 violation. For a total penalty amount for January 13 8th of \$1562.50. For January 9th, \$1875. And for 14 January 17th, \$1250 for a total penalty amount for 15 violation 9994 of \$4,687.50.</p> <p>16 Q. Okay. And then if we could go to Exhibit 17 A of notice violation 10078.</p> <p>18 A. So similarly in this case well, there were 19 two days, two violations observed for this notice of 20 violation. Violation number one occurred on -- on 21 July 17th, four unstable site soils. The observed 22 unstable site soils were greater than an acre, but 23 less than or equal to five acres. Therefore, base 24 penalty of \$1,250 was applied. An aggravation 25 factor of 25 percent was added because the violation</p> <p style="text-align: right;">Page 216</p>	<p>1 site soils or track out or fugitive dust emissions. 2 And then it also goes into the aggravating factors 3 that can be applied.</p> <p>4 Q. And why does air quality use something 5 like that to come up with a recommended penalty?</p> <p>6 A. Well, the maximum -- the maximum penalty 7 is \$10,000 per day per violation. We understand 8 that that's not appropriate. Therefore, the 9 procedure is to ensure that we are consistent with 10 how we apply the penalties to all construction sites 11 in the valley.</p> <p>12 Q. And when you say not appropriate, that Air 13 Quality does consider it to be appropriate for 14 refusal to allow access?</p> <p>15 A. Yes, we do. We always assign \$10,000 for 16 that.</p> <p>17 Q. And is there any other situation where Air 18 Wuality would set a base penalty of 10,000 that 19 you're aware of or would -- would request?</p> <p>20 A. That is the only one that we always 21 recommend \$10,000 because we cannot assess what kind 22 of violations will be found on site because we do 23 not have access to the site.</p> <p>24 Q. Okay. But ultimately, again, this isn't 25 Air Quality's decision to make?</p> <p style="text-align: right;">Page 218</p>



<p>1 A. That's correct.</p> <p>2 Q. Okay. Nothing further?</p> <p>3 HEARING OFFICER: Okay. Counsel?</p> <p>4 MR. GUBLER: No question.</p> <p>5 HEARING OFFICER: Okay. So did we,</p> <p>6 obviously we've heard extensive, this is a second</p> <p>7 day. And at the end of closing arguments for Eton</p> <p>8 it was asked that if I would consider mitigating.</p> <p>9 Because I do appreciate the rota milling that was</p> <p>10 done as to NOV 9994 18, 91, 117 by 21, the site was</p> <p>11 in compliance.</p> <p>12 Looking at the pictures we did not see a</p> <p>13 fugitive dust. I understand it still was unstable</p> <p>14 soils, but I'm going to give the benefit of the</p> <p>15 doubt. We're just going to assign the base penalty</p> <p>16 of 1250 and thousand. So for NOV 9994, I'm going to</p> <p>17 put it out at \$2,250.</p> <p>18 MS. JORGENSEN: Madam Hearing Officer, so</p> <p>19 that \$1250 each day was assigned to that amount. I</p> <p>20 -- I didn't know whether you --</p> <p>21 HEARING OFFICER: So yes. Okay. And that</p> <p>22 way -- okay, so then it's going to be through today,</p> <p>23 so 1250, 1250 and the thousand. Okay, so it will be</p> <p>24 4,500, my math, right? I believe 3,505. My math</p> <p>25 wasn't right.</p> <p>Page 219</p>	<p>1 some mitigating factor needs to be determined as far</p> <p>2 as needing time to determine what was in my client's</p> <p>3 rights as far as search and seizures.</p> <p>4 And we -- we ask that the hearing officer</p> <p>5 do consider that as well as the -- the maximum for</p> <p>6 the two days. You know, since my -- my client did</p> <p>7 not have -- again, the maximum amount before was</p> <p>8 just 1250. So we -- we ask that at most that those</p> <p>9 penalties be 1250 a day.</p> <p>10 HEARING OFFICER: Okay. You know, and I</p> <p>11 -- I'm going to reconsider just, I remember the --</p> <p>12 the August 28th date, they came after the fact, and</p> <p>13 I just, with the road of milling after that I'm</p> <p>14 willing to give -- I mean, I just, the refusing</p> <p>15 access is a concern because this had been going on</p> <p>16 since January.</p> <p>17 There was testimony too about other sites</p> <p>18 coming out every six months. I mean, they weren't</p> <p>19 coming out every day other than to make sure in</p> <p>20 January they were in compliance. And then we come</p> <p>21 back six months later in July.</p> <p>22 So it wasn't like they were kept coming</p> <p>23 out. And the concern is, is that, I mean, that</p> <p>24 whether the credentialing or not it was done in</p> <p>25 January too, and the permit was there. I'm willing</p> <p>Page 221</p>
<p>1 MS. JORGENSEN: Yes.</p> <p>2 HEARING OFFICER: Is that right? 4,500.</p> <p>3 My calculator 2250 plus the 1250, is that what we're</p> <p>4 saying? Yeah. Okay. So yeah, the total penalty is</p> <p>5 3,500. So I'm keeping that at the base. Okay. As</p> <p>6 to NOV 178, I going keep 717 as to the 1250 as well.</p> <p>7 And then no entry for the two days, there was no</p> <p>8 entry on 7/31, but I see there was issues about</p> <p>9 certification, so I can dismiss that. So I'm going</p> <p>10 to hold the penalties for the refused access at the</p> <p>11 10,000 for the two. So it's going to be 20,000, so</p> <p>12 it'll be 21,250.</p> <p>13 MR. GUBLER: May I make a comment on that?</p> <p>14 HEARING OFFICER: Sure.</p> <p>15 MR. GUBLER: So the testimony given was</p> <p>16 that they you know -- they don't, they don't know</p> <p>17 the -- the -- what they're looking at. So they --</p> <p>18 they assessed the -- the full maximum amount. They</p> <p>19 -- there was testimony that they went before and</p> <p>20 after August 28th. And -- and nothing -- nothing</p> <p>21 had basically the -- the max amount that they had</p> <p>22 had any time before was the 1250 is what was just</p> <p>23 assessed.</p> <p>24 Also, you know, whether Madam Hearing</p> <p>25 Officer believes my client or not I believe that</p> <p>Page 220</p>	



1 to give a 20 percent discount on that 20,000. So
2 what would that bring?

3 Because I do appreciate the fact, and this
4 testimony was, it happened to August or September
5 where the affidavits and we're talking to people in
6 the road, rota milling. So it was -- there was some
7 stuff done to -- to mitigate that. So I'm going to
8 do that. So it'll be the 1250 plus, I'll give a 20
9 percent discount off the 20,000. And 4,000. Am I
10 saying that right? So it's going to be, yeah,
11 16,000.

12 So 16,000 for violation number two and
13 1250. And so that brings us to the grand total and
14 17250, because I've already knocked the -- the --
15 the 10,000 off. Actually there was a one off for
16 the 725 and the 731, but it is serious to have
17 refused entry in 878, 14 definitely by those times.

18 And but I do know that the role of milling
19 was done after the fact. And -- and I see that. So
20 that's -- that's what I'm -- that's the penalty
21 then. The total being 17250. Okay. And we are
22 adjourned. Thank you. And it's 2:31. Thank you
23 everybody for your testimony and all the evidence
24 presented.

25 (Proceedings adjourned at 2:31 p.m.)



CERTIFICATE OF TRANSCRIPTION

I, MICHAEL KALDOR, do hereby certify that the provided audio recording media was transcribed by me or reduced to typewriting under my supervision, that said transcript is a true transcription of the audio recording; that I am neither counsel for, related to, nor employed by any of the parties to the action involved in these proceedings; and, further, that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.

MICHAEL KALDOR



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EXHIBIT 32

1 BEFORE THE AIR POLLUTION CONTROL HEARING BOARD
2 CLARK COUNTY, NEVADA

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4
5 IN THE MATTER OF NOTICE OF)
6 VIOLATION #10078 ISSUED TO)
7 ETON TRANSPORTATION CORP.,) #10078
8 ENVIRONMENTAL TRANSPORTATION)
9 OF NEVADA, LLC D/B/A ETON,)
10 AND MOE TRUMAN,)
11)
12 Appellants,)
13)
14 _____
15)
16)

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25
26 DATE: April 8, 2025

1 APPEARANCES :

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In Re: Violation #10078 Issued to Eton Transportation Corp., et al.
Transcription - April 8, 2025

<p>1 PROCEEDINGS</p> <p>2 ***</p> <p>3 THE CLERK: This is a recording of the Air</p> <p>4 Pollution Control Hearing Board April 8th, 2025 at 10:00</p> <p>5 a.m. Chairperson Danny Sanders presiding.</p> <p>6 CHAIR SANDERS: If everyone will take a seat,</p> <p>7 we'll get started here.</p> <p>8 Okay. I'd like to call this meeting to order.</p> <p>9 First item on the agenda is a public comment. Is there</p> <p>10 anyone present that would like to address the board</p> <p>11 prior to first things here in the meeting? If so, I'll</p> <p>12 open the public comment. Seeing no one, I'll close the</p> <p>13 public comment. The minutes for our last meeting from</p> <p>14 January 28th, do I have a motion to approve those</p> <p>15 minutes?</p> <p>16 MR. BARTLETT: I have motion to approve.</p> <p>17 CHAIR SANDERS: We have a motion. Is there a</p> <p>18 second?</p> <p>19 MS. LAHAV: Second.</p> <p>20 CHAIR SANDERS: Okay. We have a motion and a</p> <p>21 second. All in favor say aye.</p> <p>22 BOARD MEMBERS: Aye. Aye.</p> <p>23 CHAIR SANDERS: Any opposed say no. Okay. The</p> <p>24 next item on the agenda is to review competing hearing</p> <p>25 board orders from hearings conducted on January 28th,</p> <p style="text-align: right;">Page 3</p>	<p>1 CHAIR SANDERS: Any opposed, say no. Okay.</p> <p>2 Okay. Now we're on to -- okay. We're on to Item number</p> <p>3 5. Appeal of a hearing officer's decision for ETON</p> <p>4 Transportation Corp. NOV 9994. Any comments from the</p> <p>5 board?</p> <p>6 MR. DENNETT: This -- this -- this matter for</p> <p>7 myself obviously, and I have a conflict based on</p> <p>8 representation of parties in my capacity as an attorney.</p> <p>9 And so I'm going to recuse myself from the hearing board</p> <p>10 and from this matter, these series of matters.</p> <p>11 CHAIR SANDERS: All right.</p> <p>12 MS. LAHAV: (Indiscernible.)</p> <p>13 MR. DENNETT: So I'll be recusing on item</p> <p>14 notice of violation 9994, notice of violation 10078.</p> <p>15 That appears to be the only two that I'll be recusing</p> <p>16 on.</p> <p>17 CHAIR SANDERS: Okay. Anybody else with any</p> <p>18 conflicts or -- or clarifications? Okay. Seeing no one</p> <p>19 else, Mr. Dennett is excused. Appreciate him coming out</p> <p>20 to get us a quorum here to start. As we're going to be</p> <p>21 hearing this case de novo, can we hear them both</p> <p>22 together or do we need to hear them separately? Well,</p> <p>23 state your name for the record, please. You don't need</p> <p>24 to stand up.</p> <p>25 MR. GUBLER: I'm Russ Gubler. I'm -- I'm the</p> <p style="text-align: right;">Page 5</p>
<p>1 NOV 9907, 9946, 9979, and 10008. Shared Development</p> <p>2 Holding and Joseph Yakubik individually. Is there</p> <p>3 anybody here representing any of those entities.</p> <p>4 Okay. Just so the board knows, Mr. Yakubik did</p> <p>5 not submit a competing order to date or by March 25th,</p> <p>6 which was the deadline. So I'll open up for any comment</p> <p>7 or just to approve the orders as they -- as -- as we</p> <p>8 dictated in the last meeting.</p> <p>9 MR. BARTLETT: It's just my understanding from</p> <p>10 the board's counsel that Mr. Yakubik disagrees with the</p> <p>11 board's orders or the proposed orders that are submitted</p> <p>12 by Catherine Jorgensen, prior -- prior counsel, and that</p> <p>13 he indicated that he would either be submitting a</p> <p>14 competing order or appear here today to object to the</p> <p>15 orders submitted by Ms. Jorgensen. But having not seen</p> <p>16 him, I certainly -- pending other comments from the</p> <p>17 board, I'm certainly make a motion to approve the orders</p> <p>18 as submitted by Ms. Jorgensen.</p> <p>19 CHAIR SANDERS: If there's no other comments,</p> <p>20 we have a -- a motion. Do we have a -- a second?</p> <p>21 MS. LAHAV: Second the motion.</p> <p>22 CHAIR SANDERS: Okay. We have a motion and</p> <p>23 second to approve the orders as presented by Ms.</p> <p>24 Jorgensen. All in favor say aye.</p> <p>25 BOARD MEMBERS: Aye. Aye.</p> <p style="text-align: right;">Page 4</p>	<p>1 attorney for the respondent.</p> <p>2 CHAIR SANDERS: Okay. Mr. Gubler, you said?</p> <p>3 MR. GUBLER: Yes.</p> <p>4 CHAIR SANDERS: Okay. Is there any objection</p> <p>5 to Air Quality and/or you guys if we heard them both</p> <p>6 together, or is that something that couldn't happen?</p> <p>7 MR. ALLEN: Well, I -- I'm Timothy Allen on</p> <p>8 behalf of Clark County. And Mr. Gubler and I spoke</p> <p>9 briefly before the hearing, and we had discussed whether</p> <p>10 or not it would be amenable to the board to just submit</p> <p>11 the transcripts from the prior hearing and not have to</p> <p>12 represent all that new evidence de novo, or all that old</p> <p>13 evidence de novo, and then have some new testimony</p> <p>14 presented that's different from those transcripts. And</p> <p>15 if that's amenable to the board, I think it could save</p> <p>16 everybody some time. But --</p> <p>17 CHAIR SANDERS: Well, I think it did save us a</p> <p>18 lot of time. I read through -- has everybody else</p> <p>19 reviewed that? I don't want to put something on if</p> <p>20 we're not fully comfortable with what -- that transcript</p> <p>21 from the hearing officer. Are you okay with it too? Is</p> <p>22 that Daniel?</p> <p>23 THE CLERK: Donald.</p> <p>24 CHAIR SANDERS: Donald. Donald, you all right</p> <p>25 with that?</p> <p style="text-align: right;">Page 6</p>



In Re: Violation #10078 Issued to Eton Transportation Corp., et al.
Transcription - April 8, 2025

<p>1 MR. BORDELOVE: Yeah. No objection on my part.</p> <p>2 CHAIR SANDERS: Great. All right. Let's --</p> <p>3 let's -- then we'll -- we'll submit the records of that,</p> <p>4 the hearing officer -- the transcript as -- as evidence.</p> <p>5 We've all reviewed it and look forward to hearing any</p> <p>6 new information that may come out here today. I'll turn</p> <p>7 the time over to Mr. Allen, I guess, to -- to do a short</p> <p>8 presentation on whatever -- however you want to do it,</p> <p>9 then we'll go to the defense.</p> <p>10 MR. ALLEN: Yeah. Because we have those</p> <p>11 transcripts, I think we'll just save our time for</p> <p>12 rebuttal for the new evidence that's being presented by</p> <p>13 opposing counsel.</p> <p>14 CHAIR SANDERS: Are you planning on calling any</p> <p>15 additional witnesses?</p> <p>16 MR. ALLEN: I'm not calling any additional</p> <p>17 witnesses that weren't previously called, and the</p> <p>18 previous witnesses will just be used to rebut the new</p> <p>19 evidence presented today.</p> <p>20 CHAIR SANDERS: Okay. Great. Mr. Gubler.</p> <p>21 MR. GUBLER: Yes. Your -- before we begin, I</p> <p>22 would like to ask -- at least I -- I'm not sure what</p> <p>23 will be on rebuttal. I don't know that I intend to</p> <p>24 question any of the Clark County employees. If -- if</p> <p>25 that's the case, then we'll submit it on what's been</p> <p style="text-align: right;">Page 7</p>	<p>1 That's fine. For all the inspectors here, if they are,</p> <p>2 can we just ask them to go play cards in the other room</p> <p>3 or something? Okay. Mr. Gubler, do you want to --</p> <p>4 let's move forward and present whatever you're going to</p> <p>5 present.</p> <p>6 MR. GUBLER: Yes. I --</p> <p>7 CHAIR SANDERS: If -- if Mr. Truman's going to</p> <p>8 be talking, I'll need swear him in, just so you know if</p> <p>9 that -- I don't know if he is or not.</p> <p>10 MR. GUBLER: He is, but there -- there's a</p> <p>11 couple preliminary matters that I'd like to present to</p> <p>12 the board before I begin.</p> <p>13 CHAIR SANDERS: Very well.</p> <p>14 MR. GUBLER: With -- I thank -- I thank the</p> <p>15 board for being here today and for the sequestering the</p> <p>16 witnesses. Also I do appreciate Mr. Dennett recusing</p> <p>17 himself. I -- I mean, that was a topic that probably</p> <p>18 would -- would -- would've come up, to avoid any type of</p> <p>19 impropriety.</p> <p>20 As far as with Mr. Dennett, my understanding,</p> <p>21 just reviewing the information that's on the Clark</p> <p>22 County website, Mr. Dennett is the -- the one attorney</p> <p>23 that is on the board. And given the -- the nature of</p> <p>24 this -- this matter, we're -- we're asking for certain</p> <p>25 -- we're asking the court, forgive me, the board to</p> <p style="text-align: right;">Page 9</p>
<p>1 presented before. But in the event that there is any</p> <p>2 rebuttal by -- with the witnesses from Clark County, I</p> <p>3 would ask that the witnesses be sequestered. I</p> <p>4 understand that this is an open meeting, but as far as</p> <p>5 the witnesses go, I would ask that they be sequestered.</p> <p>6 CHAIR SANDERS: All right. The board have any</p> <p>7 or Mr. Allen, any objections to that?</p> <p>8 MR. ALLEN: We don't have any objection to</p> <p>9 that.</p> <p>10 CHAIR SANDERS: Okay. Does the board have any</p> <p>11 objections? All right. Then that's fine. Let's</p> <p>12 sequester all the previous witnesses that were involved.</p> <p>13 MR. ALLEN: Oh, there -- there is one thing. I</p> <p>14 -- previously -- in -- in the previous hearing, we</p> <p>15 sequestered all the inspectors, but Anna Sutowska,</p> <p>16 represents the department at the -- at the meetings, and</p> <p>17 she testifies as to the -- the fine and penalties, and</p> <p>18 so if she could remain in the room. I don't know if</p> <p>19 there's an -- an objection to that.</p> <p>20 MR. GUBLER: No objection.</p> <p>21 CHAIR SANDERS: All right. What about Mr.</p> <p>22 Truman?</p> <p>23 MR. GUBLER: Mr. Truman is a -- is in a -- a</p> <p>24 respondent and also represent --</p> <p>25 CHAIR SANDERS: Okay. And also a witness.</p> <p style="text-align: right;">Page 8</p>	<p>1 consider certain constitutional rights, certain</p> <p>2 statutes, some unrelated statutes.</p> <p>3 And I believe that if this goes forward, that I</p> <p>4 would prefer somebody to hear -- that -- that -- that's</p> <p>5 in Mr. Dennett's place to hear those legal arguments. I</p> <p>6 believe that that would be -- I believe that would be in</p> <p>7 my client's favor, frankly.</p> <p>8 As far as the -- the other issue that's --</p> <p>9 that's very related, is, again, according to you know,</p> <p>10 the website, I -- we previously had this matter heard by</p> <p>11 a hearing officer and who considers cases and determines</p> <p>12 one, if a violation of the air quality regulations</p> <p>13 exists and the extent of penalties, if any.</p> <p>14 Now, in -- there -- there's some -- some</p> <p>15 federal question issues here, and as far as this matter</p> <p>16 goes, the board, you know, this is de novo, and the --</p> <p>17 the board is going to hear the same issues that was --</p> <p>18 that was heard by the hearing officer. The hearing</p> <p>19 officer had refused -- I -- this is -- and this is</p> <p>20 basically what I had requested, that under the -- the</p> <p>21 recent Supreme -- United States Supreme Court rulings in</p> <p>22 Loper Bright Enterprises v. Raimondo, and also Corner</p> <p>23 Post Inc. V. Board of Governors of the Federal Reserve</p> <p>24 System.</p> <p>25 That -- those two cases ended the Chevron</p> <p style="text-align: right;">Page 10</p>



<p>1 doctrine that gave preferences to agencies to interpret</p> <p>2 statutes. The court said that courts, not agencies, are</p> <p>3 to, "decide" all relevant questions of law, and,</p> <p>4 "interpret" statutory provisions.</p> <p>5 And as far as back as 1803 in Marbury vs</p> <p>6 Madison. It's the power of the court to declare</p> <p>7 legislature executive act in violation of the</p> <p>8 constitution. There is also, and this is presented in</p> <p>9 our briefs, but the court -- the Ninth Circuit Court and</p> <p>10 Association of American Railroads, that's 622 F.3d 1098,</p> <p>11 states that the Clean Air Act requires statewide plans</p> <p>12 and statewide implementation plans.</p> <p>13 We know that the AQR is not a statewide</p> <p>14 program. We -- we recognize that that is even approved</p> <p>15 by the EPA, but it is a countywide program. And the AQR</p> <p>16 code is not the same as the statewide program. We do</p> <p>17 not disagree that the EPA again, approve the countywide</p> <p>18 plans, but to have the force and effect of federal law,</p> <p>19 what Association of American Railroad says is the EPA</p> <p>20 must approve state implemented plans.</p> <p>21 And so to avoid, you know, wasting resources,</p> <p>22 we are asking the appropriate board to make a</p> <p>23 determination of whether the EPA approved those</p> <p>24 statewide plans under Clean Air Act, as well as the</p> <p>25 constitutional issues that we -- that we present in our</p> <p style="text-align: right;">Page 11</p>	<p>1 Court.</p> <p>2 CHAIR SANDERS: No. I appreciate you doing</p> <p>3 that, and all that was in your brief as I recall. I</p> <p>4 don't know that this board has jurisdiction over</p> <p>5 deciding if -- if the federal law or if -- if it</p> <p>6 supersedes any county rules, which, you know, I -- that,</p> <p>7 you know, really our purview is decide whether or not</p> <p>8 there's a air quality violation and what the appropriate</p> <p>9 penalty should be, if there is one.</p> <p>10 You know, I'm -- I'm sure you'd have to move</p> <p>11 this forward to another court that would have -- and I</p> <p>12 -- I'm not an attorney, so I -- I, you know, I -- I</p> <p>13 don't know how exactly it work, but, you know, I know</p> <p>14 for us, we're only looking at whether or not there was a</p> <p>15 violation and if there was, the appropriate penalties.</p> <p>16 It's clear out of our -- at least I feel that</p> <p>17 it is, and somebody correct me if I'm wrong, but -- but</p> <p>18 it's out of our hands whether or not there's some</p> <p>19 federal law or some railroad law or something else that</p> <p>20 may apply to this in -- in our decision making.</p> <p>21 I -- I -- I can't connect the dots here with</p> <p>22 that. And -- and so, you know, I -- I -- I appreciate</p> <p>23 what you've said, and -- and it's -- may or may not be a</p> <p>24 legitimate argument moving forward. It's just not in</p> <p>25 this board's ability to decide whether the federal laws</p> <p style="text-align: right;">Page 13</p>
<p>1 briefs, namely, Fourth Amendment, unreasonable searches</p> <p>2 and seizures. A security plan required by the federal</p> <p>3 DOT or -- and/or FMCSA -- FMCSA separation of powers.</p> <p>4 And then also -- and then there's due process related</p> <p>5 issues as well, but procedural due process.</p> <p>6 And then there's unrelated issues of whether</p> <p>7 the owner of the property is -- is Tonopah and</p> <p>8 Tidewater, a railroad company. And -- and there was a</p> <p>9 question -- there was argument by the county that it is</p> <p>10 not a railroad company. But -- and so there's --</p> <p>11 there's unrelated issues of that looking at those</p> <p>12 statutes.</p> <p>13 And even if it isn't, the Surface</p> <p>14 Transportation Board, STB still regulates the railroads</p> <p>15 and trucking companies and as well as the commerce</p> <p>16 clause. And -- and then there's also the statutes --</p> <p>17 the state statute that -- that, as I had alluded to</p> <p>18 before, that talks about the -- the state requirement,</p> <p>19 reasonable available methods versus best available</p> <p>20 methods -- best available count control measures by --</p> <p>21 that's in the AQR.</p> <p>22 And so -- and so that -- we request that that</p> <p>23 be heard by a jurisdiction to determine all these issues</p> <p>24 to avoid that. Again, the resources and -- and based on</p> <p>25 the more recent rulings of the United States Supreme</p> <p style="text-align: right;">Page 12</p>	<p>1 apply or if they restrict the county agencies from doing</p> <p>2 whatever they're supposed to be doing, ach agency.</p> <p>3 I'm reluctant to let the board actually go into</p> <p>4 this situation to discuss the potential conflicts with</p> <p>5 -- with the federal laws and -- and the railroad stuff.</p> <p>6 You know, I would like to focus on the actual violations</p> <p>7 or that -- that you are written up for the notices of</p> <p>8 violations and the -- and -- and move from there. Do</p> <p>9 you have any new evidence on any -- on -- on the actual</p> <p>10 violations?</p> <p>11 MR. GUBLER: Yes. There -- there is a few</p> <p>12 questions that I -- I mean, a few, but -- that I need to</p> <p>13 ask Mr. Truman. So I think he would need to be sworn.</p> <p>14 CHAIR SANDERS: Oh, I'm sorry. What? I'm</p> <p>15 sorry, go ahead.</p> <p>16 MR. GUBLER: No. Sorry. I was -- there are a</p> <p>17 few questions that I will need to ask Mr. Truman that we</p> <p>18 want to make sure are -- are on the record.</p> <p>19 CHAIR SANDERS: All right.</p> <p>20 MR. GUBLER: And -- and so yes, he would need</p> <p>21 to be sworn.</p> <p>22 CHAIR SANDERS: Okay. Let me swear him in.</p> <p>23 Mr. Truman, raise your right hand. Please,</p> <p>24 state your name for the record.</p> <p>25 MR. TRUMAN: Mitchell Wade Truman.</p> <p style="text-align: right;">Page 14</p>



<p>1 MITCHELL TRUMAN</p> <p>2 having been first duly sworn to testify to the truth,</p> <p>3 the whole truth, and nothing but the truth, was examined</p> <p>4 and testified as follows:</p> <p>5</p> <p>6 CHAIR SANDERS: Okay. Thank you.</p> <p>7 MR. GUBLER: I think given indulgence to the</p> <p>8 board, but I think it -- there may be a little bit -- it</p> <p>9 may be a little bit of -- be choppy because of, you</p> <p>10 know, we're -- were just hitting on a few -- few</p> <p>11 different areas --</p> <p>12 CHAIR SANDERS: No. I understand.</p> <p>13 MR. GUBLER: -- but again applying what --</p> <p>14 what's testified to before, and I think we're -- we're</p> <p>15 good with submitting on -- on that.</p> <p>16 EXAMINATION</p> <p>17 BY MR. GUBLER:</p> <p>18 Q. Mr. Truman, last time there were some questions</p> <p>19 related to having a -- signing a permit. Do you recall</p> <p>20 that testimony?</p> <p>21 A. I do.</p> <p>22 Q. It was for a desk permit; is that right?</p> <p>23 A. Correct.</p> <p>24 Q. And when -- when you signed the desk permit,</p> <p>25 tell me what you did before -- before signing it?</p> <p style="text-align: right;">Page 15</p>	<p>1 go through and rectify their over zealotness on getting</p> <p>2 on private property and then defacing property that was</p> <p>3 owned by me because I was transporting it.</p> <p>4 So I was familiar with the Fourth Amendment</p> <p>5 there. And then we had an additional issue with a</p> <p>6 government agency called the Bureau of Land Management</p> <p>7 who did a similar type issue on my property. We</p> <p>8 appeared in front of a Judge Roger Hunt on that one.</p> <p>9 And again, the Fourth Amendment prevailed that I have</p> <p>10 rights as a property owner, and they had no business</p> <p>11 being there without a warrant.</p> <p>12 The next one was a government agency called the</p> <p>13 United States Air Force or Department of Defense. We</p> <p>14 had some property that we owned on Range Road, and the</p> <p>15 military came across that because it was easier for</p> <p>16 them. And again, Stan Perry was our attorney with that</p> <p>17 when we had issues with the Department of Defense, and</p> <p>18 again, Fourth Amendment prevailed. We had our -- our</p> <p>19 rights of our property that we -- if they want to come</p> <p>20 on, they need to ask so if we say no, that they need to</p> <p>21 get a -- a court order to come on property.</p> <p>22 The other one was with the City of North Las</p> <p>23 Vegas. We had some renters on our property on Donovan</p> <p>24 Way called Renew Oil, and they had some boxes that the</p> <p>25 local jurisdiction thought that they had control over.</p> <p style="text-align: right;">Page 17</p>
<p>1 A. I looked at the terms and conditions of the</p> <p>2 permit to understand what I was getting into.</p> <p>3 Q. Okay. And -- and what did you find when you --</p> <p>4 when you looked into this?</p> <p>5 A. I found that it was amenable to me of -- of</p> <p>6 their right to entry, one is they would show</p> <p>7 credentials, and then they'd asked to come on the</p> <p>8 property to fulfill their inspection requirements.</p> <p>9 Q. Okay. Anywhere before signing that -- and I</p> <p>10 guess for clarification, on behalf -- did you sign that</p> <p>11 on your -- on behalf of yourself?</p> <p>12 A. I did not.</p> <p>13 Q. Who did you sign it on behalf of?</p> <p>14 A. Either ETON or Environmental Transportation,</p> <p>15 the other one's an acronym, but one of the two.</p> <p>16 Q. Okay. And at any time, did -- did you see a</p> <p>17 waiver of any type of constitutional rights, Fourth</p> <p>18 Amendment or anything like that?</p> <p>19 A. No. I've been in several situations with the</p> <p>20 Fourth Amendment with the following agencies. One's the</p> <p>21 water district. They come in my property and inspector</p> <p>22 did on my property, and had some pipe that was in</p> <p>23 transit. So it was a care custody and control of my</p> <p>24 company, and they wrote reject on it. And then we ended</p> <p>25 up in litigation with Stan Perry, was our attorney, to</p> <p style="text-align: right;">Page 16</p>	<p>1 So we went to -- to task with the district attorney of</p> <p>2 the Pacific North Las Vegas.</p> <p>3 It was again in transit, and so it was covered</p> <p>4 by the commerce clause. And so they finally got a new</p> <p>5 DA out of Chicago, very familiar with trash laws, and</p> <p>6 they stood down on -- on that one. The next one was</p> <p>7 with a Clark County waste. Like I think the acronym</p> <p>8 that goes for them, but they're the people that charge</p> <p>9 Health Department. They were after the same company for</p> <p>10 New Oil. Jumped our fence, looked in the material and</p> <p>11 the containers on site to make sure there was no solid</p> <p>12 waste there that they had in their mind control over.</p> <p>13 Again, Stan Perry, we went down and -- and</p> <p>14 fought them that they had no right to come on my</p> <p>15 property. They breached every constitutional *line of</p> <p>16 the Fourth Amendment I had. That material was in -- in</p> <p>17 transit to California, and they had no jurisdictional</p> <p>18 claim on that material.</p> <p>19 The last one we had was with a federal agency</p> <p>20 called the FRA, Federal Railroad Administration, that</p> <p>21 had an overzealous Inspector of Salt Lake. Lunchtime,</p> <p>22 he went out on property. The code's quite clear on the</p> <p>23 federal side of -- that we have a window to respond to</p> <p>24 their needs.</p> <p>25 One of our people was high glycemic and needed</p> <p style="text-align: right;">Page 18</p>



<p>1 to eat lunch, and he storms on with his gun and his</p> <p>2 badge and jumps on the property. That went all the way</p> <p>3 up to Roseville, California Regional and then ended up</p> <p>4 in Washington DC with ombudsman of the Federal Railroad</p> <p>5 Administration.</p> <p>6 We eventually got him cease and -- not a cease</p> <p>7 and desist order. We went to the North Las Vegas court</p> <p>8 and had a injunction put out against, they can't come on</p> <p>9 the property. So those are my historical issues with</p> <p>10 different government agencies with the Fourth Amendment.</p> <p>11 So I was well versed in that when I signed the document</p> <p>12 with the Clark County AQ about presenting credentials</p> <p>13 and asking to get on property.</p> <p>14 Q. Okay. I appreciate that. Last, just kind of</p> <p>15 skipping gears on a different topic, but last time the</p> <p>16 hearing officer had said at the end that she waited for</p> <p>17 a very long time to hear when roto mill was put down on</p> <p>18 the property located at 2596 Stratford Avenue, Las</p> <p>19 Vegas, Nevada. Do you recall that?</p> <p>20 A. I do.</p> <p>21 Q. And you -- you testified at the time that you</p> <p>22 did not recall the exact time when that had occurred.</p> <p>23 Did you -- did you look that up?</p> <p>24 A. I did. August 2nd is when we started pulling</p> <p>25 roto mill out of Las Vegas (indiscernible) *North Fifth</p> <p style="text-align: right;">Page 19</p>	<p>1 Smith said the best thing to do was to use the chats.</p> <p>2 We brought chat in first. There was a little bit of</p> <p>3 dusting, and then we went through and looked at paving</p> <p>4 options, and then we settled on rotor milling basically</p> <p>5 stabilizing the underlying soil to go through and get</p> <p>6 compaction. Took some time.</p> <p>7 Q. And -- and -- and that was after consulting</p> <p>8 with some of these people, correct? That we -- we have</p> <p>9 their declarations attached as Exhibits?</p> <p>10 A. Correct. Dave McDonough of -- of -- was pretty</p> <p>11 important to go through and do a soil sample, find out</p> <p>12 how to get the compaction on the underlayment to help us</p> <p>13 get there.</p> <p>14 Q. Other people were Paul Harbor, Joe Miller,</p> <p>15 Floyd Meldrum, Michael Montana; is that right?</p> <p>16 A. Correct.</p> <p>17 Q. And then you also mentioned Jay Smith with Las</p> <p>18 Vegas Bay?</p> <p>19 A. Yeah. He would not sign a testimony. He's --</p> <p>20 he would sign up personally or corporate. They're quite</p> <p>21 concerned of -- of pushback from the AQM people. But</p> <p>22 the verbal conversations was with Jay, but again, he</p> <p>23 would not sign a declaration.</p> <p>24 Q. Okay. Okay. The -- we -- we had -- we had</p> <p>25 presented some different yards throughout Clark County.</p> <p style="text-align: right;">Page 21</p>
<p>1 Plant and placing it.</p> <p>2 Q. And you -- and you placed roto mill because,</p> <p>3 why?</p> <p>4 A. Talking to Floyd Meldrum, Jay Smith, Bill and</p> <p>5 Ladder over BT Construction, Dave McDonough, I'm trying</p> <p>6 to think. Joe Miller, he used to be with Freiner, the</p> <p>7 name's Construction here. I think two other people.</p> <p>8 Paul Harbor. And those people, what -- what they used</p> <p>9 in their yards where they have tracked equipment and</p> <p>10 they all said that roto mill was the thing to go through</p> <p>11 and be in compliance. So that's what we did with what</p> <p>12 the industry has found to be practical and cost</p> <p>13 effective.</p> <p>14 CHAIR SANDERS: I don't think there's any</p> <p>15 argument on whether or not roto mill is appropriate. I</p> <p>16 think it was just a matter of when it got put down in</p> <p>17 relation to the citations.</p> <p>18 BY MR. GUBLER:</p> <p>19 Q. So August 2nd there -- there was a, I believe</p> <p>20 the first person that showed up at the property. When I</p> <p>21 say the property, I'm just going to refer to it as the</p> <p>22 property, the Stratford Avenue property. It was around</p> <p>23 January 8th, and then you said that you started pulling</p> <p>24 roto mill on August 2nd. Why did it take you so long?</p> <p>25 A. We had to go through stabilizing the soil. Jay</p> <p style="text-align: right;">Page 20</p>	<p>1 Some were argued that it wasn't in the air shed, I</p> <p>2 believe was -- was the statement in the Las Vegas area.</p> <p>3 Do you recall that -- those questions?</p> <p>4 A. I do.</p> <p>5 Q. Okay. Now, have you -- have you dealt with a</p> <p>6 -- a Formula 1 property?</p> <p>7 A. We are the transportation provider for a</p> <p>8 company called, All 5 division of PENTA. And they had</p> <p>9 all the material brought in from Florida by us and</p> <p>10 others to a staging yard across from the executive</p> <p>11 airport on Tropicana. Property is owned by the Clark</p> <p>12 County, or -- excuse me, by UNLV. So we brought</p> <p>13 material in and then we actually did the setup along the</p> <p>14 raceway. Nice piece of property, but it has the same</p> <p>15 dust palliative that we have roto mill.</p> <p>16 Q. And do you know what they do on that property?</p> <p>17 A. They -- it's terminal. They -- they bring</p> <p>18 material in, put it on the ground, put it back on</p> <p>19 trucks, deliver it. They do the same scope of work as</p> <p>20 we do. Transportation.</p> <p>21 Q. Okay. And that's -- that's interstate; is that</p> <p>22 right?</p> <p>23 A. Material comes out of Florida for the -- for</p> <p>24 the -- the -- the race, and then it goes back to the</p> <p>25 Florida for the next Grand Prix.</p> <p style="text-align: right;">Page 22</p>



In Re: Violation #10078 Issued to Eton Transportation Corp., et al.
Transcription - April 8, 2025

1 Q. So did you bring some pictures of her?
2 **A. I did.**
3 MR. GUBLER: I -- I -- I realize this is --
4 there -- there's a couple different items where we would
5 request to -- just so that the board has an
6 understanding. And we'd like to submit them into the
7 record just following the exhibits that we have. Yeah.
8 We -- we would ask that they be -- admitted as an
9 exhibit. It's not in our record.
10 CHAIR SANDERS: That's fine.
11 MR. GUBLER: I would like to ask --
12 CHAIR SANDERS: Is it -- is it relevant, I
13 think we've already agreed that roto mills' acceptable
14 -- dust pallet. Is this still on that argument?
15 MR. GUBLER: It -- it's -- it is on the -- it's
16 in part, but it's on the argument of equal protection
17 under the United States Constitution. May approach.
18 CHAIR SANDERS: Does opposing counsel have any
19 -- any issues with this exhibit?
20 MR. ALLEN: Yeah. I'll just like to -- I'll
21 just like to review them.
22 BY MR. ALLEN:
23 Q. Thank you. Do you know what date these were
24 taken?
25 **A. Pardon?**

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1 Q. Do you know what date these photos were taken?
2 **A. Yesterday, sir.**
3 Q. Yesterday?
4 **A. Uh-huh.**
5 Q. Do you know what -- is this the location of the
6 NOV's or is this a different location?
7 **A. No. This is different location. I -- it's --**
8 Q. Oh, this is for the F1?
9 **A. Yeah.**
10 MR. ALLEN: Okay. Thank you. Yeah. I have no
11 objection to them being submitted.
12 CHAIR SANDERS: Okay. Go ahead and bring them.
13 MS. LAHAV: Did she give 15 copies first.
14 MR. GUBLER: I apologize. I don't have 15
15 copies.
16 MS. LAHAV: Do you have one set copy from the
17 copies we have?
18 MR. GUBLER: Sure, of course.
19 CHAIR SANDERS: Every of your copies?
20 MR. GUBLER: There's -- there's two over there.
21 There's one here and one over here.
22 CHAIR SANDERS: She'll need some. I'll give
23 her the copy for the record. Do you have some that are
24 in color?
25 MR. GUBLER: I think just that --

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1 CHAIR SANDERS: Just one I ran out of color
2 ink. I'm sorry.
3 MR. GUBLER: This one.
4 CHAIR SANDERS: Uh-huh. We're going to need to
5 get copies of these. Is there --
6 MS. LAHAV: Yeah. And all the digital copies
7 sent to me as well.
8 THE WITNESS: So we've been in that yard since
9 2023.
10 CHAIR SANDERS: Pardon me.
11 THE WITNESS: So we've been in that yard since
12 2023 working for the F1.
13 CHAIR SANDERS: Oh.
14 THE WITNESS: So we started October of 2023.
15 Before that, a company called Freeman Transportation had
16 that yard for staging trailers for the CONEXPO and
17 rolled the concrete.
18 CHAIR SANDERS: I noticed PENTA is the one that
19 pulled the dust permit on the -- on the property?
20 THE WITNESS: They did.
21 CHAIR SANDERS: So were they using it too? Was
22 PENTA using it as well?
23 THE WITNESS: Pardon.
24 CHAIR SANDERS: Was PENTA using it as well, the
25 yard?

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1 THE WITNESS: PENTA is the parent company for
2 all five, so yes.
3 CHAIR SANDERS: Okay.
4 THE WITNESS: So there was a service provider
5 for the F1 Corporation. And we were a subcontractor for
6 All 5. All 5 is a subsidiary of PENTA.
7 CHAIR SANDERS: Okay.
8 THE WITNESS: And then the owner is again, the
9 university system of UNLV.
10 CHAIR SANDERS: Okay. Do you have questions,
11 Mr. Gubler.
12 BY MR. GUBLER:
13 Q. Yes. So just tell -- tell us what you observed
14 when you went to the property yesterday?
15 **A. Gates were open. Nevada high or Nevada Power**
16 **pickup was to the west -- east -- excuse me. When it**
17 **came in, there was no water truck. The road was not**
18 **paved. It was type two or excuse me, roto mill. Just**
19 **like in the yard here, they were questioned. There was**
20 **a paved part over further that was not being used by**
21 **PENTA.**
22 Q. All right. Some of this -- we're -- we're
23 again waiting for some exhibits. I -- I gave them to
24 the --
25 MS. LAHAV: KIM. What we call --

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<p>1 BY MR. GUBLER:</p> <p>2 Q. KIM. But, let's -- let's switch gears a little</p> <p>3 bit, I -- I think, while we're waiting on this. But the</p> <p>4 -- there was questions about whether Tonopah and</p> <p>5 Tidewater was a railroad company, and you had brought a</p> <p>6 bill of lading; is that right.</p> <p>7 A. Yes. It's part of our offering. We work for a</p> <p>8 company called Union Pacific Railroad. We brought those</p> <p>9 issues where we provided services as a railroad to</p> <p>10 railroad to move rails from Meadow Valley Wash to -- to</p> <p>11 SA Recycling as a offering of what we do of rail</p> <p>12 services.</p> <p>13 Q. And -- and so why is that any different? Why</p> <p>14 --why does that even matter? I mean, just because they</p> <p>15 haul rails, does that make them a railroad company?</p> <p>16 A. Ask that question a different way so I can</p> <p>17 comprehend.</p> <p>18 Q. So -- so why -- why did -- why was it important</p> <p>19 that Tonopah and Tidewater haul these rails?</p> <p>20 A. Oh, because we had to load ourselves. I mean,</p> <p>21 that was what -- what we had to do as -- as Tonopah and</p> <p>22 Tidewater. We went out and loaded the -- the material</p> <p>23 off the right-of-way. And to get on the right-of-way,</p> <p>24 you have to be certified under the Federal Railroad</p> <p>25 Administration, with our safety protocols. So Joe Blow</p> <p style="text-align: right;">Page 27</p>	<p>1 MR. GUBLER: For the -- for the Formula 1</p> <p>2 property, yes. And so we would ask -- so a couple</p> <p>3 things. So just keep the transcript clear. We'd ask</p> <p>4 that these photographs submitted for Formula 1, that</p> <p>5 just be marked as Exhibit 32.</p> <p>6 CHAIR SANDERS: All right.</p> <p>7 (Exhibit 32 marked for identification.)</p> <p>8 MR. GUBLER: Okay. And then as far as the --</p> <p>9 this -- the bills of lading, that he had just mentioned,</p> <p>10 we'd ask that -- that the board allow those as Exhibit</p> <p>11 33.</p> <p>12 CHAIR SANDERS: Go ahead.</p> <p>13 MR. ALLEN: Just a second to review on, if</p> <p>14 that's okay.</p> <p>15 CHAIR SANDERS: Sure. I guess while he's</p> <p>16 reviewing that, I do -- I do have a -- a question. So</p> <p>17 you transfer stuff from the yard out of I15, the</p> <p>18 railroad spur there, to other areas. All those trucks</p> <p>19 that were parked in the yard, do you -- do you haul</p> <p>20 anything else independently from railroad stuff?</p> <p>21 THE WITNESS: Oh, no. We -- we're -- we're a</p> <p>22 common carrier. So the -- the railroad doesn't, but</p> <p>23 ETON does. So we need to -- I guess we need to separate</p> <p>24 the two of them. Is -- ETON is for hire across the</p> <p>25 state lines with an MCC number and the Tonopah and</p> <p style="text-align: right;">Page 29</p>
<p>1 off the street can't go on an FRA site without the</p> <p>2 appropriate Federal Railroad Administration training.</p> <p>3 One of you guys is -- is -- blows stuff up.</p> <p>4 And so when you go to a MSHA facility that the guy who</p> <p>5 shows up has to have an MSHA card. I mean, that's just</p> <p>6 how the industry is. And so when you go -- other</p> <p>7 agencies that are regulated by the Department of</p> <p>8 Transportation, they want industry-specific training to</p> <p>9 get on the site. And our drivers have that particular</p> <p>10 training.</p> <p>11 Q. Okay. And -- and -- and so that -- that's just</p> <p>12 in addition to everything else that was presented</p> <p>13 before, that -- that Tonopah and Tidewater has rails,</p> <p>14 that it maintains rails and that --</p> <p>15 A. Our employees have the training to go ahead and</p> <p>16 work around rails, yes.</p> <p>17 Q. And currently Tonopah and Tidewater has a -- a</p> <p>18 license to access rails; is that right?</p> <p>19 A. Correct.</p> <p>20 MR. GUBLER: (Indiscernible.)</p> <p>21 MS. LAHAV: We do have black and white photos</p> <p>22 that you just distributed.</p> <p>23 MR. GUBLER: I'm sorry.</p> <p>24 MS. LAHAV: We do have the black and white</p> <p>25 photos up that you just distributed.</p> <p style="text-align: right;">Page 28</p>	<p>1 Tidewater works for itself.</p> <p>2 CHAIR SANDERS: So --</p> <p>3 THE WITNESS: It's not for hire.</p> <p>4 CHAIR SANDERS: The yard that's in question</p> <p>5 now, the -- where you were parking a bunch of trucks,</p> <p>6 not all those trucks were just exclusively for the</p> <p>7 railroad, correct?</p> <p>8 THE WITNESS: The other parts of them, the --</p> <p>9 the ETON trucks, Environmental Transportation Nevada,</p> <p>10 they're engaged in interstate commerce.</p> <p>11 CHAIR SANDERS: Okay.</p> <p>12 MR. ALLEN: No objections.</p> <p>13 CHAIR SANDERS: Okay. Go ahead. And do we</p> <p>14 need to make copies of this too.</p> <p>15 (Exhibit 33 marked for identification.)</p> <p>16 MR. GUBLER: I gave them to him before to -- to</p> <p>17 make copies just --</p> <p>18 CHAIR SANDERS: Why don't you just put it up on</p> <p>19 the big screen for us if they want to ask questions</p> <p>20 about it.</p> <p>21 MS. LAHAV: Yeah. I haven't received them yet.</p> <p>22 This is everything that she received copies of, was the</p> <p>23 photos.</p> <p>24 CHAIR SANDERS: Oh, that's a different one.</p> <p>25 MR. GUBLER: That's different there. How many</p> <p style="text-align: right;">Page 30</p>



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<p>1 are -- can you go to the next tab. Possible? What's</p> <p>2 that one?</p> <p>3 MS. LAHAV: This is the -- the color photo.</p> <p>4 CHAIR SANDERS: So that's the entrance into the</p> <p>5 site right off the Tropicana.</p> <p>6 THE WITNESS: That is a air quality control guy</p> <p>7 in a walkway. I think it's the -- I can't think if it's</p> <p>8 Flamingo pathway, not supposed to be there. It's a</p> <p>9 misdemeanor taking pictures of our facility.</p> <p>10 BY MR. GUBLER:</p> <p>11 Q. I -- I -- I do want -- I'm not there yet?</p> <p>12 A. Oh.</p> <p>13 MR. GUBLER: Sorry. I do Want to get there,</p> <p>14 but I -- I want to make sure that we -- we found this</p> <p>15 one. I did hand that to her. And maybe it's -- how</p> <p>16 many pages do you have on that one?</p> <p>17 MS. LAHAV: There's --</p> <p>18 MR. GUBLER: On the next tab.</p> <p>19 MS. LAHAV: There's four.</p> <p>20 MR. GUBLER: There's just four?</p> <p>21 MS. LAHAV: Yeah. She's still upstairs copying</p> <p>22 everything, so...</p> <p>23 MR. GUBLER: Okay.</p> <p>24 CHAIR SANDERS: So those are the -- the four?</p> <p>25 MS. LAHAV: Yeah. And then the color one.</p> <p style="text-align: right;">Page 31</p>	<p>1 would go through and check in as the signs presented on</p> <p>2 the property shows notice all visitors request</p> <p>3 *registered office. The testimony we heard before is</p> <p>4 that they will abide by that, and that's on the front of</p> <p>5 facilities. This U sign may be hard to see for him.</p> <p>6 What it mean is that there's no trespassing. So he's</p> <p>7 been in the hearing before, back in January when we met,</p> <p>8 saw the same signs, agreed that their protocol is to</p> <p>9 share their credentials and ask to come on site.</p> <p>10 Q. When -- when was this picture taken?</p> <p>11 A. I apologize. I don't know that.</p> <p>12 Q. Do you have something that --</p> <p>13 A. I have a -- a text from one of our employees</p> <p>14 letting us know, March 19th, approximately 2:34. This</p> <p>15 is taken from our video footage on site. So he drives</p> <p>16 in, backs up, takes a picture.</p> <p>17 Q. And -- and did he request entrance?</p> <p>18 A. No. When you look at the video feed, he's --</p> <p>19 he's been lurking around that for almost two hours. And</p> <p>20 then somebody leaves, comes down, jumps in and jumps out</p> <p>21 again.</p> <p>22 Q. And -- and I -- just so that I make sure -- do</p> <p>23 we have a pointer here? Can you show us where in the</p> <p>24 picture that you're talking about with the -- with the</p> <p>25 truck and where the entrance is?</p> <p style="text-align: right;">Page 33</p>
<p>1 MR. GUBLER: And that's just one, the colored</p> <p>2 one; is that right?</p> <p>3 MS. LAHAV: Yes.</p> <p>4 MR. GUBLER: Okay. We'll, I guess, wait for --</p> <p>5 for that to come back then. So since we have this --</p> <p>6 this other one, could you click on the other tab. And</p> <p>7 there's just the one picture; is that right?</p> <p>8 MS. LAHAV: Yes.</p> <p>9 MR. GUBLER: Should be another one.</p> <p>10 MS. LAHAV: You said you only had one colored</p> <p>11 photo?</p> <p>12 MR. GUBLER: Oh, it's 17 on there.</p> <p>13 MS. LAHAV: It's our numbering for when it</p> <p>14 comes to the scanner.</p> <p>15 MR. GUBLER: Where it says one of 17. Are you</p> <p>16 able to put down (indiscernible)?</p> <p>17 MS. LAHAV: Oh, I'm sorry.</p> <p>18 THE WITNESS: There we go. Can you rotate</p> <p>19 that?</p> <p>20 MS. LAHAV: Yes. Just one moment.</p> <p>21 BY MR. GUBLER:</p> <p>22 Q. What is this?</p> <p>23 A. So that is inside the property in question, the</p> <p>24 Tonopah and Tidewater *owns. That is a county employee</p> <p>25 who has stipulated in his testimony someplace that he</p> <p style="text-align: right;">Page 32</p>	<p>1 A. Is there a special way to -- so this is his</p> <p>2 pickup. Our property line is right there on the other</p> <p>3 side of Stratford, it's where our property line begins.</p> <p>4 So he's clearly inside my property. Again, after</p> <p>5 multiple times of meeting with him, agreeing in settings</p> <p>6 such as this, that they comply with their own</p> <p>7 regulations of presenting credentials, asking to get on</p> <p>8 property.</p> <p>9 Q. Okay. Can we go to the -- the picture just</p> <p>10 before, one of 17?</p> <p>11 A. So this is our property line here. This is --</p> <p>12 I think it's Flamingo Trails. It's owned by the -- the</p> <p>13 county. Looking under state statutes, this is a</p> <p>14 misdemeanor. The only people that can be here are law</p> <p>15 enforcement and duly appointed safety -- excuse me,</p> <p>16 security guards that have appropriate training. There</p> <p>17 is people who live up inside down here, and across the</p> <p>18 freeway, there's probably a count of 10 people who live</p> <p>19 against this that he had to -- to pass.</p> <p>20 Q. And when was this picture taken?</p> <p>21 A. We're informed by one of our employees on March</p> <p>22 27th. Texted me at 2:01. Video feed shows about 1:50.</p> <p>23 Q. And -- and did you actually speak with this ---</p> <p>24 this person?</p> <p>25 A. No. When he saw Bill see him, he quickly</p> <p style="text-align: right;">Page 34</p>



<p>1 departed the facility.</p> <p>2 Q. Okay. Let's see. Could we look at page 3?</p> <p>3 Okay. So these are -- these are the --</p> <p>4 MS. LAHAV: Yeah. I just realized.</p> <p>5 MR. GUBLER: Yeah. Sorry. So I think 3</p> <p>6 through 17, if you could just quickly run. Yeah. These</p> <p>7 are all (indiscernible).</p> <p>8 BY MR. GUBLER:</p> <p>9 Q. Are all these the bills of lading 3 through 17?</p> <p>10 A. Correct.</p> <p>11 Q. Okay. So these bills of lading, who -- who</p> <p>12 were these for?</p> <p>13 A. The non-union part of union for Pacific</p> <p>14 Railroad would be Omaha Track. And then they contracted</p> <p>15 us to go through and get on the right-of-way and load</p> <p>16 rail at the rail gang. Had replaced there in the Meadow</p> <p>17 Valley Wash outside of Elgin up towards Caliente. And</p> <p>18 then we took it for shredding at SA Recycling. Then it</p> <p>19 got sent up to a -- a steel mill in Mesa, Arizona.</p> <p>20 Q. So the --</p> <p>21 CHAIR SANDERS: Which company is this under?</p> <p>22 THE WITNESS: Pardon?</p> <p>23 CHAIR SANDERS: Which company is this under of</p> <p>24 yours? Is this ETON or is this --</p> <p>25 THE WITNESS: We have a sister company called</p> <p style="text-align: right;">Page 35</p>	<p>1 MR. GUBLER: So the -- the F1 site -- so those</p> <p>2 --</p> <p>3 CHAIR SANDERS: I'm just trying to tie together</p> <p>4 what the heck the tie is there.</p> <p>5 MR. GUBLER: I appreciate that. Thank you.</p> <p>6 The Formula 1 site was for purposes to be included with</p> <p>7 exhibit -- really Exhibit 15, although it's, you know,</p> <p>8 it's -- it's coming here after. So -- of course we gave</p> <p>9 a different number. But that -- there -- there are</p> <p>10 areas in Clark County that -- that have the roto mill</p> <p>11 that before it was required by my client at the</p> <p>12 beginning in January to have the pavement on the</p> <p>13 property. Alternatively to have water 24/7. And -- and</p> <p>14 so with some of the photographs on Exhibit 15, we are</p> <p>15 submitting that my client is not treated equally or</p> <p>16 fairly with others in the same -- similar position.</p> <p>17 CHAIR SANDERS: That's your -- your clip?</p> <p>18 Yeah.</p> <p>19 MR. GUBLER: That's equal protection argument,</p> <p>20 yes. Okay. As --</p> <p>21 CHAIR SANDERS: Well, so while we're talking</p> <p>22 about this penalties, I mean, they had the roto mill</p> <p>23 down before they allowed anyone to put stuff in there,</p> <p>24 correct?</p> <p>25 MR. GUBLER: On which property are we talking</p> <p style="text-align: right;">Page 37</p>
<p>1 Expedite Las Vegas. Same common ownership.</p> <p>2 BY MR. GUBLER:</p> <p>3 Q. And Tonopah and Tidewater, how are they related</p> <p>4 to this?</p> <p>5 A. We -- they brought the labor in, so we took</p> <p>6 equipment up there. Tonopah and Tidewater brought the</p> <p>7 equipment up to actually work on the right-of-way. And</p> <p>8 then this company hauled it from where we loaded it on</p> <p>9 ourselves to sister companies, and then moved it for</p> <p>10 disposal.</p> <p>11 MR. GUBLER: So -- so -- so that we have a</p> <p>12 clear record, I guess what I'm asking is the -- the four</p> <p>13 pages related to the Formula 1 property that's -- it</p> <p>14 would be Exhibit 32. The -- the documents that are</p> <p>15 these bills of lading which would be, I think, pages 3</p> <p>16 to 17 on the screen here. That would be Exhibit 33.</p> <p>17 And then the -- the -- the photographs -- the two-page</p> <p>18 photographs, that would be -- we're asking to be 34.</p> <p>19 MS. LAHAV: Okay.</p> <p>20 CHAIR SANDERS: Any objections?</p> <p>21 MR. ALLEN: No objection.</p> <p>22 CHAIR SANDERS: Okay. What was your point in</p> <p>23 showing us the photographs from Tropicana? The F1 site,</p> <p>24 PENTA site?</p> <p>25 (Exhibit 34 marked for identification.)</p> <p style="text-align: right;">Page 36</p>	<p>1 about?</p> <p>2 CHAIR SANDERS: On the -- the one you just put</p> <p>3 in there. The one on Tropicana for the F1.</p> <p>4 MR. GUBLER: Do you know that?</p> <p>5 THE WITNESS: I do not know.</p> <p>6 CHAIR SANDERS: Well, it was there when you</p> <p>7 showed up, right?</p> <p>8 THE WITNESS: It was. I don't know --</p> <p>9 CHAIR SANDERS: Yeah.</p> <p>10 THE WITNESS: -- if it was there before.</p> <p>11 CHAIR SANDERS: Okay. Well, I --</p> <p>12 MS. LAHAV: Did you -- did you -- did you</p> <p>13 witness any emissions? Did you witness any emissions?</p> <p>14 THE WITNESS: Did I do what?</p> <p>15 MS. LAHAV: Any emissions? Did you see dust?</p> <p>16 THE WITNESS: Yeah. I mean, when you move -- I</p> <p>17 mean, there's -- it wasn't a huge plume. I -- I</p> <p>18 (indiscernible) so not -- I don't have a -- I don't have</p> <p>19 a meter to qualify that. So I -- I take that back. I</p> <p>20 -- I -- I was driving a car, didn't look.</p> <p>21 CHAIR SANDERS: Well, like I said earlier, I --</p> <p>22 I don't think the argument here is whether or not the</p> <p>23 roto mill is acceptable. I hope it's acceptable because</p> <p>24 -- well, I use the same thing. Everybody that I know</p> <p>25 does and has tracked equipment. And it -- and it is a</p> <p style="text-align: right;">Page 38</p>



<p>1 -- a good palliative and -- and it, you know, and you</p> <p>2 can smooth it back out if your tracks mess it up at all</p> <p>3 moving around.</p> <p>4 MR. GUBLER: It works.</p> <p>5 CHAIR SANDERS: And -- and it -- it -- it does.</p> <p>6 It -- it -- it does what it's supposed to. So I don't</p> <p>7 think that's the argument. So I'm not sure --</p> <p>8 MR. GUBLER: So -- so again --</p> <p>9 CHAIR SANDERS: -- the relevance here of --</p> <p>10 MR. GUBLER: So the -- the reason why we've --</p> <p>11 we've presented this is again, it was -- it was required</p> <p>12 that there was pavement the whole time. Now -- now</p> <p>13 there's -- you have to --</p> <p>14 CHAIR SANDERS: Well, I -- I saw the -- I saw</p> <p>15 the email that said, you know, and I saw the -- the</p> <p>16 application and -- and where he agreed that he was going</p> <p>17 to pave portions of it. And was even asking an email</p> <p>18 and he said it was going to be three inch overlay. You</p> <p>19 know, I -- I did see that. So he agreed at one time</p> <p>20 that he was going to pave a portion of it. And, you</p> <p>21 know, I think it would've just been a matter of -- of --</p> <p>22 of -- of talking to him with the -- with -- with the air</p> <p>23 quality representatives and say, Hey, look, I'm just</p> <p>24 going to put some roto mill down. I don't think that</p> <p>25 had been an issue.</p> <p style="text-align: right;">Page 39</p>	<p>1 work, I deal with a lot of regulatory agencies. I push</p> <p>2 you back. And so it's -- it -- it became -- we're here</p> <p>3 because of belly bump between me and them. I'll -- I'll</p> <p>4 -- I'll -- I have no problem telling you guys that the</p> <p>5 belly bump had started. It's still ongoing as you see</p> <p>6 the people flagrantly violating my -- my property and my</p> <p>7 rights. I mean -- I have civil rights.</p> <p>8 CHAIR SANDERS: Well --</p> <p>9 THE WITNESS: You should respect that.</p> <p>10 CHAIR SANDERS: No. No, we all do. But I -- I</p> <p>11 -- I guess I'm getting back to what I said initially,</p> <p>12 you know. I appreciate presenting all this stuff, I</p> <p>13 really do. And -- and -- and your -- and your comments.</p> <p>14 Nevertheless, we're going to deal with the actual</p> <p>15 violations whether or not they actually occurred. And</p> <p>16 -- and I would like to try to focus on that unless</p> <p>17 there's stuff that you're putting into the record so</p> <p>18 that you'll have it in your next phase, whenever that is</p> <p>19 or whatever it is.</p> <p>20 MR. GUBLER: Sure understood. Part of the --</p> <p>21 part of the process what we're -- that is part of it,</p> <p>22 yes. To make sure it's in the record, because it --</p> <p>23 it's not allowed if it's not here. And so we do have to</p> <p>24 present it here. But, I mean, what -- what we're trying</p> <p>25 to explain to the board is -- is look, our -- my client</p> <p style="text-align: right;">Page 41</p>
<p>1 BY MR. GUBLER:</p> <p>2 Q. Did you talk with them about putting roto mill</p> <p>3 down?</p> <p>4 A. They were so -- so nasty to deal with. That</p> <p>5 was -- I -- I got to deal with the water -- state water</p> <p>6 people first *sip. Completely different people. How</p> <p>7 can I help you? And these guys were vigilantes, in my</p> <p>8 opinion, of -- of going unchecked. It was not a nice</p> <p>9 experience compared to the other governmental agencies I</p> <p>10 deal with. And I can see why Jay's -- Jay's afraid of</p> <p>11 these people.</p> <p>12 They're like vigilantes. And if they would've</p> <p>13 been nice in their presentation, I guess I would've not</p> <p>14 pushed back as hard. But it was -- it was unpleasant.</p> <p>15 Well, you know, I, you know, I wasn't there. I don't</p> <p>16 know. I've -- obviously, in my line of business, I deal</p> <p>17 with a lot of government agencies as well, from</p> <p>18 regulatory agencies here in the county as well as</p> <p>19 federal agencies. And, you know, I'm not making</p> <p>20 excuses. You know. I -- I go into any one of those</p> <p>21 meetings or any one of those inspections trying to be as</p> <p>22 cooperative as I can. But --</p> <p>23 CHAIR SANDERS: Guilty?</p> <p>24 THE WITNESS: Well, you know, it -- it, you</p> <p>25 know what I mean? I -- I deal -- in -- in my line of</p> <p style="text-align: right;">Page 40</p>	<p>1 doesn't have a -- have a problem with -- is not trying</p> <p>2 to be environmentally irresponsible. Okay. My client</p> <p>3 does -- I -- I mean, clearly they put down six inches of</p> <p>4 **Chad and six inches of the roto mill because that's</p> <p>5 what -- what was recommended.</p> <p>6 And then -- but then there is a process. Yes.</p> <p>7 We have to -- we have to -- and this is what we want to</p> <p>8 convey to the board is there is a process, yes. Okay.</p> <p>9 We'll put -- we'll put down the -- the asphalt, but then</p> <p>10 you start thinking about it, well -- well, look, I -- I</p> <p>11 have this -- this track equipment that I've got on this</p> <p>12 property, and that's going to rip it up the first time</p> <p>13 that I -- that I load this. This is only what, about</p> <p>14 four -- four acres. Approximately four acres where --</p> <p>15 CHAIR SANDERS: No. I know all about it.</p> <p>16 You're preaching to the choir here on that stuff. On</p> <p>17 the -- the roto mill versus --</p> <p>18 MR. GUBLER: And so my client was fined, you</p> <p>19 know, from -- from the get go. And in January and --</p> <p>20 and then I -- I believe in February. And then it -- it</p> <p>21 comes -- it resurfaces again in July. And, you know,</p> <p>22 there -- I guess there's -- there's still some testimony</p> <p>23 about -- about my client feeling coerced even let them</p> <p>24 in when he -- when he did let them in, but regardless, I</p> <p>25 guess what we're trying to convey is there -- there is</p> <p style="text-align: right;">Page 42</p>



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1 still a process where, okay, I've got the track and then
2 I -- I -- there should be a reasonable amount of time at
3 least to -- to figure that out and then to order that
4 and get that in instead of saying, no, if you're done,
5 you're fine. You -- and that's what we're trying to --
6 CHAIR SANDERS: Well, we were looking at
7 basically nine -- eight or nine months that --
8 MR. GUBLER: Yes. Yes.
9 CHAIR SANDERS: Are -- are you guys disagreeing
10 that there wasn't a violation?
11 MR. GUBLER: So there isn't if you look at the
12 rule with presentment. I don't -- I don't think there
13 is a violation because if you don't present correctly,
14 then you can't find them and violate them. That's --
15 that's the whole point under, is it 94.5? With -- it --
16 it's B1. The one -- the very violation that under both
17 9994 and 10078, where you're -- you're fining them, my
18 clients, because -- because they, you know, they -- they
19 violated -- I mean, the hefty ones are -- are for not
20 allowing them in the property, right.
21 But each time -- what's in that D subsection
22 B1, it says -- it says, if -- It's -- the -- the -- the
23 control officer may enter and inspect any property. You
24 know, that's D. But then it says, "No person shall
25 refuse access if the control officer requests entry." So

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1 in the -- in the record, in January and February, they
2 did not request entry that's -- that's in the record
3 they just -- they just drove in. So -- no shall refuse
4 access if the control officer requests entry for
5 inspection and presents appropriate credentials.
6 And so what -- I -- I mean, if we -- if we look
7 at the, you know, this is the federal EPA, if we, you
8 know, what's Exhibit 8, what -- what is appropriate
9 credentials. Well, that -- that's what my clients used
10 to, that's what he testified to last time at the -- in
11 front of the hearing officer. And there's certain
12 things -- there's even a certificate that says, this
13 person can inspect and -- and then there's a number and
14 everything. And that -- and that's just not on the
15 cards. And so do they get to that point of a -- of a
16 violation? The answer is no, you don't, because you
17 don't -- you have to meet the -- the Fourth Amendment
18 requirements. That's -- that's in the -- in the AQR.
19 CHAIR SANDERS: Well, I know. I appreciate
20 what you're saying. I -- I can tell you've probably
21 never had an (indiscernible) inspection, but it sounds
22 like you admit that there is a violation, you just don't
23 want the inspector to come on -- on property to see it.
24 MR. GUBLER: Well, I'm not admitting that,
25 because again, you have to come to the D1 requirement

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1 first. Will my client let them on the property? Yeah.
2 You -- you do exactly what -- what he expected to do,
3 what's in the rule, and -- and just follow the rule.
4 And then -- and then does it -- would it turn into a --
5 a -- a violation? I don't know. I'm not the one to
6 make that determination.
7 What else didn't they do? Well, they didn't go
8 on there and they didn't do the ball test. None of them
9 -- they -- they all said they didn't do the ball test.
10 And so that's the -- that's the method to do the -- the
11 inspection. They just drove on there. Okay. So the
12 requirement is the ball test.
13 CHAIR SANDERS: Well, it's -- it's optional
14 actually. But nevertheless -- okay. What else do you
15 have to present.
16 BY MR. GUBLER:
17 Q. So why did you let -- in around July 31st, I
18 believe and maybe one other time, maybe two other times,
19 you let them in. The last time, late August, you're not
20 being fined for, but you let employees in; is that
21 right?
22 **A. So do you want the -- the whole chronological**
23 **or just --**
24 **CHAIR SANDERS: Well, not -- unless it's**
25 **changed from what we --**

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1 MR. GUBLER: No.
2 CHAIR SANDERS: -- read in your -- in the
3 original documentation.
4 THE WITNESS: Not changed. They -- they came
5 on -- we willingly let them come on three times. Two
6 times I felt coercion. Sat down with a -- a former
7 court judge to see if -- if I was reading the
8 regulations correctly. And in his -- now his civilian
9 life, he said, you are, that they need to provide
10 credentials. And then the -- the -- the third one, they
11 provided credentials in a normal procedural, I'm so and
12 so. I'm here to inspect this, here's my credentials and
13 then we let them -- I think there's two of them we let
14 on.
15 MR. GUBLER: And then as far as any other
16 evidence, we don't have anything else to present.
17 CHAIR SANDERS: Mr. Allen, do you want to have
18 any questions for the appellant?
19 MR. ALLEN: Yeah. I have a few questions if
20 that's okay, Mr. Truman.
21 EXAMINATION
22 BY MR. ALLEN:
23 Q. So for just to try to simplify things, are you
24 -- is it your understanding that you weren't in
25 violation of the soil stabilization standards on the

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<p>1 days of the inspections?</p> <p>2 A. I'm not professional to answer that question.</p> <p>3 Q. So you don't know if you were in violation or</p> <p>4 if you weren't in violation?</p> <p>5 A. Again, I -- I'm not a qualified person to</p> <p>6 answer that question.</p> <p>7 Q. Okay. So on the permit you signed, it doesn't</p> <p>8 say anything about having to show a badge before the</p> <p>9 inspection, does it?</p> <p>10 A. No. But your website does and that's what I</p> <p>11 read.</p> <p>12 Q. Okay?</p> <p>13 A. And there's no disclaimer on the permit that</p> <p>14 this was different than what I read on your website.</p> <p>15 Q. Okay. Thank you. So ETON was fined in this</p> <p>16 case, right? That's the organization that received the</p> <p>17 fine?</p> <p>18 A. Should have been Environmental Transportation</p> <p>19 of Nevada, I think is -- or ETON, they're an acronym, so</p> <p>20 yes.</p> <p>21 Q. Okay. And when you saw the officers come to</p> <p>22 your property, they had the -- their badges around their</p> <p>23 neck?</p> <p>24 A. That's incorrect.</p> <p>25 Q. Okay?</p> <p style="text-align: right;">Page 47</p>	<p>1 business cards?</p> <p>2 A. On maybe one or two occasions, but not all</p> <p>3 occasions.</p> <p>4 Q. Do you remember them holding up their badges</p> <p>5 like this to the camera at your security office?</p> <p>6 A. Towards the end, yes.</p> <p>7 Q. Okay?</p> <p>8 A. In the beginning, absolutely not.</p> <p>9 Q. And you knew who they were, even if they didn't</p> <p>10 show you right?</p> <p>11 A. I'm not -- *Kreskin. I -- I can't tell you who</p> <p>12 they're. I don't know their names, I -- I -- I can't</p> <p>13 tell you who they're.</p> <p>14 Q. You didn't recognize their faces?</p> <p>15 A. Towards the -- the end may be one of them.</p> <p>16 Q. Okay. And your property that received the</p> <p>17 citations, you can see it from outside the property,</p> <p>18 right?</p> <p>19 A. If that's the case, why do they have to come</p> <p>20 onto my property?</p> <p>21 Q. I'm sorry, I'm asking the questions?</p> <p>22 A. I -- I -- you can see it through the gate.</p> <p>23 That's -- I guess.</p> <p>24 Q. Okay. Do you agree that producing dust can be</p> <p>25 a hazardous for health of people that breathe it in?</p> <p style="text-align: right;">Page 49</p>
<p>1 A. Some of them had them on their waist, some of</p> <p>2 them had them on a belt loop. There was no consistency</p> <p>3 like with a -- with a -- policeman who comes by regular</p> <p>4 because of our *homeless, badge is always in the same</p> <p>5 place.</p> <p>6 Q. Okay?</p> <p>7 A. And they do the same greeting.</p> <p>8 Q. Okay. Thank you?</p> <p>9 A. I'm officer so and so with Metropolitan Police</p> <p>10 Department. Here is my badge number. Can I come on</p> <p>11 site?</p> <p>12 Q. Okay. Perfect. Thank you. And their vehicles</p> <p>13 had Clark County Air Quality on them?</p> <p>14 A. I didn't note it to look. I didn't think that</p> <p>15 was credentials.</p> <p>16 Q. Did their shirts have air quality on them?</p> <p>17 A. I would've not looked for such as credential,</p> <p>18 sir. It could have been something you bought off of</p> <p>19 eBay. So I looked for credentials and that's not what I</p> <p>20 would consider credential.</p> <p>21 Q. Yeah. I didn't ask -- ask you what you</p> <p>22 considered credentials. I'm asking if it said Air</p> <p>23 Quality on their shirts?</p> <p>24 A. I cannot recall.</p> <p>25 Q. Okay. Do you remember them handing you</p> <p style="text-align: right;">Page 48</p>	<p>1 A. Pardon?</p> <p>2 Q. Kicking up dust can be hazardous to the health</p> <p>3 of people who breathe it in?</p> <p>4 A. I'm not a scientist nor a health physicist, so</p> <p>5 I decline to answer that question. But growing up here</p> <p>6 as a kid, we always had dust. I think I'm okay. So I</p> <p>7 don't -- if I'm proof of that, I guess not.</p> <p>8 Q. Okay. Are you aware of the community caretaker</p> <p>9 exception to the Fourth Amendment?</p> <p>10 A. Say it again?</p> <p>11 Q. Are you aware of the community caretaker</p> <p>12 exception to the Fourth Amendment?</p> <p>13 A. I'm not a lawyer.</p> <p>14 Q. Okay. So at the times when the violations took</p> <p>15 place as you were cited for in the notices of</p> <p>16 violations, you didn't have roto mill on the ground at</p> <p>17 those times, correct?</p> <p>18 A. So I can tell you from August backwards, you</p> <p>19 are correct.</p> <p>20 Q. Okay. And so for here today, your</p> <p>21 understanding is that we're only here for two notices of</p> <p>22 violations that took place before the roto mills were</p> <p>23 placed, correct?</p> <p>24 A. Yes.</p> <p>25 Q. Okay. And you pulled an air quality permit; is</p> <p style="text-align: right;">Page 50</p>



<p>1 that correct?</p> <p>2 A. Yes.</p> <p>3 Q. Why did you do that?</p> <p>4 A. It's what I've done before on other</p> <p>5 development.</p> <p>6 Q. Okay. So is it your understanding that you</p> <p>7 needed to do that.</p> <p>8 A. For the whole litmus of -- yes.</p> <p>9 Q. Okay. And then at what point did you decide</p> <p>10 that the Air Quality regulations didn't apply?</p> <p>11 A. I disagree with that question.</p> <p>12 Q. Okay?</p> <p>13 A. At what time did I determine that the state</p> <p>14 plan superseded the local plan? So maybe August as we</p> <p>15 -- as we got into the thick of things.</p> <p>16 Q. Are you aware if the EPA can enforce air</p> <p>17 quality regulations against your company?</p> <p>18 A. There's multiple EPAs, so you need to go ahead</p> <p>19 and refine your question better. There's federal EPA,</p> <p>20 there's State Nevada Department of Environmental</p> <p>21 Protection Agency. So -- and then there's AQM. So if</p> <p>22 you would tell me which one of those three you're</p> <p>23 talking about.</p> <p>24 Q. Is it your understanding that there's a federal</p> <p>25 law that prohibits unpaved parking lots?</p> <p style="text-align: right;">Page 51</p>	<p>1 her what the heck she was doing on here. We had</p> <p>2 security on site where we didn't have a gate set to do</p> <p>3 controlled access, and then the next day, four of them I</p> <p>4 think showed up with the same issue. So, yes, we have a</p> <p>5 very strict security plan to go through and make sure</p> <p>6 the material we have in transit under PHMSA is secured</p> <p>7 from homeless people, terrorists and anybody of that</p> <p>8 nature, while we have it under control, care and</p> <p>9 custody. So, yes, to come on site, it's -- it's a deal.</p> <p>10 BY MR. ALLEN:</p> <p>11 Q. That inspector you're referring to, did she</p> <p>12 show credentials and make it through security to come on</p> <p>13 site?</p> <p>14 A. Pardon?</p> <p>15 Q. The girl -- the -- the inspector that you're</p> <p>16 talking about, did she show credentials and come on site</p> <p>17 through your security?</p> <p>18 A. She didn't. She blew past two safety people in</p> <p>19 -- in little white car out there in the midst of we're</p> <p>20 bringing material in. So we got trucks coming in, you</p> <p>21 got a dozer, a -- a blade, water truck, and she's at the</p> <p>22 midst of everything. And then we have a trailer</p> <p>23 off-gassing and that's where we -- that's where I went</p> <p>24 out and asked her what the heck she was doing out there</p> <p>25 in -- in the material with -- with no access. So the</p> <p style="text-align: right;">Page 53</p>
<p>1 A. Then the whole State of Nevada outside Clark</p> <p>2 County is in violation. I did not know that.</p> <p>3 MR. ALLEN: Okay. That's all the questions I</p> <p>4 have.</p> <p>5 CHAIR SANDERS: Any follow up?</p> <p>6 MR. GUBLER: No. I don't.</p> <p>7 CHAIR SANDERS: Any questions from board</p> <p>8 members? Don't ever want to talk at once?</p> <p>9 MS. LAHAV: When entering and accessing your</p> <p>10 site -- accessing your site, is there a -- accessing</p> <p>11 your site. Thank you. Is it restricted such that</p> <p>12 regular people can't get onto the site easily? Can you</p> <p>13 kind of describe that a little bit better for me?</p> <p>14 THE WITNESS: Great question. Thank you for</p> <p>15 asking that. We are required under a federal mandate to</p> <p>16 have a -- a security plan for our site. In that we</p> <p>17 handle hazardous material not on site but in transit.</p> <p>18 We are required to have a government approved safety</p> <p>19 plan. And part of the safety plan is controlled access.</p> <p>20 So that is why when the first lady came on site with no</p> <p>21 notice or not asking, we had some chlorine in the back</p> <p>22 that was off gassing, and she's driving around like it's</p> <p>23 nobody's business and we're panicking that we are having</p> <p>24 a disc rapture in a chlorine tank in transit.</p> <p>25 And so that's where we went out there and asked</p> <p style="text-align: right;">Page 52</p>	<p>1 people, again, did not leave their post, called on the</p> <p>2 radio let them know we had an intruder. And I went out</p> <p>3 there to -- to find out what she was doing.</p> <p>4 Q. Does that inspector's testimony corroborate</p> <p>5 with that -- that explanation. Anyone know?</p> <p>6 SPEAKER 1: I -- I -- I think the testimony</p> <p>7 shows is that there's multiple entrances to this</p> <p>8 property and that none of them were closed. They were</p> <p>9 always open and all the pictures that are submitted by</p> <p>10 the code enforcement or the Air Quality enforcement</p> <p>11 officers, the gates are open. There's no -- there's no</p> <p>12 people wearing PPE, like it's some sort of hazardous</p> <p>13 chemical site. And so I would disagree, but obviously</p> <p>14 you guys have the pictures and -- and the testimony, and</p> <p>15 you can decide for yourself what the -- what the facts</p> <p>16 are. So I don't want to tell you that this is for sure</p> <p>17 the facts, but that's my interpretation.</p> <p>18 MR. ALLEN: That was a simple question I hope</p> <p>19 you're not trying to --</p> <p>20 THE WITNESS: Can I clarify?</p> <p>21 MR. ALLEN: Sure.</p> <p>22 THE WITNESS: There's a difference between</p> <p>23 hazardous material that's stored on site, and hazardous</p> <p>24 material that's in transit. So if I had some prill or</p> <p>25 ammonia or -- ammonia prill, ammonia nitrate in transit,</p> <p style="text-align: right;">Page 54</p>



In Re: Violation #10078 Issued to Eton Transportation Corp., et al.
Transcription - April 8, 2025

<p>1 the trailer is placarded. Not the site, because that</p> <p>2 material is in transit. So you've got two different</p> <p>3 layers of -- of regulatory issues. One, Department of</p> <p>4 Transportation were obligated to the PHMSA department</p> <p>5 for everything in transit, whether it's be a railroad, a</p> <p>6 truck -- a tanker, barge, the airlines, everything of</p> <p>7 that nature (indiscernible) the vehicle it's in. Not</p> <p>8 the place that it's stored at the terminal.</p> <p>9 So the Air Quality people thinking it's a -- we</p> <p>10 have facilities -- hazard materials stored on site.</p> <p>11 That's not the case. It's in transit and it's</p> <p>12 placarded. And so there's a big disconnect -- the one</p> <p>13 lady, when I talked to her, she said, I know all about</p> <p>14 hazardous material because my husband has it. And I</p> <p>15 asked her, if your husband has it, how does that</p> <p>16 information knowledge transfer to you? And found out in</p> <p>17 testimony, he's a radiological person and is familiar</p> <p>18 with stuff of a fixed nature. It's apples and oranges.</p> <p>19 There's two -- so -- two ways to get into the</p> <p>20 property, a south gate and north gate. Both gates were</p> <p>21 manned at the time that they came in. Quick response</p> <p>22 radios, we went out and looked at the intruder. Our job</p> <p>23 -- let me just explain it. One tanker of -- of -- of</p> <p>24 chlorine (indiscernible) fields about four square miles.</p> <p>25 That's our responsibility as -- as a transportation guy.</p> <p style="text-align: right;">Page 55</p>	<p>1 CHAIR SANDERS: Well, we're hearing that there</p> <p>2 were badges shown, there weren't badges shown.</p> <p>3 THE WITNESS: I -- I got to tell you, the lady</p> <p>4 never showed me her badge. The next day that the four</p> <p>5 of them came over, none of them showed me their badges.</p> <p>6 CHAIR SANDERS: I hope that this all isn't just</p> <p>7 smoking mirrors and you're getting fired up because you</p> <p>8 know there's a violation, but you're trying to hide</p> <p>9 behind it.</p> <p>10 THE WITNESS: I am because they came in -- you</p> <p>11 -- you feel like the English coming into an American</p> <p>12 issue in the colonial war, they just show up. I have --</p> <p>13 I have rights, don't I?</p> <p>14 CHAIR SANDERS: My question is, is there a</p> <p>15 violation or not? That's what we're --</p> <p>16 THE WITNESS: Well, it depends on how they got</p> <p>17 the evidence. I don't know if there was a violation of</p> <p>18 that time. I don't know if there was dust on the day.</p> <p>19 But it's interesting that -- that I've never received a</p> <p>20 dust violation from them. The only violation is that</p> <p>21 there's nothing on the ground. We had chad. Chad is</p> <p>22 hard once you put water on it and it controls the dust</p> <p>23 pretty good. Roto mill is better.</p> <p>24 CHAIR SANDERS: Does it meet the requirement</p> <p>25 though?</p> <p style="text-align: right;">Page 57</p>
<p>1 Air Quality Control doesn't seem to understand the --</p> <p>2 the -- the gravity of the product and why we take</p> <p>3 security seriously. Do you remember Pepcon when it blew</p> <p>4 up? It's a mini Pepcon.</p> <p>5 CHAIR SANDERS: So going back to the -- the --</p> <p>6 the questions that the county attorney was asking about,</p> <p>7 the two violations that we're talking about. You're</p> <p>8 talking about, you know, the -- the severity and the --</p> <p>9 the -- the importance of -- of following security plans</p> <p>10 and all that. I -- I recall a question about the two</p> <p>11 violations knowing that you had signed -- pulled a dust</p> <p>12 permit and that there were requirements for dust</p> <p>13 control, yet those -- those provisions were not put in</p> <p>14 place so violations were -- were -- were issued.</p> <p>15 THE WITNESS: But if they got the information</p> <p>16 fraudulently, that's to be the bigger question. Did</p> <p>17 they trespass on my property to get that information?</p> <p>18 And -- and -- and I got to share with you, there's</p> <p>19 enough information where law enforcement has done</p> <p>20 something wrong, it gets tossed. So if they came on</p> <p>21 site without showing their badges, asking for -- for</p> <p>22 entrance, that -- to me, that's what -- what's -- we go</p> <p>23 to the district court -- federal district court to go</p> <p>24 through and have them decide. Was the evidence received</p> <p>25 fraudulently?</p> <p style="text-align: right;">Page 56</p>	<p>1 THE WITNESS: Whose requirement? State of</p> <p>2 Nevada's it does?</p> <p>3 CHAIR SANDERS: Clark County Air Quality?</p> <p>4 THE WITNESS: Okay. Is -- again, based on the</p> <p>5 information down on the -- the Air Quality down in</p> <p>6 Southern California, next circuit struck that down, sir.</p> <p>7 It needs to be --</p> <p>8 CHAIR SANDERS: I'll take that as a -- I'll</p> <p>9 take that as a no, doesn't meet the requirements of</p> <p>10 Clark County Air Quality.</p> <p>11 THE WITNESS: Then -- then you've -- you've --</p> <p>12 you've put words in my mouth.</p> <p>13 MR. GUBLER: So what -- what I would like to --</p> <p>14 I'd like to interject a little bit here. Again, my</p> <p>15 client's not looking to avoid being environmentally</p> <p>16 responsible. But this goes to the commerce clause</p> <p>17 argument, that my -- my client's involved in interstate</p> <p>18 commerce. And so when they come to -- when they go</p> <p>19 everywhere else, there's one set of rules, when they</p> <p>20 come to Clark County there's a second set of rules.</p> <p>21 And that is the issue now with -- with respect</p> <p>22 to the state of Nevada's requirements, well, those are</p> <p>23 less stringent but seems to require allow roto mill.</p> <p>24 And in this case, it is the -- what's the phrase for it?</p> <p>25 In this case, it's the best practical method or</p> <p style="text-align: right;">Page 58</p>



<p>1 reasonably available method that's allowed in the</p> <p>2 statute. I mean, just by the question given by the</p> <p>3 civil DA here, the -- the pavement was required. And so</p> <p>4 -- and -- and that for this application doesn't -- it</p> <p>5 doesn't work for -- for water, it's just not the</p> <p>6 responsible thing either.</p> <p>7 I don't want to -- I don't want to get heated</p> <p>8 here, frankly. I -- I -- we just want to present that</p> <p>9 argument that -- that it's --that it is different under</p> <p>10 -- and -- and for the commerce clause, as soon as -- as</p> <p>11 soon as trucks are coming in and out of -- out of the</p> <p>12 county, then -- then we would -- we would request that</p> <p>13 that's what -- that's the role that our client be held</p> <p>14 to -- to be allowed to -- with -- because my client goes</p> <p>15 into multiple counties, goes into multiple states and we</p> <p>16 just want the one set of rules where -- and -- and you</p> <p>17 come here and it's less stringent. And it's a burden on</p> <p>18 interstate commerce.</p> <p>19 CHAIR SANDERS: Would you say that it's your</p> <p>20 client's responsibility given that you have different</p> <p>21 rules and different jurisdictions throughout the country</p> <p>22 with interstate commerce to know the rules and that's --</p> <p>23 that's your client's responsibility?</p> <p>24 MR. GUBLER: That -- that -- that's not allowed</p> <p>25 for interstate commerce. That's -- that's -- because</p> <p style="text-align: right;">Page 59</p>	<p>1 will do. And -- and so, I mean the -- the end does not</p> <p>2 justify the means.</p> <p>3 MS. LAHAV: Question.</p> <p>4 THE WITNESS: Can I tell you something? So in</p> <p>5 California, it's very difficult to do business,</p> <p>6 particularly as a transportation guy. So if you -- if</p> <p>7 you live in California, you play by the rules; is that</p> <p>8 fair? And California lets us come into their state</p> <p>9 running different types of EPA equipment that they would</p> <p>10 outlaw, but it's still legal in 49 states of the union.</p> <p>11 So my advocacy is that the AQM should go through and</p> <p>12 maybe look at that and say, there's probably a carve out</p> <p>13 for a certain type of business that we don't regulate,</p> <p>14 that just is not in Clark County.</p> <p>15 That if their -- their business model is such</p> <p>16 that the particular transportation, it goes across state</p> <p>17 lines. We -- we go through and go back to the state</p> <p>18 level. That's what the solid waste people have done.</p> <p>19 Solid waste has already had this battle and lost, and</p> <p>20 they go through -- and if it's in transit, particularly</p> <p>21 Illinois was the biggest one that set the big precedent,</p> <p>22 there's two sets of rules.</p> <p>23 If the garbage was generated in Chicago,</p> <p>24 Illinois and stays in Illinois -- Illinois, there's one</p> <p>25 set of rules. But the minute it goes across state</p> <p style="text-align: right;">Page 61</p>
<p>1 that -- that's a burden on interstate commerce. That --</p> <p>2 that affects our country's -- it affects the money,</p> <p>3 really. And that's a big deal for our country, is -- is</p> <p>4 to allow the free flow of -- of commerce. And so that</p> <p>5 -- that burdens the commerce. So --</p> <p>6 CHAIR SANDERS: I -- I don't disagree, but I</p> <p>7 don't think that that's our responsibility to set the</p> <p>8 laws. If there's a rule in place and it's a Clark</p> <p>9 County Air Quality rule, our job is to enforce that</p> <p>10 rule. So...</p> <p>11 MR. GUBLER: And -- and -- and so that's where</p> <p>12 -- that's where I'm going to get on -- on the -- on a</p> <p>13 little bit on the -- on -- on the argument. If you're</p> <p>14 going to enforce the rule, then enforce the rule</p> <p>15 properly. Because -- because there is no -- there was</p> <p>16 no drop ball test. The way I read it, it requires a</p> <p>17 drop ball test, and -- and it requires presenting</p> <p>18 credentials.</p> <p>19 And -- and under these circumstances, there --</p> <p>20 there is leeway allowed for -- for the -- the roto mill</p> <p>21 and the -- and the chad. And -- and -- and so we've --</p> <p>22 we've got the track equipment. And so that's -- that's</p> <p>23 what we're asking is -- I -- I mean, I -- I get</p> <p>24 enforcing the rule of law, I mean, that's -- that's what</p> <p>25 -- that's what the -- I think that's what the courts</p> <p style="text-align: right;">Page 60</p>	<p>1 lines, we have no claim on that.</p> <p>2 The commerce clause comes to effect and we</p> <p>3 stay off of it. To me that's -- that's how other states</p> <p>4 split the baby. Is, we understand that if -- if a</p> <p>5 business is just here making widgets or a construction</p> <p>6 company or whoever, that we have 100 percent</p> <p>7 jurisdiction over them.</p> <p>8 But the minute they go through and engaged in</p> <p>9 a interstate commerce activity, we need to go through</p> <p>10 and stand down and -- and just go back to the state</p> <p>11 level. To me that's -- that's how other states split</p> <p>12 the baby.</p> <p>13 MS. LAHAV: I have a question for you. The</p> <p>14 permit that you --</p> <p>15 CHAIR SANDERS: Hit your button.</p> <p>16 MS. LAHAV: The permit that you applied for and</p> <p>17 received was a dust control operating permit for</p> <p>18 construction activities on a stationary source; is that</p> <p>19 correct?</p> <p>20 THE WITNESS: I'd say yes.</p> <p>21 MS. LAHAV: Stationary source. What in your</p> <p>22 opinion is a stationary source? What is a stationary</p> <p>23 source?</p> <p>24 THE WITNESS: In my mind, a -- a crushing</p> <p>25 plant, a cement plant, something that doesn't move.</p> <p style="text-align: right;">Page 62</p>



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<p>1 It's always going to be there.</p> <p>2 MS. LAHAV: Does your permit actually call out</p> <p>3 a parking area as a stationary source or transfer area?</p> <p>4 THE WITNESS: I -- I would not call it a</p> <p>5 stationary source, but I -- again, I'm not that --</p> <p>6 MS. LAHAV: So I -- I'm kind of asking what was</p> <p>7 the point of the permit that you applied for and</p> <p>8 received if not -- but for the property and the</p> <p>9 activities happening on the property, the stationary</p> <p>10 source that has the potential to emit emissions not</p> <p>11 necessarily the transport of goods and services or</p> <p>12 goods, I guess?</p> <p>13 THE WITNESS: Let me articulate if I can. It</p> <p>14 was done because that's what we've done before. To go</p> <p>15 ahead and be compliant with the EPA rules and do the</p> <p>16 best available process to go through and be in</p> <p>17 compliance with the -- what -- as we learned later that</p> <p>18 the -- the county plan changed from the last time I used</p> <p>19 it, in all honesty, from a roto mill would be very --</p> <p>20 very -- an optimal solution to paving. So there was --</p> <p>21 relied on prior information.</p> <p>22 MS. LAHAV: Has Clark County -- Clark County</p> <p>23 Air Quality accepted roto mill for that site for now</p> <p>24 moving forward? Has that been a mutually agreed upon</p> <p>25 dust palliative -- dust control measure for that site?</p> <p style="text-align: right;">Page 63</p>	<p>1 wise, and they all have credentials. And they know what</p> <p>2 that means. And they respect the Fourth Amendment</p> <p>3 because they've been spanked before about violating</p> <p>4 Fourth Amendment. And these people seem not to have any</p> <p>5 training about the rights of a -- of a person. Which it</p> <p>6 does irritate me.</p> <p>7 MS. LAHAV: Are you suggesting that their badge</p> <p>8 isn't a form of credential?</p> <p>9 THE WITNESS: Well, first off they have to</p> <p>10 present it to me. My job is not to look for it on their</p> <p>11 hip. I mean, that's pretty tacky. Can I look on your</p> <p>12 body parts to find out where your -- your credentials</p> <p>13 are? Present means just like the adjective means,</p> <p>14 here's my badge.</p> <p>15 MS. LAHAV: So I'll go back to the question.</p> <p>16 Is their badge a form of credentials that you would see</p> <p>17 as valid credentials?</p> <p>18 THE WITNESS: It doesn't have an ID number that</p> <p>19 I can call to check if -- see if they work there. It</p> <p>20 doesn't have the scope of work that they're limited to.</p> <p>21 Doesn't have their signature. A badge -- a credential</p> <p>22 badge has issues, from a security standpoint, that you</p> <p>23 can look at to call in the 1-800 AQM hotline.</p> <p>24 Does this person really belong to you or did</p> <p>25 you get this as a swap *mine? Or your -- your Kronos</p> <p style="text-align: right;">Page 65</p>
<p>1 THE WITNESS: I -- I don't know.</p> <p>2 MR. GUBLER: Well, they did close out the --</p> <p>3 the permit after when it was in compliance. After that</p> <p>4 roto mill was down. Sorry.</p> <p>5 THE WITNESS: So we -- I -- we closed out the</p> <p>6 permit, so I guess they did.</p> <p>7 MS. LAHAV: So they agree with you that roto</p> <p>8 mill is acceptable dust palliative?</p> <p>9 THE WITNESS: Yes.</p> <p>10 MS. LAHAV: And now you are generally in</p> <p>11 compliant?</p> <p>12 THE WITNESS: Not to be too cavalier, but I --</p> <p>13 I agree with all the fines except the -- the -- the ones</p> <p>14 for non-entry. I mean, I believe those are probably</p> <p>15 prudent, but the non-entry ones absolutely not. I mean,</p> <p>16 they didn't follow their -- if we're playing a</p> <p>17 basketball game, they set the rules. The county did.</p> <p>18 And -- and they need to follow their -- their rules.</p> <p>19 It's their game and their game is to go through and</p> <p>20 provide real credentials.</p> <p>21 The one lady told me, oh, this is my colonel's</p> <p>22 badge. This is how I get into the county building, when</p> <p>23 I asked her -- her -- for her credentials. And I say to</p> <p>24 myself, they're asking for credentials. I've dealt with</p> <p>25 FBIs -- I've dealt with all these agencies enforcement</p> <p style="text-align: right;">Page 64</p>	<p>1 timecard. Kronos timecard is for one function. A badge</p> <p>2 for their job, enforcement particularly, would be --</p> <p>3 like when people come and do audits for my house from a</p> <p>4 building department, they won't come into my house to</p> <p>5 look at the TI's. They present their credentials and</p> <p>6 it's always seems to be in the same place, name, number.</p> <p>7 What their responsibility, electrical inspector.</p> <p>8 MR. ALLEN: You mentioned a lot of details that</p> <p>9 should be on the badge. How do you know they're not on</p> <p>10 the badge?</p> <p>11 THE WITNESS: Because I've looked at them, sir.</p> <p>12 MR. ALLEN: So you looked at the -- the fine</p> <p>13 print on a badge, but you just mentioned that you</p> <p>14 couldn't see their badge on their hip.</p> <p>15 MR. GUBLER: May -- may I insert here. It was</p> <p>16 testified. It's in the transcript. What -- what's on</p> <p>17 their badge. I -- I asked them what's -- what is and</p> <p>18 what is not on their badge. It's -- it's in the</p> <p>19 transcript --</p> <p>20 MR. ALLEN: I just find it curious that you can</p> <p>21 look at the fingerprint, but you can't see the badge on</p> <p>22 their body.</p> <p>23 THE WITNESS: Okay. Had a retina detach 10</p> <p>24 weeks ago, okay?</p> <p>25 MR. ALLEN: Fair enough.</p> <p style="text-align: right;">Page 66</p>



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<p>1 THE WITNESS: I still got the bubble.</p> <p>2 CHAIR SANDERS: Any other questions? Donald,</p> <p>3 do you have any questions?</p> <p>4 MR. BORDELOVE: No. I don't have any</p> <p>5 questions.</p> <p>6 CHAIR SANDERS: Okay. Do you have anything</p> <p>7 else to present. Mr. Gubler?</p> <p>8 MR. GUBLER: No.</p> <p>9 CHAIR SANDERS: Mr. Allen, do you have anything</p> <p>10 you want to present?</p> <p>11 MR. ALLEN: I just want to briefly -- I just</p> <p>12 want to briefly call Anna Sutowska.</p> <p>13</p> <p>14 ANNA SUTOWSKA</p> <p>15 having been first duly sworn to testify to the truth,</p> <p>16 the whole truth, and nothing but the truth, was examined</p> <p>17 and testified as follows:</p> <p>18</p> <p>19 CHAIR SANDERS: Okay. Hold. State your name</p> <p>20 for the record.</p> <p>21 THE WITNESS: Anna Sutowska. Air Quality</p> <p>22 Supervisor, Clark County, Department of Environment and</p> <p>23 Sustainability, division of Air Quality.</p> <p>24</p> <p>25</p> <p style="text-align: right;">Page 67</p>	<p>1 truck yard. A truck parking lot with rubber tired</p> <p>2 semi-truck and trailers.</p> <p>3 Q. And if -- if somebody has a tracked vehicle</p> <p>4 that operates in portions of this parcel, would it be</p> <p>5 appropriate to apply roto mill for only those sections?</p> <p>6 A. Yes. That is correct. However, Air Quality</p> <p>7 would go -- so when we have a customer come and tell us</p> <p>8 that they want to have a yard of some sort, and they</p> <p>9 tell us they have heavy tracked equipment. We'll come</p> <p>10 to their site and we'll evaluate how much equipment they</p> <p>11 have, what they're doing with it, are they using it on</p> <p>12 site? Are they using it offsite? And then we determine</p> <p>13 how much area they actually need. Mr. Truman had five</p> <p>14 acres of really truck parking and a small area where he</p> <p>15 parked his one piece of track equipment.</p> <p>16 MR. ALLEN: Okay. That's all the questions I</p> <p>17 have.</p> <p>18 CHAIR SANDERS: Do you have any questions for</p> <p>19 Ms. -- I can't say her last name, for Ann.</p> <p>20 MR. GUBLER: No.</p> <p>21 CHAIR SANDERS: Okay.</p> <p>22 MR. GUBLER: No. I don't.</p> <p>23 CHAIR SANDERS: Does the board have any</p> <p>24 questions for Ann? Okay. So there's -- I guess we're</p> <p>25 at a point then when we decide what we're going to do</p> <p style="text-align: right;">Page 69</p>
<p>1 EXAMINATION</p> <p>2 BY MR. ALLEN:</p> <p>3 Q. So I believe a lot of -- a lot of this is</p> <p>4 already in the record. But just to make it clear and --</p> <p>5 and if -- if the hearing board has any questions for</p> <p>6 you, can you describe for me what kind of permit was</p> <p>7 issued in this case?</p> <p>8 A. So this was a dust control operating permit for</p> <p>9 construction activities. In 2023, this parcel was raw</p> <p>10 desert. Mr. Truman then applied for the permit for</p> <p>11 grubbing the site and grading it. In 2024, he revised</p> <p>12 the permit adding additional areas after the inspection,</p> <p>13 and told us that he was going to be paving the lot</p> <p>14 because unpaved parking lots are not allowed in Clark</p> <p>15 County after January of 2003.</p> <p>16 Q. And there's a lot of discussion of roto milling</p> <p>17 and when it's appropriate and when it's -- when it's</p> <p>18 not. Can you --and -- and -- and it's your</p> <p>19 understanding that no roto mill was in place at the time</p> <p>20 that the violations were issued in this case, correct?</p> <p>21 A. That is correct.</p> <p>22 Q. And I -- I guess it might matter to some people</p> <p>23 but going forward, is roto mill appropriate for this</p> <p>24 property?</p> <p>25 A. Roto mill is not appropriate for an unpaved</p> <p style="text-align: right;">Page 68</p>	<p>1 with this. You know, I -- I can appreciate the fact</p> <p>2 that you don't want people coming onto the site</p> <p>3 randomly. You know, I'm familiar with the security</p> <p>4 requirements and other issues that are related to that.</p> <p>5 Nevertheless, I -- I, you know, I do agree with</p> <p>6 the hearing officer's assessment that the violations</p> <p>7 actually occurred. And it's clear from the timeline</p> <p>8 that, you know, we had an unstable -- potentially</p> <p>9 unstable piece of ground up until -- in August when they</p> <p>10 closed it out and said it was in compliance after the</p> <p>11 roto mill had been put down.</p> <p>12 You know, I'm not going to get in the -- or</p> <p>13 argue the point that -- of -- in my mind and maybe this</p> <p>14 isn't county regulation. So I -- I don't know if we'll</p> <p>15 get in trouble here. But, you know, I don't have a</p> <p>16 problem with the roto mill. And I think that that's an</p> <p>17 adequate dust palliative when you have a lot of traffic</p> <p>18 on -- on something and -- and it's moving around and</p> <p>19 turning and -- and unloading different things. And it's</p> <p>20 pretty hard to keep the asphalt.</p> <p>21 As a matter of fact, it's pretty hard to keep</p> <p>22 it clean let alone keep it from getting damaged with --</p> <p>23 with that kind of activity. Especially with the D9</p> <p>24 Dozer that, you know, weighs like a hundred tons,</p> <p>25 spinning around in there. So -- and I don't -- I don't</p> <p style="text-align: right;">Page 70</p>



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<p>1 even know why the dozer is there. But nevertheless, you</p> <p>2 know, in my mind the -- the -- the rot mill is not an</p> <p>3 issue.</p> <p>4 And -- and obviously they -- they accepted it.</p> <p>5 Showing that you were in compliance after you put it</p> <p>6 down. So I think the question is, the violations that</p> <p>7 -- that you're cited for I think they're relevant and I</p> <p>8 think that they're -- even when they were allowed on</p> <p>9 site by somebody, you or somebody else, you know, the</p> <p>10 citation was there.</p> <p>11 And -- and I don't think -- when you see the</p> <p>12 pictures that show the material that was there and the</p> <p>13 tracks now from equipment and -- and trucks and other</p> <p>14 things going over it, you can tell it's -- it's loose</p> <p>15 soil. I don't believe that when you can see that it's</p> <p>16 loose like that, you don't actually have to do a drop</p> <p>17 ball test on. So I -- I'm -- my position is, at least</p> <p>18 on the first citation -- I'm trying to get the number</p> <p>19 here --</p> <p>20 THE CLERK: 9994.</p> <p>21 CHAIR SANDERS: -- 9994, that I would uphold</p> <p>22 the hearing officer's decision that there were</p> <p>23 violations on the site. And that's based on actually</p> <p>24 even testimony we heard today, that he -- he agrees with</p> <p>25 that, that there was probably violations there. So I --</p> <p style="text-align: right;">Page 71</p>	<p>1 action. All right. Okay. On the issue -- the second</p> <p>2 violation is for not allowing them onto the site; is</p> <p>3 that correct? Am I getting that right, Mr. Gubler?</p> <p>4 MR. GUBLER: A portion of it is for inspections</p> <p>5 that were done where loose soil was still present. So</p> <p>6 you can see that 94, it's for the loose soil, and then</p> <p>7 there's three dates for the refused inspections.</p> <p>8 CHAIR SANDERS: Okay. Nevertheless, this -- we</p> <p>9 -- we know that the -- the roto mill wasn't put down</p> <p>10 until after those dates. Well after the July 31st and</p> <p>11 August 7th, right? Am I reading that right?</p> <p>12 MS. LAHAV: Yeah. That's my understanding.</p> <p>13 CHAIR SANDERS: I don't know what the -- is</p> <p>14 there any discussion with the board or any comments that</p> <p>15 Mr. Gubler you'd like to make or Mr. Allen in regards to</p> <p>16 the second violation other than the fact you don't like</p> <p>17 it?</p> <p>18 MR. GUBLER: I appreciate that. As far as the</p> <p>19 second violation. I guess it goes back to my client's</p> <p>20 position. No. We don't like it. It's -- it's the</p> <p>21 arguments made in our brief. I -- I -- I think that</p> <p>22 there -- there is a -- a Fourth Amendment issue on the</p> <p>23 Violation 2. And -- and -- and frankly those are the</p> <p>24 heftier fines.</p> <p>25 And -- and so we would ask that the board limit</p> <p style="text-align: right;">Page 73</p>
<p>1 I would move, if anybody -- if no one else has any</p> <p>2 comment, that we uphold the hearing officer's decision</p> <p>3 on NOV 9994. Is there any comments or a second?</p> <p>4 MS. LAHAV: I second that motion.</p> <p>5 CHAIR SANDERS: Okay. We have a motion and a</p> <p>6 second. All in favor say aye.</p> <p>7 BOARD MEMBERS: Aye. Aye.</p> <p>8 CHAIR SANDERS: Okay. Any opposed, say no.</p> <p>9 Nobody here. The -- as far as the --</p> <p>10 THE CLERK: Do you want to define on that</p> <p>11 (Indiscernible).</p> <p>12 CHAIR SANDERS: Yeah. Yeah. I was. That's</p> <p>13 what I was getting to. I was just looking for it. I</p> <p>14 don't see it here.</p> <p>15 THE CLERK: (Indiscernible.)</p> <p>16 CHAIR SANDERS: Where is it?</p> <p>17 THE CLERK: (Indiscernible.)</p> <p>18 CHAIR SANDERS: Okay. And I'll move that the</p> <p>19 fine be levied for \$3,500 as recommended by the hearing</p> <p>20 officer. Any comments or discussion or?</p> <p>21 MS. LAHAV: I second that motion.</p> <p>22 CHAIR SANDERS: Okay. We have a motion and</p> <p>23 second. All in favor say aye.</p> <p>24 BOARD MEMBERS: Aye.</p> <p>25 CHAIR SANDERS: Any opposed? Okay. Delayed</p> <p style="text-align: right;">Page 72</p>	<p>1 that. I -- I think it seems clear the board -- what --</p> <p>2 board's position. But again, that the board limit that</p> <p>3 -- those Violation 2. They set it aside and that the</p> <p>4 roto mill was -- I believe the testimony was August 2nd</p> <p>5 if -- if you are looking for that. That's it. That's</p> <p>6 all I have to --</p> <p>7 CHAIR SANDERS: Okay. Thanks. Mr. Allen, do</p> <p>8 you have anything to say?</p> <p>9 MR. ALLEN: Yeah. Just -- just shortly. I</p> <p>10 didn't get to make much argument about the</p> <p>11 constitutional issues and the presentment of the ID</p> <p>12 issues. And so just from the county's perspective, I</p> <p>13 want to give you our opinion. First of all, this --</p> <p>14 this site is a highly regulated industry, I believe.</p> <p>15 And so that exception to the Fourth Amendment</p> <p>16 would apply as -- as well as the community caretaker</p> <p>17 exceptions because it's a safety issue. And so I</p> <p>18 believe that multiple courts have found when there's</p> <p>19 safety issues and it's not involving criminal matters,</p> <p>20 like in this case, a simple administrative inspection</p> <p>21 can be done without a warrant.</p> <p>22 And -- and that's even if he hadn't signed --</p> <p>23 Mr. Truman hadn't signed a permit that said, you know,</p> <p>24 I'm going to allow inspections without notice. And so</p> <p>25 -- and -- and I think the permit says, you don't have to</p> <p style="text-align: right;">Page 74</p>



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<p>1 present any sort of ID or anything like that or there's</p> <p>2 no formal procedure, but Air Quality Regulations do</p> <p>3 specify presentment of credentials. And it doesn't</p> <p>4 specify what presentment or appropriate credentials is.</p> <p>5 And so I think it's whatever the common</p> <p>6 definition of those words is. I think if you wear</p> <p>7 something on your hip, like Mr. Truman said they were</p> <p>8 wearing their badges on their hip or from different --</p> <p>9 different means, that is appropriate to consider that</p> <p>10 presentment of credentials.</p> <p>11 And so I don't believe there's any testimony</p> <p>12 that, Mr. Truman didn't know who they were and that he</p> <p>13 refused them because he thought they were just random</p> <p>14 people. And I believe in the prior testimony at the --</p> <p>15 at the administrative hearing, Mr. Truman -- there's</p> <p>16 testimony as to Mr. Truman telling the officers that he</p> <p>17 was denying them access because he hadn't heard back</p> <p>18 from his attorney yet. And so if he's now saying that</p> <p>19 they didn't properly present credentials, it sounds like</p> <p>20 it's a -- it's an excuse made up after the fact, and I</p> <p>21 don't think it's appropriate to lessen the fines because</p> <p>22 he refused entry. And so I would ask you to uphold the</p> <p>23 \$30,000 penalty. Thank you.</p> <p>24 CHAIR SANDERS: Comments?</p> <p>25 MS. LAHAV: Recognizing that the violation is</p> <p style="text-align: right;">Page 75</p>	<p>1 second to, well, deny the appeal and -- and find -- find</p> <p>2 them on the NOV 10078. All in favor say aye. Aye.</p> <p>3 MR. DENNETT: Aye.</p> <p>4 MR. BORDELOVE: Aye.</p> <p>5 CHAIR SANDERS: Any opposed? Okay. Motion</p> <p>6 carries. The -- now let's talk about the penalty. I</p> <p>7 noticed that the hearing officer disqualified one of</p> <p>8 those visits somehow. I don't remember the exact</p> <p>9 circumstances, and made it a \$20,000 fine for that, less</p> <p>10 another 20 percent or some deal. I don't know what that</p> <p>11 was all about exactly, but -- so what the hearing</p> <p>12 officer recommended was a total fine on this of NOV</p> <p>13 17250. What's the board's position on this? Do -- do</p> <p>14 they -- do you feel like it -- it needs to be the</p> <p>15 original proposed penalty or the one that the hearing</p> <p>16 officer came up with?</p> <p>17 MS. LAHAV: I would recommend the original</p> <p>18 proposed penalty due to the fact that this is, once</p> <p>19 again, refusal of entry.</p> <p>20 MR. BARTLETT: Do we know the reasoning behind</p> <p>21 the hearing officer's reduction in fee and penalty?</p> <p>22 CHAIR SANDERS: Well, it was in there. We can</p> <p>23 review that if you -- if you'd like. I don't know where</p> <p>24 it's at in this thing. It's towards the end of it.</p> <p>25 MS. LAHAV: Counsel, do you recall the reason</p> <p style="text-align: right;">Page 77</p>
<p>1 for refusing entry to an inspector explicitly asking</p> <p>2 permission to go onsite to do those inspections.</p> <p>3 Recognizing, in my experience, that air quality</p> <p>4 inspectors do have some form of ID. Recognizing that</p> <p>5 these violations happened during normal business hours</p> <p>6 and a simple call to the Department of Air quality</p> <p>7 would've confirmed identification and employments, I</p> <p>8 move that we uphold the violations and the fines for</p> <p>9 failure to -- failure to allow inspection of a site.</p> <p>10 MR. BORDELOVE: I second.</p> <p>11 CHAIR SANDERS: Any comments before we vote on</p> <p>12 this? I think we should do them separately though.</p> <p>13 Let's -- let's -- let's do the -- the violation first</p> <p>14 and then we'll talk about the penalty in a second</p> <p>15 motion.</p> <p>16 MS. LAHAV: It's fine. I move to uphold the</p> <p>17 violation for NOV 10078.</p> <p>18 CHAIR SANDERS: Okay.</p> <p>19 MS. LAHAV: Failure to apply (indiscernible)</p> <p>20 control technology and refusing entry to an officer for</p> <p>21 the purpose of inspection.</p> <p>22 CHAIR SANDERS: Okay. We have a motion</p> <p>23 discussion or a second?</p> <p>24 MR. DENNETT: Second.</p> <p>25 CHAIR SANDERS: Okay. We have a motion and a</p> <p style="text-align: right;">Page 76</p>	<p>1 the hearing officer?</p> <p>2 MR. DENNETT: I wasn't present at that meeting.</p> <p>3 MS. LAHAV: That's fine.</p> <p>4 MR. DENNETT: So, I apologize. I did read it</p> <p>5 and I do remember it being lowered. I wasn't sure if it</p> <p>6 was just a -- a mercy sort of a decision, maybe.</p> <p>7 MS. SUTOWSKA: I was at the hearing. The first</p> <p>8 day she said Mr. Truman had told them they didn't have</p> <p>9 some OSHA certifications. And so that is why she took</p> <p>10 the first day off. However, we did make clear that we</p> <p>11 had gone on there on July 25th and we did not assess a</p> <p>12 penalty for July 25th giving Mr. Truman the opportunity</p> <p>13 to actually allow us access on the next upcoming</p> <p>14 inspection.</p> <p>15 CHAIR SANDERS: Why did she -- why did she</p> <p>16 lower the fine or why did she --</p> <p>17 MR. GUBLER: Hold on just a moment. Well, I --</p> <p>18 I had asked the hearing officer -- sorry. I had asked</p> <p>19 the hearing officer for the reduction. If you look at</p> <p>20 Exhibit 31 on -- it's page -- it's right at the end page</p> <p>21 220 and 221.</p> <p>22 MS. LAHAV: You're talking about the</p> <p>23 transcription?</p> <p>24 MR. GUBLER: Yeah, it's Exhibit 31.</p> <p>25 CHAIR SANDERS: Okay. That's a transcript.</p> <p style="text-align: right;">Page 78</p>



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<p>1 We'd have to get down to the end of it where she was --</p> <p>2 I -- I -- I just want to look at this before we do</p> <p>3 anything.</p> <p>4 MS. LAHAV: What was the page number of this?</p> <p>5 MR. GUBLER: It's 220 and 221.</p> <p>6 MS. SUTOWSKA: Page number. Not PDF number.</p> <p>7 MS. LAHAV: Yeah. I'm getting there. I got to</p> <p>8 read it. Okay.</p> <p>9 CHAIR SANDERS: There you go. Sorted.</p> <p>10 MS. SUTOWSKA: (Indiscernible) 220. It was 20.</p> <p>11 Let me know when I'm -- I'll go away.</p> <p>12 MR. ALLEN: And so if you look at that right</p> <p>13 there where it says, Mr. Gubler, hearing officer. Sure.</p> <p>14 Mr. Gubler. So the testimony given was -- right there.</p> <p>15 I think it's too far off. There you go.</p> <p>16 CHAIR SANDERS: Okay. After reading that, does</p> <p>17 anyone have any comments or -- or recommendations or do</p> <p>18 you still want to go with the motion that you originally</p> <p>19 presented?</p> <p>20 MS. LAHAV: Do we have clarity on whether or</p> <p>21 not OSHA certification's required to access your site?</p> <p>22 MR. TRUMAN: No, they're not. Well, I don't --</p> <p>23 MR. GUBLER: Can you repeat that? You're</p> <p>24 asking him?</p> <p>25 MS. LAHAV: Yes.</p> <p style="text-align: right;">Page 79</p>	<p>1 ago.</p> <p>2 MR. TRUMAN: We're the -- we're the primary</p> <p>3 employer on site? So our job is to make sure secure</p> <p>4 everybody who's on the site has OSHA training. Again, I</p> <p>5 can't say enough about hazardous communication.</p> <p>6 MS. LAHAV: And so the one inspection that was</p> <p>7 allowed without certification was just a fall through</p> <p>8 the cracks?</p> <p>9 MR. TRUMAN: We had somebody with them. So</p> <p>10 that qualifies as the escort.</p> <p>11 MS. LAHAV: I'm sorry, repeat that.</p> <p>12 MR. TRUMAN: If you have an escort, if you go</p> <p>13 out to time -- time it we'll go through and have an</p> <p>14 escort to go through and just take you through the</p> <p>15 facility. So it's -- escort will qualify to meet that</p> <p>16 requirement.</p> <p>17 MS. LAHAV: So inspectors don't have to have</p> <p>18 OSHA requirement, they could be escorted.</p> <p>19 MR. TRUMAN: If they have OSHA -- if they have</p> <p>20 OSHA training, they provide that. Yes. But when we</p> <p>21 talk to the people at site, they'll come back to me as,</p> <p>22 we don't need to have that. We're county inspectors.</p> <p>23 But reading the -- the law and looking at what Texas has</p> <p>24 done, Texas has required to meet OSHA. All inspectors</p> <p>25 have to have OSHA training.</p> <p style="text-align: right;">Page 81</p>
<p>1 MR. GUBLER: What's your question again?</p> <p>2 MS. LAHAV: Do we have clarity on whether or</p> <p>3 not OSHA certification is required to access your site</p> <p>4 for inspection?</p> <p>5 MR. TRUMAN: It is. If you look at the state</p> <p>6 of state -- if you call the -- the feds, anybody who</p> <p>7 works on the site has to have OSHA trainin.</p> <p>8 (Indiscernible) the state of Texas mandates all public</p> <p>9 employees are OSHA trained.</p> <p>10 MS. LAHAV: Does that include inspectors?</p> <p>11 MR. TRUMAN: Do they come on site? If they</p> <p>12 come on site, yes, they need to be OSHA certified. They</p> <p>13 don't even have hazardous communication, ma'am. So when</p> <p>14 they look up material, they're a danger to themselves</p> <p>15 and others. The only people OSHA disqualifies are</p> <p>16 people that are a hundred percent in the office,</p> <p>17 secretaries, things of that nature. But if you go</p> <p>18 outside, you need to have OSHA training.</p> <p>19 MR. ALLEN: I'm not certain about that. I</p> <p>20 think we need to look into that a little further. As an</p> <p>21 engineer, I can go on a job site without OSHA</p> <p>22 certification.</p> <p>23 MS. LAHAV: That hasn't been my experience</p> <p>24 working on a quarry manufacturing site in Clark County.</p> <p>25 But I will grant that my experience was several years</p> <p style="text-align: right;">Page 80</p>	<p>1 CHAIR SANDERS: Well, I don't think it's</p> <p>2 necessarily the requirement here, but they can be</p> <p>3 escorted onto the site and that covers it.</p> <p>4 MR. TRUMAN: Uh-huh.</p> <p>5 MS. SUTOWSKA: Yeah. From the Department's</p> <p>6 perspective, I just want to make sure that the record is</p> <p>7 clear that we're not conceding to an argument that we</p> <p>8 have to have OSHA certification in order to get on a</p> <p>9 site. And that part of the refusal is refusing to</p> <p>10 escort us onto the site.</p> <p>11 CHAIR SANDERS: Okay. Well, what do you want</p> <p>12 to -- what do you want to do here? You want to go with</p> <p>13 your original motion or modify it?</p> <p>14 MS. LAHAV: I would move that we would apply</p> <p>15 the original motion. The fact that inspectors are not</p> <p>16 required to have OSHA training, can be escorted by</p> <p>17 somebody with OSHA training to mean safety. And the</p> <p>18 fact that verification of identification and authority</p> <p>19 could be made during normal business hours when the</p> <p>20 inspections were proposed. I move that we uphold the</p> <p>21 original violation and fines \$30,000 for -- I'm sorry,</p> <p>22 \$31,562.50 for NOV 10078 violation for failure to</p> <p>23 implement best available control measures and refusal of</p> <p>24 entry.</p> <p>25 CHAIR SANDERS: And we have a motion. Is -- is</p> <p style="text-align: right;">Page 82</p>



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<p>1 there any comments or a second?</p> <p>2 MR. BARTLETT: I second.</p> <p>3 CHAIR SANDERS: Okay. I'm, you know, I'm just</p> <p>4 going to say that, you know, I -- maybe it's a soft part</p> <p>5 of me speaking, but that I would -- I would more go to</p> <p>6 what the hearing officer recommended, but I'll call for</p> <p>7 the vote. All in favor say aye? Aye.</p> <p>8 BOARD MEMBERS: Aye.</p> <p>9 CHAIR SANDERS: I meant not to say aye. I just</p> <p>10 said say, aye, and it came out. So -- so I'll say no on</p> <p>11 it. Jeez. I'm sorry. But the other three said aye,</p> <p>12 didn't they?</p> <p>13 THE CLERK: Yes, they did.</p> <p>14 CHAIR SANDERS: Okay. So the -- the motion</p> <p>15 carries. Appreciate your effort in coming in here</p> <p>16 today, and I hope that you got everything in the record</p> <p>17 that you wanted. Next item on the agenda is,</p> <p>18 identifying emerging issues to be discussed by the board</p> <p>19 at a future meeting. Does anyone have any items that</p> <p>20 they'd like to put on the agenda for a future meeting?</p> <p>21 Seeing no, I'll close this portion. Then we have a</p> <p>22 public comment. I'd like to open the meeting to anyone</p> <p>23 that would like to make a public comment to the board.</p> <p>24 MR. TRUMAN: Hey, can I -- can I ask a</p> <p>25 question?</p> <p style="text-align: right;">Page 83</p>	<p>1 MS. LAHAV: My experience is a properly fenced</p> <p>2 and monitored perimeter --</p> <p>3 MR. TRUMAN: Okay.</p> <p>4 MS. LAHAV: -- doesn't allow for multiple</p> <p>5 unauthorized access events.</p> <p>6 MR. TRUMAN: So that you're -- you're condoning</p> <p>7 trespassing.</p> <p>8 MS. LAHAV: I am not condoning trespassing.</p> <p>9 MR. ALLEN: I'd be happy to speak with Mr.</p> <p>10 Truman and his counsel about access to his site going</p> <p>11 forward so we can resolve any issues.</p> <p>12 MS. LAHAV: Thank you.</p> <p>13 MR. GUBLER: I appreciate it.</p> <p>14 CHAIR SANDERS: Honestly, in all the years I've</p> <p>15 been on this board, this is the first time this has ever</p> <p>16 been an issue of whether or not the -- an inspector was</p> <p>17 allowed access onto a site. I don't remember that ever,</p> <p>18 ever coming up. And -- but I do appreciate the fact</p> <p>19 that, you know, I -- and I don't know what the</p> <p>20 guidelines are that air quality has established for</p> <p>21 inspectors going on a site, you know, but I know they --</p> <p>22 they just show up sometimes. And -- and that could be</p> <p>23 something that internally you guys can discuss maybe</p> <p>24 laying out some procedures that would be appropriate for</p> <p>25 -- for entering a -- a site one way or another. Because</p> <p style="text-align: right;">Page 85</p>
<p>1 CHAIR SANDERS: Well, I guess this is the time.</p> <p>2 Do it.</p> <p>3 MR. TRUMAN: It's about this. How is the</p> <p>4 county going to respect my property rights? I know</p> <p>5 you're -- you're not -- you're -- you're not the county,</p> <p>6 but you're going to fine me yet these guys, the -- were</p> <p>7 in compliance and yet they're still trespassing on my</p> <p>8 property.</p> <p>9 CHAIR SANDERS: You know, I -- like -- like I</p> <p>10 said before, I really feel that's an issue that --</p> <p>11 MR. TRUMAN: Do I arrest them and -- and go</p> <p>12 through and -- and wait for the police department to</p> <p>13 come pick them up? I mean, that doesn't show well for</p> <p>14 the county employee to get arrested by the -- by a</p> <p>15 citizen. But I do have property rights. They should</p> <p>16 either through training or policy respect people's</p> <p>17 property.</p> <p>18 MS. LAHAV: Mr. Truman, if I may. My</p> <p>19 experience working on a hazardous site and experiencing</p> <p>20 Clark County Air Quality inspections, with a properly</p> <p>21 fenced gated perimeter and access, they're not going to</p> <p>22 get on site unless you let them.</p> <p>23 MR. TRUMAN: Ma'am, we have a gate that closes</p> <p>24 after the truck leaves. He snuck in after the truck</p> <p>25 left.</p> <p style="text-align: right;">Page 84</p>	<p>1 I'm sympathetic to what your argument is there,</p> <p>2 somewhat.</p> <p>3 MR. TRUMAN: Thank you.</p> <p>4 CHAIR SANDERS: Is there any other public</p> <p>5 comment that we would have at this -- this time?</p> <p>6 MS. SUTOWSKA: Mr. Chair, a couple items. One</p> <p>7 is I was glad to hear Mr. Truman recognized that he's</p> <p>8 had building officials on his site and he recognizes</p> <p>9 their right of entry. I confirmed with the building</p> <p>10 official during this meeting who sits right down the</p> <p>11 hallway that they have the exact same badges that we do.</p> <p>12 They're county employee badge. They don't show or</p> <p>13 provide anything different. So I don't think we'll be</p> <p>14 addressing the badging issue, but what we will do is go</p> <p>15 back and talk about it as staff. And this is one of the</p> <p>16 things we can report back to the board at your next</p> <p>17 meeting as to what we've talked about.</p> <p>18 CHAIR SANDERS: I appreciate it. I think it</p> <p>19 would be relevant.</p> <p>20 MR. GUBLER: I'm going to object to that</p> <p>21 because that's not -- that's not testimony, that's not</p> <p>22 firsthand knowledge.</p> <p>23 CHAIR SANDERS: Well, this is -- this is the</p> <p>24 public comment portion of the meeting. So she can say</p> <p>25 whatever she wants to here.</p> <p style="text-align: right;">Page 86</p>



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1 MR. GUBLER: As it relates to my client. I
2 don't want --
3 CHAIR SANDERS: Well, that's fine. I don't --
4 we're not talking about him specifically. Now we're
5 looking at an overall procedure. Anything else? Public
6 comment.
7 Okay. I'll close this portion of the meeting.
8 If there's nothing else from anybody, I appreciate you
9 getting on board there, Donald. I'll -- okay. The
10 meeting's adjourned. Thank you.
11 (Board hearing adjourned)

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CERTIFICATE OF TRANSCRIPTION

I, Michael Kaldor, do hereby certify that the provided audio recording media was transcribed by me or reduced to typewriting under my supervision, that said transcript is a true transcription of the audio recording; that I am neither counsel for, related to, nor employed by any of the parties to the action involved in these proceedings; and, further, that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.

Michael Kaldor



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Exhibit 33

**Pacific Southwest, Region 9**

Serving: Arizona, California, Hawaii, Nevada, Pacific Islands, Tribal Nations

Federal Rule Requirements for Unpaved Parking Lots, Unpaved Roads, and Vacant Lots in Maricopa County

These requirements apply to:

- Owners/operators of unpaved parking lots
- Owners/operators of unpaved roads
- Owners/operators of disturbed vacant lots
- Responsible parties for weed abatement on vacant lots
- Does not apply to any of the above who are already covered under a Dust Control Plan in a permit issued by Maricopa County Environmental Services Department

General requirements**Unpaved Parking Lots**

Pave, apply chemical/organic stabilizers or gravel by May 2, 1999. For lots used no more than 35 days a year, stabilize the surface on any days when over 100 vehicles are parked in the lot. Lots that are less than 5000 square feet or are low-usage (10 or fewer cars per day) are exempt.

Unpaved Roads

Pave, apply chemical/organic stabilizers or gravel unpaved roads which receive 250 or more vehicle trips per day, by June 10, 2000.

Vacant lots: Weed Removal

Stabilize the surface with a dust suppressant before or during weed removal. Prevent or eliminate the tracking of dust onto paved surfaces. Stabilize the disturbed surface immediately after the weed removal by compacting the ground or applying gravel or dust suppressants. Weed removal operations that disturb less than 0.5 acres are exempt.

Vacant lots: Disturbed Surfaces

Revegetate, apply water or chemical/organic stabilizers, restore to a natural state or gravel by May 2, 1999 or within 60 days following a disturbance, whichever is later. Vacant lots with less than 0.5 acres of disturbed surface are exempt.

Vacant Lots: Motor Vehicle Trespass

Place fencing, trees, or other barriers to prevent vehicle access, or apply gravel or chemical/organic stabilizers by May 2, 1999 or within 60 days following a disturbance, whichever is later. Vacant lots with less than 5,000 square feet of disturbed surface are exempt.

Alternative Control Measures

Owners/operators may use other control measures as long as the surface is stabilized.

Stabilizers or Gravel

Chemical stabilizers or gravel must be periodically maintained to stabilize the surface in accordance with the rule's test methods.

For more information:

Please contact colleen McKaughan, Associate Director, air Division, U.S. EPA Region 9 at (520) 498-0118. Send questions and comments to r9.phoenixdust@epa.gov.



Pacific Southwest, Region 9

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The FIP Dust Rule- What It Is Intended to Do

The FIP dust rule aims to control dust to a reasonable extent on unpaved roads, unpaved parking lots and vacant lots.

- Owners/operators should be aware that more stringent requirements may apply under local jurisdictions.

FIP rule requirements replace but do not go beyond existing Maricopa County requirements to control dust.

- The FIP rule replaces broad coverage of unpaved roads, unpaved parking lots and vacant lots under Maricopa County Environmental Services Division's Rule 310.

FIP Rule Flexibility...

At least three or more ways to control dust are available for any sources covered under the rule.

- As long as the control used gets the job done according to the standards in the rule, owners/operators can choose whichever control method(s) they prefer.

Only heavily trafficked unpaved roads need to be paved or otherwise stabilized.

- EPA is not requiring the control of dust from every unpaved road. In fact, unpaved roads do not need to be stabilized unless vehicles drive on them 250 times a day or more. This equals about 3 cars every 5 minutes over a 7-hour period or 2 cars every 5 minutes over a 10 and 1/2-hour workday.

Unpaved parking lots with a total of 10 or fewer cars parked on them on any given day are exempt.

- If, throughout the day, no more than 10 cars enter and park on the lot, nothing is required.

Unpaved parking lots used 35 days a year or less only need to be stabilized on days when over 100 vehicles park on the lot.

This more flexible provision also applies to lots that have 10 or fewer cars parked on them daily but occasionally (35 days a year or less) have larger numbers of vehicles parked on the lot.

FIP Rule Test Methods...

Test methods are needed for owners/operators, EPA or other interested parties to make objective and consistent determinations about a source.

- A minimum standard and a corresponding test method are used to indicate whether a source poses a dust problem that needs to be controlled. A test method can also be used to determine whether a specific control applied to the source has successfully stabilized the surface as intended.

Individuals who gain experience with FIP rule test methods may soon be able to visually recognize whether a surface is stable without doing the applicable test method.

- While test methods are available to determine and document FIP rule compliance, it may not always be necessary that they be conducted. As an individual's familiarity with a test method grows over time, it may be apparent based on a visual inspection whether a source needs to be controlled. The test methods may be most important in "borderline" cases or when non-compliance needs to be documented.

More test methods for vacant lots means more chances for sources to comply.

- While having more than one test method for vacant lots seems complex, EPA is acknowledging that a disturbed vacant lot need not be trusted over in all cases to be considered stable. A lot may have enough vegetation, rocks or large grains/clumps of soil to sufficiently control dust. Recognizing more than one way for vacant lots to be stable helps avoid unnecessary controls on many lots.

The variety of vacant lot test methods merely addresses different surface conditions.

- On any given vacant lot, only one or two methods may apply. For example, if no vegetation is present, then the vegetation test methods do not apply. And if one test method demonstrates compliance, no other test method needs to be done.

Owners/operators can take steps to simplify FIP rule compliance.

- If an owner/operator of a disturbed vacant lot does not wish to do anything other than test for a visible crust, he/she may apply water or a chemical dust suppressant to the extent that a sufficient visible crust forms to stabilize the lot. Or, if an owner/operator paves an unpaved parking lot or unpaved road, no test method is necessary to demonstrate compliance.

Vacant lot test method standards control dust to a reasonable extent.

- Because vacant lots can be sufficiently stable under a variety of conditions, a vacant lot is considered stable under the FIP rule if it meets any one of the following criteria,

- Sufficient crust;
- 10% or more rocks or hard-packed dirt clumps covering disturbed areas;
- 30% coverage by standing (i.e. upright) vegetation;
- 50% coverage by flat-lying vegetation;
- The greatest volume of dirt particles in the disturbed soil are 2 millimeters or larger in size;
- The combined volume of dirt particles and rocks > 1 cm in diameter are large enough for the surface to be stable;
- 10% coverage by standing vegetation AND the greatest volume of dirt particles in the disturbed soil are 0.25 millimeters or larger in size.

More Information

Please contact [Colleen McKaughan](#), Associate Director, air Division, U.S. EPA Region 9 at (520) 498-0118. Send questions and comments to r9.phoenixdust@epa.gov.

Exhibit 34

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Exhibit 35

COMMERCIAL LEASE AGREEMENT

THIS LEASE (this "Lease") dated this 10th day of May, 2018

BETWEEN:

Pabco Gypsum of 8000 E Lake Mead Blvd, Las Vegas, NV 89191, USA

Telephone: (702) 407-3700

(the "Landlord")

OF THE FIRST PART

- AND -

Tonopah & Tidewater Railroad of 3426 Losee Rd, North Las Vegas, NV 89030,

USA

Telephone: (702) 348-6370

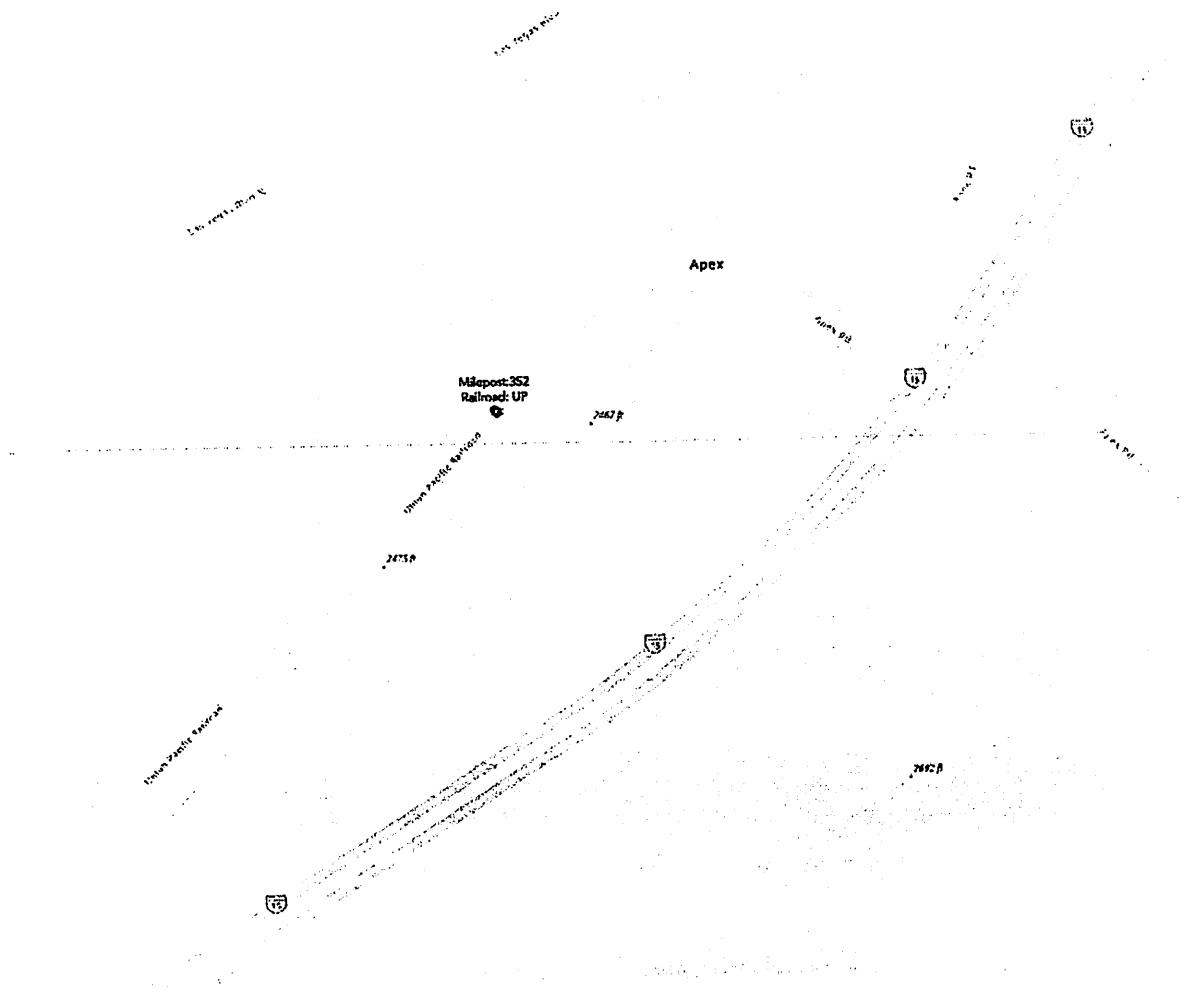
(the "Tenant")

OF THE SECOND PART

IN CONSIDERATION OF the Landlord leasing certain premises to the Tenant, the Tenant leasing those premises from the Landlord and the mutual benefits and obligations set forth in this Lease, the receipt and sufficiency of which consideration is hereby acknowledged, the Parties to this Lease (the "Parties") agree as follows:

Definitions

1. When used in this Lease, the following expressions will have the meanings indicated:
 - a. "Additional Rent" means all amounts payable by the Tenant under this Lease except Base Rent, whether or not specifically designated as Additional Rent elsewhere in this Lease;
 - b. "Rail Road rail track" from time to time located at Union Pacific Rail Mile Post 352 on the former Fiberboard spur, as from time to time altered, expanded or reduced by the Landlord in its sole discretion;
2. Site plan of rail line



Intent of Lease

2. It is the intent of this Lease and agreed to by the Parties to this Lease that rent for this Lease will be on a gross rent basis meaning the Tenant will pay the Base Rent and any Additional Rent and the Landlord will be responsible for all other service charges related to the Premises and the operation of the Building save as specifically provided in this Lease to the contrary.

Leased Premises

3. The Landlord agrees to rent to the Tenant the commercial premises municipally described as Union Pacific Rail Mile Post 352 (the "Premises").
4. The Landlord agrees to rent to the Tenant the Premises for only the permitted use (the "Permitted Use") of: Moving railcars and load and unloading rail cars.

Term

5. The term of the Lease is a periodic tenancy commencing at 12:00 noon on May 10, 2018 and continuing on a year-to-year basis until the Landlord or the Tenant terminates the tenancy (the "Term").
6. Upon 30 days' notice, the Landlord may terminate the tenancy under this Lease if the Tenant has defaulted in the payment of any portion of the Rent when due.
7. Upon 180 days' notice, the Landlord may terminate the tenancy under this Lease if the Tenant fails to observe, perform and keep each and every of the covenants, agreements, stipulations, obligations, conditions and other provisions of this Lease to be observed, performed and kept by the Tenant and the Tenant persists in such default beyond the said 180 days' notice.

Rent

8. The provisions of this Lease, the Tenant will pay a base rent of \$200.00, per rail car that is unload or loaded the Premises (the "Base Rent"), without setoff, abatement or deduction. In addition to the Base Rent, the Tenant will pay for any fees or taxes arising from the Tenant's business.
9. The Tenant will pay the Base Rent on or before the first of each and every month of the Term to the Landlord.
10. No acceptance by the Landlord of any amount less than the full amount owed will be taken to operate as a waiver by the Landlord for the full amount or in any way to defeat or affect the rights and remedies of the Landlord to pursue the full amount.

Use and Occupation

11. The Tenant will open the whole of the Premises for business to the public fully fixtured, stocked and staffed on the date of commencement of the Term and throughout the Term, and will continuously occupy and utilize the entire Premises in the active conduct of its business in a reputable manner on such days and during such hours of business as may be determined from time to time by the Landlord.
12. The Tenant covenants that the Tenant will carry on and conduct its business from time to time carried on upon the Premises in such manner as to comply with all statutes, bylaws, rules and regulations of any federal, state, municipal or other competent authority and will not do anything on or in the Premises in contravention of any of them.
13. The Tenant covenants that the Tenant will carry on and conduct its business from time to time carried on upon the Premises in such manner as to comply with any statute, including any subordinate

legislation, which is in force now or in the future and taking into account any amendment or re-enactment, or any government department, local authority, other public or competent authority or court of competent jurisdiction and of the insurers in relation to the use, occupation and enjoyment of the Building (including in relation to health and safety compliance with the proper practice recommended by all appropriate authorities).

Quiet Enjoyment

14. The Landlord covenants that on paying the Rent and performing the covenants contained in this Lease, the Tenant will peacefully and quietly have, hold, and enjoy the Premises for the agreed term.

Distress

15. If and whenever the Tenant is in default in payment of any money, whether hereby expressly reserved or deemed as Rent, or any part of the Rent, the Landlord may, without notice or any form of legal process, enter upon the Premises and seize, remove and sell the Tenant's goods, chattels and equipment from the Premises or seize, remove and sell any goods, chattels and equipment at any place to which the Tenant or any other person may have removed them, in the same manner as if they had remained and been distrained upon the Premises, all notwithstanding any rule of law or equity to the contrary, and the Tenant hereby waives and renounces the benefit of any present or future statute or law limiting or eliminating the Landlord's right of distress.

Overholding

16. If the Tenant continues to occupy the Premises without the written consent of the Landlord at the expiration or other termination of the Term, then the Tenant will be a tenant at will and will pay to the Landlord, as liquidated damages and not as rent, an amount equal to twice the Base Rent plus any Additional Rent during the period of such occupancy, accruing from day to day and adjusted pro rata accordingly, and subject always to all the other provisions of this Lease insofar as they are applicable to a tenancy at will and a tenancy from month to month or from year to year will not be created by implication of law; provided that nothing in this clause contained will preclude the Landlord from taking action for recovery of possession of the Premises.

Inspections and Landlord's Right to Enter

17. During the Term and any renewal of this Lease, the Landlord and its agents may enter the Premises to make inspections or repairs. Except where the Landlord or its agents consider it an emergency, the

Landlord will provide the Tenant with written notice 24 hours prior to entering.

Insurance

18. The Tenant is hereby advised and understands that the personal property of the Tenant is not insured by the Landlord for either damage or loss, and the Landlord assumes no liability for any such loss. The Tenant is advised that, if insurance coverage is desired by the Tenant, the Tenant should inquire of Tenant's insurance agent regarding a Tenant's policy of insurance.
19. The Tenant is responsible for insuring the Landlord's contents and furnishings in or about the Premises for either damage and loss for the benefit of the Landlord.
20. The Tenant is responsible for insuring any structural components of the Building (including walls, roof, foundations, mechanical systems or other improvements) incorporated into the Premises for the joint benefit of the Tenant and the Landlord. Such coverage shall include, at a minimum, fire, theft, vandalism, flood and other casualty perils.
21. The Tenant is responsible for insuring the Premises for liability insurance for the benefit of the Tenant and the Landlord.

Abandonment

22. If at any time during the Term, the Tenant abandons the Premises or any part of the Premises, the Landlord may, at its option, enter the Premises by any means without being liable for any prosecution for such entering, and without becoming liable to the Tenant for damages or for any payment of any kind whatever, and may, at the Landlord's discretion, as agent for the Tenant, relet the Premises, or any part of the Premises, for the whole or any part of the then unexpired Term, and may receive and collect all rent payable by virtue of such reletting, and, at the Landlord's option, hold the Tenant liable for any difference between the Rent that would have been payable under this Lease during the balance of the unexpired Term, if this Lease had continued in force, and the net rent for such period realized by the Landlord by means of the reletting. If the Landlord's right of reentry is exercised following abandonment of the premises by the Tenant, then the Landlord may consider any personal property belonging to the Tenant and left on the Premises to also have been abandoned, in which case the Landlord may dispose of all such personal property in any manner the Landlord will deem proper and is relieved of all liability for doing so.

Attorney Fees

23. In the event that any action is filed in relation to this Lease, the unsuccessful party in the action will

pay to the successful party, in addition to all the sums that either party may be called on to pay, a reasonable sum for the successful party's attorney fees.

Governing Law

24. It is the intention of the Parties to this Lease that the tenancy created by this Lease and the performance under this Lease, and all suits and special proceedings under this Lease, be construed in accordance with and governed, to the exclusion of the law of any other forum, by the laws of the State of Nevada, without regard to the jurisdiction in which any action or special proceeding may be instituted.

Severability

25. If there is a conflict between any provision of this Lease and the applicable legislation of the State of Nevada (the 'Act'), the Act will prevail and such provisions of the Lease will be amended or deleted as necessary in order to comply with the Act. Further, any provisions that are required by the Act are incorporated into this Lease.

Assignment and Subletting

26. The Tenant will not assign this Lease in whole or in part, nor sublet all or any part of the Premises, nor grant any license or part with possession of the Premises or transfer to any other person in whole or in part or any other right or interest under this Lease (except to a parent, subsidiary or affiliate of the Tenant), without the prior written consent of the Landlord in each instance, which consent will not be unreasonably withheld so long as the proposed assignment or sublease complies with the provisions of this Lease.
27. Notwithstanding any assignment or sublease, the Tenant will remain fully liable on this Lease and will not be released from performing any of the terms, covenants and conditions of this Lease.
28. If the Lease is assigned or if the Premises or any part of the Premises are sublet or occupied by anyone other than the Tenant, the Landlord may collect rent directly from the assignee, subtenant or occupant, and apply the net amount collected, or the necessary portion of that amount, to the rent owing under this Lease.
29. The prohibition against assigning or subletting without the consent required by this Lease will be constructed to include a prohibition against any assignment or sublease by operation of law.
30. The consent by the Landlord to any assignment or sublease will not constitute a waiver of the necessity of such consent to any subsequent assignment or sublease.

Bulk Sale

31. No bulk sale of goods and assets of the Tenant may take place without first obtaining the written consent of the Landlord, which consent will not be unreasonably withheld so long as the Tenant and the Purchaser are able to provide the Landlord with assurances, in a form satisfactory to the Landlord, that the Tenant's obligations in this Lease will continue to be performed and respected, in the manner satisfactory to the Landlord, after completion of the said bulk sale.

Care and Use of Premises

32. The Tenant will promptly notify the Landlord of any damage, or of any situation that may significantly interfere with the normal use of the Premises.
33. The Tenant will not make (or allow to be made) any noise or nuisance which, in the reasonable opinion of the Landlord, disturbs the comfort or convenience of other tenants.
34. The Tenant will not engage in any illegal trade or activity on or about the Premises.
35. The Landlord and Tenant will comply with standards of health, sanitation, fire, housing and safety as required by law.

Surrender of Premises

36. At the expiration of the lease term, the Tenant will quit and surrender the Premises in as good a state and condition as they were at the commencement of this Lease, reasonable use and wear and damages by the elements excepted.

Hazardous Materials

37. The Tenant will not keep or have on the Premises any article or thing of a dangerous, flammable, or explosive character that might unreasonably increase the danger of fire on the Premises or that might be considered hazardous by any responsible insurance company.

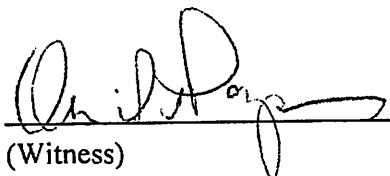
Rules and Regulations

38. The Tenant will obey all rules and regulations posted by the Landlord regarding the use and care of the Building, parking lot and other common facilities that are provided for the use of the Tenant in and around the Premises and Building.


General Provisions

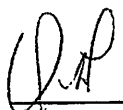
39. Any waiver by the Landlord of any failure by the Tenant to perform or observe the provisions of this Lease will not operate as a waiver of the Landlord's rights under this Lease in respect of any subsequent defaults, breaches or nonperformance and will not defeat or affect in any way the Landlord's rights in respect of any subsequent default or breach.
40. This Lease will extend to and be binding upon and inure to the benefit of the respective heirs, executors, administrators, successors and assigns, as the case may be, of each party to this Lease. All covenants are to be construed as conditions of this Lease.
41. All sums payable by the Tenant to the Landlord pursuant to any provision of this Lease will be deemed to be Additional Rent and will be recoverable by the Landlord as rental arrears.
42. Where there is more than one Tenant executing this Lease, all Tenants are jointly and severally liable for each other's acts, omissions and liabilities pursuant to this Lease.
43. Time is of the essence in this Lease.
44. This Lease will constitute the entire agreement between the Landlord and the Tenant. Any prior understanding or representation of any kind preceding the date of this Lease will not be binding on either party to this Lease except to the extent incorporated in this Lease. In particular, no warranties of the Landlord not expressed in this Lease are to be implied.

IN WITNESS WHEREOF the Parties to this Lease have duly affixed their signatures under hand and seal, or by a duly authorized officer under seal, on this 10th day of May, 2018.


(Witness)

Pabco Gypsum (Landlord)

Per:  (SEAL)


(Witness)

Tonopah & Tidewater Railroad (Tenant)

Per:  (SEAL)

Exhibit 36

30



Exhibit 37

Wednesday, September 17, 2025

ETON Transportation Corp.
3426 Losee Road
North Las Vegas, NV 89030

RE: **Engineering Opinion – Dust Control and
Surface Solution for Stratford-1 (DCOP #57148)**



Purpose and Context

This letter provides my professional engineering opinion to the Clark County Division of Air Quality (DAQ) on the most appropriate dust-control and surface solution for the heavy-equipment yard located at **2596 Stratford Avenue** (commonly referred to in permit documents as Stratford-1). The objective is to select a surface treatment that both controls fugitive dust and withstands the extreme wheel loads and turning stresses generated by the site's equipment.

Site Use and Loading Conditions

The yard functions as a storage and operations area for **very heavy machinery**. Equipment observed on site includes forklifts weighing up to **110,000 pounds**, a **120,000-pound crane**, and a **Caterpillar D9 bulldozer** weighing approximately **150,000 pounds**. Numerous spread-axle trailers and tracked machinery also operate on the site. Such equipment imposes **concentrated wheel loads**, **scrubbing forces** from tight turns and **side-to-side stresses** when maneuvering in confined space. Under these conditions, **conventional asphalt pavement fails quickly**: forklift steering axles shear the asphalt binder from the aggregate, cranes leave deep indentations where outriggers bear down, trailers scrub the surface and separate the aggregate, and bulldozer grousers create regular indentations. Ultimately, these forces grind the pavement back into loose material, so starting with conventional asphalt would only delay—not avoid—the need for a more robust solution.

Regulatory Requirements

The Clark County Division of Environment and Sustainability (DES) recognizes several options for controlling dust and stabilizing unpaved yards. **Alternative asphalt paving using reclaimed asphalt pavement (RAP) and SS-1H binder is specifically approved by DES for storage yards**, provided that owners obtain **written approval**, prepare the subgrade correctly and maintain the surface according to the guidance. Other methods include conventional asphalt or concrete and topical dust palliatives such as polymer emulsions. The following sections evaluate these alternatives in the context of Stratford-1's heavy loading conditions.

Evaluation of Surface Options

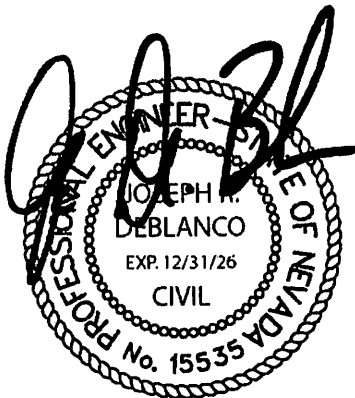
1. **Traditional Asphalt or Concrete Pavement** – Conventional hot-mix asphalt can initially provide a smooth surface, but it is **vulnerable to heavy point loads and turning stresses**. Stationary forklift steering shears the asphalt oil from the aggregate; crane outriggers concentrate loads that exceed asphalt bearing capacity; trailers and tracked equipment scrub and tear the surface. These mechanisms reduce asphalt to reground within a short period, causing repeated failures and dust production. Concrete pavement would offer greater compressive strength but at substantial cost and may still crack under differential settlement and heavy trailer turning.
2. **Formulated Soil Binder (FSB-1000)** – This polymer-emulsion dust palliative reduces PM10 and PM2.5 emissions, is environmentally safe, and increases load-bearing capacity. Clark County and other agencies have approved its use for dust control. However, **FSB-1000 is a topical treatment**. It does not build a structural base capable of resisting rutting and shear under concentrated loads from 110,000 to 150,000-pound equipment. On its own, it is insufficient for Stratford-1's heavy industrial traffic.

3. **Reclaimed Asphalt Pavement (RAP) with SS-1H Binder** – DES guidance describes the process for alternative asphalt paving using rotomill chips or reclaimed asphalt pavement. Key steps include grading the subgrade for drainage, processing the RAP at or above optimum moisture content, laying the material to an uncompacted thickness, and compacting with a steel-wheel vibratory compactor. After the surface dries for **3–5 days**, a **50/50 mix of SS-1H asphalt binder and hot water** is sprayed at 0.6 gallons per square yard (or two coats of 0.3 gallons per square yard) and allowed to cure for **2–4 weeks**. It is this combination of materials and these processes that make it ideal for Stratford-1. Therefore, I recommend a **compacted thickness be designed** to distribute wheel loads from forklifts, cranes and bulldozers. This engineered base will resist shear, prevent rutting and provide a durable, dust-free driving surface.

Recommendation

Given the loading conditions and DES guidance, **the optimal solution for Stratford-1 is to install compacted reclaimed asphalt pavement base**. This approach is explicitly approved by DES for storage yards and provides the structural capacity needed for 150, 000-pound machinery. Topical palliatives such as FSB-1000 may supplement stockpiles or non-traffic areas but should not be relied upon for primary traffic zones.

Warmest Regards,
Joey DeBlanco
Las Vegas Civil Engineering



9/17/25

Exhibit 38

1 BEFORE THE AIR POLLUTION CONTROL HEARING OFFICER
2 CLARK COUNTY, NEVADA

4 IN THE MATTER OF THE NOTICE OF) September 18, 2025
VIOLATION #10161 ORDER ISSUED)
5 TO)
)
6 TONOPAH & TIDEWATER RAILROAD)
CO., ENVIRONMENTAL)
7 TRANSPORTATION OF NEVADA, LLC,)
D/B/A ETON, AND MITCHELL)
8 TRUMAN,)
)
9 Respondents.)
)

11 HEARING OFFICER: DOUGLAS BROOKS

<p>1 PROCEEDINGS</p> <p>2 ***</p> <p>3 THE CLERK: This is the Air Pollution</p> <p>4 Control Hearing Officer meeting, 9:00 a.m.,</p> <p>5 September 18th, 2025. Douglas Brooks presiding.</p> <p>6 THE HEARING OFFICER: Good morning</p> <p>7 everybody. It's 9:00 o'clock, so we will start.</p> <p>8 This is the Air Pollution Control Hearing Officer</p> <p>9 meeting. It's now 9 o'clock.</p> <p>10 My name is Douglas Brooks, I'm the</p> <p>11 assigned Hearing Officer to conduct the hearing</p> <p>12 today. I'm independently contracted with the county</p> <p>13 and as a Hearing Officer it's my job to interrogate</p> <p>14 parties accorded an opportunity to present evidence</p> <p>15 and arguments at the hearing in a fair, impartial</p> <p>16 manner.</p> <p>17 Air pollution -- all hearing today is</p> <p>18 conducted in accordance with the code by statutes in</p> <p>19 the Clark County Department of Environment and</p> <p>20 Sustainability, Division of Air Quality Regulations</p> <p>21 in the Clark County Codes. The evidence presented</p> <p>22 in the hearing must be relevant and material</p> <p>23 visible, probative to the issues in each matter, and</p> <p>24 helpful to determining the outcome. Decisions will</p> <p>25 be made in accordance with the preponderance of the</p> <p style="text-align: right;">Page 2</p>	<p>1 MS. SUTOWSKA: Good morning. My name is</p> <p>2 Anna Sutowska, Air Quality supervisor for the</p> <p>3 Compliance and Enforcement section of the Division</p> <p>4 of Air Quality from Environment and Sustainability,</p> <p>5 and I got a number of -- may I begin, sir?</p> <p>6 THE HEARING OFFICER: Begin with Number 1</p> <p>7 and then you'll testify. Thank you.</p> <p>8 MS. SUTOWSKA: Perfect. Case Number 1,</p> <p>9 Adaven Homes LLC, Penalty Number 10292. Adaven is</p> <p>10 not contesting this notice of violation, we ask that</p> <p>11 you enter an order, finding that the violations did</p> <p>12 occur, and levy of the recommended penalty amount of</p> <p>13 \$3,000.</p> <p>14 THE HEARING OFFICER: Is there anyone here</p> <p>15 on behalf of Adaven Homes? All right. We proceed.</p> <p>16 Because the violations are not contested, I find</p> <p>17 that the violations occurred. They occurred, and</p> <p>18 penalty is recommended -- you said 3,500?</p> <p>19 MS. SUTOWSKA: \$3,000.</p> <p>20 THE HEARING OFFICER: I probably didn't</p> <p>21 get that, but thank you. I find that the penalties</p> <p>22 recommended by the division should be assessed, the</p> <p>23 Violation 1 recommended penalty of 1,500, is that</p> <p>24 correct to the court?</p> <p>25 MS. SUTOWSKA: Yes.</p> <p style="text-align: right;">Page 4</p>
<p>1 evidence. And I can take judicial notice or</p> <p>2 official notice for certain facts which are</p> <p>3 requested one of the parties.</p> <p>4 If you -- this is primarily for the</p> <p>5 contested matters, if you're going to speak to</p> <p>6 testify when the case is called, you'll come up to</p> <p>7 this table here with two microphones. To turn the</p> <p>8 microphones on, even I can do it, so you should be</p> <p>9 able to go on and search the red light on the bottom</p> <p>10 of the stand, that means microphones are off.</p> <p>11 There's a button near the front of the base, press</p> <p>12 that and lights will turn green and your microphone</p> <p>13 will be on.</p> <p>14 If you have -- well, everybody has their</p> <p>15 cell phone, I don't know what I am saying. Please</p> <p>16 silence your cell phones. If you need to take a</p> <p>17 call or make a call, please go out in the hallway to</p> <p>18 conduct a distance and so as not to distract the</p> <p>19 proceeding. We'll be -- we'll be following the</p> <p>20 order of the docket that the division has prepared.</p> <p>21 We first state the non-contested cases. First --</p> <p>22 MR. COOPER: Good morning.</p> <p>23 MS. SUTOWSKA: Sorry, I just have</p> <p>24 something to --</p> <p>25 THE HEARING OFFICER: Go ahead.</p> <p style="text-align: right;">Page 3</p>	<p>1 THE HEARING OFFICER: Violation 2, 1,500,</p> <p>2 for a total 3,000. They were fined -- this penalty</p> <p>3 is too big and will be assessed.</p> <p>4 MS. SUTOWSKA: Case Number 2, Adaven Homes</p> <p>5 LLC, Penalty Number 10219. Adaven is also not</p> <p>6 contesting this notice of violation. We ask that</p> <p>7 you enter an order, finding that the one violation</p> <p>8 did occur, and levy of the recommended penalty</p> <p>9 amount of \$1500.</p> <p>10 THE HEARING OFFICER: Well, since the</p> <p>11 violations were contested, I'll find the violations</p> <p>12 alleged by the division did occur. The recommended</p> <p>13 penalty is \$3,500 and that the recommended penalty</p> <p>14 is appropriate and will be assessed for the</p> <p>15 violation alleged -- the noise alleged.</p> <p>16 MS. SUTOWSKA: Case Number 3, Earnest</p> <p>17 Western Inc, register known as Wilson &</p> <p>18 (indiscernible) Inc, Penalty Number 10174. Earnest</p> <p>19 is not contesting this notice of violation. We ask</p> <p>20 that you enter an order, finding that the one</p> <p>21 violation did occur and levy of the recommended</p> <p>22 penalty amount of \$9,750.</p> <p>23 THE HEARING OFFICER: Thank you. This the</p> <p>24 alleged violations not contest, I will find that the</p> <p>25 violations occurred with regard to the penalty -- I</p> <p style="text-align: right;">Page 5</p>



<p>1 made it wrong by saying that other operations don't 2 operate like this (indiscernible) is there anything 3 further on the issue of the existence of violation? 4 MS. GUDIA \$\$ No. I don't think so. 5 THE HEARING OFFICER: I will appropriate 6 now for the division to explain the spatulation of 7 the proposed (indiscernible) and proceed to 8 (indiscernible.) 9 MS. GUDIA \$\$ Sure. 10 BY MR. GUDIA: 11 Q. Mr. Jorgensen, please explain how the air 12 quality assessment is done in this case. 13 A. Sure. In the matter of noise violation, 14 once (indiscernible) be issued to Monarch Mountain 15 Minerals and Aggregate, LLC. We have one documented 16 violation. Violation Number 1 occurred on July 17 17th, 2025. We're going to control the matter to 18 become airborne and travel more than a hundred yards 19 on screen operations. 20 This is a violation of climate conditions 21 2.2.6 and 2.2.1. It takes the documented testimony. 22 The base penalty that applies. I understand 23 violation is once again determined different, if 24 found in (indiscernible) 40 times a year, the 25 combination right here. Violation Number 1, in this Page 110</p>	<p>1 Quality Regulation request continuance in this case. 2 We have been been in several negotiations with other 3 (indiscernible) and we want (indiscernible) just to 4 exist, so we would request continuance to the 5 November 13th. 6 THE HEARING OFFICER: Okay. Thank you. 7 Based upon the juror presentations, I will continue 8 (indiscernible) notice of violation 120152 to the 9 November 13th, 2025, Hearing Officer meeting. Item 10 11, the public still (indiscernible) notice of 11 violation 10160. 12 MS. SUTOWSKA: Hearing Officer upon this 13 matter, state disposal, changed their plea and 14 submitted a new response after the document was 15 finalized. They're no longer contesting this as a 16 violation. We ask that you enter an order, finding 17 that one violation did occur and make a direct fine 18 or penalty amount of \$2,000. 19 THE HEARING OFFICER: Okay. Thank you. 20 Based upon that fact that the respondent is not 21 present at this meeting, we will find that the 22 alleged violation did occur, we will issue a direct 23 penalty -- penalty of \$3,000 of fine or penalty, 24 amount is appropriate and it'll be assessed. Number 25 12 is the North Star Gardens LLC. Notice of Page 112</p>
<p>1 case is emission creation, because it isn't for a 2 hundred yards from the (indiscernible) so there's 3 need to creation (indiscernible) therefore it is 4 charged \$3,000 of fine. This is for total penalty 5 amount of \$3,000 for a one-on-one meeting. 6 THE HEARING OFFICER: Anything further 7 from the division? 8 MR. GUDIA: Nothing further. 9 THE HEARING OFFICER: Anything further 10 from the respondent? 11 MR. JORGENSEN: No, sir. 12 THE HEARING OFFICER: Thank you very much. 13 Based upon the evidence testimony you 14 stated -- presented today of when the -- the 15 violation did occur, the division is recommending a 16 penalty of \$3,000 based upon the evidence staged and 17 presented, they have fine -- a penalty -- a proposed 18 penalty as appropriate and I will charge the \$3,000 19 penalty for this case. Back to this case. Thank 20 you for helping (indiscernible.) 21 MR. JORGENSEN: Thank you. 22 THE HEARING OFFICER: And item on the 23 (indiscernible) incorporated rules, Violation 1, 24 01527 (indiscernible.) 25 MS. SUTOWSKA: Mr. Hearing Officer, Air Page 111</p>	<p>1 Violation 10173. 2 MS. SUTOWSKA: North Star Gardens has also 3 requested continuance. Air Quality will now be 4 requesting their first request and ask that she 5 approve a continuance in this case of November 13th. 6 THE HEARING OFFICER: Thank you. Based 7 upon this record (indiscernible) regarding the North 8 Star Gardens, LLC on its violation 0.0173 to the 9 November 13th, 2025, Hearing Officer meeting. The 10 next matter is Tonopah and Tidewater Railroad 11 Company, Environmental Transportation of Nevada LLC, 12 doing business as ETON and Mitchell Truman. Notice 13 violation 10165. If you will indulge me on to take 14 a brief break and we'll be right back. It is now 15 11:41 and we will go off the record for 5 minutes. 16 Thank you. 17 (Recess; 11:41 a.m. to 11:47 a.m.) 18 THE HEARING OFFICER: We're 19 (indiscernible) the Hearing Officer meeting. Back 20 to order. The time is 11:47 and we are back. Last 21 item contested on this docket Number 13, Tonopah and 22 Tidewater Railroad Company et al. Violation Number 23 10161. If the respondent is present and represented 24 by counsel, if you will give your name for the 25 record, please. Page 113</p>



<p>1 MR. COOPER: Yes. Good morning. This is</p> <p>2 Ross Cooper on behalf of the respondent. I also</p> <p>3 have with me, Mitchell Truman.</p> <p>4 THE HEARING OFFICER: Okay. Thank you</p> <p>5 very much. We will proceed with the county's</p> <p>6 presentation of this evidence. Your witness has</p> <p>7 previously been sworn?</p> <p>8 MR. GUDIA: No.</p> <p>9 THE HEARING OFFICER: No? Okay. Let's</p> <p>10 give you the oath now.</p> <p>11 Do you or affirm to tell the truth, the</p> <p>12 whole truth, and nothing but the truth?</p> <p>13 THE WITNESS: I do.</p> <p>14 (WITNESS SWORN).</p> <p>15 THE HEARING OFFICER: Mr. Cooper I'll</p> <p>16 start with you (indiscernible) what want to address.</p> <p>17 MR. COOPER: Thank you. Mr. Hearing</p> <p>18 Officer (indiscernible) I'm not quite sure what</p> <p>19 order to -- to put them but maybe cling on public</p> <p>20 rule. I -- I just want to put it on the record that</p> <p>21 our objection on the record for this hearing on this</p> <p>22 matter, there are many different issues that have</p> <p>23 been raised in our response to the notice of</p> <p>24 violation Number 10161.</p> <p>25 We've raised these in previous hearings,</p> <p style="text-align: right;">Page 114</p>	<p>1 constitutional and so we ask if this -- this matter</p> <p>2 be dismissed to -- that it could be brought by -- by</p> <p>3 DES in a different form, not in the old case.</p> <p>4 THE HEARING OFFICER: Okay. Thank you</p> <p>5 very much. I've seen the accused arguments they</p> <p>6 provided and your submission for the record. The</p> <p>7 written submission on the record -- I'll be</p> <p>8 considering that for rendering my decision today.</p> <p>9 Let's hear the respondent.</p> <p>10 MR. COOPER: I -- with -- with that, I do</p> <p>11 have two other items.</p> <p>12 THE HEARING OFFICER: Proceed.</p> <p>13 MR. COOPER: Thank you so much. Number 1,</p> <p>14 the -- this wasn't raised in our response. I think</p> <p>15 a good summary is on Page 8 of our response, but we</p> <p>16 -- we're going to -- my next request would be</p> <p>17 related to this, but we have attached Exhibit 32 in</p> <p>18 our -- in our bullet, which has the transcripts for</p> <p>19 the hearing for the control board. That is a very</p> <p>20 -- well, it's related to the issue that are -- that</p> <p>21 is present here today. It's on this piece of</p> <p>22 property that's related to heavy equipment,</p> <p>23 specifically D9 dozer.</p> <p>24 And we had the chair of the control board,</p> <p>25 which is -- which is the, you know, the board that</p> <p style="text-align: right;">Page 116</p>
<p>1 but just as a -- just a quick recap, they -- most of</p> <p>2 them are here in our response but the jurisdiction,</p> <p>3 as far as according to the rules for Clark County,</p> <p>4 Hearing Officer consider cases where there's</p> <p>5 violation and it exists, and the extent of the</p> <p>6 penalties of penalty.</p> <p>7 And issues that are raised here that we're</p> <p>8 asking at the trial, that consider to include the</p> <p>9 jurisdiction need for protection due process, lawful</p> <p>10 procedures, current clause, supremacy clause, and I</p> <p>11 -- I think that's pretty -- whether the AQR is</p> <p>12 cleared by federal law. Under the -- last year, the</p> <p>13 two ruling by United States Supreme Court under</p> <p>14 Loper Bright -- Loper Bright Enterprises v.</p> <p>15 Raimondo, and as well as Corner Post, Inc. V.</p> <p>16 Board of Governors.</p> <p>17 (Indiscernible) preferences to agencies</p> <p>18 interpreting statute. There are some things that we</p> <p>19 asked the Hearing Officer to try back to consider,</p> <p>20 and they -- they basically said that courts agencies</p> <p>21 are to decide all relevant questions of law and</p> <p>22 interpret -- interpret statutory provisions. And</p> <p>23 the landmark case, Marbury v. Madison, it's power</p> <p>24 of court legislature, executive, act in violation of</p> <p>25 constitution. Here, we -- we have issues that are</p> <p style="text-align: right;">Page 115</p>	<p>1 hears everything said all over here. We said on the</p> <p>2 record, and this is Exhibit 32, so this is going to</p> <p>3 be Page 70 and 71, beginning on Line 7. And it</p> <p>4 says, "And it's clear from the timeline" -- this is</p> <p>5 Mr. Sanders speaking.</p> <p>6 "It's clear from the timeline that, you</p> <p>7 know, we had an unstable -- potentially unstable</p> <p>8 piece of ground up until in August." And this is</p> <p>9 August last year, 2024. Before any of these --</p> <p>10 they're claiming violation. When they closed it</p> <p>11 out, they did the rest, and said it was in</p> <p>12 compliance after the Roller Mill had been put down.</p> <p>13 He goes on to Line 15, "But, you know, I</p> <p>14 don't have a problem with the Roller Mill," and I</p> <p>15 think that that's an adequate dust out, when you</p> <p>16 have a lot of traffic on and on something and it's</p> <p>17 moving around and turning in and unloading different</p> <p>18 things. And it's pretty hard to keep the answer.</p> <p>19 As a matter of fact, it's pretty hard to keep it</p> <p>20 clean, let alone keep it from getting damaged with</p> <p>21 that kind of activity, especially with a D9 dozer,</p> <p>22 like that weighs like a hundred tons, spinning</p> <p>23 around in there.</p> <p>24 So, and I don't -- I don't even know why</p> <p>25 the dozer is there, but nevertheless, you know, in</p> <p style="text-align: right;">Page 117</p>



<p>1 my mind, the Roller Mill is not an issue. And --</p> <p>2 and obviously they -- they accepted showing that you</p> <p>3 were in compliance and you put it down. This is why</p> <p>4 we're here today is because we have Roller Mill and</p> <p>5 these pictures will show Roller Mill on this</p> <p>6 property.</p> <p>7 And so I would ask that this be dismissed</p> <p>8 because it is -- it is hearing something over, an</p> <p>9 issue that's already been decided. We don't want</p> <p>10 this agency, of course, making a -- a -- a contrary</p> <p>11 ruling to what's already been on record with the</p> <p>12 control, because it already goes to the court for</p> <p>13 evidence if -- if it's a ruling against us, right?</p> <p>14 Against our client.</p> <p>15 So I don't think that this is appropriate</p> <p>16 because it was already considered and the fact that</p> <p>17 there's six inches shaft on the whole property and</p> <p>18 -- and then above that shaft, there's six inches of</p> <p>19 Roller Mill, but this was -- Mr. Sanders is in</p> <p>20 construction industry and he said -- he said that on</p> <p>21 record that he was in the -- in the construction</p> <p>22 industry, and he said that's the -- that's the only</p> <p>23 alternative to the -- to the paving. So that's what</p> <p>24 we're requiring here, and so I would say that</p> <p>25 there's not even a violation before we get into</p> <p style="text-align: right;">Page 118</p>	<p>1 revisit that. I -- I'm not prepared to release</p> <p>2 matter at this point. I do want to hear testimonies</p> <p>3 regarding -- but I'm not denying, but at this point.</p> <p>4 I'll -- I'll consider that later on in this</p> <p>5 proceeding and we -- we can explore the arguments a</p> <p>6 little bit more than that.</p> <p>7 MR. COOPER: We appreciate that. Okay.</p> <p>8 The only other issue that I would like to hear from</p> <p>9 the proceeding is, we have attached Exhibit 32, but</p> <p>10 I -- I had asked, I -- I believe that Clark County</p> <p>11 will have an objection but we had -- we had</p> <p>12 stipulated at a control board level because there</p> <p>13 are certain things that are going to be complete.</p> <p>14 I have attached to the transcript for all</p> <p>15 of those hearings, including with the control</p> <p>16 officer last time, that some of these things are</p> <p>17 just very, very complicated and time consuming. And</p> <p>18 we actually had to come back another day because of</p> <p>19 it -- because it's time consuming. To allow that in</p> <p>20 the record, so let me positively streamline some of</p> <p>21 the issues.</p> <p>22 THE HEARING OFFICER: Would your proposal</p> <p>23 be done for the -- the material used (indiscernible)</p> <p>24 you submitted, including the transcripts for prior</p> <p>25 hearing, considered as evidence; is it true?</p> <p style="text-align: right;">Page 120</p>
<p>1 this, and that the exception just complying and then</p> <p>2 the control board. We've already answered that</p> <p>3 issue.</p> <p>4 THE HEARING OFFICER: And what was the</p> <p>5 ruling of the control board in the matter?</p> <p>6 MR. COOPER: So --</p> <p>7 THE HEARING OFFICER: The case you just --</p> <p>8 you're assigned to.</p> <p>9 MR. COOPER: -- so everything -- so my</p> <p>10 client, not the Railroad company, but my client,</p> <p>11 ETON, had pulled a permit. And -- and there was,</p> <p>12 you know, they had this -- this equipment on the</p> <p>13 property (indiscernible.) And as some of these</p> <p>14 exhibits will show, my client went through and tried</p> <p>15 to determine, well, what's the best alternative?</p> <p>16 Maybe because something we're -- we're prepared to</p> <p>17 show, but -- but this is what -- this is what the D9</p> <p>18 dozer will give the asphalt right here in these</p> <p>19 pictures.</p> <p>20 But regardless, up to the point where they</p> <p>21 -- the roller mill was put down in August of 2024,</p> <p>22 and so my client was fired up to now. They had been</p> <p>23 there after August but they found dust and so they</p> <p>24 -- they left. Does that answer the question?</p> <p>25 THE HEARING OFFICER: Yeah. So far we may</p> <p style="text-align: right;">Page 119</p>	<p>1 MR. COOPER: Yes. And that -- I -- I</p> <p>2 understand that (indiscernible) Clark County, you</p> <p>3 know, this is -- this is clearly a different matter</p> <p>4 and that they may have their witness and -- and --</p> <p>5 and we would -- I would have my witness also testify</p> <p>6 to some additional, to try to streamline.</p> <p>7 THE HEARING OFFICER: Okay. I appreciate</p> <p>8 that suggestion, but the county, if you have a</p> <p>9 response to that, the -- the latter, that suggestion</p> <p>10 made?</p> <p>11 MR. GUDIA: Yes. For the record</p> <p>12 (indiscernible) Clark County. In terms of the -- I</p> <p>13 -- I would like to respond on that prejudice.</p> <p>14 Opposing counsel raised that to -- to explain that</p> <p>15 transcript issue first.</p> <p>16 THE HEARING OFFICER: Please.</p> <p>17 MR. GUDIA: Our understanding is that the</p> <p>18 transcript is from the prior hearing, which is a</p> <p>19 different issue, and so we think it's a -- whether</p> <p>20 or not a violation took place, for this notice of</p> <p>21 violation, and whether or not the county is</p> <p>22 appropriate. My understanding is that the Air</p> <p>23 Quality Regulation is very specific about the</p> <p>24 hearing officers in all of these hearings and</p> <p>25 basically whether or not a violation actually</p> <p style="text-align: right;">Page 121</p>



<p>1 occurred, and whether or not the county is</p> <p>2 appropriate.</p> <p>3 A lot of that transcript is making</p> <p>4 arguments that are irrelevant to those two issues,</p> <p>5 and even the factual arguments are about a different</p> <p>6 case, and so for those reasons we objected including</p> <p>7 -- included the (indiscernible.)</p> <p>8 THE HEARING OFFICER: Mr. Cooper, could</p> <p>9 you briefly explain again for me, the purpose for</p> <p>10 which you would like the transcript of the prior</p> <p>11 hearings to be part of the record in this case?</p> <p>12 MR. COOPER: Sure. And that's a great</p> <p>13 question. If we -- if we look at -- so -- so part</p> <p>14 of the argument -- and -- and I'm not sure that this</p> <p>15 is correct, but part of the argument is my client,</p> <p>16 Tonopah and Tidewater Railroad company, which is</p> <p>17 governed under the S -- SGB as I -- I -- it's likely</p> <p>18 something SBG, let's see. Sorry. And I want to</p> <p>19 confirm that. Sorry. SGB.</p> <p>20 And there are so -- so many -- so many</p> <p>21 facts that we'll present include facts related to</p> <p>22 it. And so, for example, all of this is actually in</p> <p>23 -- in that record that I'm asking. So we have -- we</p> <p>24 have a -- this, for example, Exhibit 1, it shows</p> <p>25 that the property is owned by Tonopah and Tidewater,</p> <p style="text-align: right;">Page 122</p>	<p>1 mill, that -- that's all, again, on the testimony on</p> <p>2 here. The -- then we have a series of declarations</p> <p>3 for giving people Joe Miller. Exhibit 10, we have</p> <p>4 -- we have Paul Harbor. All of these with Harbor</p> <p>5 Company, Exhibit 12. We have -- hold on. Dated and</p> <p>6 done, Exhibit 13, we have (indiscernible) Exhibit</p> <p>7 14, we have Michael Montana.</p> <p>8 Either in multiple of -- all except for</p> <p>9 the last one where the construction (indiscernible)</p> <p>10 was the mayor of North Las Vegas showing they used a</p> <p>11 roller mill because that was the only alternative</p> <p>12 real source. And -- and all these declarations show</p> <p>13 the same thing. We have Mr. Truman's testimony</p> <p>14 related to that.</p> <p>15 We have Exhibit 15, that actually goes --</p> <p>16 which is in our -- in our briefing. That goes to</p> <p>17 the Clark County equal protection, that there are</p> <p>18 similar -- similar situated properties without</p> <p>19 roller mill, that are allowed -- that are after 2003</p> <p>20 that are in the same air shape. Exhibit 16, that</p> <p>21 goes to -- this is also in our argument but that --</p> <p>22 that -- in a ninth circuit ruling, Association</p> <p>23 American rulings, that the Clean Air Act requires</p> <p>24 statewide plans -- statewide implementation plans.</p> <p>25 So that shows different places around the state, and</p> <p style="text-align: right;">Page 124</p>
<p>1 which is the railroad company. That -- that ties it</p> <p>2 to the railroad company. No -- no pun intended.</p> <p>3 We also have Exhibit 2, which is on the</p> <p>4 record before and -- and testimony from Mr. Truman</p> <p>5 showing that the -- Tonopah and Tidewater is a</p> <p>6 domestic Nevada corporation. We also have Exhibit 3</p> <p>7 that shows that it filed a federal register to</p> <p>8 become a Class III railroad company.</p> <p>9 We have the dozers here, and all this is</p> <p>10 -- you have the exhibits. We also have the -- the</p> <p>11 testimony and the transcript. Exhibit 6 which just</p> <p>12 shows that the work that they do for Department of</p> <p>13 Defense and that they -- they do carry goods on</p> <p>14 rails, on state lines for people.</p> <p>15 We have -- we have declarations that came</p> <p>16 in Exhibit 7, that actually is Mr. Truman's</p> <p>17 declaration, but it was more related to the roller</p> <p>18 mill that we're going to discuss today. It also</p> <p>19 discusses in 7 A, the -- shows the invoice for the</p> <p>20 -- the dozer that's sitting on the property. It</p> <p>21 shows -- it shows -- in 7B, it shows a nice picture</p> <p>22 of that -- that, a dozer with a roller mill sitting</p> <p>23 underneath it.</p> <p>24 Let's see. Uh-huh. Exhibit 9 shows --</p> <p>25 shows what the property looks like with the roller</p> <p style="text-align: right;">Page 123</p>	<p>1 that goes to the argument that our -- so in the</p> <p>2 state it's -- it's -- it's the -- it -- it's the</p> <p>3 reason of our standard, and -- and the county's --</p> <p>4 its best --</p> <p>5 THE HEARING OFFICER: Can I just</p> <p>6 interrupt? I understand what you're doing, why</p> <p>7 you're doing it, or -- or is it your desire to have</p> <p>8 those -- the exhibits that you provided in writing</p> <p>9 previously in this case, to be considered for both</p> <p>10 the -- for the existence of a violation, that they</p> <p>11 go to that issue?</p> <p>12 MR. COOPER: The -- in this matter you're</p> <p>13 talking about? Correct. Yes. It does go to -- it</p> <p>14 does go to that but it -- but goes to our other</p> <p>15 arguments that we want to make sure are on the</p> <p>16 record, for -- for division.</p> <p>17 THE HEARING OFFICER: Okay. Does the</p> <p>18 division have a response?</p> <p>19 MR. GUDIA: Yes. So -- so my</p> <p>20 understanding is that a lot of attachments are going</p> <p>21 to whether or not they're a railroad and things like</p> <p>22 that, and I think it -- it's a railroad to your</p> <p>23 decision here today, and one of the reasons I think</p> <p>24 that is because federal government require Clark</p> <p>25 County to adopt its air quality regulations.</p> <p style="text-align: right;">Page 125</p>



<p>1 And when Clark County adopts its air 2 quality regulations, the federal government adopts 3 them and makes them federally enforceable. And so 4 even according to federal law, you have an unpaid 5 parking lot. And so that would apply to even 6 railroads. I don't think it's relevant. We 7 disagree that the railroad -- facing the railroad. 8 I don't think we need to have a discussion. I'm -- 9 I'm fine with that -- preserving that for appeal, 10 but I don't think you need to consider those 11 exhibits. I'm fine looking at all those exhibits 12 and deciding whether they're relevant independently, 13 but I would just say that they are.</p> <p>14 THE HEARING OFFICER: Okay. My -- my 15 preference generally speaking in a proceeding like 16 this, administrative proceeding that is somewhat 17 less formal than -- than what you might see 18 elsewhere in the court or other administrative 19 agencies, is to allow the respondents freedom in 20 terms of the evidence they produce. I consider 21 myself capable of separating weed from chaff and 22 it's better to err the side of having more evidence 23 in than trying to par some and keep evidence in 24 attempt to have a pristine record, and again, for a 25 proceeding like this.</p> <p style="text-align: right;">Page 126</p>	<p>1 that basis. Okay.</p> <p>2 MR. GUDIA: In fact I just made -- made 3 the record very clear that's (indiscernible) and 4 it's made by the other counsel.</p> <p>5 THE HEARING OFFICER: Sure.</p> <p>6 MR. GUDIA: First, I'm talking about the 7 overturning of Chevron deference. My understanding 8 is that it has federal agencies and that Nevada has 9 -- still has Nevada has a similar court case law 10 that say agency finding circuit and deference, and 11 they're supported by substantial evidence.</p> <p>12 Second, when talking about the -- the 13 statements made by the chief member of the board at 14 -- at the last hearing on the different issue, this 15 -- the -- the issue at that hearing was mainly 16 whether or not, the terms of their conditions 17 require them to authorize air quality to inspect 18 whether or not they incorrectly denied that right to 19 inspect the property, and whether or not that 20 property was having emitted gas.</p> <p>21 The issue of whether or not roller mill 22 was proper was not an issue that was decided by the 23 hearing board. And I recognize that some state 24 rules were made by the chair about those roller 25 mills and whether or not their appropriate, that is</p> <p style="text-align: right;">Page 128</p>
<p>1 So I'm going to treat the submission by 2 the respondent that included all the exhibits that 3 have been discussed, to be included in the record of 4 this proceeding. Something that will be considered 5 by the Hearing Officer rendering decision over the 6 alleged pena--- alleged violation and any penalty 7 should one need to be assessed. I would like to -- 8 the issues raised by respondent on jurisdiction and 9 other constitutional issues -- I consider to be -- 10 presented to me, I'll consider those issues for 11 both, whether they relevant to -- and if I find that 12 to the substance decision, I'll do that as well.</p> <p>13 We -- I do not believe that the respondent 14 needs to go through each and every one of those 15 exhibits by itself to the extent you -- those need 16 to be discussed in terms of the testimony presented 17 by the respondent in the court. That's -- that's 18 perfectly fine. But I think having all that in 19 front of you will be helpful in -- in my making the 20 decision in this proceeding.</p> <p>21 And again, I understand that -- that a lot 22 of what we're looking at was in prior proceedings 23 regarding this response, but in my review of what 24 testimony submitted -- some may be helpful to me in 25 making my decision. So we're going to proceed on</p> <p style="text-align: right;">Page 127</p>	<p>1 something that Clark County is able to respond and 2 argue at that time, because that issue wasn't before 3 the hearing board. And of course, one statement by 4 one member of the board that designated into their 5 final order, is best -- something that would prevent 6 this issue from being decided by either you or the 7 hearing board. Thank you.</p> <p>8 THE HEARING OFFICER: Thank you very much 9 -- thank you very much. We'll then proceed with our 10 first presentation of the division case. Swear in 11 the witness.</p> <p>12 MR. GUDIA: Yes.</p> <p>13 THE HEARING OFFICER: Okay. So we will -- 14 we'll proceed with that. Go ahead.</p> <p>15 MR. GUDIA: Okay.</p> <p>16 EXAMINATION</p> <p>17 BY MR. GUDIA:</p> <p>18 Q. Can you -- can you please state your name 19 for the record again?</p> <p>20 A. (Indiscernible.)</p> <p>21 Q. Okay. Andrew, can you explain your 22 affiliation with Penalty 10161.</p> <p>23 A. I'm the site inspector for 12 different 24 inspections dates and I did those inspections and so 25 they took photos.</p> <p style="text-align: right;">Page 129</p>



<p>1 Q. And looking at Exhibit A, can you tell me</p> <p>2 who the penalty was issued to?</p> <p>3 A. Issued to Tonopah and Tidewater Railroad</p> <p>4 company and ETON.</p> <p>5 Q. And can you tell me what that alleged</p> <p>6 violation is?</p> <p>7 A. Alleged violation of Section 92.3.1 which</p> <p>8 basically -- getting a concrete parking lot</p> <p>9 (indiscernible.)</p> <p>10 Q. Okay. Can you look at Exhibit E, and --</p> <p>11 and can you talk us through photos 1 through 4? It</p> <p>12 appears you took these photos and you conducted your</p> <p>13 inspection on December 5th, 2024; is that correct?</p> <p>14</p> <p>15 A \$\$ Yes. This is the -- a view looking east on the</p> <p>16 unpaid parking lot storage on the display, and then</p> <p>17 proceed Exhibit 3. Once again, this is looking</p> <p>18 north, you can see the rubber tire vehicles and that</p> <p>19 is northwest, and once again (indiscernible) and</p> <p>20 northeast (indiscernible) parking lot.</p> <p>21 Q. Okay. And when you were conducting this</p> <p>22 inspection, it was -- it was an inspection for</p> <p>23 permit closure; is that correct?</p> <p>24 A. Yes. It was at that time -- at the time</p> <p>25 we performed inspection (indiscernible.)</p> <p style="text-align: right;">Page 130</p>	<p>1 Q. Okay. Those -- those emails you're</p> <p>2 talking about, those are your exhibits, G and I; is</p> <p>3 that correct?</p> <p>4 A. The exhibits --</p> <p>5 Q. Okay.</p> <p>6 A. -- yeah. Exhibit G and Exhibit I.</p> <p>7 Q. Okay. And the Section 92, notice of</p> <p>8 noncompliance, you sent by -- sent by mail, letter</p> <p>9 on December 10th, 2024 according to your Exhibit J;</p> <p>10 Is that correct?</p> <p>11 A. Yes. It was actually emailed on December</p> <p>12 9th but it was also sent -- sent by mail and it was</p> <p>13 delivered on December 10th and that's the one that</p> <p>14 we delivered.</p> <p>15 Q. Okay. And then when you emailed the</p> <p>16 notices of noncompliance to Mr. Truman and attorney,</p> <p>17 did you explain to them why you disapproved the</p> <p>18 property closure form and why you issued the issue</p> <p>19 -- the notice of noncompliance?</p> <p>20 A. Yes. I explained both why the property</p> <p>21 closure form was disapproved and why (indiscernible)</p> <p>22 and I also explained why the noncompliance plans of</p> <p>23 Section 92 being unpaid.</p> <p>24 Q. Okay. Can you take us through the rest of</p> <p>25 your photo? It looks like you did some other</p> <p style="text-align: right;">Page 132</p>
<p>1 Q. Okay. And that was on December 5th, 2024?</p> <p>2 A. Yes.</p> <p>3 Q. And at that time, did you schedule that</p> <p>4 inspection with anybody or did you just show up</p> <p>5 unannounced?</p> <p>6 A. I showed up unannounced, December 4th, and</p> <p>7 I was not allowed to do inspection that day. I was</p> <p>8 asked to schedule the time that I could come back</p> <p>9 with Mr. Truman, and we both agreed that December</p> <p>10 5th at 10:00 a.m. would be the time that we would</p> <p>11 do the inspection.</p> <p>12 Q. Okay. So on December 5th, Mr. Truman</p> <p>13 (indiscernible) the property upon the inspection?</p> <p>14 A. Yes. He visited.</p> <p>15 Q. Okay. And then based on that inspection,</p> <p>16 did you issue a notice of non-compliance fee?</p> <p>17 A. Yes. I did. I did issue, two actually,</p> <p>18 and one was the -- the section 94 which is the dust</p> <p>19 control permit, where I disapproved that application</p> <p>20 form, based on that inspection, that you're not</p> <p>21 allowed to (indiscernible) at the parking lot. So I</p> <p>22 basically explained in email that I am here to</p> <p>23 remove all the equipment material or (indiscernible)</p> <p>24 and I also issued a notice of compliance under our</p> <p>25 Section 92 rule, which (indiscernible.)</p> <p style="text-align: right;">Page 131</p>	<p>1 inspections in January, March, may?</p> <p>2 A. Yeah. This was pretty much going out once</p> <p>3 a week for a little bit here. This is on January</p> <p>4 9th, around 9:00 a.m. That's a vehicle in north</p> <p>5 from an adjacent project, just shows a big parking</p> <p>6 lot and a storage yard. You can see all the trucks</p> <p>7 and -- and equipment material (indiscernible) same</p> <p>8 parking. This is looking west now (indiscernible)</p> <p>9 this is December the 16th, next week.</p> <p>10 Q. Okay. As you go through these photos, is</p> <p>11 it your understanding that most of the vehicles are</p> <p>12 just rubber tire vehicles on this lot?</p> <p>13 A. Yes. All of them except only one truck</p> <p>14 vehicle.</p> <p>15 Q. Okay. So -- so is Bruno ever okay when</p> <p>16 most the vehicles are not hired?</p> <p>17 A. No. It's not. So there is a payment</p> <p>18 exemption for charged vehicles, just around Section</p> <p>19 92.3.3.</p> <p>20 MR. COOPER: I'm objecting, cause to legal</p> <p>21 conclusion.</p> <p>22 THE HEARING OFFICER: (Indiscernible)</p> <p>23 we're going to allow it at this point.</p> <p>24 THE WITNESS: So in order to get that</p> <p>25 extension allowed, basically, the dust supervisor</p> <p style="text-align: right;">Page 133</p>



<p>1 would do an inspection at the site and they would go 2 on there and look at the size of the company, 3 determine how many track vehicles that are on there, 4 really heavy equipment, and based on that they would 5 allow a certain area of that property to be used for 6 the truck vehicles. It would never be allowed on 7 (indiscernible) truck vehicles.</p> <p>8 BY MR. 2:</p> <p>9 Q. Okay. Thank you. Can you go to the next 10 photos.</p> <p>11 A. And this is on January 23rd. These are 12 all going to be the same, just different dates and 13 angles, but this is the west parking lot that they 14 have. On January, was looking west (indiscernible) 15 same thing on February 11th, looking west. This is 16 from outside the facility looking east. The truck 17 that just pulled in (indiscernible). February 26th, 18 same (indiscernible) looking west. To March 13th, 19 looking west (indiscernible) this was the last day 20 that I remember between -- this is the same spot 21 again, east parking lot.</p> <p>22 Q. So for all these other dates that you 23 inspected, you never went onto the property; is that 24 correct?</p> <p>25 A. I did not. I went on (indiscernible) day.</p> <p style="text-align: right;">Page 134</p>	<p>1 or clean (indiscernible.) They don't really tell 2 them where exactly to do it, but they do let them 3 know that they can't have the entire rubber 4 (indiscernible.).</p> <p>5 Q. And so no approval for unpaid section for 6 a truck vehicle. Is that considered in this case?</p> <p>7 A. (Indiscernible.)</p> <p>8 Q. Exhibit B, can you please turn on. In 9 this email, is it your understanding that Mr. Truman 10 is telling everybody that he's going to put down 11 three inches of cement? You scroll up a little bit. 12 Sorry.</p> <p>13 MR. COOPER: Which one?</p> <p>14 THE WITNESS: Yeah. He definitely told us 15 that he was going to tell everybody.</p> <p>16 BY MR 2:</p> <p>17 Q. So three inches of (indiscernible) and 18 that's referring to (indiscernible)?</p> <p>19 A. Yes.</p> <p>20 Q. Okay. That's all the questions I have for 21 you. Thank you.</p> <p>22 THE HEARING OFFICER: Mr. Cooper, do you 23 have any other questions of this witness?</p> <p>24 MR. COOPER: I do.</p> <p style="text-align: right;">Page 136</p>
<p>1 Q. Okay. Can you please pull up Exhibit F? 2 I believe Exhibit F shows an aerial photo, and -- 3 and my understanding is that all of these vehicles 4 are (indiscernible) do you know if there's any truck 5 vehicle in this photo?</p> <p>6 A. I believe it was -- there was definitely 7 one. I believe it's at this point, somewhere right 8 here. It's pretty small, I can't really tell. 9 That's where it had to be located but I've seen it 10 before --</p> <p>11 Q. And so if some---</p> <p>12 A. -- okay. Everything else is rubber tires.</p> <p>13 Q. -- if somebody has a truck vehicle that's 14 used for like load (indiscernible) the rubber tire 15 vehicles, are they allowed at the section, to be 16 unpaid? That where (indiscernible) would be okay 17 for that section?</p> <p>18 A. Yes. That's what I was talking about with 19 the extension. Before that it would've to be 20 determined and inspected by the supervisor of the 21 compliance group and that a plan would be put 22 together and they would be told what area exactly -- 23 and what more sense about parking trucks and where 24 it should be located, by like an entrance or exit, 25 maybe this area here will be able to have road mill</p> <p style="text-align: right;">Page 135</p>	<p>1 EXAMINATION</p> <p>2 BY MR. COOPER:</p> <p>3 Q. How long have you worked for 4 (indiscernible?)</p> <p>5 A. Under -- over 30 years.</p> <p>6 Q. And what are your job responsibilities?</p> <p>7 A. So I'm a senior airport specialist. So my 8 area is the north part of town. I have four 9 inspectors underneath me. Everything that they do, 10 reports and inspections, so I have to review all 11 their work. I also do inspections myself, review 12 notes on violation, noncompliance (indiscernible) 13 does attend meetings, whatever really is needed.</p> <p>14 Q. So it's my understanding that the EPA 15 provides certain rules and guidelines; is that 16 right?</p> <p>17 A. Rules and guidelines, yes.</p> <p>18 MR. COOPER: Mr. Hearing Officer, I just 19 have, just a print out for the EPA website. I have 20 copies (indiscernible) can we?</p> <p>21 THE HEARING OFFICER: Yes.</p> <p>22 MR. COOPER: (Indiscernible.)</p> <p>23 BY MR. COOPER:</p> <p>24 Q. So have you ever seen anything this 25 notice?</p> <p style="text-align: right;">Page 137</p>



<p>1 A. I'm not specific what that is.</p> <p>2 Q. Federal rule -- requirements for parking</p> <p>3 lots. It's on the EPA Website. And there general</p> <p>4 requirements (indiscernible) do you see that?</p> <p>5 A. I do (indiscernible.)</p> <p>6 Q. Okay. Can -- can you just read that?</p> <p>7 A. (Indiscernible.)</p> <p>8 Q. On pay parking lots. General</p> <p>9 requirements, pay compliance.</p> <p>10 A. On pay compliance (indiscernible.)</p> <p>11 Q. Thank you. So are you able to tell me</p> <p>12 why, under this federal requirements, would you</p> <p>13 agree that Clark County's rules (indiscernible?)</p> <p>14 MR. 2: I'm going to object, calling for a</p> <p>15 legal conclusion and seeking to say that Clark</p> <p>16 County's regulations are (indiscernible) the federal</p> <p>17 regulations points talking about Maricopa County</p> <p>18 regulations?</p> <p>19 MR. COOPER: I mean, it says under -- it's</p> <p>20 under the EPA website, it says federal guidelines,</p> <p>21 right? So I -- yeah, maybe it's in Maricopa County,</p> <p>22 but it's still federal rules.</p> <p>23 THE HEARING OFFICER: I -- I'm going to</p> <p>24 allow it, if the witness can answer a question that</p> <p>25 makes you to call for legal conclusion, he can</p> <p style="text-align: right;">Page 138</p>	<p>1 your answer?</p> <p>2 A. Yeah. I guess so.</p> <p>3 Q. Okay. So -- so the federal EPA allows</p> <p>4 gravel in Maricopa County; would you agree?</p> <p>5 A. I would say that EPA (indiscernible.)</p> <p>6 Q. Okay. So would you still stick with your</p> <p>7 answer that EPA guidelines are more stringed with</p> <p>8 the federal plan in Maricopa County?</p> <p>9 A. Well, I guess in terms of that would be a</p> <p>10 little more stringent because we do not allow that.</p> <p>11 We read --</p> <p>12 Q. So that's a yes, right?</p> <p>13 A. Yes.</p> <p>14 Q. Okay. So do you know -- do you know what</p> <p>15 -- what the reasoning is behind that?</p> <p>16 A. I've never worked in Maricopa County.</p> <p>17 Q. Do you know why Clark County's in west</p> <p>18 (indiscernible?)</p> <p>19 A. I didn't write regulations. No.</p> <p>20 Q. You don't know?</p> <p>21 A. Yeah.</p> <p>22 Q. All right. When -- when you -- when you</p> <p>23 showed up -- let's move in gears just a little bit.</p> <p>24 When you -- when you came to this property, did you</p> <p>25 do a Dropbox?</p> <p style="text-align: right;">Page 140</p>
<p>1 qualify his answer or -- or answer appropriately.</p> <p>2 THE WITNESS: Yeah. Sorry. I don't think</p> <p>3 we're on (indiscernible) we also have</p> <p>4 (indiscernible) also have days a year. If you</p> <p>5 (indiscernible) they own on a property for 35 days</p> <p>6 or less a year, you do not pay either. So it looks</p> <p>7 to be exactly the same.</p> <p>8 BY MR. COOPER:</p> <p>9 Q. So you're saying, like (indiscernible)</p> <p>10 right? What you just said?</p> <p>11 A. If it's not required by any guidelines</p> <p>12 yes.</p> <p>13 Q. So it has a general rule and it says four</p> <p>14 lots (indiscernible) and it goes on, it has an</p> <p>15 (indiscernible) do you see that?</p> <p>16 A. Where it says that for lots used</p> <p>17 (indiscernible?).</p> <p>18 Q. No. So let me start over. "Unpaid</p> <p>19 parking lot, A, applied chemicals slash organic</p> <p>20 stabilizers were brought by May 2nd, 1999. Period.</p> <p>21 For lots used (indiscernible) stabilize service on</p> <p>22 any days when over a hundred vehicles are parked in</p> <p>23 the lot -- in the lot. Period. Lots that are less</p> <p>24 than 5,000 square feet or low usage, 10 or fewer</p> <p>25 parking lots are (indiscernible)" do you agree to</p> <p style="text-align: right;">Page 139</p>	<p>1 A. No. I didn't do a Dropbox.</p> <p>2 Q. Why not?</p> <p>3 A. Because of Section 92 and Section 94</p> <p>4 (indiscernible) Section 92.</p> <p>5 Q. So would you agree to me that the property</p> <p>6 was covered for road mill?</p> <p>7 A. Covered for what.</p> <p>8 Q. Road mill?</p> <p>9 A. Yes.</p> <p>10 Q. Is -- is -- is road mill a -- a dust -- a</p> <p>11 proper dust (indiscernible) certain situation?</p> <p>12 A. I -- it's a dust (indiscernible) it's a</p> <p>13 way control dust, but it's not done via chemical.</p> <p>14 Q. Okay. So - so rocks that are -- if -- if</p> <p>15 -- if a dust did -- for example was over a quarter</p> <p>16 inch in size, that's not a dust that would be</p> <p>17 cleaned?</p> <p>18 A. No. That's clean bravo.</p> <p>19 Q. So it's clean bravo, a dust down in the</p> <p>20 ground? Are you sure?</p> <p>21 A. First I'm going to suggest that --</p> <p>22 Q. Okay.</p> <p>23 A. -- (indiscernible) what we do, our</p> <p>24 regulations.</p> <p>25 Q. But -- but the property was covered for</p> <p style="text-align: right;">Page 141</p>



1 road mill; is that right?
2 **A. Yes. It was covered.**
3 Q. Okay.
4 Mr. Hearing Officer, just for your alone,
5 they -- there's just a (indiscernible) that I showed
6 you, just so that we can keep it as part of the
7 record, can we just mark that as Exhibit 3?
8 THE HEARING OFFICER: Yeah. It's marked.
9 MR. COOPER: Thank you.
10 (Respondent's Exhibit 3 marked for
11 identification).
12 MR. COOPER: So I have a couple of more in
13 here.
14 THE CLERK: Oh. Thank you.
15 MR. COOPER: And guess again for this one.
16 Let me just mark Exhibit 34.
17 THE CLERK: Yes. Uh-huh.
18 (Exhibit 34 marked for identification).
19 THE HEARING OFFICER: It is marked.
20 MR. COOPER: Thank you.
21 BY MR. COOPER:
22 Q. Mr. -- when you were on at the property or
23 taking a picture of property at time, did you
24 observe this on property?
25 **A. I don't know.**

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1 Q. You don't know?
2 **A. Uh-huh.**
3 Q. How about the motor, is it (indiscernible)
4 do you see the (indiscernible?)
5 **A. I do.**
6 Q. Did you observe that at the property?
7 **A. I did observe that at the property.**
8 Q. You did?
9 **A. I have, yes (indiscernible.)**
10 Q. Would you -- would you consider the
11 loader? I mean --
12 **A. We do not.**
13 Q. And why is it?
14 **A. We don't consider it heavy enough to**
15 **destroy (indiscernible.)**
16 Q. And -- and how heavy is that?
17 **A. (Indiscernible.)**
18 Q. Well, let me back up -- strike that.
19 What weight do you consider hitting on to
20 destroy that (indiscernible?)
21 **A. I'm not sure how the supervisor would do,**
22 **needs to go down and do an inspection, look at all**
23 **the determination.**
24 Q. So who determines, the supervisor?
25 **A. Yeah.**

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1 Q. Okay.
2 I don't think I have any more questions.
3 THE HEARING OFFICER: Okay. Counsel for
4 the division, do you have anything to add?
5 MR. 2: I do not.
6 THE HEARING OFFICER: Okay. Do you have
7 any further evidence or witnesses to present?
8 MR. COOPER: Just (indiscernible) base.
9 THE HEARING OFFICER: Okay. Respondent
10 (indiscernible) put on our case.
11 MR. COOPER: Thank you. So just for
12 clarification, Hearing Officer, you are going to
13 allow these exhibits that we submitted, 1 through
14 32, so far, plus the other ones we presented today?
15 THE HEARING OFFICER: Yeah. I -- I think
16 yes. I -- if it isn't clear on the record, I -- 1
17 through 32 of your submission is part of the record
18 of this case.
19 MR. COOPER: Okay. Thank you. Thank you
20 very much. I think we do need to swear Mr. Truman
21 now.
22 THE HEARING OFFICER: Thank you.
23 Mr. Truman, do you swear or affirm that
24 the testimony you're about to give is the truth, the
25 whole truth, and nothing but the truth?

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1 THE WITNESS: Yes.
2 (WITNESS SWORN).
3 THE HEARING OFFICER: Thank you very much.
4 Proceed.
5 EXAMINATION
6 BY MR. COOPER:
7 Q. Mr. Truman, what's your position with
8 (indiscernible) road mill?
9 **A. I don't know.**
10 Q. What is -- what is this (indiscernible?)
11 **A. This is what road mill companies do**
12 **(indiscernible) deliver or reverse to bring the**
13 **product in, ship it out.**
14 Q. And -- and how do you -- we just saw
15 Exhibit -- Exhibit 34 that was presented. Do you
16 recognize that piece of equipment?
17 **A. I do.**
18 Q. What is that?
19 **A. The Dropbox on the railroad. Correct.**
20 Q. Okay. Is this owned by Tonopah and
21 Tidewater?
22 **A. It is.**
23 Q. Where is this -- where is this piece of
24 equipment located right now?
25 **A. 25 (indiscernible.)**

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<p>1 Q. So it -- is the subject correct; is that</p> <p>2 right?</p> <p>3 A. Correct.</p> <p>4 Q. So we've already presented some other</p> <p>5 exhibits and that testimony is in the transcript</p> <p>6 from before. My understanding is that Tonopah and</p> <p>7 Tidewater has an additional agreement; is that</p> <p>8 right?</p> <p>9 A. Correct.</p> <p>10 Q. With -- with another company?</p> <p>11 A. Yes. There's another rail spur we use.</p> <p>12 Q. And where is that rail spur located?</p> <p>13 A. It's 78 (indiscernible.)</p> <p>14 Q. Okay. And -- and before I forget this</p> <p>15 question, the Stratford property, how is that</p> <p>16 property used?</p> <p>17 A. Support. So materials such as the</p> <p>18 equipment there -- just takes in material in transit</p> <p>19 coming from California, Utah, Arizona, and other</p> <p>20 states to go through (indiscernible) and come off</p> <p>21 the rail. They get loaded, come to our yard,</p> <p>22 determine (indiscernible) semination to other space.</p> <p>23 Q. So -- so a couple different follow-up</p> <p>24 questions in there. So it is a yard owed by Tonopah</p> <p>25 and Tidewater; is that right?</p> <p style="text-align: right;">Page 146</p>	<p>1 transload.</p> <p>2 Q. And that's how you (indiscernible?)</p> <p>3 A. Correct (indiscernible) is a concept of</p> <p>4 transportation (indiscernible.)</p> <p>5 Q. Besides Clark County, does Tonopah and</p> <p>6 Tidewater lease or have any other properties?</p> <p>7 A. I know the property it owns at Clark.</p> <p>8 Q. Okay. Anything else?</p> <p>9 A. Just --</p> <p>10 Q. Any other -- any other states?</p> <p>11 A. Oh, yeah. We have stuff in Utah and we</p> <p>12 lease -- lease out property in -- property in</p> <p>13 Arizona.</p> <p>14 Q. Okay. And -- and when you go -- what does</p> <p>15 it -- describe the property, I guess, in Arizona,</p> <p>16 where is that at?</p> <p>17 A. It's outside the center. It's a rebar</p> <p>18 facility (indiscernible) for railroad.</p> <p>19 Q. Okay. And so do you -- is that at</p> <p>20 (indiscernible?)</p> <p>21 A. Mesa (indiscernible) personal knowledge,</p> <p>22 take notes that Mesa, Arizona, is in Maricopa</p> <p>23 County.</p> <p>24 Q. And -- and so is product moved both at the</p> <p>25 Stratford property and the property in -- in</p> <p style="text-align: right;">Page 148</p>
<p>1 A. Terminal, yes.</p> <p>2 Q. It's a terminal? And the things that come</p> <p>3 in and out of the property are transported</p> <p>4 interstate, across state lines; is that right?</p> <p>5 A. Yes. Across state lines.</p> <p>6 Q. You had mentioned another agreement for</p> <p>7 the spur, do you have -- do you have that?</p> <p>8 A. I do.</p> <p>9 MR. COOPER: We would like to present</p> <p>10 this, Mr. Hearing, as -- as evidence. I have</p> <p>11 several copies here.</p> <p>12 THE CLERK: Exhibit 35.</p> <p>13 MR. COOPER: That's what I'm going to ask.</p> <p>14 THE HEARING OFFICER: They will be marked</p> <p>15 as Exhibit 35.</p> <p>16 MR. COOPER: Thank you.</p> <p>17 BY MR. 1:</p> <p>18 Q. Do you recognize this document?</p> <p>19 A. I do.</p> <p>20 Q. What is it?</p> <p>21 A. It's a lease we entered into. Property</p> <p>22 lease.</p> <p>23 Q. Okay. And what kind of lease did you</p> <p>24 enter?</p> <p>25 A. We just rented rail (indiscernible) the</p> <p style="text-align: right;">Page 147</p>	<p>1 Arizona?</p> <p>2 A. Yes.</p> <p>3 Q. Just -- just for -- this -- this is part</p> <p>4 of the record before, but just 7B, not to belabor</p> <p>5 the issue, but what type of equipment do you see at</p> <p>6 this Stratford property?</p> <p>7 A. We have multiple equipment. We have</p> <p>8 trucks, tractors, motors, trains, track loads</p> <p>9 (indiscernible.)</p> <p>10 Q. So looking at 7B, that is -- it -- that is</p> <p>11 the D9 dozer that's kept at the property; is that</p> <p>12 right?</p> <p>13 A. It's for the dozer.</p> <p>14 Q. Okay. Is this on the Stratford property?</p> <p>15 A. Yeah. I guess.</p> <p>16 Q. Yes. So just kind of to give us an idea,</p> <p>17 how -- how big is this D9 dozer? If it were in this</p> <p>18 room, would it fit in the room?</p> <p>19 A. Oh, yes. It's long -- probably it's high</p> <p>20 and probably long, and probably 30 feet long.</p> <p>21 Q. And how tall?</p> <p>22 A. 16 feet tall.</p> <p>23 Q. And looking at Exhibit 7A, that is the</p> <p>24 invoice of the purchase for that D9 dozer; is that</p> <p>25 right?</p> <p style="text-align: right;">Page 149</p>



<p>1 A. That's the purchase, yes.</p> <p>2 Q. Looking at Exhibit 1 -- what is Exhibit 1?</p> <p>3 A. This is (indiscernible).</p> <p>4 Q. And what is this on the ground that I see?</p> <p>5 A. It's (indiscernible).</p> <p>6 Q. Is that the same road mill?</p> <p>7 A. Yes.</p> <p>8 Q. Describe to me what -- when -- when you</p> <p>9 put it down and -- and describe its depth and</p> <p>10 everything like that for --</p> <p>11 A. So previous testimony, you heard</p> <p>12 (indiscernible.)</p> <p>13 Q. And is there -- is there chopping on this</p> <p>14 road mill?</p> <p>15 A. There's -- there's -- they have</p> <p>16 (indiscernible) road mill.</p> <p>17 Q. So if -- if you were to put a pavement</p> <p>18 down on this property, what would it do to the</p> <p>19 pavement?</p> <p>20 A. Can I show you.</p> <p>21 Q. Yes, please (indiscernible.)</p> <p>22 THE CLERK: You will stand? Oh, want to</p> <p>23 know.</p> <p>24 THE WITNESS: It could be one exhibit.</p> <p>25 BY MR. COOPER:</p> <p style="text-align: right;">Page 150</p>	<p>1 hearing as well.</p> <p>2 THE HEARING OFFICER: I understand.</p> <p>3 Proceed.</p> <p>4 MR. COOPER: Thank you.</p> <p>5 BY MR. COOPER:</p> <p>6 Q. So describe number 36, what --- what is</p> <p>7 this?</p> <p>8 A. So it's a truck (indiscernible) from --</p> <p>9 from the truck parking (indiscernible) and the drive</p> <p>10 to go ahead and (indiscernible.)</p> <p>11 Q. Now, you have more than you -- would you</p> <p>12 agree that you have heavy equipment on the property</p> <p>13 as well?</p> <p>14 A. Correct.</p> <p>15 Q. Please describe what those are.</p> <p>16 A. So the crane are (indiscernible) 200,000</p> <p>17 pounds, you -- you lift 300,000 pounds. This is</p> <p>18 another problem for the outriggers (indiscernible)</p> <p>19 on the side of the crane and then it goes down.</p> <p>20 Q. And those aren't rubber tires, correct?</p> <p>21 A. No. They aren't.</p> <p>22 Q. Okay.</p> <p>23 A. In our -- in our world of rubber tires, we</p> <p>24 show different tires, two completely different types</p> <p>25 of tire, medium and (indiscernible) tires which they</p> <p style="text-align: right;">Page 152</p>
<p>1 Q. Yes.</p> <p>2 A. That would be marked Exhibit 35.</p> <p>3 THE HEARING OFFICER: And I just want to</p> <p>4 know the connection, as to (indiscernible.)</p> <p>5 MR. COOPER: Your Honor, I do apologize</p> <p>6 for -- for that. They were provided to me at a</p> <p>7 later time after the -- the hearing -- the time.</p> <p>8 And we had determined that this was important. This</p> <p>9 is more demonstrative than anything. This isn't at</p> <p>10 the property but it's (indiscernible.).</p> <p>11 THE HEARING OFFICER: All right. I'm</p> <p>12 going to allow 42, 35, to be marked.</p> <p>13 MR. COOPER: 36?</p> <p>14 THE HEARING OFFICER: 32, 36.</p> <p>15 MR. COOPER: Uh-huh.</p> <p>16 THE HEARING OFFICER: Is that correct?</p> <p>17 Okay. Exhibit 36. Let's keep in mind some</p> <p>18 questions (indiscernible) case on what we need to.</p> <p>19 Let's keep -- keep this going, keeping things</p> <p>20 relevant to the (indiscernible) Exhibit 36.</p> <p>21 MR. COOPER: Yes, Your Honor. Hearing</p> <p>22 officer, I -- I do believe that this is relevant in</p> <p>23 that if it goes to the exception -- this is -- this</p> <p>24 goes to show why there is an exception, and it goes</p> <p>25 to the -- Mr. Sanders statements (indiscernible)</p> <p style="text-align: right;">Page 151</p>	<p>1 used to go ahead and crash. It's called asphalt</p> <p>2 (indiscernible) it's very detrimental to asphalt.</p> <p>3 Q. What -- what type of forklifts do you</p> <p>4 have? Tell me about the weight.</p> <p>5 A. The latest one we have is a tail down 8000</p> <p>6 pounds forklift. It's been wrecked right now, but</p> <p>7 it's fully loaded (indiscernible) about 200,000</p> <p>8 pounds. It's -- that's all I'm trying to say,</p> <p>9 problems comes when they articulate, they don't</p> <p>10 really make this (indiscernible) asphalt.</p> <p>11 Q. Okay. Any -- any other forklift?</p> <p>12 A. 36,000 pounds machines, and there is 4,000</p> <p>13 pound machines.</p> <p>14 Q. Do all of these have the ability to</p> <p>15 (indiscernible?)</p> <p>16 A. Yes. All the types, all the trucks,</p> <p>17 absolutely, they were mentioned at the Stratford</p> <p>18 property.</p> <p>19 Q. And -- and do you -- do you use them on --</p> <p>20 on the Stratford property?</p> <p>21 A. We use for Stratford (indiscernible.)</p> <p>22 Q. Did you have -- you -- you had somebody</p> <p>23 come and -- an engineer come and look at the -- your</p> <p>24 property; is that right?</p> <p>25 A. He did.</p> <p style="text-align: right;">Page 153</p>



<p>1 Q. And did -- did he give you any statement?</p> <p>2 A. He needed to provide.</p> <p>3 MR. COOPER: I would have this statement</p> <p>4 by this engineer -- I would ask to be marked Exhibit</p> <p>5 37, Your Honor.</p> <p>6 THE HEARING OFFICER: Exhibit will be</p> <p>7 marked as Exhibit 37.</p> <p>8 (Exhibit 37 marked for identification).</p> <p>9 BY MR. COOPER:</p> <p>10 Q. Just, and briefly, what -- what did --</p> <p>11 what did you read from what you see?</p> <p>12 A. The document.</p> <p>13 Q. Yes.</p> <p>14 A. It shows Stratford property and equipment</p> <p>15 that we have on -- on site, and it looks like it</p> <p>16 require a recommendation leading to all the issues</p> <p>17 and all the conditions and you just said that is the</p> <p>18 optimal solution (indiscernible.)</p> <p>19 Q. What did you recommend, ultimately?</p> <p>20 A. (Indiscernible.)</p> <p>21 Q. Are -- are there -- before I leave this --</p> <p>22 the equipment, and you mentioned truck equipment,</p> <p>23 you mentioned a solid wheel equipment, is that what</p> <p>24 you called it?</p> <p>25 A. Yes. Solid.</p> <p style="text-align: right;">Page 154</p>	<p>1 bit of a (indiscernible) just use up the asphalt.</p> <p>2 Q. And so there's no turnaround for a 9 or 13</p> <p>3 asphalt transport trailer for the D9 dozer; is that</p> <p>4 right?</p> <p>5 A. It's right. That's the breaking part,</p> <p>6 coming back to turn around so it can get its head</p> <p>7 out.</p> <p>8 Q. Coming back again?</p> <p>9 A. No.</p> <p>10 Q. Why not?</p> <p>11 A. (Indiscernible.)</p> <p>12 Q. (Indiscernible) can we have just a</p> <p>13 five-minute break? I think I'm almost done.</p> <p>14 THE HEARING OFFICER: Yeah. Let's go</p> <p>15 ahead and do that. We'll take a -- we'll take a</p> <p>16 five-minute break and it's now 12:55.</p> <p>17 MR. COOPER: Thank you.</p> <p>18 THE HEARING OFFICER: Off the record.</p> <p>19 (Recess; 12:55)</p> <p>20 THE HEARING OFFICER: So we're going to</p> <p>21 continue.</p> <p>22 MR. COOPER: Thank you. I just a couple</p> <p>23 of follow-up questions. That's okay.</p> <p>24 BY MR. COOPER:</p> <p>25 Q. Mr. Truman (indiscernible) between normal</p> <p style="text-align: right;">Page 156</p>
<p>1 A. Yeah. Is there any place that in -- on</p> <p>2 the property that this do not maneuver?</p> <p>3 A. They have to take through the whole</p> <p>4 property based on some -- some few stuck. They have</p> <p>5 to get the crane to unstuck it -- unstuck it, or to</p> <p>6 go through the problems, once the whole property is</p> <p>7 (indiscernible) all the equipment.</p> <p>8 Q. Okay. Now if -- if you needed --</p> <p>9 sometimes you move the D9 dozer off the property;</p> <p>10 would you agree?</p> <p>11 A. Correct. From time to time.</p> <p>12 Q. And that -- that's if you need -- if</p> <p>13 there's a real need or anything like that; is that</p> <p>14 right?</p> <p>15 A. Correct.</p> <p>16 Q. So how do you load this -- describe to me</p> <p>17 how you loaded it onto a truck.</p> <p>18 A. The truck is -- property is so narrow to</p> <p>19 go through the (indiscernible) the truck can't turn</p> <p>20 around, so that's the main problem getting and</p> <p>21 transporting, and get it loaded -- putting up the</p> <p>22 equipment on trucks, trailer on the site, so that's</p> <p>23 the main problem getting back to the travel lane.</p> <p>24 The asphalt (indiscernible) doesn't have a travel</p> <p>25 lane or tries to use the travel lane. It's a little</p> <p style="text-align: right;">Page 155</p>	<p>1 tires and rubber tires?</p> <p>2 A. In the industry, they refer to them</p> <p>3 differently. Solid tires versus rubber tires.</p> <p>4 Tires are referred to differently.</p> <p>5 Q. Okay. So what's a -- a non rubber tire</p> <p>6 look like?</p> <p>7 A. Actually in the warehouse they install</p> <p>8 rubber tires because they're the proper tires used</p> <p>9 and our forklift (indiscernible) the rubber tire</p> <p>10 used.</p> <p>11 Q. So would you consider rubber tire to be</p> <p>12 one that has air on?</p> <p>13 A. Correct. Rubber tire is a technical term</p> <p>14 for them (indiscernible.)</p> <p>15 MR. COOPER: I have nothing else for this</p> <p>16 witness.</p> <p>17 THE HEARING OFFICER: Thank you, Mr.</p> <p>18 Cooper. Does the division have any</p> <p>19 cross-examination for this witness?</p> <p>20 MR. GUDIA: Yes (indiscernible.)</p> <p>21 EXAMINATION</p> <p>22 BY MR. GUDIA:</p> <p>23 Q. The property in question, you parked other</p> <p>24 non-railroad related vehicles there, right?</p> <p>25 A. We parked railroad-supported vehicles,</p> <p style="text-align: right;">Page 157</p>



<p>1 yes.</p> <p>2 Q. You parked non railroad related vehicles</p> <p>3 there as well, right?</p> <p>4 MR. COOPER: Objection, asked and</p> <p>5 answered.</p> <p>6 BY MR. GUDIA:</p> <p>7 Q. You didn't answer my question.</p> <p>8 A. Our equipment support (indiscernible.)</p> <p>9 Q. So at your prior hearing, you testified</p> <p>10 that you ran out of parking spots to anybody with an</p> <p>11 18 wheel truck to park their truck, right?</p> <p>12 A. Correct. So you asked if I parked there</p> <p>13 (indiscernible) that people park.</p> <p>14 Q. And those people aren't railroads?</p> <p>15 A. They're certainly railroads. That's how</p> <p>16 you got (indiscernible.).</p> <p>17 Q. Okay. So what do you mean</p> <p>18 (indiscernible?)</p> <p>19 A. A railroad company that do transportation.</p> <p>20 That's they're probably offering.</p> <p>21 Q. So they drive trucks across state lines to</p> <p>22 different towns, different places?</p> <p>23 A. Yes. And related activities.</p> <p>24 Q. And so -- so it's your opinion that</p> <p>25 because they're related to a railroad, that they can</p> <p style="text-align: right;">Page 158</p>	<p>1 A. Pardon.</p> <p>2 Q. You don't need to go to any pictures.</p> <p>3 THE HEARING OFFICER: The question was</p> <p>4 asked and answered. If -- if you have any further</p> <p>5 explanation for the answer I'll allow, as long as it</p> <p>6 doesn't become a long lecture. Go ahead, if you had</p> <p>7 something more to say.</p> <p>8 THE WITNESS: Ask the question again</p> <p>9 please.</p> <p>10 MR. GUDIA: I'm going to move on.</p> <p>11 THE WITNESS: Okay. That's fine, go</p> <p>12 ahead. Proceed, counsel.</p> <p>13 BY MR. GUDIA:</p> <p>14 Q. So there's 18 wheelers that are parked on</p> <p>15 your site that do not have asphalt padding</p> <p>16 underneath them; is that correct?</p> <p>17 A. Yes.</p> <p>18 Q. And those that might have stayed right on</p> <p>19 the railroad and freeways?</p> <p>20 A. Yes.</p> <p>21 Q. And they don't tear up those freeways or</p> <p>22 other roads that they use?</p> <p>23 A. They do, when they go slow and they turn</p> <p>24 sudden.</p> <p>25 Q. Okay.</p> <p style="text-align: right;">Page 160</p>
<p>1 park wherever they want, even if it's in violation</p> <p>2 of the county regulations?</p> <p>3 MR. COOPER: Objection, argumentative.</p> <p>4 THE WITNESS: I did not say that.</p> <p>5 THE HEARING OFFICER: I'm going to sustain</p> <p>6 that objection. Go ahead and move on to the next</p> <p>7 question.</p> <p>8 BY MR. GUDIA:</p> <p>9 Q. Okay. So is it your opinion that you're</p> <p>10 not in violation of county regulations?</p> <p>11 A. Are you asking a question or are you</p> <p>12 asking (indiscernible) or who -- who is asking a</p> <p>13 question for this.</p> <p>14 Q. I'm asking you.</p> <p>15 A. Why do I take -- who is is (indiscernible)</p> <p>16 property.</p> <p>17 Q. I'll just move on. Your whole property is</p> <p>18 not paid, that's correct, right?</p> <p>19 A. That's incorrect (indiscernible.)</p> <p>20 Q. Okay. Can you tell me where Asphalt's</p> <p>21 located?</p> <p>22 A. (Indiscernible.)</p> <p>23 Q. Okay. Do you have --</p> <p>24 A. Go back -- go back to the the picture --</p> <p>25 Q. You don't need to go to any pictures.</p> <p style="text-align: right;">Page 159</p>	<p>1 A. (Indiscernible.)</p> <p>2 Q. Do you have any pictures showing the</p> <p>3 cranes and other vehicles? You mentioned that truck</p> <p>4 vehicles on your property?</p> <p>5 A. You -- you showed those pictures on</p> <p>6 (indiscernible.)</p> <p>7 Q. Okay. You never got zoning approval to</p> <p>8 build this parking lot, did you?</p> <p>9 A. Not that I know of.</p> <p>10 Q. And you never got building permits to</p> <p>11 build anything at this property, did you?</p> <p>12 MR. COOPER: Objections (indiscernible)</p> <p>13 scope of this -- this (indiscernible) zoning.</p> <p>14 THE HEARING OFFICER: Just (indiscernible)</p> <p>15 please.</p> <p>16 MR. GUDIA: I'll move on.</p> <p>17 THE HEARING OFFICER: Okay.</p> <p>18 MR. GUDIA: I mean, nothing makes it</p> <p>19 relevant, so I guess I'll -- I'll just not say so.</p> <p>20 MR. COOPER: Objection, move to strike.</p> <p>21 THE HEARING OFFICER: Just move to the</p> <p>22 next question.</p> <p>23 BY MR. GUDIA:</p> <p>24 Q. When you transport your D9 dozer on the</p> <p>25 back of a trailer, that -- that trailer still has to</p> <p style="text-align: right;">Page 161</p>



<p>1 drive on normal roads, right?</p> <p>2 A. So we don't hollow the back of the</p> <p>3 trailer. We hollow the middle of the trailer.</p> <p>4 There's a patter which we consider (indiscernible.)</p> <p>5 Q. And you got (indiscernible) have you noted</p> <p>6 that?</p> <p>7 A. They go slow and make a short turn.</p> <p>8 That's the same requirement (indiscernible.)</p> <p>9 Q. Your engineer says that you recommend to</p> <p>10 reclaim the asphalt pavement; is that correct?</p> <p>11 A. That's correct. I think we</p> <p>12 (indiscernible.)</p> <p>13 Q. Okay. Thank you. And you never saw an</p> <p>14 exemption (indiscernible) part of your work and pay;</p> <p>15 is that right?</p> <p>16 A. No.</p> <p>17 MR. GUDIA: That's all the questions I</p> <p>18 have.</p> <p>19 THE HEARING OFFICER: Mr. Cooper, any</p> <p>20 redirect?</p> <p>21 MR. COOPER: Yes.</p> <p>22 EXAMINATION</p> <p>23 BY MR. COOPER:</p> <p>24 Q. Can we just look at -- so just looking at</p> <p>25 this exhibit right here, Exhibit 9, do you see that</p> <p style="text-align: right;">Page 162</p>	<p>1 Q. And -- and go over to the right. What's</p> <p>2 that?</p> <p>3 A. That's like a blade or another tool.</p> <p>4 Q. Okay. And -- and the loader does -- does</p> <p>5 -- how much does it make?</p> <p>6 A. Around 35,000 pounds.</p> <p>7 Q. You use your own property?</p> <p>8 A. We do.</p> <p>9 Q. Let's go to the next page.</p> <p>10 Give me a --</p> <p>11 THE CLERK: Next page?</p> <p>12 MR. COOPER: Yeah. Sure.</p> <p>13 THE WITNESS: Over to the next page.</p> <p>14 BY MR. COOPER:</p> <p>15 Q. What is this right here?</p> <p>16 A. (Indiscernible.)</p> <p>17 Q. You're doing great. Thank you.</p> <p>18 THE CLERK: Was it this one?</p> <p>19 MR. COOPER: Yes.</p> <p>20 THE CLERK: (Indiscernible.)</p> <p>21 BY MR. COOPER:</p> <p>22 Q. What is that?</p> <p>23 A. The truck.</p> <p>24 Q. No. Behind the truck? It's -- it's</p> <p>25 yellow. You know what that is? Can you make that</p> <p style="text-align: right;">Page 164</p>
<p>1 equipment back -- in the back? Do you see that</p> <p>2 where I'm pointing at? Is this the point?</p> <p>3 A. Yeah.</p> <p>4 Q. Right there.</p> <p>5 A. That's -- that's 140 (indiscernible.)</p> <p>6 Q. Is that you?</p> <p>7 A. (Indiscernible) brings the -- finds the</p> <p>8 (indiscernible) a bigger section so you don't have</p> <p>9 dust.</p> <p>10 Q. It doesn't have to be (indiscernible?)</p> <p>11 A. It does.</p> <p>12 Q. And would you consider this heavy</p> <p>13 equipment?</p> <p>14 A. I would.</p> <p>15 Q. How much do you -- approximately, how much</p> <p>16 does this weigh?</p> <p>17 A. Weighs at 40,000 pounds.</p> <p>18 Q. See very quickly, exhibit -- I think you</p> <p>19 have --</p> <p>20 THE CLERK: What's the exhibit?</p> <p>21 MR. COOPER: Sorry. On V. NOV. Let me</p> <p>22 go to the NOV.</p> <p>23 BY MR. COOPER:</p> <p>24 Q. Right. Stop it there. What is this?</p> <p>25 A. That's what (indiscernible.)</p> <p style="text-align: right;">Page 163</p>	<p>1 out.</p> <p>2 A. I cannot.</p> <p>3 Q. If you could scroll it around at least?</p> <p>4 A. That the car jack -- jerk forklift.</p> <p>5 Q. Okay. Let's go down, next. What is this?</p> <p>6 A. That's a (indiscernible.)</p> <p>7 Q. And what are these on the end?</p> <p>8 A. Those are pedals.</p> <p>9 Q. And what's this?</p> <p>10 A. It's side truck (indiscernible.)</p> <p>11 Q. It's like a forklift?</p> <p>12 A. Yes.</p> <p>13 Q. And then next slide.</p> <p>14 A. (Indiscernible.)</p> <p>15 Q. Okay. Let's go to the next photos.</p> <p>16 What's this right here?</p> <p>17 A. That's a car jack.</p> <p>18 Q. (Indiscernible) correct?</p> <p>19 A. Correct.</p> <p>20 Q. Next photos please. What is this over</p> <p>21 here?</p> <p>22 A. A section of (indiscernible.)</p> <p>23 Q. Next slide, please. Go on. Could you</p> <p>24 make some, you know, go around? Stop right there.</p> <p>25 A. There's a bit of a crane.</p> <p style="text-align: right;">Page 165</p>



<p>1 Q. That's a crane?</p> <p>2 A. That's a bit of a crane.</p> <p>3 Q. Okay. And if you were to describe the</p> <p>4 size of that crane, what -- what's size of that</p> <p>5 crane?</p> <p>6 A. That's a hundred ton crane, so.</p> <p>7 Q. (Indiscernible?)</p> <p>8 A. Yeah. Yes.</p> <p>9 Q. How wide -- how wide, long, tall?</p> <p>10 A. Probably tall, long (indiscernible)</p> <p>11 probably 40 feet long.</p> <p>12 Q. And you use it on property; is that right?</p> <p>13 Okay. Next picture.</p> <p>14 THE CLERK: Uh-huh. All right.</p> <p>15 MR. COOPER: Next picture.</p> <p>16 BY MR. COOPER:</p> <p>17 Q. This is -- this is just the same crane; is</p> <p>18 that right?</p> <p>19 A. Yes. It's true.</p> <p>20 Q. And that's the (indiscernible?)</p> <p>21 A. Correct.</p> <p>22 Q. Okay. Next picture. And this is -- what</p> <p>23 is this?</p> <p>24 A. A lawn mower.</p> <p>25 Q. Okay. Next picture -- next picture? Next</p> <p style="text-align: right;">Page 166</p>	<p>1 penalty and how you arrived at that?</p> <p>2 A. Sure. In the matter of noise violation,</p> <p>3 one of the firm issued (indiscernible) environmental</p> <p>4 prosecution Nevada (indiscernible) and Mr. Truman</p> <p>5 individually. We have one documented violation.</p> <p>6 Violation 1 occurred for 30 days on January 4th,</p> <p>7 2025, including February 2nd, 2025 for constructing</p> <p>8 and operating unpaid parking lot, slash storage, a</p> <p>9 violation on Section 92.3.1 as documented in</p> <p>10 compliance officers testimony. The base penalty,</p> <p>11 the department fines a state violation at \$500 per</p> <p>12 day. That's the penalty amount for Violation 1 and</p> <p>13 for penalty amount (indiscernible) \$15,000.</p> <p>14 Q. And has Eton had anything with this -- all</p> <p>15 this?</p> <p>16 A. Eton has had two higher (indiscernible)</p> <p>17 violation of Section 94, regulations. We do not</p> <p>18 consider the same category as state regulations.</p> <p>19 Q. So that's why there wasn't any binding</p> <p>20 factor?</p> <p>21 A. Correct.</p> <p>22 Q. And the maximum penalty is -- looks like</p> <p>23 it's 10k per day?</p> <p>24 A. Yes.</p> <p>25 Q. Okay. Thank you. That's all.</p> <p style="text-align: right;">Page 168</p>
<p>1 one.</p> <p>2 THE CLERK: (Indiscernible.)</p> <p>3 BY MR. COOPER:</p> <p>4 Q. Is this picture -- can you tell -- was</p> <p>5 this picture taken on your property?</p> <p>6 A. No.</p> <p>7 Q. Okay. I have no other questions.</p> <p>8 THE HEARING OFFICER: Thank you. Any</p> <p>9 recross? No.</p> <p>10 Mr. Truman, thank you for your patience.</p> <p>11 THE WITNESS: Yes.</p> <p>12 THE HEARING OFFICER: Okay. Thank you</p> <p>13 very much.</p> <p>14 If it's appropriate at this time for the</p> <p>15 district to put on its evidence regarding the</p> <p>16 proposed penalty.</p> <p>17 MR. GUDIA: We call (indiscernible) could</p> <p>18 she be allowed to explain?</p> <p>19 THE HEARING OFFICER: If she has to.</p> <p>20 BY MR. GUDIA:</p> <p>21 Q. Is it this a court that you recommended</p> <p>22 (indiscernible) penalty you assessed and it has come</p> <p>23 to this case?</p> <p>24 A. Yes.</p> <p>25 Q. Can you please explain the recommended</p> <p style="text-align: right;">Page 167</p>	<p>1 THE HEARING OFFICER: Mr. Cooper, do you</p> <p>2 have any questions for this witness.</p> <p>3 EXAMINATION</p> <p>4 BY MR. COOPER:</p> <p>5 Q. Could I ask you a question?</p> <p>6 THE HEARING OFFICER: Mr. Cooper?</p> <p>7 THE WITNESS: Ask him why I'm named.</p> <p>8 BY MR. COOPER:</p> <p>9 Q. Why is Mr. Truman individually named?</p> <p>10 THE HEARING OFFICER: Could you raise --</p> <p>11 could you raise your voice?</p> <p>12 MR. COOPER: Sorry. Yes.</p> <p>13 BY MR. COOPER:</p> <p>14 Q. Why is Mr. Truman individually named?</p> <p>15 THE WITNESS: I don't have any ownership</p> <p>16 of anything.</p> <p>17 THE WITNESS: That was not the</p> <p>18 determination by me or by (indiscernible.)</p> <p>19 THE WITNESS: And so I had --</p> <p>20 THE WITNESS: I said that was not a</p> <p>21 determination that was made by me, so I cannot</p> <p>22 answer that.</p> <p>23 BY MR. COOPER:</p> <p>24 Q. Would you agree that during this 30 day</p> <p>25 penalty, that road mill was on the property?</p> <p style="text-align: right;">Page 169</p>



<p>1 A. I was not doing inspections on the</p> <p>2 property, on the pictures, I would agree that there</p> <p>3 was material laid down.</p> <p>4 Q. And you don't know what type of material</p> <p>5 that is?</p> <p>6 A. I mean, it looks like road mill has been</p> <p>7 on that property, so I can't attest to what is on</p> <p>8 property.</p> <p>9 MR. COOPER: I have no other questions.</p> <p>10 THE HEARING OFFICER: Okay.</p> <p>11 MR. COOPER: I don't -- I don't think they</p> <p>12 got to come with their testimony.</p> <p>13 THE HEARING OFFICER: Okay. Anything</p> <p>14 further from the division?</p> <p>15 MR. GUDIA: No. Thank you.</p> <p>16 THE HEARING OFFICER: Okay. Does either</p> <p>17 side wish to have a summary closing argument?</p> <p>18 MR. COOPER: I do.</p> <p>19 THE HEARING OFFICER: Does the division?</p> <p>20 MR. GUDIA: This is the time for</p> <p>21 rebuttal.</p> <p>22 THE HEARING OFFICER: All right. Mr.</p> <p>23 Cooper, take on.</p> <p>24 MR. COOPER: All right. Matters</p> <p>25 (indiscernible) the issues related to jurisdiction, Page 170</p>	<p>1 control measure set below should be considered when</p> <p>2 the making the parking lot (indiscernible) adjacent.</p> <p>3 That's under Subsection B and C. It says, apply</p> <p>4 alternative (indiscernible) or C, uniformly apply</p> <p>5 and maintain clean environment to adapt</p> <p>6 (indiscernible.)</p> <p>7 The testimony that we had is that a non</p> <p>8 rubber tied vehicle in the industry is different</p> <p>9 than a -- one that has a solid tire. And there is</p> <p>10 definitely tracked or heavy equipment on this</p> <p>11 property. That evidence is clear, specifically on</p> <p>12 those violation. The -- as far we -- we had</p> <p>13 testimony with Mr. (Indiscernible) that it would be</p> <p>14 considered cleaner, which is the exception under</p> <p>15 92.3.4 Subsection C, uniformly applied and</p> <p>16 maintained (indiscernible.)</p> <p>17 And to identify connection, we have -- we</p> <p>18 have testimony that was like six inches in that</p> <p>19 more, has been applied for the road mill, so and</p> <p>20 then also for -- that there's actually</p> <p>21 (indiscernible) underneath as well, because that was</p> <p>22 what was recommended by Jan -- Jan Smith at -- at --</p> <p>23 at Las Vegas Paving when my client is investigating</p> <p>24 to see what would be the best alternative prior to</p> <p>25 -- before this notice violation occurred, is related Page 172</p>
<p>1 constitution issues that we provided before, or even</p> <p>2 the -- we had already had made the argument that it</p> <p>3 -- we made that argument that this issue has been</p> <p>4 brought up before, I believe that was even admitted</p> <p>5 to -- it was called a -- a -- a small issue in the</p> <p>6 last hearing, unless it was an issue that was</p> <p>7 considered.</p> <p>8 So I'm going to come on to the chase of --</p> <p>9 of the actual session that they're claiming -- DS is</p> <p>10 claiming for the noise violation, which -- and in</p> <p>11 general, the AQR 92.3.1 talks about new parking lots</p> <p>12 or storage areas and requires a -- however, there is</p> <p>13 exceptions that exist on the AQR Section 92.3.3.</p> <p>14 It says, "The following activity shall be</p> <p>15 exempt from paving requirements of Section 92.3.1,"</p> <p>16 which is what my client is being sought for civil</p> <p>17 penalties. And -- and it -- and Subsection B of</p> <p>18 92.3.3 talks about -- excuse me, C. An area used</p> <p>19 for storage of non rubber tires, vehicles, or truck,</p> <p>20 or heavy equipment that controls or determines the</p> <p>21 (indiscernible) provided all -- that all access</p> <p>22 including trucks that use rubber, tired vehicles on</p> <p>23 the (indiscernible.)</p> <p>24 The control measures under 90.3.4 are as</p> <p>25 follows. For the purpose of the regulation and Page 171</p>	<p>1 to the last one. But that is in the testimony.</p> <p>2 As -e - as such, either the equipment --</p> <p>3 the heavy equipment or tractor equipment, or even</p> <p>4 the solid tire vehicles, do cover the -- the entire</p> <p>5 property, and so we -- we would ask that the Hearing</p> <p>6 Officer plan that there is no violation and that</p> <p>7 nonetheless, there -- there are no aggregating --</p> <p>8 aggravating circumstances that -- that have been</p> <p>9 marked here. That was -- it did have a road mill</p> <p>10 that seemed to be approved before.</p> <p>11 And that -- that's what my client went on</p> <p>12 -- but there seems to be a different standard now.</p> <p>13 I -- I believe that there's been some bad blood</p> <p>14 between DES and my client, and I believe that this</p> <p>15 is just harassing my client. And with that, I'll</p> <p>16 sum it up on there. On that.</p> <p>17 THE HEARING OFFICER: Thank you very much.</p> <p>18 To the division now. Do you have a</p> <p>19 summary?</p> <p>20 MR. GUDIA: Let me start with, nobody is</p> <p>21 harassing anybody. I think we're just trying to</p> <p>22 follow the law, and AQR 92.3.4 requires an</p> <p>23 exception, which is the exception for paving</p> <p>24 standards. It says they required approval, they</p> <p>25 never got approval. It's pretty simple. They have Page 173</p>



<p>1 to have a paid parking lot, you know, if they want 2 have a parking lot, they didn't involve any of the 3 requirements to get a parking lot to begin with, and 4 their arguing is that because we're a railroad, we 5 don't have to follow federal laws, and I -- I just 6 think that's -- that doesn't really make sense to 7 me.</p> <p>8 Federal law required us to adopt those 9 regulations to protect the air quality and the 10 federal government adopts our regulations and they 11 can enforce our regulations. And so just because 12 Maricopa County had different regulations than Clark 13 County and the federal government approved those for 14 Maricopa County, obviously the federal government 15 can approve different regulations for different 16 areas, course of regulations. So with that said, I 17 believe it's a clear violation and I ask you to 18 uphold it over the penalty. Thank you.</p> <p>19 THE HEARING OFFICER: All right. Thank 20 you very much, Mr. Gudia. For the record, this case 21 is complete and I have it already. I will make all 22 of the exhibits and then introduce to take part, the 23 fact that they will be considered. I'm going to -- 24 I'm going to render a court decision orally today, 25 then we will (indiscernible) a written order to come</p> <p style="text-align: right;">Page 174</p>	<p>1 done and why they feel that's adequate. To me, from 2 my limited point of view I see more appropriate to 3 present to the -- what generally we call the 4 legislative authority, the ruling authority, to take 5 a look at what would be -- if -- if something would 6 be more appropriate than what the current rule is, 7 however, that's not my authority held into.</p> <p>8 In terms of the proposed penalty of 9 \$15,000 based on the base penalty of \$5 over 30 10 days, I find the penalty to be appropriate and it'll 11 be assessed and a written order will be issued.</p> <p>12 Thank you very much for your presentations today for 13 your work. This case is concluded and I think there 14 is nothing further on the dock; is that correct?</p> <p>15 THE CLERK: That is correct. There's 16 nothing else. Mr. Hearing Officer.</p> <p>17 THE HEARING OFFICER: Mr. Gudia, do you 18 have anything?</p> <p>19 MR. GUDIA: I -- I'm not sure.</p> <p>20 MR. COOPER: Same thing.</p> <p>21 THE HEARING OFFICER: The dock 22 (indiscernible) the hearing is -- the Hearing 23 Officer meeting is closed. The time is 1:39. Thank 24 you gentlemen.</p> <p>25 ***</p> <p style="text-align: right;">Page 176</p>
<p>1 out.</p> <p>2 I will here address a -- a couple of 3 issues to explain my decision. I'm not about to 4 write or (indiscernible) I believe that whereas 5 further up -- should the case proceed further up, as 6 a Hearing Officer, I feel somewhat constrained, but 7 I take the issue seriously.</p> <p>8 I -- to summarize, I -- I find that the 9 violation alleged by the division did occur. On the 10 jurisdictional issues, I agree that the division's 11 regulation is part of the comprehensive scheme that 12 originated from the EPA which delegated certain 13 things to the state in Nevada, delegated authority 14 to Clark County. Clark County promulgated its 15 regulations.</p> <p>16 I -- I find that worthy to note that the 17 EPA state regarding Maricopa County said the very 18 beginning that owner operators should be aware that 19 more stringent requirements may apply in 20 jurisdiction and that's (indiscernible) I believe 21 that's applicable to what we have here.</p> <p>22 I -- I'm not going to comment more because 23 I think it's necessary on any of the side issues, 24 small issues, and take seriously the arguments 25 that's submitted on what they feel -- what they've</p> <p style="text-align: right;">Page 175</p>	<p>1 (Concluded at 1:39 p.m.) 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p> <p style="text-align: right;">Page 177</p>



Exhibit 39



4701 W. Russell Road 2nd Floor
Las Vegas, NV 89118-2231
Phone: (702) 455-5942 • Fax: (702) 383-9994
Marci Henson, Director

June 18, 2025

FEDERAL EXPRESS TRK #8821 3700 2690

Jake Truman, President
Tonopah & Tidewater Railroad Co.
4680 North Cimarron Road
Las Vegas, NV 89129

FEDERAL EXPRESS TRK #8821 3724 0218

Katherine Truman, Manager
Environmental Transportation of Nevada, LLC d/b/a ETON
4680 Cimarron Road
Las Vegas, NV 89129

FEDERAL EXPRESS TRK #8821 3740 8482

Mitchell Truman
E-mail: moe@eton.me
Environmental Transportation of Nevada, LLC d/b/a ETON
2596 Stratford Avenue
Las Vegas, NV 89121

FEDERAL EXPRESS TRK #8821 3752 6760

Russell G. Gubler, Attorney
E-mail: RGubler@mjohnsonlaw.com
Johnson & Gubler, P.C.
Lakes Business Park
8831 West Sahara Avenue
Las Vegas, Nevada 89117

NOTICE OF VIOLATION #10161

Clark County Department of Environment and Sustainability, Division of Air Quality (**Air Quality**) provides this notice to Tonopah & Tidewater Railroad Co. (**Tonopah & Tidewater**), Environmental Transportation of Nevada, LLC d/b/a ETON (**ETON**), and Mitchell Truman (**Truman**), individually, for the violation of the Clark County Air Quality Regulations (**AQRs**) as alleged below and recommends a civil penalty of Fifteen Thousand and no/100 Dollars (\$15,000.00) be assessed as shown in the penalty calculation table attached hereto as **Exhibit A** and incorporated herein.

I. FACTS

- A. Tonopah & Tidewater owns approximately 4.11 acres of unpaved parcels of vacant land located at 2596 Stratford Avenue, in Clark County, Nevada (Assessor's Parcel Numbers 161-07-103-014, 161-07-103-015, and 161-07-103-016) (**Property**) in Hydrographic Area 212.
- B. On August 28, 2023, Truman submitted an application for a Dust Control Operating Permit (**DCOP**) for the purpose of grubbing the site. DCOP #57148 was issued on August 30, 2023. On January 25, 2024, Truman submitted an application revising the DCOP to add acreage and "bring [in] fill, survey, get drainage study, get zoning approved[,] bring in chat on top of base[,] roll and compact and shoot with AC 30 then pave with parking lot mix." On February 8, 2024, during the review process, Truman confirmed to Air Quality Supervisor Anna Sutowska that the site would be paved with three inches of permanent asphalt pavement. The email correspondence is attached hereto as **Exhibit B** and incorporated herein. Prior to the issuance of the DCOP, the Property was vacant land as shown in an aerial of the Property from June 1, 2023, attached hereto as **Exhibit C** and incorporated herein. The Property is currently being utilized as an unpaved parking lot/storage yard by ETON and Truman.
- C. On August 29, 2024, Truman submitted a request to close DCOP #57148.
- D. On December 5, 2024, at approximately 9:55 a.m., Kirk arrived at the Property to conduct an inspection to determine whether the DCOP can be closed. The inspection report is attached hereto as **Exhibit D** and incorporated herein. During the inspection, Kirk observed that the site was not paved, as required by Best Management Practice (**BMP**) 11 Long-Term Stabilization requirements under AQR Section 94. Kirk observed an active unpaved parking lot/storage yard containing dozens of trucks, heavy equipment, three mechanical maintenance bays, multiple conex boxes, and miscellaneous materials stored throughout the 4.11 acres, as shown in Photographs 1 through 4, and Map 1, attached hereto as **Exhibits E** and **F**, respectively, and incorporated herein. In addition, Kirk observed multiple people working within the maintenance bays and portable offices, and vehicles entering and exiting the Property. Kirk disapproved the permit closure request and issued a Section 94 Notice of Noncompliance (**NON**) to ETON for failing to meet BMP 11 Long-Term Stabilization requirements. The Section 94 NON is attached hereto as **Exhibit G** and incorporated herein.

Constructing and operating an unpaved parking lot/storage yard after January 1, 2003, is a violation of AQR Section 92. While onsite, Kirk also performed a Section 92 inspection and issued a Section 92 NON to Tonopah & Tidewater and Truman to pave the entire site or remove all vehicles, equipment, and materials stored onsite within 30 days of the receipt of the notice. The inspection report is attached hereto as **Exhibit H** and incorporated herein. The Section 92 NON is attached hereto as **Exhibit I** and incorporated herein. While on site, Kirk was unable to speak with Truman to discuss the results of the inspection since he was escorted off the Property immediately after. Both NONs were emailed to Truman and Russell Gubler (**Gubler**), attorney representing Truman, ETON, and Tonopah & Tidewater on December 9, 2024. The NONs were mailed through FedEx and delivered to Tonopah & Tidewater on December 10, 2024. FedEx confirmation of delivery is attached hereto as **Exhibit J** and incorporated herein. Kirk concluded the inspection at approximately 10:30 a.m.

- E. On January 9, 2025, at approximately 8:55 a.m., Kirk arrived at the Property to conduct a follow up inspection. The inspection report is attached hereto as **Exhibit K** and incorporated herein. During the inspection, Kirk observed an unpaved parking lot/storage yard greater than 5,000 square feet that contained long-haul trucks, cars, heavy equipment and construction materials, as shown in Photographs 5 and 6 (**Exh. E**), and Map 2, attached hereto as **Exhibit L** and incorporated herein. Kirk determined that all necessary control measures to comply with AQRs had not been implemented since the NON was delivered to Tonopah & Tidewater on December 10, 2024. Kirk concluded the inspection at approximately 9:30 a.m.
- F. Kirk visited the Property on January 16, 23, and 30, February 11, 19, and 26, and March 6, and 13, 2025 and observed an unpaved parking lot/storage yard greater than 5,000 square feet that contained long-haul trucks, cars, heavy equipment and construction materials, as shown in Photographs 7 through 14 (**Exh. E**).
- G. On May 28, 2025, at approximately 11:15 a.m., Kirk arrived at the Property to conduct a follow up inspection. The inspection report is attached hereto as **Exhibit M** and incorporated herein. During the inspection, Kirk observed an unpaved storage yard greater than 5,000 square feet that contained long-haul trucks, cars, heavy equipment, and construction materials, as shown in Photographs 15 through 17 (**Exh. E**). Kirk determined that all necessary control measures to comply with AQRs had not been implemented since the NON was delivered to Tonopah & Tidewater on December 10, 2024. Kirk concluded the inspection at approximately 11:45 a.m.
- H. As of May 28, 2025, Tonopah & Tidewater, ETON, and Truman have not met the requirements of the NON issued on December 5, 2024, and the Property is out of compliance with AQRs. This enforcement action includes 30 days of noncompliance from January 4, 2025, through and including February 2, 2025. Documented noncompliance after February 2, 2025, may be considered in a future NOV.

II. APPLICABLE LAW

AQR Section 8.1 states:

“All PERSONS owning, operating, or in control of any equipment or property who shall cause, permit, or participate in, any violation of these Regulations shall be individually and collectively liable to any penalty or punishment imposed by and under these Regulations.”

AQR Section 92.3.1 states:

“New Parking Lots or Storage Areas

- (a) New parking lots constructed after January 1, 2003, or constructed with public access after December 31, 2024, at a stationary source, as applicable, in Hydrographic Areas 212, 216, or 217; in any other hydrographic area upon its being designated as nonattainment for PM₁₀; or in any other hydrographic area that becomes subject to a PM₁₀ maintenance plan, as defined under 42 U.S.C. 7505a, must be paved.

- (b) New storage areas constructed after January 1, 2003, or constructed with public access after December 31, 2024, at a stationary source, as applicable, in Hydrographic Areas 212, 216, or 217; in any other hydrographic area upon its being designated as nonattainment for PM₁₀; or in any other hydrographic area that becomes subject to a PM₁₀ maintenance plan, as defined under 42 U.S.C. 7505a, must comply with the control measures described in Sections 92.3.4 (a), (b) or (d).”

AQR Section 9.1.a states:

“Penalties for Violation of Regulation

- (a) Any person who is determined to be in violation of an applicable Nevada Revised Statute or any provision of these Regulations, shall pay a civil penalty levied by the Hearing Officer, or the Hearing Board upon appeal, of not more than \$10,000 per day, per violation. These violations include, but are not limited to any of the following:
- (1) Failure to comply with requirements to obtain a permit.
 - (2) Failure to comply with a permit condition.
 - (3) Failure to pay an applicable fee or to meet a filing requirement.
 - (4) Failure to grant entry, to allow or perform inspection, or perform monitoring activities.”

III. VIOLATION(S)

Violation 1:

By constructing and operating an unpaved parking lot/storage yard on the Property from January 4, 2025, through May 28, 2025, Tonopah & Tidewater, ETON, and Truman violated AQR Section 92.3.1.

IV. RECOMMENDED CIVIL PENALTY

Pursuant to AQR Section 9.1, any person who violates any provision of the AQRs, including any permit condition; is guilty of a civil offense and shall pay a civil penalty not to exceed \$10,000 per violation. Each day of violation constitutes a separate offense.

Air Quality considered the following in calculating the recommended penalty:

- 30 days of noncompliance from January 4, 2025, through February 2, 2025. Documented noncompliance after February 2, 2025, may be considered in a future NOV.


Air Quality recommends a civil penalty in the amount of \$15,000.00 (**Exh. A**).

V. HEARING

Air Quality has scheduled a hearing for **Thursday, July 17, 2025, at 9:00 a.m.** before the Air Pollution Control Hearing Officer to adjudicate the alleged violation(s) and, if appropriate, to levy the recommended penalty. Please complete the enclosed **“Notice of Violation Response Form”** and return it to Air Quality by July 3, 2025. At the hearing, the Hearing Officer will hear evidence on the alleged violation(s) and render a decision. The hearing will be held at the Clark County Building Services Presentation Room, located at 4701 West Russell Road, Las Vegas, Nevada.

If you intend to present any documentary evidence at the hearing, please provide copies of your evidence to Air Quality with the completed Notice of Violation Response Form. If you fail to provide copies of your evidence prior to the hearing, please be advised that Air Quality may request a continuance to have time to review any evidence you bring to the hearing, which will result in the hearing being postponed and rescheduled to a later date.

If the Hearing Officer finds you in violation and levies a penalty, Air Quality staff will mail the Hearing Officer’s order to you along with instructions on remittance of the penalty.


Shibi Paul (Jun 18, 2025 14:59 PDT)

Shibi Paul
Compliance and Enforcement Manager


Exhibits:

- A. Penalty Calculation Table, NOV #10161
- B. Email Correspondence dated February 8, 2024
- C. Map 1: Aerial photograph of vacant land, aerial flight date June 1, 2023
- D. Air Quality Construction Site Inspection Report #144779, dated December 5, 2024
- E. Digital Photographs 1 through 17
- F. Map 2: Aerial photograph of unpaved parking lot/storage yard, aerial flight date October 1, 2024
- G. Air Quality Section 94 Notice of Noncompliance for December 5, 2024
- H. Air Quality Inspection Report #144781, dated December 5, 2024
- I. Air Quality Section 92 (Post) Notice of Noncompliance for December 5, 2024
- J. FedEx delivery receipt, dated December 10, 2024
- K. Air Quality Inspection Report #146173, dated January 9, 2025
- L. Map 3: Aerial photograph showing unpaved parking lot/storage yard, aerial flight date January 29, 2025
- M. Air Quality Inspection Report #149823, dated May 28, 2025




sl

Exhibit A

NOV # 10161
Penalty Calculation Table
Tonopah & Tidewater Railroad Co., Environmental Transportation of Nevada, LLC
d/b/a ETON, and Mitchell Truman, Individually



DES
DEPARTMENT OF ENVIRONMENT
AND SUSTAINABILITY



4701 W. Russell Road 2nd Floor
Las Vegas, NV 89118-2231
Phone: (702) 455-5942 • Fax: (702) 383-9994
Marci Henson, Director

Viol.	Date(s)	Violation Description	AQR Section	Exhibit / Evidence	Base Penalty	Days	Aggravating Description	Agg. Factor	Agg. Amount	Penalty
1	1/4/2025 through and including 2/2/2025	Constructed and operated an unpaved parking lot/storage yard.	92.3.1	Exh. C, Map 1 Exh. E, Photos 1 thru 17 Exh. F, Map 2 Exh. L, Map 3	\$ 500	30	N/A	0%	\$ -	\$ 15,000
Total Penalty:									\$	15,000

Regulatory maximum: \$10,000 per day, per violation
[AQR Section 9.1 & NRS 445B.640]

Exhibit B

From: [Anna Sutowska](#)
To: [Anna Sutowska](#)
Subject: FW: 57148-ETON-STRATFORD 1
Date: Thursday, February 8, 2024 1:13:22 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

From: Moe Truman <moe@eton.me>
Sent: Thursday, February 8, 2024 12:52 PM
To: Anna Sutowska <Anna.Sutowska@ClarkCountyNV.gov>
Subject: RE: 57148-ETON-STRATFORD 1

Correct 3 inches of hot mix

From: Anna Sutowska <Anna.Sutowska@ClarkCountyNV.gov>
Sent: Thursday, February 8, 2024 12:51 PM
To: Moe Truman <moe@eton.me>
Cc: Anna Sutowska <Anna.Sutowska@ClarkCountyNV.gov>
Subject: FW: 57148-ETON-STRATFORD 1

Good afternoon Mr. Truman,
Can you please confirm that you will be paving this site with permanent asphalt pavement and not an alternative such as recycled asphalt?

Regards,

Anna Sutowska
Air Quality Supervisor
Clark County Department of Environment and Sustainability,
Division of Air Quality
4701 W. Russell Rd., Suite 200
Las Vegas, NV 89118
Office: 702-455-0666/Cell: 702-378-9780/Fax: 702-383-9994

For any dust permit information or forms, please go to the link posted below.
[Dust Control Permitting Portal, Forms & Requirements](#)

From: Heather Mackinnon
Sent: Tuesday, January 30, 2024 11:14 AM
To: Moe Truman <moe@eton.me>
Subject: RE: 57148-ETON-STRATFORD 1

Thank you Mr. Truman.

Regards,

Heather Mackinnon

Air Quality Specialist II
Department of Environment and Sustainability
Air Quality Division – Enforcement Section
4701 W. Russell Road #200
Las Vegas NV 89118

Phone: (702) 455-1524 Fax: (702) 383-9994



For Dust Control Applications, Forms, classes and mapping guidance, click on this link:

[Dust Control Permitting Portal, Forms & Requirements.](#)

From: Moe Truman <moe@eton.me>
Sent: Tuesday, January 30, 2024 11:12 AM
To: Heather Mackinnon <MackInno@ClarkCountyNV.gov>
Subject: RE: 57148-ETON-STRATFORD 1

noted

From: Heather Mackinnon <MackInno@ClarkCountyNV.gov>
Sent: Tuesday, January 30, 2024 10:54 AM
To: Moe Truman <moe@eton.me>
Cc: Katrinka Byers <Katrinka.Byers@ClarkCountyNV.gov>; Canduella Rowsell <Canduella.Rowsell@ClarkCountyNV.gov>
Subject: RE: 57148-ETON-STRATFORD 1
Importance: High

Mr. Truman,
Just to verify, you were scheduled on 10/2023 and 1/23/24 both no shows. You also have two other employees that were scheduled for the 1/23/24 class that were also no shows.

You are now registered for the class on 2/27/24. **Please make sure you attend this class so you will not continue to be out of compliance.**

Regards,

Heather Mackinnon

Air Quality Specialist II
Department of Environment and Sustainability
Air Quality Division – Enforcement Section
4701 W. Russell Road #200
Las Vegas NV 89118
Phone: (702) 455-1524 Fax: (702) 383-9994



For Dust Control Applications, Forms, classes and mapping guidance, click on this link:

[Dust Control Permitting Portal, Forms & Requirements.](#)

From: Moe Truman <moe@eton.me>

Sent: Tuesday, January 30, 2024 10:38 AM

To: Heather Mackinnon <MacKinno@ClarkCountyNV.gov>

Cc: Katrinka Byers <Katrinka.Byers@ClarkCountyNV.gov>; Canduella Rowsell <Canduella.Rowsell@ClarkCountyNV.gov>

Subject: RE: 57148-ETON-STRATFORD 1

As requested

The screenshot displays the 'Dust Classes' section of a web portal. At the top, there are navigation tabs: 'Permits', 'Your Applications', 'Apply for a New Permit', and 'Dust Classes'. Below the tabs, a blue box titled 'Who is required to complete a Dust Control Class?' lists requirements: 'The construction site superintendent or other designated on-site representative of the project developer and all construction site supervisors and foremen' and 'Water truck and water pull drivers for each construction project.' It also provides instructions on enrolling, receiving an invoice, and the consequences of non-payment. Below this, a 'Dust Class Registration' section features a 'Register Others for a Dust Class' button with a fee of \$54.00 per attendee. The 'Your Dust Classes' section shows a scheduled class for 'Feb 27, 2024 2:30 PM' with a 'PAID' status and buttons for 'RESCHEDULE' and 'VIEW'. The 'Others' Classes' section includes information on 'Single Person Registration' and 'Multiple Person Registration', along with a 'VIEW' button for a class on 'Jan 23, 2024 2:30 PM' which has a 'PAID' status and shows '2 people - 2 No Shows'.

From: Heather Mackinnon <MacKinno@ClarkCountyNV.gov>

Sent: Tuesday, January 30, 2024 10:29 AM

To: Moe Truman <moe@eton.me>

Cc: Katrinka Byers <Katrinka.Byers@ClarkCountyNV.gov>; Canduella Rowsell <Canduella.Rowsell@ClarkCountyNV.gov>

Subject: RE: 57148-ETON-STRATFORD 1

Importance: High

Mr. Truman,

DAQ shows that you were scheduled to attend the dust class on 10/10/23 and you were a no show. You are allowed one more opportunity for free to attend the next available dust class. Please schedule ASAP via the front desk (702-455-5942) and email me back letting me know which class you have been registered for.

OR supply me with a valid card holder.

Regards,

10161_0514

Heather Mackinnon

Air Quality Specialist II
Department of Environment and Sustainability
Air Quality Division – Enforcement Section
4701 W. Russell Road #200
Las Vegas NV 89118
Phone: (702) 455-1524 Fax: (702) 383-9994



For Dust Control Applications, Forms, classes and mapping guidance, click on this link: [Dust Control Permitting Portal, Forms & Requirements.](#)

From: Moe Truman <moe@eton.me>
Sent: Tuesday, January 30, 2024 10:23 AM
To: Heather Mackinnon <MacKinno@ClarkCountyNV.gov>
Subject: RE: 57148-ETON-STRATFORD 1

Error on my part on the removal

From: Heather Mackinnon <MacKinno@ClarkCountyNV.gov>
Sent: Tuesday, January 30, 2024 10:21 AM
To: Moe Truman <moe@eton.me>
Subject: 57148-ETON-STRATFORD 1
Importance: High

Greetings,

Please **reply to this email only** as soon as possible. ***You cannot edit the application after submittal in the portal, only the reviewer can.*** I have reviewed your Dust Control Operating Permit (DCOP) application and have questions and/or need additional information. Applications cannot be updated with verbal authorization so please reply to this email.

The Notice of Noncompliance was to add additional areas that were not previously permitted. On the application you have stated that you are removing .5 acres, yet on the map there is no reference to a removal. Please clarify.

Nonlinear Area Disturbed	
3.34	
Linear Area Disturbed	
Linear Length (Feet)	Linear Width (Feet)
Acreage Added	
1.76	
Acreage Removed	
5	
Nonlinear Area Acreage Subtotal	Existing Nonlinear Area Acreage Subtotal
3.34 Acres	3.19 Acres
Linear Area Acreage Subtotal	Existing Linear Area Acreage Subtotal
0 Acres	0 Acres
Total Project Area Disturbed	Existing Total Project Area Disturbed
3.34 Acres	3.19 Acres

Your new acreage should read as +1.8 (rounding up) to 3.19 = 4.99. Do you agree with this?

Project Disturbed Surface Area

Nonlinear Area Disturbed

4.99

Linear Area Disturbed

Linear Length (Feet) Lin

Add Segment

Acreage Added

1.8

Acreage Removed

0.0

Nonlinear Area Acreage Subtotal

4.99 Acres

Linear Area Acreage Subtotal

0 Acres

Total Project Area Disturbed

4.99 Acres

Regards,

Heather Mackinnon

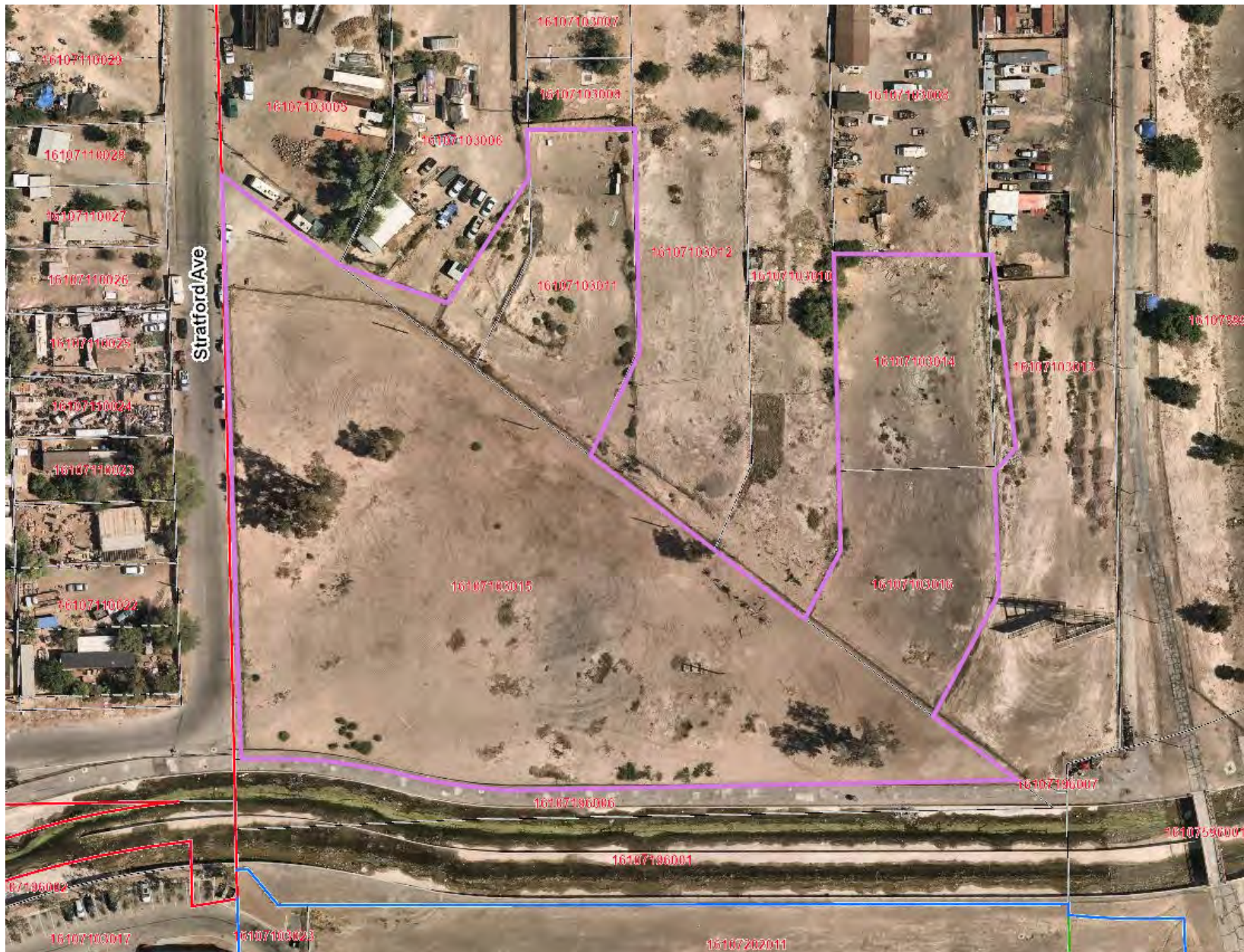
Air Quality Specialist II
Department of Environment and Sustainability
Air Quality Division – Enforcement Section
4701 W. Russell Road #200
Las Vegas NV 89118
Phone: (702) 455-1524 Fax: (702) 383-9994



For Dust Control Applications, Forms, classes and mapping guidance, click on this link: [Dust Control Permitting Portal, Forms & Requirements.](#)

June 1, 2023

Exhibit C



Map 1 - Aerial Photograph of Property



Exhibit D

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

CONSTRUCTION SITE INSPECTION REPORT

Inspection No. 144779

Officer:	Date:	Start Time:	End Time:	Type:	Complaint No.:	Permit No.:
Andrew Kirk	Dec 5, 2024	9:55 AM	10:30 AM	Permit Closure		57148
Permittee:	Project Name:		Project Location:			
ETON	STRATFORD-1		2596 STRATFORD AVE			
Weather:	Rain:	Temperature:	Wind Speed:	Wind Gust:	Wind Direction:	Site Status:
Partly Cloudy	No	63 degrees	00-04 mph	5 mph	Variable	Active
PCF Submitted:	Workers Present:	Spoke With:	Title:	Comm. Method:		
Yes	Yes	Moe Truman	Responsible Official	In Person		
		Spoke With:	Title:	Comm. Method:		
Is the project in compliance with all air quality requirements?						No
Action Taken:	Issued NON With Possible NOV		Violation in 1000 feet of:	Residential		
Emission Compliance:						Yes
Fugitive Dust Source:			Plume Length:			
Opacity:			Opacity Test Method:			
BMP Compliance:						No
Project Soils:	Failed BMP11 Requirements		Size of Instability:			
Trackout Device:	No - Not Practical		Has Trackout:		No	
Mitigation Equipment:	Inadequate		Soil Crust Determination:		Not Necessary/Not Performed	
Admin Compliance:						No
Acreage Permitted:	Observed Acreage:		Project Size:		Less than or equal to permitted	
Staging/Parking Area:	N/A	DCOP Sign:	No	DCOP Onsite:	Not Verified	
SS Permit(s):	No Equipment	SS Permit No.	Equipment Onsite:			
Inspector Notes:						Approved By: Satyra George
I conducted a Project Closure inspection based on a Project Closure Form (PCF) that was submitted to Air Quality on August 29, 2024, and observed an active unpaved trucking yard. Site soils were very wet as the entire site appears to have just been watered. I took photos to document site conditions and will be issuing ETON a Notice of Non-Compliance (NON) with possible Notice of Violation (NOV) for failing to implement BMP-11 Long-Term Stabilization standards and for also having an unpaved parking/storage yard. I was not able to let Mr. Truman know, in person, the results of my inspection as I was escorted out of the site after I had completed my inspection, but did explain all site deficiencies in an e-mail that I sent to him with the two NON's. The first NON was issued under Section 94, for failing BMP-11 resulting in me disapproving the PCF and the second NON was under Section 92, for having an unpaved parking/storage yard.						

Digital Photographs

Exhibit E

Responsible Parties: **Tonopah & Tidewater Railroad Co., Environmental Transportation of Nevada, LLC d/b/a ETON, and Mitchell Truman**

Parcel(s): **161-07-103-014, 161-07-103-015, 161-07-103-016**



Photograph # 1

Alleged Violation # 1

View looking east at unpaved parking lot/storage yard that was created after January 1, 2003 on Tonopah & Tidewater Railroad Company's site. Photo taken by Andrew Kirk.



Photograph # 2

Alleged Violation # 1

View looking north at unpaved parking lot/storage yard that was created after January 1, 2003. Photo taken by Andrew Kirk.



Photograph # 3

Alleged Violation # 1

View looking northwest at unpaved parking lot/storage yard that was created after January 1, 2003. Photo taken by Andrew Kirk.



Photograph # 4

Alleged Violation # 1

View looking northeast at unpaved parking lot/storage yard that was created after January 1, 2003. Photo taken by Andrew Kirk.



Photograph # 5

Alleged Violation # 1

View looking north at unpaved parking lot/storage yard that was created after January 1, 2003 observed during a follow-up inspection. Photo taken by Andrew Kirk.



Photograph # 6

Alleged Violation # 1

View looking west at unpaved parking lot/storage yard that was created after January 1, 2003 observed during a follow-up inspection. Photo taken by Andrew Kirk.



Photograph # 7

Alleged Violation # 1

View looking west at unpaved parking lot/storage yard that was created after January 1, 2003 observed during a follow-up inspection. Photo taken by Andrew Kirk.



Photograph # 8

Alleged Violation # 1

View looking west at unpaved parking lot/storage yard that was created after January 1, 2003 observed during a follow-up inspection. Photo taken by Andrew Kirk.



Photograph # 9

Alleged Violation # 1

View looking west at unpaved parking lot/storage yard that was created after January 1, 2003 observed during a follow-up inspection. Photo taken by Andrew Kirk.



Photograph # 10

Alleged Violation # 1

View looking west at unpaved parking lot/storage yard that was created after January 1, 2003 observed during a follow-up inspection. Photo taken by Andrew Kirk.



Photograph # 11

Alleged Violation # 1

View looking east at unpaved parking lot/storage yard that was created after January 1, 2003 observed during a follow-up inspection. Photo taken by Andrew Kirk.



Photograph # 12

Alleged Violation # 1

View looking east at unpaved parking lot/storage yard that was created after January 1, 2003 observed during a follow-up inspection. Photo taken by Andrew Kirk.



Photograph # 13

Alleged Violation # 1

View looking northwest at unpaved parking lot/storage yard that was created after January 1, 2003 observed during a follow-up inspection. Photo taken by Andrew Kirk.



Photograph # 14

Alleged Violation # 1

View looking west at unpaved parking lot/storage yard that was created after January 1, 2003 observed during a follow-up inspection. Photo taken by Andrew Kirk.



Photograph # 15

Alleged Violation # 1

View looking east at unpaved parking lot/storage yard that was created after January 1, 2003 observed during a follow-up inspection. Photo taken by Andrew Kirk.



Photograph # 16

Alleged Violation # 1

View looking west at unpaved parking lot/storage yard that was created after January 1, 2003 observed during a follow-up inspection. Photo taken by Andrew Kirk.



Photograph # 17

Alleged Violation # 1

View looking northwest at unpaved parking lot/storage yard that was created after January 1, 2003 observed during a follow-up inspection. Photo taken by Andrew Kirk.

October 1, 2024
Exhibit F



Map 2 - Aerial Photograph of Unpaved Parking Lot/Storage Yard



Exhibit G

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

NOTICE OF NONCOMPLIANCE

Issued To: ETON

Project Name: STRATFORD-1

Location: 2596 STRATFORD AVE

Dust Control Permit No: 57148

Date: Dec 5, 2024

Time: 10:30 AM

This notice is to advise you that an inspection of your site has found it in noncompliance of the conditions specified in your Dust Control Permit and/or Clark County Air Quality Regulations (AQRs).

Failed BMP-11 Long-Term Stabilization Requirements – Project Closure Form (PCF) has been disapproved.

Additional Instructions / Other Noncompliance Items

Implement BMP-11 Long-Term Stabilization Requirements by paving the entire lot or by removing all equipment and vehicles and then re-stabilize the soils by January 5, 2024.

Pursuant to AQR Section 4.3, the noncompliance status detailed above may result in the issuance of a Notice of Violation, which includes the imposition of civil penalties.

- **Failure to comply with this notice may result in additional enforcement action that includes a Notice of Violation.**
- **Please contact DAQ representative below regarding questions related to this notice.**

Person Notified:

Moe Truman

Responsible Official

ETON

(Printed Name)

(Title)

(Company)

moe@eton.me

(Email Address)

Person Notified:

Moe Truman

Designated Onsite Representative

ETON

(Printed Name)

(Title)

(Company)

moe@eton.me

(Email Address)

DAQ Representative:

Andrew Kirk

702-306-0257

(Printed Name)

(Phone Number)

AMK

10161_0530

From: [Andrew Kirk](#)
To: moe@eton.me; rgubler@mjohnsonlaw.com
Cc: [Katrinka Byers](#); [Noel Crandall](#); [David Dean](#); [Catherine Jorgenson](#); [Anna Sutowska](#); [Shibi Paul](#)
Subject: Notice of Non-Compliance for DCOP 57148 - ETON
Date: Monday, December 9, 2024 9:38:21 AM
Attachments: [57148_20241205_NON-Sec 94-Rvd.pdf](#)
[57148_20241205_NON_Sec 92-Rvd.pdf](#)

Good morning Mr. Truman and Mr. Gubler,

I conducted a project closure inspection on December 5, 2024, based on a Project Closure Form (PCF) that you had submitted to Air Quality on August 29, 2024, letting us know that you were done with construction of your site. During my inspection on December 5, 2024, I observed an active unpaved parking/storage yard that does not meet Section 94. BMP-11 Long-Term Stabilization requires you to pave the entire site or remove all equipment, materials, vehicles, and miscellaneous items and then restabilize all soils. Because of this, I have disapproved the PCF that you submitted and issued a Notice of Non-Compliance (NON) with possible Notice of Violation (NOV) that has been attached to this e-mail. Please review and follow the directions within.

The active unpaved parking/storage yard that I observed during my inspection is also a violation of our Section 92 Regulations, which requires you to pave the entire lot or remove all equipment, materials, vehicles, and miscellaneous items and then restabilize all soils within 30 days. Please see the attached Notice of Non-Compliance (NON) with possible Notice of Violation (NOV) for Section 92 and follow the directions within. Thank you for your time and helping protect the air we share,

Andrew M. Kirk
Senior Air Quality Specialist
Clark County Division of Air Quality
4701 W. Russell Road, Suite 200
Las Vegas, NV 89118
(702) 455-3529 Office
(702) 306-0257 Cell
Andrew.Kirk@ClarkCountyNV.Gov

My working hours are Monday - Thursday, 7:00 AM - 5:30 PM
For Dust Control Applications and Forms, click on this link: [Dust Control Permitting](#)



Exhibit H

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

INSPECTION REPORT

No. 144781

Date:	Start Time:	End Time:	Specialist:	
Dec 5, 2024	9:55 AM	10:30 AM	Andrew Kirk	
Parcels:	161-07-103-015, 161-07-103-014, 161-07-103-016			
Location Description:	2596 STRATFORD AVE Jurisdiction: CC Sunrise Manor - 89121			
Inspection Type:	Observed Problem	Complaint No.:		
AQR Section:	92: Unpaved Parking Lots/Storage Areas - Post 1/1/2003			
Observations:				
Current Land Use Agreement:	No			
Soil Condition:	Stable	Note:	Soils had recently been watered prior to my inspection	
Disturbance Factors:	Parking, Vehicular Travel, Storage	Other:		
Fugitive Dust Observed:	No	Generated By:		
Control Measures Implemented: N/A				
Control Measures:	Other:			
Tests Performed:				
Drop Ball Test:	N/A	Area #1:	Area #2:	Area #3:
Rock Test:	N/A	Percent:		
Silt Content:	N/A	Percent:		
Opacity:	N/A	Percent:		
Photography:	Yes	Traffic Count (ADT):	N/A	
Inspector Notes:		Reviewed By:	Satyra George	
I conducted an unpaved parking/storage yard inspection on parcel #161-07-103-015 (3.19 acres), 161-07-103-014 (.46 acres), and 161-07-103-016 (.46 acres), due to the expiration of Dust Control Operating Permit (DCOP) #57148 on August 29, 2024. During this inspection, I observed an active unpaved parking/storage yard containing dozens of trucks, some heavy equipment, three mechanical maintenance bays, multiple Connex boxes, and miscellaneous materials being stored inside this 4.11 acre facility surrounded by fencing on the western, southern, and northern ends. Multiple people were observed working within the maintenance bays and portable offices and vehicles were seen entering/exiting the property. Based on all of this, I determined that parcel #161-07-103-014, 161-07-103-015, and 161-07-103-016 were out of compliance with Clark County Air Quality Regulations (CCAQRs) Section 92. I am issuing a Notice of Noncompliance (NON) with possible Notice of Violation (NOV) to the property owner to pave the entire site or remove all vehicles, equipment, and materials stored onsite within 30 days of receipt of this notice.				
Action Taken:	Issued NON With Possible NOV			



Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	TONOPAH & TIDEWATER RAILROAD CO/ TRUMAN	Date: Dec 5, 2024
Mailing Address:	4680 N. Cimarron Road, Las Vegas, NV 89129	
Assessor's Parcels:	161-07-103-015, 161-07-103-014, 161-07-103-016	
Property Location:	2596 STRATFORD AVE Jurisdiction: CC Sunrise Manor - 89121	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Andrew Kirk at 702-306-0257 or by email at andrew.kirk@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	4.11		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	Soils had recently been watered prior to my inspection
Disturbance Factors:	Parking, Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted an unpaved parking/storage yard Inspection on parcel #161-07-103-015 (3.19 acres), 161-07-103-014 (.46 acres), and 161-07-103-016 (.46 acres), due to the expiration of Dust Control Operating Permit (DCOP) #57148 on August 29, 2024. During this inspection, I observed an active unpaved parking/storage yard containing dozens of trucks, some heavy equipment, three mechanical maintenance bays, multiple Connex boxes, and miscellaneous materials being stored inside this 4.11 acre facility surrounded by fencing on the western, southern, and northern ends. Multiple people were observed working within the maintenance bays and portable offices and vehicles were seen entering/exiting the property. Based on all of this, I determined that parcel #161-07-103-014, 161-07-103-015, and 161-07-103-016 were out of compliance with Clark County Air Quality Regulations (CCAQRs) Section 92. I am issuing a Notice of Noncompliance (NON) with possible Notice of Violation (NOV) to the property owner to pave the entire site or remove all vehicles, equipment, and materials stored onsite within 30 days of receipt of this notice.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016

From: [Andrew Kirk](#)
To: moe@eton.me; rgubler@mjohnsonlaw.com
Cc: [Katrinka Byers](#); [Noel Crandall](#); [David Dean](#); [Catherine Jorgenson](#); [Anna Sutowska](#); [Shibi Paul](#)
Subject: Notice of Non-Compliance for DCOP 57148 - ETON
Date: Monday, December 9, 2024 9:38:21 AM
Attachments: [57148_20241205_NON-Sec 94-Rvd.pdf](#)
[57148_20241205_NON_Sec 92-Rvd.pdf](#)

Good morning Mr. Truman and Mr. Gubler,

I conducted a project closure inspection on December 5, 2024, based on a Project Closure Form (PCF) that you had submitted to Air Quality on August 29, 2024, letting us know that you were done with construction of your site. During my inspection on December 5, 2024, I observed an active unpaved parking/storage yard that does not meet Section 94. BMP-11 Long-Term Stabilization requires you to pave the entire site or remove all equipment, materials, vehicles, and miscellaneous items and then restabilize all soils. Because of this, I have disapproved the PCF that you submitted and issued a Notice of Non-Compliance (NON) with possible Notice of Violation (NOV) that has been attached to this e-mail. Please review and follow the directions within.

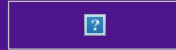
The active unpaved parking/storage yard that I observed during my inspection is also a violation of our Section 92 Regulations, which requires you to pave the entire lot or remove all equipment, materials, vehicles, and miscellaneous items and then restabilize all soils within 30 days. Please see the attached Notice of Non-Compliance (NON) with possible Notice of Violation (NOV) for Section 92 and follow the directions within. Thank you for your time and helping protect the air we share,

Andrew M. Kirk
Senior Air Quality Specialist
Clark County Division of Air Quality
4701 W. Russell Road, Suite 200
Las Vegas, NV 89118
(702) 455-3529 Office
(702) 306-0257 Cell
Andrew.Kirk@ClarkCountyNV.Gov

My working hours are Monday - Thursday, 7:00 AM - 5:30 PM
For Dust Control Applications and Forms, click on this link: [Dust Control Permitting](#)

From: [FedEx Tracking](#)
To: [Darlene Kretunski](#)
Subject: Your shipment was delivered 770609176051
Date: Tuesday, December 10, 2024 2:58:09 PM

Exhibit J



Your shipment was delivered.

Delivery Date

Tue, 12/10/2024
2:44pm

Delivered to

4680 N CIMARRON RD, LAS VEGAS, NV 89129



Delivery picture not showing?

[View in browser](#)

[GET PROOF OF DELIVERY](#)

[Report missing package](#)

How was your delivery?



Tracking details

Tracking ID	770609176051
From	CC Dept of Env&Sustainability 4701 W. Russell Rd, Suite 200 Las Vegas, NV, US 89118
To	Tonopah & Tidewater Railroad Co. 4680 N. Cimarron Rd LAS VEGAS, NV, US 89129
Ship date	Mon 12/09/2024 02:31 PM
Number of pieces	1
Total shipment weight	0.50 LB
Service	FedEx Standard Overnight
Reference	161-07-103-015
Shipper reference	161-07-103-015
Department number	DES Compliance-Darlene

[TRACK SHIPMENT](#)

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your holiday
packages for less
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FedEx One Rate®.*Effective 10/6/24

FedEx

– 1/19/25.

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RATE®**

☐ Please do not respond to this message. This email was sent from an unattended mailbox.
This report was generated at approximately 4:57 PM CST 12/10/2024.

All weights are estimated.

To track the latest status of your shipment, click on the tracking number above.

Standard transit is the date and time the package is scheduled to be delivered by, based on the selected service, destination and ship date. Limitations and exceptions may apply. Please see the FedEx Service Guide for terms and conditions of service, including the FedEx Money-Back Guarantee, or contact your FedEx Customer Support representative.

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Thank you for your business.

ID 1026



Exhibit K

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

INSPECTION REPORT No. 146173

Date:	Start Time:	End Time:	Specialist:
Jan 9, 2025	8:55 AM	9:30 AM	Andrew Kirk
Parcels:	161-07-103-015, 161-07-103-014, 161-07-103-016		
Location Description:	2596 STRATFORD AVE Jurisdiction: CC Sunrise Manor - 89121		
Inspection Type:	Re-inspection	Complaint No.:	
AQR Section:	92: Unpaved Parking Lots/Storage Areas - Post 1/1/2003		
Observations:			
Current Land Use Agreement:	No		
Soil Condition:	Stable	Note:	Recycled Asphalt Throughout
Disturbance Factors:	Parking, Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	
Control Measures Implemented: No			
Control Measures:	Other:		
Tests Performed:			
Drop Ball Test:	N/A	Area #1:	Area #2: Area #3:
Rock Test:	N/A	Percent:	
Silt Content:	N/A	Percent:	
Opacity:	N/A	Percent:	
Photography:	Yes	Traffic Count (ADT):	N/A
Inspector Notes:		Reviewed By:	Satyra George
I conducted a Re-inspection and observed an unpaved trucking yard over 5,000 square feet on parcels 161-07-103-015, 161-07-103-014, and 161-07-103-016. There were long-haul trucks, cars, heavy equipment, and construction materials, stored on the parcels.			
As of January 09, 2025, all necessary control measures to meet AQRs have not been implemented since the original Notice of Non-Compliance (NON) was sent to the Property Owner by e-mail on December 9, 2024, and delivered by Fed Ex on December 10, 2024. This NON directed the land owner to pave or remove all vehicles, materials, and miscellaneous items within 30 days or a Notice of Violation (NOV) could be issued.			
Action Taken:	Issued NOV		

Owner: Tonopah & Tidewater Railroad Co.
Parcels: 161-07-103-015, -014, -016
Aerial flight date: January 29, 2025

Exhibit L



Map 3 - Showing unpaved parking lot/storage yard



Exhibit M

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

INSPECTION REPORT

No. 149823

Date:	Start Time:	End Time:	Specialist:
May 28, 2025	11:15 AM	11:45 AM	Andrew Kirk
Parcels:	161-07-103-016, 161-07-103-015, 161-07-103-014		
Location Description:	2596 STRATFORD AVE Jurisdiction: CC Sunrise Manor - 89121		
Inspection Type:	Re-inspection	Complaint No.:	
AQR Section:	92: Unpaved Parking Lots/Storage Areas - Post 1/1/2003		
Observations:			
Current Land Use Agreement:	No		
Soil Condition:	Stable	Note:	Recycled Asphalt Throughout
Disturbance Factors:	Parking, Vehicular Travel, Storage	Other:	N/A
Fugitive Dust Observed:	No	Generated By:	N/A
Control Measures Implemented: No			
Control Measures:	Other:		
Tests Performed:			
Drop Ball Test:	N/A	Area #1:	Area #2: Area #3:
Rock Test:	N/A	Percent:	
Silt Content:	N/A	Percent:	
Opacity:	N/A	Percent:	
Photography:	Yes	Traffic Count (ADT):	N/A
Inspector Notes:			
Reviewed By: Andrew Kirk			
I conducted a Re-inspection and observed an unpaved trucking yard over 5,000 square feet on parcels 161-07-103-014 (0.46 acres), 161-07-103-015 (3.19 acres), and 161-07-103-016 (0.46 acres). There were long-haul trucks, cars, heavy equipment, and construction materials stored on the parcels.			
As of May 28, 2025, all necessary control measures to meet AQRs have not been implemented since the original Notice of Non-Compliance (NON) was sent to the Property Owner by e-mail on December 9, 2024, and delivered by Fed Ex on December 10, 2024. This NON directed the land owner to pave or remove all vehicles, materials, and miscellaneous items within 30 days or a Notice of Violation (NOV) could be issued. It has now been 170 days since the NON was delivered by e-mail and no communication has been made by the property owner to Air Quality and no control measures have been implemented.			
Action Taken: Follow-up for Possible NOV			

Exhibit 40

**SECTION 7: AIR POLLUTION CONTROL HEARING BOARD
AND HEARING OFFICER**

7.1 Appointments

(a) Hearing Officer

- (1) The Clark County Board of County Commissioners (BCC), in accordance with Chapter 2.68 of the Clark County Code, may appoint Hearing Officers from a list of qualified applicants, prepared by the department, that meet the following criteria:
 - (A) An individual appointed as a Hearing Officer shall not be an employee of the state of Nevada or any of its political subdivisions.
 - (B) Hearing Officer(s) shall have a working knowledge of air quality issues, arbitration, law, and/or engineering.
 - (C) A Hearing Officer will be an independent contractor who serves at the pleasure of the BCC.
 - (D) When multiple Hearing Officers have been appointed, each one shall make decisions independently.

(b) Air Pollution Control Hearing Board (Hearing Board)

- (1) In accordance with Chapter 445B.275 of the Nevada Revised Statutes, (NRS 445B.275) the Hearing Board shall consist of seven members selected from a list of qualified applicants submitted by the department that meet the following criteria:
 - (A) Members cannot be employees of the state of Nevada or any of its political subdivisions.
 - (B) One member must be an attorney admitted to practice law in Nevada.
 - (C) One member must be a professional engineer licensed in Nevada.
 - (D) One member must be licensed in Nevada as a general engineering or building contractor, as defined in NRS 624.215.
 - (E) Hearing Board members shall serve a term of three years.

- (F) Hearing Board members will serve at the pleasure of the BCC.
- (G) Hearing Board members shall have a working knowledge of air quality issues, arbitration, law, and/or engineering.
- (H) The Hearing Board shall select a Chair, Vice-chair, and any other officers it deems necessary.
- (I) Four members of the Hearing Board must be present to hold a hearing, and a majority of those present must concur in any decision when they sit en banc. At the request of the Control Officer a panel of three or more members may conduct hearings.
- (J) The Chair shall preside over the hearing and make all procedural rulings. Rulings are subject to appeal before the Hearing Board and may be reversed by a majority vote of the members considering the matter.
- (K) All Hearing Board public hearings shall comply with the requirements of the Nevada Open Meeting Laws.

7.2 Ethical Service

- (a) The Hearing Officer and members of the Hearing Board shall not conduct or participate in any hearing or decision in which they or any of the following persons has a direct or substantial financial interest: spouse; brother; sister; child; parent; in-laws; and parents of business associates. The Hearing Officer shall not participate in a hearing concerning any business with which the officer is negotiating, or has an arrangement or understanding concerning, possible partnership or employment. Any actual or potential interest shall be disclosed prior to the hearing.
- (b) A Hearing Officer and members of the Hearing Board may vote upon or consider a matter if the accruing benefit or detriment resulting from the decision, either individually or as a member of a general business profession, occupation or group, is not greater than that of any other member of the general business, profession, occupation or group.
- (c) A Hearing Officer and members of the Hearing Board shall not vote upon, consider, or advocate the passage or failure of, but may otherwise participate in the consideration of a matter in which a reasonably objective observer might conclude that independent judgment would be materially affected by:
 - (1) Acceptance of a gift or loan;

- (2) Pecuniary interest; or
- (3) A private commitment to the interest of others.
- (d) If a member of the Hearing Board declares an intent to abstain from voting because of the requirements of Section 7.2(a), the necessary quorum and votes necessary to act upon the matter at hand shall be reduced as though the abstaining member were not on the Hearing Board.
- (e) If a Hearing Officer declares an intent to abstain from rendering a decision because of the requirements of Section 7.2(a), the scheduled hearing will be forwarded to a second Hearing Officer. If there are no qualified Hearing Officer(s), then the matter will be referred to the Hearing Board to take action on the item as the reviewing administrative body.

7.3 Procedures – Hearing Officer

- (a) The Control Officer shall specify the time and place for each hearing in accordance with Section 4.3(d).
- (b) All affected parties shall be notified of a Hearing Officer hearing no less than five days before the date is set.
- (c) The Hearing Officer shall consider cases with:
 - (1) Non-contested facts and penalties.
 - (2) Non-contested facts and contested penalties.
 - (3) Contested facts and penalties.
- (d) A Hearing Officer shall affirm, modify or reject:
 - (1) The alleged violation of the AQRs.
 - (2) The recommended administrative penalty.
 - (3) Any appealed Control Officer Order to take corrective action.
- (e) A written order of the Hearing Officer shall be final 10 days after its receipt by all affected parties unless the respondent or Control Officer appeals the decision to the Hearing Board. The Notice of Appeal of a Hearing Officer Order must:
 - (1) Be received by the department within 10 days of receipt of the Hearing Officer's decision.

- (2) Be on a form provided by the department, to include an original signature (no copies) and reason(s) for the appeal. Form must be mailed or delivered to the department front desk.
- (3) Include the applicable fee (AQR 18.12).

7.4 Procedures – Air Pollution Control Hearing Board

- (a) The Hearing Board shall be convened at the request of the Control Officer to consider appeals of Hearing Officer Orders and Control Officer permitting determinations, as specified in Section 7.3(e).
- (b) The Hearing Board shall consider Petitions of Appeals for:
 - (1) Hearing Officer Orders
 - (2) Control Officer's permit determinations.
- (c) The Hearing Board shall affirm, modify or rescind appealed:
 - (1) Hearing Officer Orders.
 - (2) Control Officer's permit determinations.
 - (3) Terms and conditions of a permit issued by the Control Officer.
- (d) A written order of the Hearing Board shall be final 10 days after receipt by all parties.

7.5 Appeals to Hearing Board

- (a) An aggrieved party may file a written Notice of Appeal to the Hearing Board within 10 days of the date of the department's notice of action, except as otherwise provided by law. The applicable filing fee must accompany the Notice of Appeal.
- (b) The Notice of Appeal must:
 - (1) Be received by the department within 10 days of receipt of the Hearing Officer's decision.
 - (2) Specify the reason(s) for appealing the order. The Notice must have an original signature and include the appropriate fee.
 - (3) Be on a form provided by the department, including original signature (no copies). Form must be mailed or delivered to the department front desk.

- (4) Include the applicable fee (AQR 18.12).
- (c) An aggrieved party may appeal:
 - (1) The issuance, denial, renewal, modification, revision, suspension, or revocation of an operating permit.
 - (2) The issuance, modification or rescission of any other order.
- (d) The Control Officer shall determine the time and manner in which appeals are taken to the Hearing Board.
- (e) The Hearing Board shall decide all appeals, and may order the affirmation, modification, or reversal of any action taken by a Hearing Officer that is a subject of appeal.
- (f) Appeals of Hearing Officer Order shall be heard “de novo” (i.e., from the beginning), with testimony and exhibits presented and the appeal conducted in the same manner as before the Hearing Officer.
- (g) Any rehearing of a matter previously before the Hearing Board must be based upon a mistake of fact or misapplication of the law made by the Hearing Board, or the Hearing Board not completely disposing of the matter before it.

7.6 Procedures—Hearing Officer Meetings

- (a) General
 - (1) The Control Officer shall notify the person(s) responsible for an alleged violation they must appear before the Hearing Officer.
 - (2) The Control Officer shall determine the time and manner in which cases and appealed corrective action orders are presented before the Hearing Officer, in accordance with Section 4.3.
 - (3) All testimony shall be given under oath and recorded verbatim (by human or electronic means). Upon request, the department shall provide a transcript at the expense of the requesting party.
- (b) The department may make an opening statement briefly describing the nature of the case, after which the cited party may briefly state the nature of any defense.
- (c) The parties shall present their cases through the sworn testimony of witnesses and exhibits, with the department proceeding first.

- (d) The Hearing Officer may inquire of any witness following any segment of testimony.
- (e) Each party may conduct direct examination of its own witnesses and cross-examination of the other party's witnesses.
- (f) Exhibits will be presented to the other party before a request for admission is made to the Hearing Officer. Strict adherence to the technical rules of evidence is not required, but the Hearing Officer reserves the right to exclude irrelevant, immaterial, or unduly repetitious testimony or other evidence.
- (g) Each party may present a closing summary, after which the Hearing Officer shall either find that a violation has occurred and impose a penalty, or find that no violation has occurred.
- (h) Hearings Pursuant to Notices of Violation
 - (1) Non-contested cases:
 - (A) When the Control Officer and cited party have agreed on the facts and penalty submitted to the Hearing Officer, the Hearing Officer may approve the non-contested agenda item and impose the agreed-upon penalty.
 - (B) If the Hearing Officer rejects the non-contested agenda item, the Notice of Violation shall be removed from the non-contested agenda and, unless good cause otherwise exists, set for a hearing before the same Hearing Officer at a subsequent meeting.
 - (2) Non-contested facts and contested penalties:
 - (A) When the Control Officer and cited party agree on facts submitted to the Hearing Officer but disagree on the penalty, the Control Officer shall place the Notice of Violation on the contested agenda before the Hearing Officer.
 - (B) The Hearing Officer shall consider the supporting reasons and recommendations presented by both parties and impose a penalty.
 - (3) Contested facts and penalties:
 - (A) When the Control Officer and cited party disagree on the facts and the penalty, the Control Officer shall place a Notice of Violation on the contested agenda before the Hearing Officer.

- (B) The Hearing Officer shall consider the supporting reasons and recommendations presented by both parties and shall either determine a violation has occurred and levy an appropriate penalty, or determine that no violation has occurred.

7.7 Procedures—Air Pollution Control Hearing Board Meeting

- (a) The Control Officer shall specify the time and place for each Hearing Board Meeting.
- (b) The Chair of the Hearing Board shall call the meeting to order if a quorum is present.
- (c) The minutes of the previous Hearing Board meeting shall be presented for approval, disapproval, or modification.
- (d) Department staff shall report on relevant matters and recent developments relating to air quality.
- (e) Legal counsel for the Hearing Board shall report on relevant matters.
- (f) The Hearing Board shall consider relevant matters, including but not limited to appeals from orders issued by the Hearing Officer(s) and/or the appeal of the Control Officer's final action on an operating permit.
- (g) Except for appeals of Hearing Officer Orders, the Hearing Board shall conduct itself according to the administrative procedures set forth in NRS 223(B) and/or any special procedures the Hearing Board has adopted. If the Administrative Procedures Act set forth in NRS 233(B) or special procedures do not apply, the Hearing Board shall use *Robert's Rules of Order*.
- (h) The public shall be allowed to participate at Hearing Board meetings.

7.8 Procedures—Public Hearings

- (a) The Control Officer shall specify the time and place for each Public Hearing.
- (b) All testimony given before the Hearing Board shall be given under oath and recorded verbatim (by human or electronic means). Upon request, the Chair shall provide for a transcript at the expense of the requesting party.
- (c) The Hearing Board shall hear presentations by staff and the applicant, and then testimony by the public.
- (d) The applicant may present rebuttal testimony, after which the Chair shall close the public meeting.

- (e) The Hearing Board shall make its decision following discussion and a majority of those present must concur in any decision.

7.9 Judicial Review

Any person aggrieved by an order or decision of the Hearing Board may seek judicial review in accordance with the law.

History: Amended: September 3, 1981; July 8, 1985; April 23, 1987; November 18, 1993; May 26, 1994; December 19, 1996; April 24, 1997; December 21, 2000; June 3, 2003; July 1, 2004; December 17 2019; January 21, 2020.

Exhibit 41



September 24, 2025

FEDERAL EXPRESS TRK#8846 3194 8617

Jake Truman, President
Tonopah & Tidewater Railroad Co.
4680 North Cimarron Road
Las Vegas, NV 89129

FEDERAL EXPRESS TRK#8846 3204 6546

Katherine Truman, Manager
Environmental Transportation of Nevada, LLC d/b/a ETON
4680 Cimarron Road
Las Vegas, NV 89129

FEDERAL EXPRESS TRK#8846 3222 6208

Mitchell Truman
E-mail: moe@eton.me
Environmental Transportation of Nevada, LLC d/b/a ETON
2596 Stratford Avenue
Las Vegas, NV 89121

FEDERAL EXPRESS TRK#8846 3234 8742

Russell G. Gubler, Attorney
E-mail: RGubler@mjohnsonlaw.com
Johnson & Gubler, P.C.
Lakes Business Park
8831 West Sahara Avenue
Las Vegas, Nevada 89117

Re: Notice of Violation (NOV) #10161
Vacant Land – 2596 Stratford Avenue (APNs: 161-07-103-014, 161-07-103-015,
and 161-07-103-016)

Dear Messrs. Gubler, Truman, Truman and Ms. Truman:

Enclosed please find Invoice #077686 in the amount of \$15,000.00, representing the penalty assessed in the above-described matter at the September 18, 2025 Hearing Officer meeting. A copy of the Hearing Officer's Order is enclosed for your records.

Payment is due on or before October 24, 2025. Please send your check to the Department of Environment and Sustainability, Division of Air Quality (DAQ), 4701 W. Russell Road, Suite 200, Las Vegas NV 89118. **Checks must be made payable to the Division of Air Quality or DAQ and need to have the invoice number written on the check.** Any checks made payable to any other name will be returned. Payment can also be made by Credit Card or ACH/eCheck payments made in person or via the Payment Portal on the DES website. If you have invoice questions, please contact John Hill at JHill@ClarkCountyNV.gov or 702-455-0150.

The Department of Environment and Sustainability (DES) has partnered with a third-party service provider to provide you with convenient, online payment services via credit card. In order to use this service, a convenience fee is included in addition to the invoice amount(s) owed to DES. To pay your DAQ invoice online using Visa or MasterCard, please visit our website at:

https://www.clarkcountynv.gov/government/departments/environment_and_sustainability/index.php.

Thank you in advance for your prompt attention to this matter. If you have any questions, please contact me via e-mail at sherrie.rogge@clarkcountynv.gov or call me at (702) 455-0354.

Sincerely,



Sherrie D. Rogge, Administrative Secretary
Division of Air Quality – Enforcement Section

Attachment(s):

1. Hearing Officer's Order
2. Invoice 077686

Exhibit 42

BEFORE THE AIR POLLUTION CONTROL HEARING OFFICER
CLARK COUNTY, NEVADA

In the Matter of the Notice of Violation #10161) ORDER
Issued to)
TONOPAH & TIDEWATER RAILROAD)
CO., ENVIRONMENTAL)
TRANSPORTATION OF NEVADA, LLC,)
D/B/A ETON, and MITCHELL TRUMAN,)
Respondents.)
_____)

The above-entitled matter was heard on September 18, 2025, before Hearing Officer Douglas Brooks on the Contested Docket. Representatives of both the Clark County Department of Environment and Sustainability, Division of Air Quality (**Air Quality**) and TONOPAH & TIDEWATER RAILROAD CO. (**TONOPAH & TIDEWATER**), ENVIRONMENTAL TRANSPORTATION OF NEVADA, LLC D/B/A ETON (**ETON**), and MITCHELL TRUMAN (**TRUMAN**) appeared, testified and submitted evidence for consideration by the Hearing Officer. Having considered the evidence presented at the hearing, the Hearing Officer hereby finds and orders as follows:

1. Notice of Violation (**NOV**) #10161 was issued by Air Quality to Respondents TONOPAH & TIDEWATER, ETON, and TRUMAN on June 18, 2025, for alleged violation(s) of the Clark County Air Quality Regulations (**AQRs**) on Parcel Numbers 161-07-103-014, 161-07-103-015, and 161-07-103-016 located at 2596 Stratford Avenue, in Clark County, Nevada. The violation(s) alleged in the NOV include:

(a) Violation of AQR Section 92.3.1 for constructing and operating an unpaved parking lot/storage yard.

2. The penalty recommended by Air Quality in NOV #10161 was \$15,000.00.

3. The Hearing Officer finds that the violation(s) alleged in NOV #10161 occurred in that TONOPAH & TIDEWATER, ETON, and TRUMAN violated AQR Section 92.3.1

1 from January 4, 2025, through and including February 2, 2025.

2 4. **IT IS HEREBY ORDERED** that TONOPAH & TIDEWATER, ETON, and
3 TRUMAN pay a penalty of Fifteen Thousand and no/100 Dollars (\$15,000.00) within 30 days
4 of the date of this ORDER.

5 5. TONOPAH & TIDEWATER, ETON, and TRUMAN have the right to appeal
6 this ORDER to the Clark County Air Pollution Control Hearing Board. Any appeal of this
7 ORDER shall be: (1) on a form provided by Air Quality specifying the reason(s) for the appeal,
8 (2) accompanied by a filing fee of One Hundred Forty and no/100 Dollars (\$140.00), and (3)
9 received by Air Quality within ten (10) days of TONOPAH & TIDEWATER, ETON, and
10 TRUMAN's receipt of this ORDER.

11 DATED this 24th day of September, 2025.

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14 Douglas Brooks Sep 24, 2025 07:32:38 PDT

15 Douglas Brooks
16 Hearing Officer
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Exhibit 43



Clark County Nevada Department of Environment and Sustainability
4701 W Russell Road, Suite 200, Las Vegas, NV 89118
Phone (702) 455-5942 Fax (702) 383-9994
AirQuality@clarkcountynv.gov

INVOICE

TONOPAH & TIDEWATER RAILROAD CO., ETON, AND
MITCHELL TRUMAN, INDIVIDUALLY
2596 STRATFORD AVE.
LAS VEGAS, NV 89121

Invoice #	Invoice Date	Invoice By	Invoice Type	Due Date
077686	9/24/2025	SHERRIER	VACANT LAND ENFORCEMENT	10/24/2025

Quantity	Description	Fee Code	Fee	Total
	PENALTY CONTESTED	SPEN01		\$15,000.00

Notes:	NOV #10161, VACANT LAND FOR APNS: 161-07-103-014, 161-07-103-015 AND 161-07-103-016, H/O 9/18/2025	Subtotal:	\$15,000.00
		Paid:	\$0.00
		Adjustments:	\$0.00
		Balance Due:	\$15,000.00

Mail or drop off payment to 4701 W Russell Road Suite 200, Las Vegas, NV 89118. Payments can be made by check, money order, Visa, or MasterCard. Checks and money orders must be made payable to Division of Air Quality, Air Quality or DAQ. Credit card and ACH/eCheck payments may be made in person or via the Payment Portal on the DES website.

If you have invoice questions, please contact John Hill at JHill@ClarkCountyNV.gov or 702-455-5942.

Clark County
Division of Air Quality
4701 W Russell Road, Suite 200
Las Vegas, NV 89118-2231

Source Name: VACANT LAND PROGRAM POS
Source ID:
Invoice #: 077686
Balance Due: \$15,000.00
Due Date: 10/24/2025

10161_0558



**REQUEST FOR HEARING BEFORE THE
CLARK COUNTY AIR POLLUTION CONTROL
HEARING BOARD**

RECEIVED CC DAO
2025 OCT 6 AM 10:13

mf

Appeal of Hearing Officer's Order

1. **Date of Appeal:** 10/3/2025
(Must be within 10 days of receipt of Hearing Officer Order)
Notice of Violation # 10161 **Hearing Date:** 9/18/2025
Hearing Officer: Douglas Brooks

2. **Name, address, telephone number of Appellant:**
Name: Tonopah & Tidewater Railroad Co.; Environmental Transportation of Nevada, LLC d/b/a ETON; Moe Truman
(Please print)
Address: P.O. Box 753850, Las Vegas, NV 89136
Telephone: 702-632-2931 **Fax:** _____
Email: moe@eton.me; kathy@eton.me

3. **Other person or persons authorized to receive service of notice:**
Name: Johnson & Gubler, P.C.
(Please print)
Address: 8831 W. Sahara Ave., Las Vegas, NV 89117
Telephone: 702-471-0065 **Fax:** 702-471-0075
Email: rgubler@mjohnsonlaw.com; annabelle@mjohnsonlaw.com; kristi@mjohnsonlaw.com

4. **Type of business or activity and location of activity involved in the request:**
Railroad and Interstate Commerce

5. **Reason for appeal:** ☐ Facts alleged ☐ Penalty assessed ☒ Both
Provide a detailed explanation of the reason for your appeal:
Please see the attached.

6. An application filing fee of \$140.00 must accompany this application. This fee is non-refundable. Please make check payable to Division of Air Quality or DAQ and mail to 4701 W. Russell Road, Suite 200, Las Vegas, NV 89118.

The appellant or a representative of the appellant must be present at the hearing board meeting to answer any questions by the Air Pollution Control Hearing Board Members. **Please include any supporting documentation with this form for distribution to the respective board members.**

I affirm that all statements made on this application are true and complete to the best of my knowledge.

Signature:  Date: 10/3/2025

Printed Name: Russell G. Gubler

Title: Attorney (10889)

FOR OFFICE USE ONLY

Application Received on October 6, 2025

Application Fee \$140.00 - Check Ck #012900 Received Date: 10/6/2025

BEFORE THE AIR POLLUTION CONTROL HEARING OFFICER
CLARK COUNTY, NEVADA

In the Matter of the Notice of Violation #10161) ORDER
Issued to)
TONOPAH & TIDEWATER RAILROAD)
CO., ENVIRONMENTAL)
TRANSPORTATION OF NEVADA, LLC,)
D/B/A ETON, and MITCHELL TRUMAN,)
Respondents.)
_____)

The above-entitled matter was heard on September 18, 2025, before Hearing Officer Douglas Brooks on the Contested Docket. Representatives of both the Clark County Department of Environment and Sustainability, Division of Air Quality (**Air Quality**) and TONOPAH & TIDEWATER RAILROAD CO. (**TONOPAH & TIDEWATER**), ENVIRONMENTAL TRANSPORTATION OF NEVADA, LLC D/B/A ETON (**ETON**), and MITCHELL TRUMAN (**TRUMAN**) appeared, testified and submitted evidence for consideration by the Hearing Officer. Having considered the evidence presented at the hearing, the Hearing Officer hereby finds and orders as follows:

1. Notice of Violation (**NOV**) #10161 was issued by Air Quality to Respondents TONOPAH & TIDEWATER, ETON, and TRUMAN on June 18, 2025, for alleged violation(s) of the Clark County Air Quality Regulations (**AQRs**) on Parcel Numbers 161-07-103-014, 161-07-103-015, and 161-07-103-016 located at 2596 Stratford Avenue, in Clark County, Nevada. The violation(s) alleged in the NOV include:

(a) Violation of AQR Section 92.3.1 for constructing and operating an unpaved parking lot/storage yard.

2. The penalty recommended by Air Quality in NOV #10161 was \$15,000.00.

3. The Hearing Officer finds that the violation(s) alleged in NOV #10161 occurred in that TONOPAH & TIDEWATER, ETON, and TRUMAN violated AQR Section 92.3.1

1 from January 4, 2025, through and including February 2, 2025.

2 4. **IT IS HEREBY ORDERED** that TONOPAH & TIDEWATER, ETON, and
3 TRUMAN pay a penalty of Fifteen Thousand and no/100 Dollars (\$15,000.00) within 30 days
4 of the date of this ORDER.

5 5. TONOPAH & TIDEWATER, ETON, and TRUMAN have the right to appeal
6 this ORDER to the Clark County Air Pollution Control Hearing Board. Any appeal of this
7 ORDER shall be: (1) on a form provided by Air Quality specifying the reason(s) for the appeal,
8 (2) accompanied by a filing fee of One Hundred Forty and no/100 Dollars (\$140.00), and (3)
9 received by Air Quality within ten (10) days of TONOPAH & TIDEWATER, ETON, and
10 TRUMAN's receipt of this ORDER.

11 DATED this 24th day of September, 2025.

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14 Douglas Brooks Sep 24, 2025 07:32:38 PDT

15 Douglas Brooks
16 Hearing Officer
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Reasons for the appeal:

1. An exemption to paving exists for the Property under AQR Section 92.3.3;
2. Issue and/or Claim Preclusion
3. Tonopah & Tidewater Railroad Company is a railroad, and appellants/respondents participate in interstate commerce. The AQR is preempted by Federal Law;
4. Mitchell Truman is not the owner of the Property;
5. Trespass;
6. Fruit of the poisonous tree;
7. HM-232;
8. AQR is not a statewide implemented program under the Clean Air Act;
9. Courts have authority to interpret statutes;
10. The EPA was not authorized to bypass the State of Nevada when it approved the AQR;
11. The AQR unreasonably burdens railroad activity and/or interferes with other interstate commerce;
12. DES is unable to interpret statutory ambiguities;
13. This is not the proper jurisdiction to hear Appellant(s)/Respondents' arguments;
14. Water and pavement are not the best available control measures;
15. Best practical methods vs. best available control methods;
16. Roto milling is within the AQR guidelines;
17. Appellant is entitled to an exception/exemption from asphalt;
18. Discrimination;
19. Illegal search and seizures;
20. Violation of Due Process;
21. DES failed to give proper notice under AQR Section 9.1.a;
22. Appellants should not be fined, as the roto mill was already approved.



Clark County Nevada Department of Environment and Sustainability
4701 W Russell Road, Suite 200, Las Vegas, NV 89118
Phone (702) 455-5942 Fax (702) 383-9994
AirQuality@clarkcountynv.gov

RECEIPT

TONOPAH & TIDEWATER RAILROAD CO., ETON, AND
MITCHELL TRUMAN, INDIVIDUALLY
2596 STRATFORD AVE
LAS VEGAS, NV 89121

Invoice #	Invoice Date	Invoice By	Invoice Type	Due Date
077887	10/6/2025	MYLLESCAS	VACANT LAND ENFORCEMENT	10/6/2025

Quantity	Description	Fee Code	Fee	Total
1.00	HEARING BOARD REQUEST	AGHB01	\$140.00	\$140.00
	10/06/2025 CHECK (012900)	PAYMENT		(\$140.00)

Notes: NOV# 10161, VACANT LAND FOR APNS: 161-07-103-014, 161-07-103-015 AND 161-07-103-016, H/O 09/18/2025, Hearing officer appeal, Submitted 10/06/2025.

Subtotal:	\$140.00
Paid:	(\$140.00)
Adjustments:	\$0.00
Balance Due:	\$0.00

Matthew L. Johnson (6004)
Russell G. Gubler (10889)
JOHNSON & GUBLER, P.C.
Lakes Business Park
8831 West Sahara Avenue
Las Vegas, Nevada 89117
Phone: (702) 471-0065
Fax: (702) 471-0075
mjohnson@mjohnsonlaw.com
rgubler@mjohnsonlaw.com
Attorneys for Respondent

AIR POLLUTION CONTROL HEARING OFFICER MEETING

In the matter of: ETON TRANSPORTATION CORP., Respondent.	NOV #10161 RESPONSE TO NOTICE OF VIOLATION #10161
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NOW COME Tonopah & Tidewater Railroad Co. (“Railroad Co.”), ETON Transportation Corp. (“ETON”), and Moe Truman (collectively, the “Respondents”), by and through their attorneys of the law firm of JOHNSON & GUBLER, P.C., and hereby respond to Clark County’s Notice of Violation #10161.

For the reasons stated herein, Respondents request that the hearing officer reject the violations and the fines.

Violations Alleged:

By constructing and operating an unpaved parking lot/storage yard on the Property from January 4, 2025, through May 28, 2025, Tonopah & Tidewater, ETON, and Truman violated AQR Section 92.3.1

Facts:

1. Tonopah & Tidewater Railroad Co. is a railroad company owning property located at located at 2596 Stratford Ave, Las Vegas, NV 89121 (the “Property”). Exhibit 1, Deed.¹
2. The Railroad Co. was organized in the State of Nevada on July 9, 2004. Exhibit 2, Entity information.
3. On September 30, 2004, the Railroad Co. filed a verified notice of exemption under 49 CFR 1150.31 to lease and operate a private rail line owned in Clark County, NV. The Railroad company may initiate and provide common carrier rail operations on and over the line. Accordingly, the Railroad Co. became a Class III rail carrier. Exhibit 3, Federal Register Docket No. 34547.
4. Las Vegas Paving Corporation obtained an easement on certain property from Pan Western, which is on the same property mentioned in the Federal Register. *See* Exhibit 20.
5. This easement was recorded and runs with the land. *Id.*
6. In 2008, the Railroad Co. obtained a Licensing Agreement with Las Vegas Paving Corporation that allows the Railroad Co. to “***Operate [an] industrial railroad on the property.***” Exhibit 21, Licensing Agreement (emphasis added).
7. In 2010, the Railroad Co. purchased the physical steel rails from Pan Western that are held on the property. Exhibit 22, Purchase Agreement.
8. These rails are stationary on the Property. Exhibit 23, photograph of rails.
9. Further, cars are able to switch lanes, which requires an operator. *Id.*
10. The Railroad Co. entered into a lease with ETON. Exhibit 5, Lease.

¹ Some Exhibits have been kept as an abundance of caution to preserve rights and arguments.

11. ETON obtained a dust control permit for grubbing, effective August 30, 2023.
12. During its occupancy, ETON performed services for the Railroad Co. at the Property in the assistance of its business of moving goods across state lines, in interstate commerce.
13. Since January 1, 2024, the Railroad Co. has occupied the Property. The Railroad Co. never applied for or executed a dust control permit.
14. In addition to the Property, the Railroad Co. is the owner of rails, but uses the Property as one of its facilities and yards, in the assistance of its business of moving goods across state lines, in interstate commerce.
15. The Railroad Co. engages in interstate commerce and works with other railroads in the shipment of items across state lines. Exhibit 6, News 8 report.
16. In the furtherance of Railroad Co.'s federally assigned duties to maintain safe railroad service, the Railroad Co. bought a Caterpillar D9L with a serial # of 7G426. Exhibit A of Exhibit 7, Declaration of Mitchell Truman.
17. This tracked bulldozer is kept in the ready mode for immediate deployment at the Property, 24 hours a day, 7 days a week, in the event of a rail derailment, to open up rail service. Exhibit B of Exhibit 7, Declaration of Mitchell Truman.
18. The Railroad Co. engages in interstate commerce and works with other railroads in the shipment of items across state lines. Exhibit 6, News 8 report.
19. The Property is covered with six inches of roto milling, which is at least ¼ inch in thickness. Exhibit 9, photographs of Property. ²

² Below the roto mill is six additional inches of Chat gravel.

20. It is impractical to pave the Property as the bulldozer would destroy the paving, turning it to an equivalent roto-milling state, now on the Property. Exhibit 7, Declaration of Mitchell Truman.

21. Six inches of roto milling is more than an adequate dust palliative to meet the fugitive dust requirement of the EPA clean air act. Exhibit 10, Declaration of Miller.

22. For companies that use tracked equipment such as bulldozers, trenches, rail equipment, and back hoes in their businesses, black top is not a viable palliative, and roto milling is the only viable dust palliative. Exhibit 10, Declaration of Miller; Exhibit 11, Declaration of Harber.

23. Roto milling meets the requirement as a comparable palliative for dust abatement, particularly when there is track equipment operated on the property. Exhibit 11, Declaration of Harber; *see also* Exhibit 12, Declaration of McDonough; Exhibit 13, Meldrum.

24. Professionally, the roto milling on the Property is more than an adequate dust palliative to meet the fugitive dust requirement of the EPA clean air act. Exhibit 10, Declaration of Miller; Exhibit 13, Declaration of Meldrum.

25. Similarly, there is no difference in the fugitive dust emission leaving a property from a lot paved with asphalt compared to a property covered in roto milling. Exhibit 12, Declaration of McDonough.

26. The bulldozer weighs approximately 114,656 lbs, and covers the entire Property.

27. In addition to the bulldozer, the Railroad maintains the following equipment at the Property:

- a. 1- 80,000 lb forklift;
- b. 1 - 200 ton crane;

- c. 1- 36,000 lb forklift;
 - d. 2- 25,000 lb forklifts;
 - e. 1- 18,000 lb forklift;
 - f. 1- 10,000 lb forklift;
 - g. 3- 6,000 lb forklifts;
 - h. Other heavy equipment/trucks weighing approximately 129,000 lbs, when loaded.³
28. These heavy pieces of equipment also cover and maneuver over the entire yard.
29. By requiring the Property to be paved with asphalt, as opposed to roto milling, Clark County will create more air pollution from its activities. The following required items are needed to make virgin asphalt (all of which are activities that release CO₂ into the atmosphere, require additional water to stop dust, and/or wash the material to have it prepared to make asphalt):
- a. Mining the rock;
 - b. Fuel manufacturing to prepare fuel for the quarry equipment;
 - c. Transportation of the fuel to the paving yard;
 - d. Power generation to move the fuel from the refinery to the local fuel terminal;
 - e. Transportation of the rock by haul trucks from the quarry site to the crusher;
 - f. Generator to power the crushing equipment.

³ Given the size and shape of the yard, when these pieces of heavy equipment turn or maneuver, they cause damage to asphalt, as acknowledged by the Board. *See* Exhibit 32, pp. 69-71

- g. Fuel usage to move the material by a loader to and around the plant;
- h. Fuel usage to transport the asphalt oil to the hot plant;
- i. Fuel usage to transfer the asphalt oil from the refiner to the local terminal;
- j. Fuel usage to heat the plant to heat the rock to allow the asphalt oil to adhere to the rock;
- k. Fuel usage for the hot asphalt to be delivered to the site.
- l. Fuel usage for the laydown machine to lay the asphalt.

Exhibit 13, Declaration of Meldrum.

30. Paving instead of roto milling is not the best practice in this application on the Property (as used by other political entities). Exhibit 13, Declaration of Meldrum; Exhibit 14, Declaration of Montandon.

31. Further, DES' actions are discriminatory in nature, as DES fails to enforce its policies against other rail roads. Exhibit 15, photographs of rails by other owners in Clark County.

32. Further, AQR is invalid, as it is not a state-wide program. Exhibit 16, photographs of rails in other Nevada counties.

33. Prior to this hearing, Respondents have responded to two other violations, NOV 9994 and 10078, heard simultaneously. *See* Exhibit 30; Exhibit 31.

34. The matter was appealed. *See* Exhibit 32.

35. During the appeal hearing, it was known that the Respondents had roto mill on the Property. Board Chair Sanders stated the following:

14 CHAIR SANDERS: I don't think there's any
 15 argument on whether or not roto mill is appropriate. I
 16 think it was just a matter of when it got put down in
 17 relation to the citations.

Exhibit 32, p. 20

12 CHAIR SANDERS: Is it -- is it relevant, I
13 think *we've already agreed that roto mills' acceptable*
14 -- *dust pallet*. Is this still on that argument?

Exhibit 32, p. 23 (emphasis added).

21 CHAIR SANDERS: Well, like I said earlier, I --
22 *I don't think the argument here is whether or not the*
23 *roto mill is acceptable. I hope it's acceptable because*
24 -- *well, I use the same thing. Everybody that I know*
25 *does and has tracked equipment. And it -- and it is a*
1 -- a good palliative and -- and it, you know, and you
2 can smooth it back out if your tracks mess it up at all
3 moving around.

Exhibit 32, pp. 38-39 (emphasis added).

14 CHAIR SANDERS: Well, I -- I saw the -- I saw
15 the email that said, you know, and I saw the -- the
16 application and -- and where he agreed that he was going
17 to pave portions of it. And was even asking an email
18 and he said it was going to be three inch overlay. You
19 know, I -- I did see that. So he agreed at one time
20 that he was going to pave a portion of it. And, you
21 know, *I think it would've just been a matter of -- of --*
22 *of -- of talking to him with the -- with -- with the air*
23 *quality representatives and say, Hey, look, I'm just*
24 *going to put some roto mill down. I don't think that*
25 *had been an issue.*

Exhibit 32, p. 39 (emphasis added).

15 CHAIR SANDERS: No. I know all about it.
16 *You're preaching to the choir here on that stuff. On*
17 *the -- the roto mill versus --*

Exhibit 32, p. 42 (emphasis added).

23 CHAIR SANDERS: Does the board have any
24 questions for Ann? Okay. So there's -- I guess we're
25 at a point then when we decide what we're going to do
1 with this. You know, I -- I can appreciate the fact
2 that you don't want people coming onto the site

3 randomly. You know, I'm familiar with the security
4 requirements and other issues that are related to that.
5 Nevertheless, I -- I, you know, I do agree with
6 the hearing officer's assessment that the violations
7 actually occurred. And it's clear from the timeline
8 that, you know, we had an unstable -- *potentially*
9 *unstable piece of ground up until -- in August when they*
10 *closed it out and said it was in compliance after the*
11 *roto mill had been put down.*

12 You know, I'm not going to get in the -- or
13 argue the point that -- of -- in my mind and maybe this
14 isn't county regulation. So I -- I don't know if we'll
15 get in trouble here. *But, you know, I don't have a*
16 *problem with the roto mill. And I think that that's an*
17 *adequate dust palliative when you have a lot of traffic*
18 *on -- on something and -- and it's moving around and*
19 *turning and -- and unloading different things. And it's*
20 *pretty hard to keep the asphalt.*

21 *As a matter of fact, it's pretty hard to keep*
22 *it clean let alone keep it from getting damaged with --*
23 *with that kind of activity. Especially with the D9*
24 *Dozer that, you know, weighs like a hundred tons,*
25 *spinning around in there. So -- and I don't -- I don't*
I even know why the dozer is there. But nevertheless, you
2 know, in my mind the -- the -- the rot mill is not an
3 issue.

4 And -- and *obviously they -- they accepted it.*
5 *Showing that you were in compliance after you put it*
6 *down.* So I think the question is, the violations that
7 -- that you're cited for I think they're relevant and I
8 think that they're -- even when they were allowed on
9 site by somebody, you or somebody else, you know, the
10 citation was there.

Exhibit 32, pp. 69-71 (emphasis added).

36. In addition, based on the testimony that was given, without objection or opposing testimony, the parties understood that the permit was closed and the Property was in compliance:

5 Nevertheless, I -- I, you know, I do agree with
6 the hearing officer's assessment that the violations
7 actually occurred. And it's clear from the timeline
8 that, you know, we had an unstable -- potentially

9 unstable piece of ground *up until -- in August when they 10 closed it out* and said it *was in compliance* after the 11 roto mill had been put down.

Exhibit 32, p. 70 (emphasis added).

37. Some of the Respondents were found to have violated the AQR, up until the roto mill was placed. *Id.*

38. After the Roto Mill was placed, and upon reviewing the evidence, the Board repeatedly commented that the roto mill was acceptable. However, now, DES is arguing that Respondents should still be fined.

Argument:

A. An exemption to paving exists for the Property.

DES cites AQR Section 92.3.1, as applicable law, which states:

92.3.1 New Parking Lots or Storage Areas

- (a) New parking lots constructed after January 1, 2003, or constructed with public access after December 31, 2024, at a stationary source, as applicable, in Hydrographic Areas 212, 216, or 217; in any other hydrographic area upon its being designated as nonattainment for PM10; or in any other hydrographic area that becomes subject to a PM10 maintenance plan, as defined under 42 U.S.C. 7505a, must be paved.
- (b) New storage areas constructed after January 1, 2003, or constructed with public access after December 31, 2024, at a stationary source, as applicable, in Hydrographic Areas 212, 216, or 217; in any other hydrographic area upon its being designated as nonattainment for PM10; or in any other hydrographic area that becomes subject to a PM10 maintenance plan, as defined under 42 U.S.C. 7505a, must comply with the control measures described in Sections 92.3.4 (a), (b) or (d).

However, exemptions exist under AQR Section 92.3.3.

92.3.3 Exempt New and Existing Unpaved Parking Lot(s) or Storage Area(s)

The following activities shall be exempt from the paving requirement in Section 92.3.1(a), but must comply with one or more of the control measures in Section 92.3.4.

- (b) An area used for storing and handling of landscaping, aggregate, and other similar bulk materials, provided that all access, parking, and loading areas used by on-road vehicles are paved.

(c) An area used primarily for storage of ***non-rubber tired vehicles or tracked or heavy equipment*** that the Control Officer has determined to be of such weight as to damage or destroy pavement (e.g., heavy equipment), provided that all access, parking, and loading areas primarily used by rubber-tired vehicles are paved.

The control measures under 92.3.4 are as follows:

92.3.4 Control Measures

For the purpose of this regulation, the control measures set forth below shall be considered effectively implemented when the Unpaved Parking Lot or storage area meets the stabilization standards described in Section 92.4.

- (a) Pave, as defined in Section 0.
- (b) Apply alternative asphalt paving.***
- (c) Uniformly apply and maintain clean gravel to a depth of two inches.***
- (d) Apply and maintain an alternative control measure with prior written approval from the Control Officer.

Here, the Property is covered with six inches of roto milling, which is at least ¼ inch in thickness. Similarly, below the roto milling, the Property is covered with another six inches of chat gravel, which is at least ¼ inch in thickness. Exhibit 9. The roto milling is necessary for Respondents, as Respondents maintain a D9L dozer on the property, which is tracked equipment, weighing approximately 114,656 lbs. Exhibit 7. This equipment covers the entire Property. In addition to the bulldozer, the Railroad maintains the following heavy equipment:

- a. 1- 80,000 lb forklift;
- b. 1 - 200 ton crane;
- c. 1- 36,000 lb forklift;
- d. 2- 25,000 lb forklifts;
- e. 1- 18,000 lb forklift;
- f. 1- 10,000 lb forklift;
- g. 3- 6,000 lb forklifts;

h. Other heavy equipment/trucks weighing approximately 129,000 lbs, when loaded.

These heavy pieces of equipment also cover, turn, and maneuver over the entire Property.

As acknowledged by the Board Chair, the roto mill is an acceptable exception when heavy equipment spins on the asphalt. *See* Exhibit 32, pp. 69-71. This even includes equipment with rubber tires. Therefore, Respondents request that the Hearing Officer accept the exception, allowed under the AQR.

B. DES is precluded or estopped from rearguing this issue.

Issue preclusion is a legal doctrine that prevents a party from relitigating an issue that has already been decided in a previous lawsuit. For the application of the issue preclusion doctrine, the Supreme Court has outlined a four-part test, as follows:

(1) the issue decided in the prior litigation must be identical to the issue presented in the current action; (2) the initial ruling must have been on the merits and have become final; . . . (3) the party against whom the judgment is asserted must have been a party or in privity with a party to the prior litigation'; and (4) the issue was actually and necessarily litigated.

See Five Star Capital Corp. v. Ruby, 124 Nev. 1048, 1054-55 (2008).

Here, the Control Board heard and decided the issue of whether the roto mill on the Property was an adequate dust palliative. Chair Sanders stated:

15 get in trouble here. *But, you know, I don't have a*
16 *problem with the roto mill. And I think that that's an*
17 *adequate dust palliative when you have a lot of traffic*
18 *on -- on something and -- and it's moving around and*
19 *turning and -- and unloading different things. And it's*
20 *pretty hard to keep the asphalt.*
21 *As a matter of fact, it's pretty hard to keep*
22 *it clean let alone keep it from getting damaged with --*
23 *with that kind of activity. Especially with the D9*
24 *Dozer that, you know, weighs like a hundred tons,*
25 *spinning around in there. So -- and I don't -- I don't*
I even know why the dozer is there. But nevertheless, you
2 know, in my mind the -- the -- the rot mill is not an
3 issue.

4 And -- and *obviously they -- they accepted it.*

5 Showing that you were in compliance after you put it
6 down. So I think the question is, the violations that

Exhibit 32, pp. 70-72 (emphasis added). Thus, the Control Board already considered the issue of whether the roto mill on this very Property was sufficient, and considered the application of the heavy equipment on the Property after hearing the evidence, on the merits. The Respondents were involved in the previous hearings. Therefore, DES should be precluded or estopped from bringing the current violation.

C. The Railroad Co. is a railroad company under Nevada law.

A railroad company may be formed by organizing a corporation under NRS Chapter 78. *See* NRS 78.075. Tonopah & Tidewater Railroad Co. is such a corporation that was organized under NRS Chapter 78, with the designation of the words, "Railroad Co." *See* Exhibit 2.

Further, the Nevada legislature has never otherwise defined the term, "railroad company". As a result, the Supreme Court of Nevada looked to the Black's Law Dictionary to define the term. *Bombardier Transp. (Holdings) USA, Inc. v. Nev. Labor Comm'r*, 135 Nev. 15, 26, 433 P.3d 248, 258 (2019). The term is defined by Black's Law Dictionary as "[a] corporation organized to construct, maintain, and operate railroads." Railroad Corporation, Black's Law Dictionary (10th ed. 2014). This is consistent with the common meaning of railroads and other statutes wherein the Legislature has defined railroads as operating on railways. *See, e.g.*, NRS 484A.200 (defining "railroad" as one that operates on "stationary rails"); NRS 484B.050 (same); NRS 710.300 (requiring a "railway" or "railway lines" for railroad utilities). *Bombardier Transp. (Holdings) USA, Inc. v. Nev. Labor Comm'r*, 135 Nev. 15, 26, 433 P.3d 248, 258 (2019).

Here, Las Vegas Paving Corporation obtained an easement on certain property from Pan Western, which is on the same property mentioned in the Federal Register. *See* Exhibit 20. This easement was recorded and runs with the land. *Id.* Thereafter, in 2008, the Railroad Co. obtained

a Licensing Agreement with Las Vegas Paving Corporation that allows the Railroad Co. to “*Operate [an] industrial railroad on the property.*” Exhibit 21, Licensing Agreement (emphasis added). In 2010, the Railroad Co. purchased the physical steel rails from Pan Western that are held on the property. Exhibit 22, Purchase Agreement. These rails are stationary on the Property. Exhibit 23, photograph of rails. Further, cars are able to switch lanes, which requires an operator. *Id.* These are all features common to rails and trains. Thus, the Railroad Co. is a railroad company under Nevada law as it maintains and operates a railroad, and holds itself out as a railroad company. *See Bombardier Transp. (Holdings) USA, Inc. v. Nev. Labor Comm’r*, 135 Nev. 15, 26, 433 P.3d 248, 258 (2019).⁴

D. AQR is preempted by Federal law.

AQR is preempted by Federal Law. Commerce Clause Art. I, §8, Cl. 3, states, in part, Congress shall have the power to . . . regulate commerce . . . among the several states” The Supremacy Clause Art. VI, Cl. 2, also states, “This Constitution, and the laws of the United States which shall be made in pursuance thereof . . . , shall be the supreme law of the land” The Interstate Commerce Act, established in 1887, and then the Interstate Commission Termination Act (“ICCTA”) of 1995 grants the Surface Transportation Board (“STB”) authority over rail service.⁵ That authority includes the ability to regulate items such as rates,

⁴ Further, the Railroad Co. is a railroad company, as the Public Utilities Commission regulates it.

⁵ The Act abolished the Interstate Commerce Commission (ICC) and established the STB under the U.S. Department of Transportation. It is now an independent agency.

ICCTA Statutory Preemption language (49 USC §10501):

(b) The jurisdiction of the Board over-

(1) transportation by rail carriers, and the remedies provided in this part with respect to rates, classifications, rules (including car service, interchange, and other operating rules), practices, routes, ***services, and facilities of such carriers***; and

(2) the construction, acquisition, operation, abandonment, or discontinuance of spur, industrial, team, switching, or side tracks, or facilities, even if the tracks are located, or intended to be located, entirely in one State, is exclusive. Except as otherwise provided in this part, the

classifications rules, practices, routes, *services, and facilities, among others*, even if the tracks are located entirely within one state. The definition of “transportation” included within the STB’s purview is broad, including a locomotive, car, *vehicle, vessel, warehouse, yard, property, facility, instrumentality, or equipment* of any kind related to the movement of passengers and/or property by rail. This preemption applies to rail carriers, operating in interstate commerce, and those operating on their behalf, including transloaders.

In *Chicago and North Western Transportation Company v. Kalo Brick and Tile Co.*, 450 U.S. 311 (1991), the Supreme Court held, “The ICA is among the most pervasive and comprehensive of federal regulatory schemes Since the turn of the century, we have frequently invalidated attempts by the States to impose on common carriers obligations that are plainly inconsistent with the plenary authority of the ICC] . . .” The Court further said, “[There] can be no divided authority over interstate commerce, and . . . the acts of Congress on that subject are supreme and exclusive. Consequently, state efforts to regulate commerce must fall when they conflict with or interfere with federal authority over the same activity.” *Id.* at 318-9.

Attempts by states and municipalities to exert their authority over rail-related service or structures usually fail. The city of Auburn in Washington State tried to require a full environmental impact statement of a proposed rail line reopening, but was denied. *City of Auburn v. US Government*, 154 F. 3d 1025, 29 Env’tl. L. Rep. 20,096 (9th Cir. 1998). The City of Auburn argued that there was no express preemption of local regulation in ICCTA, and that Congress meant to preempt economic regulation, not “essential local police power required to protect the health or safety of citizens.” However, the court rejected the City’s position, noting

remedies provided under this part with respect to regulation of rail transportation are exclusive and *preempt the remedies provided under Federal or State law*. [Emphasis added.]

the long history of judicial recognition that rail operations need to be regulated at the federal, not local level.

The STB denied the request of Winchester, Mass. to regulate use of a freight yard which residents claimed was too noisy at night. Winchester claimed that its zoning regulations prohibited the use, but the STB ruled that federal law preempted the town's regulations. *Boston & Maine Corporation & Springfield Terminal Railroad Company* – Petition for Declaratory Order, 2013 WL 5869470, October 30, 2013.

The reason federal control of rail transportation is important is clear – if every city, town, county, and state could put its own restrictions on rail service, it would cripple it and destroy any semblance of a unified national system. The smooth operation of the rail system is protected by prohibiting states and municipalities from any requirements that would inhibit that system. Although very limited local or state regulation is allowed if the regulation is directly related to public health and safety, such as compliance with building and fire codes, rail lines cannot be required to apply for environmental permits governed by local or state law. *See Green Mountain Railroad Corp. v. Vermont*, 404 F.3d 638 (2005).

Even restrictions on activities somewhat removed from actual rail service are also prohibited because they would have an effect on the provision of rail service. In *Norfolk Southern Railway Co. v. City of Alexandria*, 608 F.3d 150 (2010), the City's ordinance regulating when trucks could enter and leave the rail facility was struck down because that restriction would cause a back-up in unloading the rail cars and have a limiting effect on rail service.

Thus, when state or local laws are an obstacle to the accomplishment and execution of an interstate carrier in the furtherance of its duty to move good between states a railroad's services, the laws are preempted. *See* 49 CFR 655.6; *Pike v. Bruce Church Inc.*, 397 U.S. 137 (1970).

E. AQR is not consistent with a state-wide program

The AQR code is not consistent with a state-wide program. If an apparent conflict exists between ICCTA ***and a federal law***, then the courts must strive to harmonize the two laws, giving effect to both laws if possible. *Association of American Railroads v. South Coast Air Quality Manag. Dist.*, 622 F.3d 1094, 1097 (9th Cir. 2010). If an apparent conflict exists between ICCTA and a state or local law, however, different rules apply. *Association of American Railroads*, 622 F.3d at 1097 (emphasis added).

The STB has explained that this system preserves a role for state and local agencies in the environmental regulation of railroads in at least two ways. First, to the extent that state and local agencies promulgate EPA-approved **statewide plans** under federal environmental laws (such as “**statewide implementation plans**” under the Clean Air Act), ICCTA generally does not preempt those regulations because it is possible to harmonize ICCTA with those federally recognized regulations. *Association of American Railroads*, 622 F.3d at 1098 (emphasis added).

The corollary to that rule is that, until approved by the EPA, **state implementation plans** do not have the force and effect of federal law. *Association of American Railroads*, 622 F.3d at 1098 (emphasis added).⁶

⁶ In *Association of American Railroads*, the court found that the South Coast Air Quality Management District's rules did not have the force and effect of federal law. Although the District promised to, the District had not submitted the rules to the ***state agency***, CARB, for its approval. Thus, in turn, if CARB approved, CARB would submit the rules to the federal EPA as part of California's **state implementation plan**. Once approved by EPA, **state implementation plans** have “the force and effect of federal law.”

Second, to the extent that state and local agencies enforce their generally applicable regulations in a way that does *not unreasonably burden railroad activity*, ICCTA does not preempt such regulation, despite the fact that the regulation does not have the force and effect of federal law. *Association of American Railroads*, 622 F.3d at 1098 (emphasis added). ICCTA preempts those rules unless they are rules of general applicability *that do not unreasonably burden railroad activity*. *Association of American Railroads*, 622 F.3d at 1097-98 (Noting that the STB has recognized that ICCTA likely would not preempt local laws that prohibit the dumping of *harmful substances or wastes*, because such a generally applicable regulation would not constitute an unreasonable burden on interstate commerce).

The EPA bypassed the whole requirement to implement a state-wide program when the AQR was approved. The AQR is not a *state* implemented plan; it is a *county* implemented plan as required in *Association of American Railroads*.

Section 52.1490(61) of Title 40 of the CFR shows that the plan that was approved by the EPA is not a state-wide plan.

(61) The following plan revision was submitted on March 26, 2003, by the Governor's designee.

(i) Incorporation by reference.

(A) Clark County Department of Air Quality and Environmental Management.

(1) Section 93, adopted on June 22, 2000 by the Clark County Board of Commissioners and amended on March 4, 2003; Section 94, ***adopted on June 22, 2000 by the Clark County Board of Commissioners*** and amended on March 18, 2003; and, the "Construction Activities Dust Control Handbook", adopted June 22, 2000 by the Clark County Board of Commissioners and amended on March 18, 2003.

(emphasis added). Thus, the AQR was adopted by the Clark County Board of Commissioners, not the legislature and governor of Nevada.

The Nevada state-implemented plan allows for officials to use common sense and to be reasonable. NRS 445B.100 states as follows:

1. It is the public policy of the State of Nevada and the purpose of NRS 445B.100 to 445B.640, inclusive, to achieve and maintain levels of air quality which will protect human health and safety, prevent injury to plant and animal life, prevent damage to property, and preserve visibility and scenic, esthetic and historic values of the State.

2. It is the intent of NRS 445B.100 to 445B.640, inclusive, to:

- (a) Require the use of **reasonably available methods** to prevent, reduce or control air pollution throughout the State of Nevada;

(emphasis added). Similarly, NAC 445B.22037, states,

1. No person may cause or permit the handling, transporting or storing of any material in a manner which allows or may allow controllable particulate matter to become airborne.

2. Except as otherwise provided in subsection 4, no person may cause or permit the construction, repair, demolition, or use of unpaved or untreated areas without first putting into effect an ongoing program using the best practical methods to prevent particulate matter from becoming airborne. As used in this subsection, **“best practical methods”** includes, but is not limited to, paving, ***chemical stabilization***, watering, phased construction and revegetation.

(emphasis added). Thus, paving compared to best practical or reasonably available methods

(State) are not the same. They are quite different, and the AQR is not part of a state-wide implemented plan.

Similarly, the method in which the State of Nevada implements a program is quite different from the way that DES is attempting to enforce its program against Respondents. *See* Exhibit 16, railroad yards in other counties in the State of Nevada.

F. The end of the Chevron doctrine and Chevron preference.

The EPA was not authorized to bypass the State of Nevada when it approved the AQR, as it was required to approve a state-wide implemented plan. The United States Supreme Court’s recent rulings in *Loper Bright Enterprises v. Raimondo*, 603 U.S. ____ (2024) and *Corner Post, Inc. v. Board of Governors of the Federal Reserve System*, 603 U.S. ____ (2024), both ended the

Chevron doctrine that gave preferences to agencies in interpreting statutes. Accordingly, this forum further does have jurisdiction to determine whether the AQR has the force and effect of federal law.

In *Loper* and *Corner Post*, the Supreme Court has created a new framework for challenges to existing and developing regulatory landscape. First, in the 6-3 *Loper* decision, the Court overruled its decision in *Chevron U.S.A. Inc. v. Natural Resources Defense Council Inc.* Previously, under the *Chevron* doctrine, when a reviewing court determined that a statute was ambiguous or that Congress had not directly addressed the precise question at issue, the Court, rather than imposing its own interpretation of the statute, would defer to the agency's interpretation as long as the agency's interpretation was based on a permissible construction of the statute. In *Loper*, the Court concluded that *Chevron* deference conflicts with separation of powers principles and the command of the APA that courts, not agencies, are to "decide all relevant questions of law" and "interpret statutory provisions." Stated another way, the Court made clear that it "remains the responsibility of the court to decide whether the law means what the agency says." The Court reinforced that "courts, not agencies, will decide 'all relevant questions of law' arising on review of agency action" and prescribed "no deferential standard for courts to employ in answering those legal questions." Therefore, the Court concluded, the APA "makes clear that agency interpretations of statutes – like agency interpretations of the Constitution – are not entitled to deference." In so holding, the Court specifically rejected arguments that federal agencies, rather than courts, are better suited to determine what ambiguities in a federal law might mean, including when those ambiguities involve technical or scientific questions that fall within an agency's area of expertise. Finally, the Court noted that "to the extent that Congress and the Executive Branch may disagree with how the courts have

performed that job in a particular case, they are of course always free to act by revising the statute."

Going forward, *Loper* means that: (1) "Courts must exercise their independent judgment in deciding whether an agency has acted within its statutory authority" and "may not defer to an agency interpretation of the law simply because a statute is ambiguous." (2) Courts still can consider the "interpretations and opinions" of the relevant agency and should accord "due respect" for the specialized expertise and informed judgement of the agency. However, the weight of those interpretations and opinions will "depend upon the thoroughness evident in its consideration, the validity of its reasoning, its consistency with earlier and later pronouncements, and all those factors which give it power to persuade, if lacking power to control."

Following *Loper Bright*, courts must now exercise their independent judgment in deciding whether an agency acted within its statutory authority, even when a statute is ambiguous. To accomplish that, federal courts will use their traditional statutory interpretation tools to resolve statutory ambiguities.

Thus, here, the EPA overstepped its authority by approving a non-state-wide implemented program, known as the AQR. As a result, the AQR does not have the force and effect of federal law. Moreover, Respondents object to the jurisdiction of this forum, as a court must interpret whether the EPA has overstepped its authority by approving the AQR, and whether the AQR has the force and effect of federal law, as well as any of the other constitutional issues raised in this response.

G. The AQR unreasonably burdens railroad activity by interfering with Interstate Commerce.

Again, ICCTA preempts those rules that unreasonably burden railroad activity. *Association of American Railroads*, 622 F.3d at 1097-98.

Here, Respondents, the Railroad Co. and ETON, are both a railroad and an interstate trucking company. Truman is an employee. The Railroad Co has a federal docket number and is a public utility. ETON has a DOT number. Respondents move goods from one state to another. Respondents are required to adhere to Federal laws and regulations as it is engaging in fulfilling its federal obligations to move goods across state lines.

Currently, the Property has six inches of roto milling, which is more than an adequate dust palliative to meet the fugitive dust requirement of the EPA clean air act. This is in addition to the six-inch chat materials underneath the roto milling.

Further, the Railroad Co., does work for other railroads. In addition, the Railroad Co. has track equipment, which is necessary to conduct business. For companies that use tracked equipment such as bulldozers, trenches, rail equipment, and back hoes in their businesses, black top is not a viable palliative, and roto milling is the only viable dust palliative. It is impractical to pave the Property as the bulldozer and other heavy equipment would destroy the paving, turning it to an equivalent roto-milling state, now on the Property. The AQR is a direct obstacle to the Railroad Co.'s services and to interstate commerce.

Further, there is no difference in the fugitive dust emission leaving a property from a lot paved with asphalt compared to a property covered in roto milling. On August 28, 2024, DES employees Rowsell and Crandall confirmed that there were no dust emissions from the Property. On the other hand, asphalt is much more expensive, causing a burden to businesses, including Respondents. This restricts trade, and is an unreasonably burden on railroad activity and interstate commerce.

Therefore, Respondents have not committed any of the violations and request that the hearing officer reject the violations and fines.

H. Pavement is not the best available control measures.

DES insists that the Railroad Co. place asphalt on the Property. However, because the Railroad Co. owns and/or utilizes track equipment, pavement is not the best available control source either. For companies that use tracked equipment such as bulldozers, trenches, rail equipment, and back hoes in their businesses, black top is not a viable palliative, and roto milling is the only viable dust palliative. It is impractical to pave the Property as the bulldozer would destroy the paving, turning it to an equivalent roto-milling state, now on the Property. For a property to be used for parking trucks, there is no difference in the fugitive dust emission leaving a property from a lot paved with asphalt compared to a property covered in roto milling. On August 28, 2024, DES employees Rowsell and Crandall confirmed that there were no dust emissions. On the other hand, asphalt is much more expensive, causing a burden to businesses, including Respondents.

Further, AQR violates an executive order to reduce greenhouse gas emissions, as well as the Paris Agreement. *See* Exhibit 19, executive order. By requiring the Property to be paved with asphalt, as opposed to roto milling, DES will create more air pollution from its activities. The following items are needed to make virgin asphalt (all of which are activities that release CO₂ into the atmosphere, require additional water to stop dust, and/or wash the material to have it prepared to make asphalt):

- a. Mining the rock;
- b. Fuel manufacturing to prepare fuel for the quarry equipment;
- c. Transportation of the fuel to the paving yard;
- d. Power generation to move the fuel from the refinery to the local fuel terminal;
- e. Transportation of the rock by haul trucks from the quarry site to the crusher;
- f. Generator to power the crushing equipment.

- g. Fuel usage to move the material by a loader to and around the plant;
- h. Fuel usage to transport the asphalt oil to the hot plant;
- i. Fuel usage to transfer the asphalt oil from the refiner to the local terminal;
- j. Fuel usage to heat the plant to heat the rock to allow the asphalt oil to adhere to the rock;
- k. Fuel usage for the hot asphalt to be delivered to the site.
- l. Fuel usage for the laydown machine to lay the asphalt.

Exhibit 13, Declaration of Meldrum. In addition, asphalt contributes to global warming. *See* <https://www.smithsonianmag.com/smart-news/hot-days-asphalt-may-release-much-air-pollution-cars-180975756/>. This is contrary to a Nevada executive order. Exhibit 19, EO.

Therefore, again, water and asphalt in this application are not the best available control measures.

Further, the Property is covered with Roto Milling, which is in the size of at least .25 inches, processed, and less than 6% silt. Exhibit 9, photo. In addition, the Property is covered with chat material. It is an effective dust suppressant and does not allow for a dust plume. On August 28, 2024, Rowsell and Crandall visited the Property and stated that there were no dust emissions from the Property. Therefore, no fine should be assessed against Respondents.

Similarly, the roto milling is sufficient for long-term stabilization, under BMP 11. Roto milling is a dust palliative that works just as effectively as asphalt, and works better, considering the track equipment on the Property. It qualifies as a clean gravel and a dust suppressant, as confirmed by Rowsell and Crandall on August 28, 2024. Further, the Property is surrounded by fencing. Therefore, no violations or fine should be assessed against Respondents.

I. DES conducted an unlawful search and seizure.

The Fourth Amendment of the United States Constitution protects individuals from unreasonable searches and seizures by the government, requiring warrants based on probable cause and describing the place to be searched and the items to be seized. Evidence obtained unlawfully cannot be used in court against the Respondents, under the Exclusionary Rule, and as extended under the Fruit of the Poisonous Tree doctrine.

In December 2024, January 2025, and May 2025, DES admits in the NOV that it entered the Property. DES obtained evidence through unlawful searches and seizures. Although this is considered a civil matter, the Fruit of the Poisonous Tree doctrine should be applied here, as DES is a government entity, enforcing a regulation, and seeking to fine companies and individuals. Thus, any evidence taken for an inspection should not be considered, as it is fruit of the poisonous tree, and the violation should be rejected and dismissed.

J. DES has discriminated against Respondents by not enforcing the AOR unevenly.

Further, the Equal Protection Clause of the Fourteenth Amendment requires that Defendants treat the Railroad Co. in the same manner as other similarly situated persons and/or entities. Equal protection forces a state to govern impartially-not draw distinctions between individuals solely on differences that are irrelevant to a legitimate governmental objective. The equal protection clause is crucial to the protection of civil rights.

Based on the type of discrimination alleged, the individual will first need to prove that the governing body actually discriminated against the individual. The individual will need to prove that the governing body's action resulted in actual harm to them. After proving this, the court will typically scrutinize the governmental action in one of several three ways to determine whether the governmental body's action is permissible: these three methods are referred to as strict scrutiny, intermediate scrutiny, and rational basis scrutiny. The court will determine which

scrutiny the individual will be subject to, relying on legal precedent to determine which level of scrutiny to use.

Here, DES is discriminating against the Railroad Co. In comparison, DES does not regulate other railroad companies, and require them to pave around their rails, as it does with the Railroad Co. *See* Exhibit 15, photographs of rails by other owners in Clark County. None of the roads adjacent to or in the rail track or yards are paved, nor does DES mandate their coal cars have no tarping over them, and fugitive coal dust protrudes from their cars as they travel through the Las Vegas Valley and the length of Clark County. There can be no rational basis for this conduct.

Therefore, the hearing officer should reject the violations and the fine.

K. The Hearing Officer should not impose a fine, or alternatively, limit the fine.

DES cites AQR Section 9.1.a, for imposing a fine, which states:

Penalties for Violation of Regulation

(a) Any person who is determined to be in violation of an applicable Nevada Revised Statute or any provision of these Regulations, shall pay a civil penalty levied by the Hearing Officer, or the Hearing Board upon appeal, of not more than \$10,000 per day, per violation. These violations include, but are not limited to any of the following:

- (1) Failure to comply with requirements to obtain a permit.
- (2) Failure to comply with a permit condition.
- (3) Failure to pay an applicable fee or to meet a filing requirement.
- (4) Failure to grant entry, to allow or perform inspection, or perform monitoring activities.

Here, the alleged violation is as follows: “By constructing and operating an unpaved parking lot/storage yard on the Property from January 4, 2025, through May 28, 2025, Tonopah & Tidewater, ETON, and Truman violated AQR Section 92.3.1.” However, nothing here states that the Respondents failed to comply with the requirements to obtain a permit, failed to comply

with a permit condition, failed to pay a fee, or failed to grant entry, perform an inspection, or perform monitoring activities. Therefore, AQR 9.1(a) does not apply, and there should be no fine assessed.

Alternaterntively, the fine should be limited. During the inspection on December 5, 2024, the Report says that “Soils had recently been watered prior to my inspection.” *See* Exhibit H, NOV. During the inspection on January 9, 2205, the Report says that there was “Recycled Asphalt Throughout”. *See* Exhibit K, NOV. Again, the Control Board accepted the roto mill as a viable alternative, and prior agents in August 2024 found no dust plume. Therefore, if a fine is assessed, the fine should be limited in the alterative to less than \$1,000.

DATED this 3rd day of July, 2025.

JOHNSON & GUBLER, P.C.

/s/ Russell G. Gubler

Matthew L. Johnson (6004)
Russell G. Gubler (10889)
Lakes Business Park
8831 West Sahara Avenue
Las Vegas, Nevada 89117
Phone: (702) 471-0065
Fax: (702) 471-0075
mjohnson@mjohnsonlaw.com
rgubler@mjohnsonlaw.com
Attorneys for Respondents

CERTIFICATE OF SERVICE

I hereby certify that on July 3, 2025, I caused to be sent a true and correct copy of the foregoing RESPONSE TO NOTICE OF VIOLATION #10161 via electronic mail, as indicated, to the following parties:

Pam Thompson
agenforcement@clarkcountynv.gov

Timothy Allen
timothy.allen@clarkcountyda.com

/s/ Russell G. Gubler

An Employee of Johnson & Gubler, P.C.

EXHIBITS

	<u>DESCRIPTION</u>
1.	Grant, Bargain, Sale Deed
2.	NV Secretary of State Entity Information
3.	Federal Register, 58594
4.	Federal Register, 75293
5.	Commercial Lease Agreement
6.	Local News 8 Report
7.	Declaration of Mitchell Truman
7A.	Invoice
7B.	Photograph of Dozer at Property
8.	Information on EPA Inspector Credentials
9.	Photographs of Property
10.	Declaration of Joe Miller
11.	Declaration of Paul Harber
12.	Declaration of David M McDonough
13.	Declaration of Floyd Meldrum
14.	Declaration of Michael Montandon
15.	Rails/rail yards in Clark County, Nevada
16.	Rails/rail yards outside of Clark County, Nevada
17.	US Trespass Information
18.	NV Trespass Information
19.	Executive Order
20.	Agreement to Convey Easement
21.	Licensing Agreement
22.	Purchase Agreement.
23.	Photo of rails
24.	Hazardous Materials Transportation Security Requirements
25.	TTRR Security Plan
26.	Declarations of Willard Strickler
27.	Declarations of Crystal Thorne
28.	Office Sign
29.	Declaration of Frankie Nevarez
30.	Hearing Officer Meeting Transcript (October)
31.	Hearing Officer Meeting Transcript (November)
32.	Hearing Transcript before Control Board (April)

Exhibit 1

Inst #: 20230907-0000999
Fees: \$42.00
RPTT: \$5100.00 Ex #:
09/07/2023 11:52:49 AM
Receipt #: 5383566
Requestor:
FNTG NCS Las Vegas
Recorded By: OSA Pgs: 6
Debbie Conway
CLARK COUNTY RECORDER
Src: ERECORD
Ofc: ERECORD

APN: 161-07-103-014, 015 & 016
Affix R.P.T.T.: \$5,100.00

RECORDING REQUESTED BY:
FIDELITY NATIONAL TITLE
WHEN RECORDED MAIL TO AND
MAIL TAX STATEMENT TO:
TONOPAH & TIDEWATER RAILROAD CO., A
NEVADA CORPORATION
ATTN: KATHERINE TRUMAN
4680 N. CIMARRON ROAD
LAS VEGAS, NV 89129

ESCROW NO: 42054616-420-KS1

GRANT, BARGAIN, SALE DEED

THIS INDENTURE WITNESSETH: That

Colvin Industrial Property Group, LLC Series E, a series of Colvin Industrial Property Group, LLC, a Nevada series limited liability company, as to Parcel 1 who acquired title as Colvin Industrial Property Group, LLC - Series E, a Nevada limited liability company and Colvin Industrial Property Group, LLC - Series A, a series of Colvin Industrial Property Group, LLC, a Nevada series limited liability company, as to Parcel 2 who acquired title as Colvin Industrial Property Group, LLC - Series A, a Nevada series limited liability company and Middlefork Holdings, LLC, a Nevada limited liability company, as to Parcel 3 who erroneously acquired title as Middlefork Holdings LLC

in consideration of \$10.00 and other valuable consideration, the receipt of which is hereby acknowledged, do hereby Grant, Bargain, Sell and Convey to

Tonopah & Tidewater Railroad Co., a Nevada corporation

all that real property situated in the County of Clark, State of Nevada, bounded and described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

Subject to: 1. Taxes for the current fiscal year, paid current.
2. Conditions, covenants, restrictions, reservations, rights, rights of way and easements now of record, if any.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Witness my/our hand(s) this 6th day of September, 2023.

SELLERS:

**Colvin Industrial Property Group, LLC
Series E, a series of Colvin Industrial
Property Group, LLC, a Nevada series
limited liability company**



By: Michael F. Colvin, Manager

Michael F. Colvin, Manager

**Colvin Industrial Property Group, LLC - Series
A, a series of Colvin Industrial Property Group,
a Nevada series limited liability company**



By: Michael F. Colvin, Manager

Michael F. Colvin, Manager

**Middlefork Holdings, LLC, a Nevada limited
liability company**



By: Michael F. Colvin, Manager

Michael F. Colvin, Manager

STATE OF NEVADA

}ss:

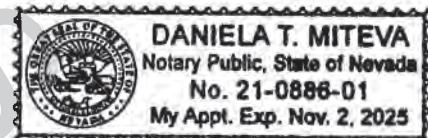
COUNTY OF CLARK

On SEPTEMBER 6, 2023
appeared before me, a Notary Public, **Michael F. Colvin,**
as Manager of Colvin Industrial Property Group,
LLC Series E and A, personally known or proven to
me to be the person(s) whose name(s) is/are
subscribed to the above instrument, who
acknowledged that he/she/they executed the
instrument for the purposes therein contained.



Notary Public

My commission expires: 11-2-25

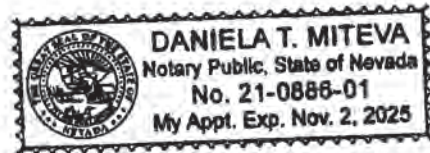


STATE OF NEVADA

}ss:

COUNTY OF CLARK

On SEPTEMBER 6, 2023
appeared before me, a Notary Public, **Michael F. Colvin**,
as **Manager of Middlefork Holdings, LLC**,
personally known or proven to me to be the person(s)
whose name(s) is/are subscribed to the above
instrument, who acknowledged that he/she/they
executed the instrument for the purposes therein
contained.





Notary Public

My commission expires: NOV 2, 2025

EXHIBIT "A"

PARCEL 1: APN 161-07-103-014

THAT PORTION OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 7, TOWNSHIP 21 SOUTH, RANGE 62 EAST, M. D. B. AND M., DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 7, AS DESIGNATED BY SURVEY MAP THEREOF ON FILE IN FILE 4, PAGE 97 OF REGISTERED PROFESSIONAL ENGINEERS FILE IN THE OFFICE OF THE COUNTY RECORDS OF CLARK COUNTY, NEVADA; THENCE NORTH 89° 43' WEST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 7, A DISTANCE OF 63.45 FEET TO A POINT; THENCE SOUTH 01° 10'50" EAST A DISTANCE OF 361.25 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 89° 43' WEST A DISTANCE OF 120.58 FEET TO A POINT; THENCE SOUTH 01° 10'50" EAST A DISTANCE OF 167.45 FEET TO A POINT; THENCE SOUTH 89° 43' EAST A DISTANCE OF 120.58 FEET TO A POINT; THENCE NORTH 01° 10'50" WEST A DISTANCE OF 167.45 FEET TO THE TRUE POINT OF BEGINNING.

NOTE: THE ABOVE LEGAL PREVIOUSLY APPEARED IN DOCUMENT RECORDED AUGUST 21, 2018 IN BOOK 20180821 AS INSTRUMENT NO. 000756, OFFICIAL RECORDS.

PARCEL 2: APN 161-07-103-015

THAT PORTION OF NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) SECTION 7, TOWNSHIP 21 SOUTH, RANGE 62 EAST M.D.B.&M., CLARK COUNTY, NEVADA DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF FOUR MILE PARK AS THE SAME IS DESIGNATED BY SURVEY ON FILE IN FILE 1, PAGE 13, OF REGISTERED PROFESSIONAL ENGINEER'S FILE, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA, THENCE SOUTH 1°10'50" EAST ALONG THE EAST LINE OF SAID FOUR MILE PARK A DISTANCE OF 284.2 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 1°10'50" EAST A DISTANCE OF 507.8 FEET TO A POINT; THENCE NORTH 88°49'10" EAST A DISTANCE OF 634.8 FEET TO A POINT; THENCE NORTH 52°31'30" WEST A DISTANCE OF 812.89 FEET TO TA TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION OF SAID LAND AS CONVEYED TO THE COUNTY OF CLARK BY DEED RECORDED AUGUST 05, 2002 IN BOOK 20020805 AS DOCUMENT NO. 001482, OFFICIAL RECORDS.

NOTE: THE ABOVE LEGAL PREVIOUSLY APPEARED IN DOCUMENT RECORDED AUGUST 16, 2018 IN BOOK 20180816 AS INSTRUMENT NO. 001376, OFFICIAL RECORDS.

PARCEL 3: APN 161-07-103-016

THAT PORTION OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 7, TOWNSHIP 21 SOUTH, RANGE 62 EAST, M.D.B. & M., DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 7, AS DESIGNATED BY SURVEY MAP THEREOF ON FILE IN FILE 4, PAGE 97 OF REGISTERED PROFESSIONAL ENGINEERS FILE IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA; THENCE NORTH 89°43' WEST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 7 A DISTANCE OF 63.45 FEET TO A POINT; THENCE SOUTH 01°10'50" EAST A DISTANCE OF 525.22 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 89°43' WEST A DISTANCE OF 120.58 FEET TO A POINT; THENCE SOUTH 01°10'50" EAST A DISTANCE OF 69.70 FEET TO A POINT; THENCE SOUTH 26°43' WEST A DISTANCE OF 56.35 FEET TO A POINT; THENCE SOUTH 52°31'30" EAST A DISTANCE OF 124.45 FEET TO A POINT; THENCE NORTH 26°43' EAST A DISTANCE OF 106.33 FEET TO A POINT; THENCE NORTH 01°10'50" WEST A DISTANCE OF 100.19 FEET TO THE TRUE POINT OF BEGINNING.

NOTE: THE ABOVE LEGAL PREVIOUSLY APPEARED IN DOCUMENT RECORDED AUGUST 15, 2017 IN BOOK 20170815 AS INSTRUMENT NO. 002262, OFFICIAL RECORDS.

PARCEL 3A:

AN EASEMENT ACROSS THE EASTERLY FIFTEEN (15) FEET OF:

THAT PORTION OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 7, TOWNSHIP 21 SOUTH, RANGE 62 EAST, M.D.B. & M., DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 7, AS DESIGNATED BY SURVEY MAP THEREOF ON FILE IN FILE 4, PAGE 97 OF REGISTERED PROFESSIONAL ENGINEERS FILE IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA; THENCE NORTH 89°43' WEST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 7 A DISTANCE OF 63.45 FEET TO A POINT; THENCE SOUTH 01°10'50" EAST A DISTANCE OF 361.25 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 89°3' WEST A DISTANCE OF 120.58 FEET TO A POINT; THENCE SOUTH 01°10'50" EAST A DISTANCE OF 167.45 FEET TO A POINT; THENCE SOUTH 89°43' EAST A DISTANCE OF 120.58 FEET TO A POINT; THENCE NORTH 01°10'50" WEST A DISTANCE OF 167.45 FEET TO THE TRUE POINT OF BEGINNING.

**STATE OF NEVADA
DECLARATION OF VALUE FORM**

1. Assessor Parcel Number(s)
a. 161-07-103-014
b. 161-07-103-015
c. 161-07-103-016

2. Type of Property:
a. ☒ Vacant Land
b. ☐ Single Fam. Res.
c. ☐ Condo/Twnhse
d. ☐ 2-4 Plex
e. ☐ Apt. Bldg
f. ☐ Comm'l/Ind'l
g. ☐ Agricultural
h. ☐ Mobile Home
i. Other _____

FOR RECORDERS OPTIONAL USE ONLY

Book _____ Page _____

Date of Recording: _____

Notes: _____

3. a. Total Value/Sales Price of Property: \$ 1,000,000.00
b. Deed in Lieu of Foreclosure Only (value of property) \$ _____
c. Transfer Tax Value \$ 1,000,000.00
d. Real Property Transfer Tax Due: \$ 5,100.00

4. **If Exemption Claimed**

- a. Transfer Tax Exemption, per NRS 375.090, Section _____
b. Explain Reason for Exemption: _____

5. Partial Interest: Percentage being transferred: _____ %

The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the parties agree that disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month. Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

Signature [Signature] Capacity Grantor
Signature _____ Capacity Grantee

SELLER (GRANTOR) INFORMATION

(REQUIRED)

Print Name: Colvin Industrial Property Group, LLC
Series E, a series of Colvin Industrial Property Group,
LLC, a Nevada series limited liability company and
Colvin Industrial Property Group, LLC - Series A, a
Nevada series limited liability company and Middlefork
Holdings, LLC, a Nevada limited liability company

Address: 7674 W. Lake Mead Blvd., Ste. 150

City: Las Vegas

State: NV Zip: 89128

BUYER (GRANTEE) INFORMATION

(REQUIRED)

Print Name: Tonopah & Tidewater Railroad Co., a
Nevada corporation

Address: 4680 N. Cimarron Rd.

City: Las Vegas

State: NV Zip: 89129

COMPANY/PERSON REQUESTING RECORDING (Required if not Seller or Buyer)

Print Name: Fidelity National Title Group

Escrow No.: 42054616-420-KS1

Address: 6385 S Rainbow Blvd, Suite 130

City, State, Zip: Las Vegas, NV 89118

AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED

Exhibit 2

ENTITY INFORMATION

ENTITY INFORMATION

Entity Name:

TONOPAH & TIDEWATER RAILROAD CO.

Entity Number:

C18165-2004

Entity Type:

Domestic Corporation (78)

Entity Status:

Active

Formation Date:

07/09/2004

NV Business ID:

NV20041526496

Termination Date:

Annual Report Due Date:

7/31/2024

Compliance Hold:

REGISTERED AGENT INFORMATION

Name of Individual or Legal Entity:

KATHERINE TRUMAN

Status:

Active

CRA Agent Entity Type:

Registered Agent Type:

Non-Commercial Registered Agent

NV Business ID:

Office or Position:

Jurisdiction:

Street Address:

4680 N. CIMARRON RD, LAS VEGAS, NV, 89129, USA

Mailing Address:

OFFICER INFORMATION

☐ **VIEW HISTORICAL DATA**

Title	Name	Address	Last Updated	Status
Secretary	KATHERINE TRUMAN	4680 N. CIMARRON ROAD, Las Vegas, NV, 89129, USA	03/01/2021	Active
Treasurer	KATHERINE TRUMAN	4680 N. CIMARRON ROAD, Las Vegas, NV, 89129, USA	03/01/2021	Active
President	JAKE TRUMAN	4680 N. CIMARRON ROAD, Las Vegas, NV, 89129, USA	06/17/2020	Active
Director	JAKE TRUMAN	4680 N. CIMARRON ROAD, Las Vegas, NV, 89129, USA	06/17/2020	Active

Page 1 of 1, records 1 to 4 of 4

CURRENT SHARES

Class/Series	Type	Share Number	Value
	Authorized	75,000	1.000000000000

Page 1 of 1, records 1 to 1 of 1

Number of No Par Value Shares:

0

Total Authorized Capital:

75,000

[Filing History](#)

[Name History](#)

[Mergers/Conversions](#)

[Return to Search](#)

[Return to Results](#)

Exhibit 3

formally notify the agency. If such a decision is made, the line must be fully marked according to the requirements under 49 CFR 541.5 and 541.6 (marking of major component parts and replacement parts).

NHTSA notes that if Mazda wishes in the future to modify the device on which this exemption is based, the company may have to submit a petition to modify the exemption. Section 543.7(d) states that a part 543 exemption applies only to vehicles that belong to a line exempted under this part and equipped with the antitheft device on which the line's exemption is based. Further, § 543.9(c)(2) provides for the submission of petitions "to modify an exemption to permit the use of an antitheft device similar to but differing from the one specified in that exemption."

The agency wishes to minimize the administrative burden that § 543.9(c)(2) could place on exempted vehicle manufacturers and itself. The agency did not intend in drafting part 543 to require the submission of a modification petition for every change to the components or design of an antitheft device. The significance of many such changes could be *de minimis*. Therefore, NHTSA suggests that if the manufacturer contemplates making any changes the effects of which might be characterized as *de minimis*, it should consult the agency before preparing and submitting a petition to modify.

Authority: 49 U.S.C. 33106; delegation of authority at 49 CFR 1.50.

Issued on: September 24, 2004.

Stephen R. Kratzke,

Associate Administrator for Rulemaking.

[FR Doc. 04-21977 Filed 9-29-04; 8:45 am]

BILLING CODE 4910-59-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 34547]

Tonopah & Tidewater Railroad Co.— Lease and Operation Exemption—Pan Western Corporation

Tonopah & Tidewater Railroad Co. (TTRR), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to lease from Pan Western Corporation (Pan Western) and operate approximately 2.66 miles of private rail line owned by Pan Western, extending from milepost 0.0 to milepost 2.66 in Clark County, NV. Pan Western intends to lease the railroad line to TTRR so that TTRR may initiate and provide common carrier rail operations on and over the

line. TTRR will become a Class III rail carrier. TTRR certifies that its projected revenues are not expected to exceed those of a Class III rail carrier or \$5 million annually.

The transaction was due to be consummated on or after September 9, 2004, the effective date of the exemption (7 days after the exemption was filed).

If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34547, must be filed with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Jeffrey O. Moreno, Esq., Thompson Hine LLP, 1920 N Street, NW., Suite 800, Washington, DC 20036-1601.

Board decisions and notices are available on our Web site at <http://www.stb.dot.gov>.

Decided: September 22, 2004.

By the Board, David M. Konschnick,
Director, Office of Proceedings.

Vernon A. Williams,

Secretary.

[FR Doc. 04-21981 Filed 9-29-04; 8:45 am]

BILLING CODE 4915-01-P

DEPARTMENT OF VETERANS AFFAIRS

Office of Research and Development; Government Owned Invention Available for Licensing

AGENCY: Office of Research and Development, VA.

ACTION: Notice of Government owned invention available for licensing.

SUMMARY: The invention listed below is owned by the U.S. Government as represented by the Department of Veterans Affairs, and is available for licensing in accordance with 35 U.S.C. 207 and 37 CFR part 404 and/or CRADA Collaboration under 15 U.S.C. 3710a to achieve expeditious commercialization of results of federally funded research and development. Foreign patents are filed on selected inventions to extend market coverage for U.S. companies and may also be available for licensing.

FOR FURTHER INFORMATION CONTACT: Technical and licensing information on the invention may be obtained by writing to: Mindy L. Aisen, Department of Veterans Affairs, Acting Director,

Technology Transfer Program, Office of Research and Development (12TT), 810 Vermont Avenue, NW., Washington, DC 20420; fax: 202-254-0473; e-mail at mindy.aisen@mail.va.gov. Any request for information should include the Number and Title for the relevant invention as indicated below. Issued patents may be obtained from the Commissioner of Patents, U.S. Patent and Trademark Office, Washington, DC 20231.

SUPPLEMENTARY INFORMATION: The invention available for licensing is: PCT Patent Application No. PCT/US03/25189 "Touch Screen Applications for Outpatient Process Automation"

Dated: September 22, 2004.

Anthony J. Principi,

Secretary, Department of Veterans Affairs.

[FR Doc. 04-21919 Filed 9-29-04; 8:45 am]

BILLING CODE 8320-01-P

DEPARTMENT OF VETERANS AFFAIRS

Enhanced-Use Lease Development of Property at the Department of Veterans Affairs Medical Center, Leavenworth, KS

AGENCY: Department of Veterans Affairs.

ACTION: Notice of intent to enter into an enhanced-use lease.

SUMMARY: The Secretary of the Department of Veterans Affairs (VA) intends to enter into an enhanced-use lease of approximately 50 acres at the Dwight D. Eisenhower VA Medical Center in Leavenworth, Kansas. The selected lessee will finance, redevelop, manage, maintain and operate a mixed-use development that would provide services and accommodations relating to affordable senior housing, long-term care, long-term housing for veterans, transitional housing with supportive services for veterans, and educational and community support facilities on the site, at no cost to VA.

FOR FURTHER INFORMATION CONTACT:

Malinda D. Pugh, Office of Asset Enterprise Management (004B), Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420, (202) 273-8192.

SUPPLEMENTARY INFORMATION: 38 U.S.C. 8161 *et seq.* specifically provides that the Secretary may enter into an enhanced-use lease if he determines that at least part of the use of the property under the lease will be to provide appropriate space for an activity contributing to the mission of the Department; the lease will not be inconsistent with and will not adversely

Exhibit 4

a. The Task Force Chairman may establish working groups to perform specific assignments with the approval of the Designated Federal Official. The Chairman may designate members from either the Task Force or the public to serve on working groups. The Working Group Chair will be a Task Force member. Recording or videotaping of working group meetings may only be performed by the sponsor, Designated Federal Official, or their designee.

b. Any recommendations to the Department by working groups must be approved by the Task Force as a whole.

15. *Filing Date:* October 27, 2006, is the filing date and the effective date of this Charter which will expire in 2 years from this filing date, unless sooner terminated or extended.

Conclusion: The first meeting of the National Safe Routes to School Task Force to the Secretary of Transportation will be held on January 11, 2007, from 8:30 a.m. to 5 p.m., e.t. at the Holiday Inn Capitol, 550 C Street, SW., Washington, DC 20024.

(Authority: Section 1404(h) of Pub. L. 109–59; Pub. L. 92–463, 5 U.S.C., App. II § 1.)

Issued on: December 7, 2006.

J. Richard Capka,

Federal Highway Administrator.

[FR Doc. E6–21226 Filed 12–13–06; 8:45 am]

BILLING CODE 4910–22–P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 34958]

Nevada Pacific Railroad Corporation—Lease and Operation Exemption—Rail Lines of Pan Western Corporation

Nevada Pacific Railroad Corporation (NPRC),¹ a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to lease from Pan Western Corporation (Pan Western) and operate approximately 2.66 miles of private rail line owned by Pan Western, extending between milepost 0.0, and milepost 2.66, in Clark County, NV.² Pan Western

intends to lease the railroad line to NPRC so that NPRC may initiate and provide common carrier rail operations on and over the line.

NPRC certifies that its projected revenues as a result of the transaction will not exceed those that would qualify it as a Class III carrier or \$5 million annually. The transaction was scheduled to be consummated on or about November 21, 2006, the effective date of the exemption (7 days after the exemption was filed).

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34958, must be filed with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423–0001. In addition, a copy of each pleading must be served on Jeffrey O. Moreno, Thompson Hine LLP, 1920 N Street, NW., Suite 800, Washington, DC 20036.

Board decisions and notices are available on our website at WWW.STB.DOT.GOV.

Dated: December 7, 2006.

By the Board, David M. Konschnik,
Director, Office of Proceedings.

Vernon A. Williams,
Secretary.

[FR Doc. E6–21174 Filed 12–13–06; 8:45 am]

BILLING CODE 4915–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Open Meeting of the Area 5 Taxpayer Advocacy Panel (Including the States of Iowa, Kansas, Minnesota, Missouri, Nebraska, Oklahoma, and Texas)

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice.

SUMMARY: An open meeting of the Area 5 Taxpayer Advocacy Panel will be conducted. The Taxpayer Advocacy Panel is soliciting public comment, ideas, and suggestions on improving customer service at the Internal Revenue Service.

DATES: The meeting will be held Tuesday, January 9, 2007, at 9:30 a.m. Central Time.

FOR FURTHER INFORMATION CONTACT: Mary Ann Delzer at 1–888–912–1227, or (414) 231–2360.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to Section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. (1988) that a meeting of the Area 5 Taxpayer Advocacy Panel will be held Tuesday, January 9, 2007, at 9:30 a.m. Central Time via a telephone conference call. You can submit written comments to the panel by faxing to (414) 231–2363, or by mail to Taxpayer Advocacy Panel, Stop1006MIL, PO Box 3205, Milwaukee, WI 53201, or you can contact us at <http://www.improveirs.org>. This meeting is not required to be open to the public, but because we are always interested in community input, we will accept public comments. Please contact Mary Ann Delzer at 1–888–912–1227 or (414) 231–2360 for additional information.

The agenda will include the following: Various IRS issues

Dated: December 7, 2006.

John Fay,

Acting Director, Taxpayer Advocacy Panel.

[FR Doc. E6–21227 Filed 12–13–06; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Open Meeting of the Area 7 Taxpayer Advocacy Panel (Including the States of Alaska, California, Hawaii, and Nevada)

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice.

SUMMARY: An open meeting of the Area 7 committee of the Taxpayer Advocacy Panel will be conducted (via teleconference). The Taxpayer Advocacy Panel (TAP) is soliciting public comments, ideas, and suggestions on improving customer service at the Internal Revenue Service. The TAP will use citizen input to make recommendations to the Internal Revenue Service.

DATES: The meeting will be held Wednesday January 17, 2007.

FOR FURTHER INFORMATION CONTACT: Janice Spinks at 1–888–912–1227, or 206–220–6096.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to Section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. (1988) that an open meeting of the Area 7 Taxpayer Advocacy Panel will be held Wednesday, January 17, 2007, from 2 p.m. Pacific Time to 3:30 p.m. Pacific Time via a telephone conference call.

¹ The verified notice of exemption was originally filed under the name UP Nevada Railroad LLC. However, the Union Pacific Railroad Company objected to this name as a violation of its trademarks. Accordingly, by letters filed November 20, and November 22, 2006, counsel addressed issues relating to the identity and name of the Applicant in this proceeding and in the latter letter, requested that Nevada Pacific Railroad Corporation be substituted as the Applicant.

² This line was the subject of a notice of exemption that, according to the current verified notice, was never consummated. See *Tonopah & Tidewater Railroad Co.—Lease and Operation Exemption—Pan Western Corporation*, STB Finance Docket No. 34547 (STB served Sept. 30, 2004).

Exhibit 5

COMMERCIAL LEASE AGREEMENT

THIS LEASE (this "Lease") dated this 1st day of September, 2023

BETWEEN:

**Tonopah & Tidewater Railroad of 2596 Stratford Ave
Telephone: (702) 348-6370
(the "Landlord")**

OF THE FIRST PART

- AND -

**ETON of 3426 Losee Rd, North Las Vegas, NV 89030, USA
Telephone: (702) 851-1743
(the "Tenant")**

OF THE SECOND PART

IN CONSIDERATION OF the Landlord leasing certain premises to the Tenant, the Tenant leasing those premises from the Landlord and the mutual benefits and obligations set forth in this Lease, the receipt and sufficiency of which consideration is hereby acknowledged, the Parties to this Lease (the "Parties") agree as follows:

Definitions

1. When used in this Lease, the following expressions will have the meanings indicated:
 - a. "Additional Rent" means all amounts payable by the Tenant under this Lease except Base Rent, whether or not specifically designated as Additional Rent elsewhere in this Lease;
 - b. "Building" means the Lands together with all buildings, improvements, equipment, fixtures, property and facilities from time to time thereon, as from time to time altered, expanded or reduced by the Landlord in its sole discretion;
 - c. "Common Areas and Facilities" mean:
 - i. those portions of the Building areas, buildings, improvements, facilities, utilities, equipment and installations in or forming part of the Building which from time to time are

- not designated or intended by the Landlord to be leased to tenants of the Building including, without limitation, exterior weather walls, roofs, entrances and exits, parking areas, driveways, loading docks and area, storage, mechanical and electrical rooms, areas above and below leasable premises and not included within leasable premises, security and alarm equipment, grassed and landscaped areas, retaining walls and maintenance, cleaning and operating equipment serving the Building; and
- ii. those lands, areas, buildings, improvements, facilities, utilities, equipment and installations which serve or are for the useful benefit of the Building, the tenants of the Building or the Landlord and those having business with them, whether or not located within, adjacent to or near the Building and which are designated from time to time by the Landlord as part of the Common Areas and Facilities;
- d. "Lands" means the land legally described as:
 - i. 16107103015, 16107103016, 16107103014;
 - e. "Leasable Area" means with respect to any rentable premises, the area expressed in square feet of all floor space including floor space of mezzanines, if any, determined, calculated and certified by the Landlord and measured from the exterior face of all exterior walls, doors and windows, including walls, doors and windows separating the rentable premises from enclosed Common Areas and Facilities, if any, and from the center line of all interior walls separating the rentable premises from adjoining rentable premises. There will be no deduction or exclusion for any space occupied by or used for columns, ducts or other structural elements;
 - f. "Premises" means the commercial premises at 2956 Stratford Ave, Las Vegas, NV 89121, USA;
 - g. "Rent" means the total of Base Rent and Additional Rent.

Intent of Lease

- 2. It is the intent of this Lease and agreed to by the Parties to this Lease that rent for this Lease will be on a gross rent basis meaning the Tenant will pay the Base Rent and any Additional Rent and the Landlord will be responsible for all other service charges related to the Premises and the operation of the Building save as specifically provided in this Lease to the contrary.

Leased Premises

- 3. The Landlord agrees to rent to the Tenant the commercial premises municipally described as 2956 Stratford Ave, Las Vegas, NV 89121, USA (the "Premises").

The Premises will be used for only the following permitted use (the "Permitted Use"):

Truck parking.

- 4. While the Tenant, or an assignee or subtenant approved by the Landlord, is using and occupying the Premises for the Permitted Use and is not in default under the Lease, the Landlord agrees not to Lease space in the Building to any tenant who will be conducting in such premises as its principal business, the services of: Truck parking.**

Term

- 5. The term of the Lease commences at 12:00 noon on September 1, 2023 and ends at 12:00 noon on December 31, 2023(the "Term").**
- 6. Should the Tenant remain in possession of the Premises with the consent of the Landlord after the natural expiration of this Lease, a new tenancy from month to month will be created between the Landlord and the Tenant which will be subject to all the terms and conditions of this Lease but will be terminable upon either party giving one month's notice to the other party.**
- 7. Upon 30 days' notice, the Landlord may terminate the tenancy under this Lease if the Tenant has defaulted in the payment of any portion of the Rent when due.**
- 8. Upon 60 days' notice, the Landlord may terminate the tenancy under this Lease if the Tenant fails to observe, perform and keep each and every of the covenants, agreements, stipulations, obligations, conditions and other provisions of this Lease to be observed, performed and kept by the Tenant and the Tenant persists in such default beyond the said 60 days' notice.**

Rent

- 9. Subject to the provisions of this Lease, the Tenant will pay a base rent of \$10,000.00, payable per month, for the Premises (the "Base Rent"), without setoff, abatement or deduction. In addition to the Base Rent, the Tenant will pay for any fees or taxes arising from the Tenant's business.**
- 10. The Tenant will pay the Base Rent on or before the first of each and every month of the Term to the Landlord.**
- 11. No acceptance by the Landlord of any amount less than the full amount owed will be taken to operate as a waiver by the Landlord for the full amount or in any way to defeat or affect the rights and remedies of the Landlord to pursue the full amount.**

Use and Occupation

12. The Tenant will open the whole of the Premises for business to the public fully fixtured, stocked and staffed on the date of commencement of the Term and throughout the Term, and will continuously occupy and utilize the entire Premises in the active conduct of its business in a reputable manner on such days and during such hours of business as may be determined from time to time by the Landlord.
13. The Tenant covenants that the Tenant will carry on and conduct its business from time to time carried on upon the Premises in such manner as to comply with all statutes, bylaws, rules and regulations of any federal, state, municipal or other competent authority and will not do anything on or in the Premises in contravention of any of them.
14. The Tenant covenants that the Tenant will carry on and conduct its business from time to time carried on upon the Premises in such manner as to comply with any statute, including any subordinate legislation, which is in force now or in the future and taking into account any amendment or re-enactment, or any government department, local authority, other public or competent authority or court of competent jurisdiction and of the insurers in relation to the use, occupation and enjoyment of the Building (including in relation to health and safety compliance with the proper practice recommended by all appropriate authorities).

Quiet Enjoyment

15. The Landlord covenants that on paying the Rent and performing the covenants contained in this Lease, the Tenant will peacefully and quietly have, hold, and enjoy the Premises for the agreed term.

Distress

16. If and whenever the Tenant is in default in payment of any money, whether hereby expressly reserved or deemed as Rent, or any part of the Rent, the Landlord may, without notice or any form of legal process, enter upon the Premises and seize, remove and sell the Tenant's goods, chattels and equipment from the Premises or seize, remove and sell any goods, chattels and equipment at any place to which the Tenant or any other person may have removed them, in the same manner as if they had remained and been distrained upon the Premises, all notwithstanding any rule of law or equity to the contrary, and the Tenant hereby waives and renounces the benefit of any present or future statute or law limiting or eliminating the Landlord's right of distress.

Overholding

17. If the Tenant continues to occupy the Premises without the written consent of the Landlord after the

expiration or other termination of the Term, then, without any further written agreement, the Tenant will be a month-to-month tenant at a minimum monthly rental equal to twice the Base Rent and subject always to all of the other provisions of this Lease insofar as the same are applicable to a month-to-month tenancy and a tenancy from year to year will not be created by implication of law.

Additional Rights on Reentry

18. If the Landlord reenters the Premises or terminates this Lease, then:

- a. notwithstanding any such termination or the Term thereby becoming forfeited and void, the provisions of this Lease relating to the consequences of termination will survive;**
- b. the Landlord may use such reasonable force as it may deem necessary for the purpose of gaining admittance to and retaking possession of the Premises and the Tenant hereby releases the Landlord from all actions, proceedings, claims and demands whatsoever for and in respect of any such forcible entry or any loss or damage in connection therewith or consequential thereupon;**
- c. the Landlord may expel and remove, forcibly, if necessary, the Tenant, those claiming under the Tenant, and their effects, as allowed by law, without being taken or deemed to be guilty of any manner of trespass;**
- d. in the event that the Landlord has removed the property of the Tenant, the Landlord may store such property in a public warehouse or at a place selected by the Landlord, at the expense of the Tenant. If the Landlord feels that it is not worth storing such property given its value and the cost to store it, then the Landlord may dispose of such property in its sole discretion and use such funds, if any, towards any indebtedness of the Tenant to the Landlord. The Landlord will not be responsible to the Tenant for the disposal of such property other than to provide any balance of the proceeds to the Tenant after paying any storage costs and any amounts owed by the Tenant to the Landlord;**
- e. the Landlord may relet the Premises or any part of the Premises for a term or terms which may be less or greater than the balance of the Term remaining and may grant reasonable concessions in connection with such reletting including any alterations and improvements to the Premises;**
- f. after reentry, the Landlord may procure the appointment of a receiver to take possession and collect rents and profits of the business of the Tenant, and, if necessary to collect the rents and profits the receiver may carry on the business of the Tenant and take possession of the personal property used in the business of the Tenant, including inventory, trade fixtures, and furnishings, and use them in the business without compensating the Tenant;**

- g. after reentry, the Landlord may terminate the Lease on giving 5 days' written notice of termination to the Tenant. Without this notice, reentry of the Premises by the Landlord or its agents will not terminate this Lease;**
- h. the Tenant will pay to the Landlord on demand:**

 - i. all rent, Additional Rent and other amounts payable under this Lease up to the time of reentry or termination, whichever is later;**
 - ii. reasonable expenses as the Landlord incurs or has incurred in connection with the reentering, terminating, reletting, collecting sums due or payable by the Tenant, realizing upon assets seized; including without limitation, brokerage, fees and expenses and legal fees and disbursements and the expenses of keeping the Premises in good order, repairing the same and preparing them for reletting; and**
 - iii. as liquidated damages for the loss of rent and other income of the Landlord expected to be derived from this Lease during the period which would have constituted the unexpired portion of the Term had it not been terminated, at the option of the Landlord, either:**

 - i. an amount determined by reducing to present worth at an assumed interest rate of 12% per annum all Base Rent and estimated Additional Rent to become payable during the period which would have constituted the unexpired portion of the Term, such determination to be made by the Landlord, who may make reasonable estimates of when any such other amounts would have become payable and may make such other assumptions of the facts as may be reasonable in the circumstances; or**
 - ii. an amount equal to the Base Rent and estimated Additional Rent for a 6months.**

Inspections and Landlord's Right to Enter

- 19. During the Term and any renewal of this Lease, the Landlord and its agents may enter the Premises to make inspections or repairs. Except where the Landlord or its agents consider it an emergency, the Landlord will provide the Tenant with written notice 24 hours prior to entering.**

Insurance

- 20. The Tenant is hereby advised and understands that the personal property of the Tenant is not insured by the Landlord for either damage or loss, and the Landlord assumes no liability for any such loss. The Tenant is advised that, if insurance coverage is desired by the Tenant, the Tenant should inquire of Tenant's insurance agent regarding a Tenant's policy of insurance.**

21. Both the Landlord and the Tenant is responsible for insuring the Landlord's contents and furnishings in or about the Premises for either damage or loss for the benefit of the Landlord.
22. Both the Landlord and the Tenant is responsible for insuring their respective interests and property in the Premises for damage or loss for the benefit of the Tenant and the Landlord. Such insurance should include such risks as fire, theft, vandalism, flood and disaster.
23. Both the Landlord and the Tenant is responsible for insuring the Premises for liability insurance for the benefit of the Tenant and the Landlord.

Abandonment

24. If at any time during the Term, the Tenant abandons the Premises or any part of the Premises, the Landlord may, at its option, enter the Premises by any means without being liable for any prosecution for such entering, and without becoming liable to the Tenant for damages or for any payment of any kind whatever, and may, at the Landlord's discretion, as agent for the Tenant, relet the Premises, or any part of the Premises, for the whole or any part of the then unexpired Term, and may receive and collect all rent payable by virtue of such reletting, and, at the Landlord's option, hold the Tenant liable for any difference between the Rent that would have been payable under this Lease during the balance of the unexpired Term, if this Lease had continued in force, and the net rent for such period realized by the Landlord by means of the reletting. If the Landlord's right of reentry is exercised following abandonment of the premises by the Tenant, then the Landlord may consider any personal property belonging to the Tenant and left on the Premises to also have been abandoned, in which case the Landlord may dispose of all such personal property in any manner the Landlord will deem proper and is relieved of all liability for doing so.

Governing Law

25. It is the intention of the Parties to this Lease that the tenancy created by this Lease and the performance under this Lease, and all suits and special proceedings under this Lease, be construed in accordance with and governed, to the exclusion of the law of any other forum, by the laws of the State of Nevada, without regard to the jurisdiction in which any action or special proceeding may be instituted.

Severability

26. If there is a conflict between any provision of this Lease and the applicable legislation of the State of Nevada (the 'Act'), the Act will prevail and such provisions of the Lease will be amended or deleted as

necessary in order to comply with the Act. Further, any provisions that are required by the Act are incorporated into this Lease.

Assignment and Subletting

27. The Tenant will not assign this Lease in whole or in part, nor sublet all or any part of the Premises, nor grant any license or part with possession of the Premises or transfer to any other person in whole or in part or any other right or interest under this Lease (except to a parent, subsidiary or affiliate of the Tenant), without the prior written consent of the Landlord in each instance, which consent will not be unreasonably withheld so long as the proposed assignment or sublease complies with the provisions of this Lease.
28. Notwithstanding any assignment or sublease, the Tenant will remain fully liable on this Lease and will not be released from performing any of the terms, covenants and conditions of this Lease.
29. If the Lease is assigned or if the Premises or any part of the Premises are sublet or occupied by anyone other than the Tenant, the Landlord may collect rent directly from the assignee, subtenant or occupant, and apply the net amount collected, or the necessary portion of that amount, to the rent owing under this Lease.
30. The prohibition against assigning or subletting without the consent required by this Lease will be constructed to include a prohibition against any assignment or sublease by operation of law.
31. The consent by the Landlord to any assignment or sublease will not constitute a waiver of the necessity of such consent to any subsequent assignment or sublease.

Bulk Sale

32. No bulk sale of goods and assets of the Tenant may take place without first obtaining the written consent of the Landlord, which consent will not be unreasonably withheld so long as the Tenant and the Purchaser are able to provide the Landlord with assurances, in a form satisfactory to the Landlord, that the Tenant's obligations in this Lease will continue to be performed and respected, in the manner satisfactory to the Landlord, after completion of the said bulk sale.

Care and Use of Premises

33. The Tenant will promptly notify the Landlord of any damage, or of any situation that may significantly interfere with the normal use of the Premises.
34. The Tenant will not make (or allow to be made) any noise or nuisance which, in the reasonable

opinion of the Landlord, disturbs the comfort or convenience of other tenants.

- 35. The Tenant will not engage in any illegal trade or activity on or about the Premises.
- 36. The Landlord and Tenant will comply with standards of health, sanitation, fire, housing and safety as required by law.

Surrender of Premises

- 37. At the expiration of the lease term, the Tenant will quit and surrender the Premises in as good a state and condition as they were at the commencement of this Lease, reasonable use and wear and damages by the elements excepted.

Hazardous Materials

- 38. The Tenant will not keep or have on the Premises any article or thing of a dangerous, flammable, or explosive character that might unreasonably increase the danger of fire on the Premises or that might be considered hazardous by any responsible insurance company.

Rules and Regulations

- 39. The Tenant will obey all rules and regulations posted by the Landlord regarding the use and care of the Building, parking lot and other common facilities that are provided for the use of the Tenant in and around the Building on the Premises.

General Provisions

- 40. Any waiver by the Landlord of any failure by the Tenant to perform or observe the provisions of this Lease will not operate as a waiver of the Landlord's rights under this Lease in respect of any subsequent defaults, breaches or nonperformance and will not defeat or affect in any way the Landlord's rights in respect of any subsequent default or breach.
- 41. This Lease will extend to and be binding upon and inure to the benefit of the respective heirs, executors, administrators, successors and assigns, as the case may be, of each party to this Lease. All covenants are to be construed as conditions of this Lease.
- 42. All sums payable by the Tenant to the Landlord pursuant to any provision of this Lease will be deemed to be Additional Rent and will be recoverable by the Landlord as rental arrears.
- 43. Where there is more than one Tenant executing this Lease, all Tenants are jointly and severally liable for each other's acts, omissions and liabilities pursuant to this Lease.

44. Time is of the essence in this Lease.
45. This Lease will constitute the entire agreement between the Landlord and the Tenant. Any prior understanding or representation of any kind preceding the date of this Lease will not be binding on either party to this Lease except to the extent incorporated in this Lease. In particular, no warranties of the Landlord not expressed in this Lease are to be implied.

IN WITNESS WHEREOF the Parties to this Lease have duly affixed their signatures under hand and seal, or by a duly authorized officer under seal, on this 28st day of August, 2023.

Shauna M. Wier

(Witness)

Tonopah & Tidewater Railroad (Landlord)

Per: [Signature] (SEAL)

Shauna M. Wier

(Witness)

ETON (Tenant)

Per: [Signature] (SEAL)

Exhibit 6



LOCAL NEWS

Tanks on Trains: Why so many were in Las Vegas

Military equipment from Fort Hood in Texas moves through Las Vegas for troops training at Fort Irwin in California. (Photos: Instagram @LeroyNotCenkins)

by: [Duncan Phenix](#)

Posted: Mar 14, 2022 / 05:51 PM PDT

Updated: Mar 15, 2022 / 12:41 PM PDT

SHARE



LAS VEGAS (KLAS) — Dozens of tanks, armored personnel carriers, troop transport vehicles, Bradley fighting vehicles, and much more were recently seen in downtown Las Vegas and around the valley. All of them loaded onto rail cars being hauled to somewhere from somewhere.

Many people posted videos on social media, wondering what was happening. Given the similar scenes coming out of western Russia, some found it troubling as it prepared to invade Ukraine. 8 News Now found an answer.



For anyone who has been around the valley and Southern California for a while knows, there is a strong military presence. In Las Vegas, there is Nellis Air Force Base and the National Guard with equipment. Across the state line in Southern California, there is the Marine Corps Logistics Base Barstow, Fort Irwin, and Edwards Air Force Base, to name a few.



These installations often move equipment, including tanks, by rail through Las Vegas; this was exactly what happened last week.

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Military equipment from Fort Hood in Texas moves through Las Vegas for troops training at Fort Irwin in California. (Photos: Instagram @LeroyNotCenkins)



Military equipment from Fort Hood in Texas moves through Las Vegas for troops training at Fort Irwin in California. (Photos: Instagram @LeroyNotCenkins)



According to a spokesperson with Fort Irwin, the Army was doing a routine movement of equipment from Fort Irwin to Fort Hood in Texas. Currently, soldiers from Fort Hood are at Fort Irwin for training. The spokesperson said these troop training and equipment rotations happen during at least 10 out of the 12 months a year.

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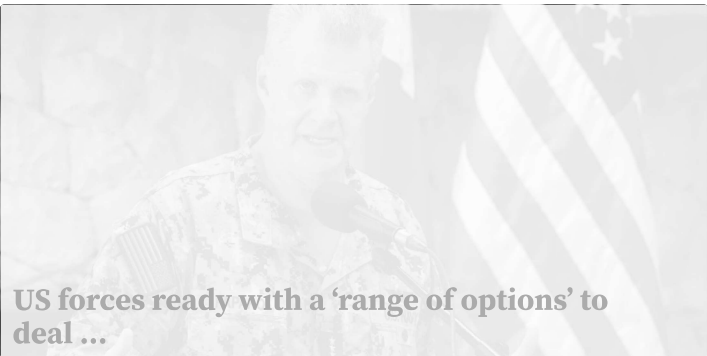
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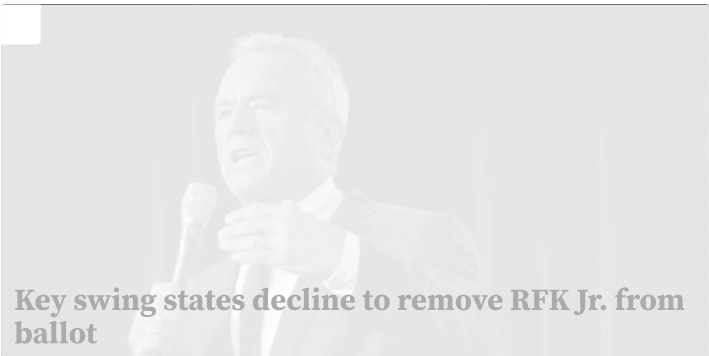
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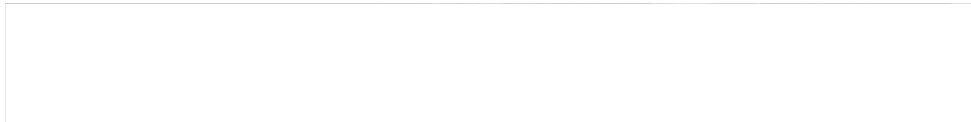


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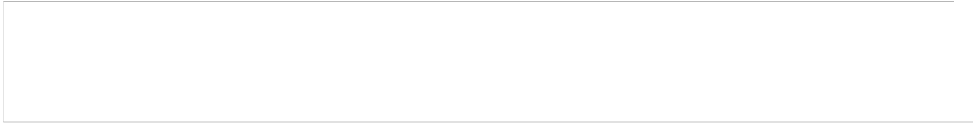
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WHAT DO YOU THINK?



Which party will control the House of Representatives after the 2024 general election?

- ☐ Republicans
- ☐ Democrats
- ☐ It's a toss-up
- ☐ Other / No opinion

* By clicking "NEXT" I submit my answers and consent to the use of cookies for research and advertising purposes; I have read and agree to the CivicScience Privacy Policy and Terms of Service

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Exhibit 7

Matthew L. Johnson (6004)
Russell G. Gubler (10889)
JOHNSON & GUBLER, P.C.
Lakes Business Park
8831 West Sahara Avenue
Las Vegas, Nevada 89117
Phone: (702) 471-0065
Fax: (702) 471-0075
mjohnson@mjohnsonlaw.com
rgubler@mjohnsonlaw.com
Attorneys for Respondent

AIR POLLUTION CONTROL HEARING OFFICER MEETING

In the matter of:

ETON TRANSPORTATION CORP.,

Respondent.

NOV #10078

Hearing Officer: Holly Fic

**DECLARATION OF MITCHELL
TRUMAN IN SUPPORT OF
RESPONSE TO NOTICE OF
VIOLATION #10078**

Date of Hearing: September 19, 2024

Time of Hearing: 9:00 a.m.

I, Mitchell Truman, under oath and under penalty of perjury, state as follows:

1. I am over 18 years of age, am competent to testify of the things stated herein, and make this Declaration in support of the Response to Notice of Violation #10078.

2. I am a manager of the rail operation for the Tonopah & Tidewater Railroad Co. (the "Railroad Co."), owner of the property located at 2596 Stratford Ave, Las Vegas, NV 89121 (the "Property")

3. The Railroad Co. is the owner of rails, but uses the Property as one of its facilities and yards, in the assistance of its business of moving goods across state lines, in interstate commerce.

4. In the furtherance of Railroad Co.'s federally assigned duties to maintain safe railroad service, the Railroad co. bought a Caterpillar D9L with a serial # of 7G426. A true and correct cop of the invoice for the purchase of the D9N, is attached hereto as Exhibit A.


5. This tracked bulldozer is kept in the ready mode for immediate deployment at the Property, 24 hours a day, 7 days a week, in the event of a rail derailment, to open up rail service. A true and correct photograph, showing that the D9L is kept at the Property, is attached hereto as Exhibit B.

6. It is impractical to pave the Property as the bulldozer would destroy the paving, turning it to an equivalent roto-milling state, now on the Property.

7. On or about July 17, 2024, July 25, and 31, 2024, and August 7 and 14, 2024, Canduella Rowsell and Noel Crandall appeared at the Property, wanting to perform an "inspection." However, at no time on these dates (or before) did either Rowsell or Crandall present or attempt to present any credentials, showing that they were officers with Air Quality.

Further, Declarant saith naught.

DATED: September 4, 2024

 9-4-24

Mitchell Truman

Exhibit 7A

**PAID IN FULL**

Invoice #:	19617
Date:	4/28/2023
Page:	1

SOLD TO: # 144521
 Moe Truman
 3426 Losee Rd North
 Las Vegas, NV 89030
 Phone: 702-632-2931

moe@eton.me; crs@eton.me; kathy@eton.me
 5/9 Made a WT today for 100,000 will make another tomorrow for 11,000.
 5/8 Had problem rec'vg email. Will send wire in next day or two. kre
 5/5 EM Payment Reminder CM
 E-Mailed on 4/28/2023 to moe@eton.me
 E-Mailed on 5/5/2023 to moe@eton.me
 E-Mailed on 5/5/2023 to moe@eton.me
 E-Mailed on 5/5/2023 to moe@eton.me
 E-Mailed on 5/5/2023 to moe@eton.me
 E-Mailed on 5/7/2023 to moe@eton.me, crs@eton.me, kathy@eton.me
 E-Mailed on 5/8/2023 to moe@eton.me, crs@eton.me, kathy@eton.me

Lot#	INVENTORY# - DESCRIPTION	QUANTITY UNIT PRICE	EXTENDED PRICE
20	51657 - 2022 Agrotk 680 Hydraulic Hammer Location: Washougal Washington ***Unused Manufacturer Consignment*** S/N: SSHH68022110202 2 Bits, 2.7" Bit Diameter, 585 Joule Impact Energy, 400 - 700 BPM, 9.5 - 16 gpm Working Flow, 1/2" Hydraulic Hose, Tool Kit, Nitrogen Charge Kit, To Fit 40-80hp Skidsteer Loader	1 x 1,600.00	1,600.00 T .
		Buyer's Premium -	160.00 T .
		Internet Service Fee -	40.00 T .
23	52642 - 2023 Agrotk PD680-PZ Hydraulic Post Driver Location: Washougal Washington ***Unused Manufacturer Consignment*** To Fit Skidsteer Loader	1 x 1,500.00	1,500.00 T .
		Buyer's Premium -	150.00 T .
		Internet Service Fee -	37.50 T .
99	53192 - 1974 Caterpillar 613 Elevating Motor Scraper Location: Boring Oregon ***End-User Consignment*** S/N: 71M2852 Engine: Caterpillar 1160 Diesel OROPS, Paddle Wheel, 23.5-25 Tires, *This item is located in Boring, Oregon and can be viewed by appointment only. To schedule	1 x 12,000.00	12,000.00 .

Washougal Sale Center & Corporate Office: 520 S. 28th St. Washougal, WA 98671
 Spokane Sale Center: 8018 W. Sunset Hwy. Spokane, WA 99224

10161_0632

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#144521 Moe Truman

Lot#	INVENTORY# - DESCRIPTION	UNIT PRICE	EXTENDED PRICE
	a preview or to ask questions about this item call 888-230-8840 *		
		Buyer's Premium -	1,200.00 . .
		Internet Service Fee -	300.00 . .
113	52038 - 1985 Caterpillar D9L Crawler Dozer	1 x 77,500.00	77,500.00 . T
	Location: Spokane Washington		
	End-User Consignment		
	S/N: 4Y031156		
	Engine: Caterpillar 3412 Diesel Transmission: 3 Speed		
	4-Way 16' U-Blade, EROPS, Cab, CB Radio, 4-Barrel Multi-Shank		
	Ripper w/2 Shanks, 24" Single Bar Tracks, *Hydraulic Leak*, *Ripper		
	Shanks & Blade Tips Were Removed For Transportation but Come		
	With the Unit*, **Per Seller work done - Ripper Control Valve & Track		
	Link Assembly @ 4993 Hours, Complete Undercarriage &		
	Reseal/Rerod Blade Lift Cylinders @2226 Hours, New Hydraulic Oil		
	Cooler @ 3477 Hours, Re-seal Blade Lift Cylinders @ 4601 Hours**		
	Hours: 6,125		
		Buyer's Premium -	7,750.00 . T
		Internet Service Fee -	750.00 . T
	Total Quantity: 4.00		
	Total Extended Price: 92,600.00		
	0% Buyer's Premium: 0.00		
	Buyer's Premium: 9,260.00		
	Internet Service Fee: 1,127.50		
	Tax1 Washougal, WA (8.5%) 0606: 296.44		
	Tax2 Spokane City, WA 3210 (9.0%): 7,740.00		
	Invoice Total: \$111,023.94		
	Wire Transfer PAR 230509024277 kre - 5/9/2023 - 100,000.00		
	Wire Transfer PAR 230510018702 kre - 5/10/2023 - 11,023.94		
	Remaining Invoice Balance: \$0.00		

All items must be removed from the auction site by 7 days from the sale date or storage fees will be charged per the terms of the sale.

I acknowledge that all sales are "As Is, Where Is" with no warranties or guarantees and that no sale shall be invalidated; nor shall the auctioneers be liable as a result of inaccuracies of description, condition or defect of any item being sold.



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Invoice #:	19617
Date:	4/28/2023
Page:	3

WIRE TRANSFER INSTRUCTIONS

Please send wires to : C/o:
J. Stout Auctions US Bank
520 S. 28th Street 16415 SE McGillivray Blvd.
Washougal, WA 98671 Vancouver WA 98683

Routing # 125000105 Account # 153568618240

Please reference your Buyer # and Invoice #

Washougal Sale Center & Corporate Office: 520 S. 28th St. Washougal, WA 98671

Spokane Sale Center: 8018 W. Sunset Hwy. Spokane, WA 99224

Portland Retail Sale Center: 12841 NE Whitaker Way, Portland, OR 97230

*** (888) 230-8840 * www.jstoutauction.com**

**UNPAID**

Invoice #:	19617
Date:	4/28/2023
Page:	1

144521

SOLD TO:

Moe Truman
3426 Losee Rd North
Las Vegas, NV 89030
Phone: 702-632-2931

moe@eton.me, crs@eton.me, kathy@eton.me

5/5 EM Payment Reminder CM

E-Mailed on 4/28/2023 to moe@eton.me

E-Mailed on 5/5/2023 to moe@eton.me

E-Mailed on 5/5/2023 to moe@eton.me

E-Mailed on 5/5/2023 to moe@eton.me

E-Mailed on 5/5/2023 to moe@eton.me

E-Mailed on 5/7/2023 to moe@eton.me, crs@eton.me, kathy@eton.me

Lot#	INVENTORY# - DESCRIPTION	QUANTITY UNIT PRICE	EXTENDED PRICE
20	51657 - 2022 Agrotk 680 Hydraulic Hammer Location: Washougal Washington ***Unused Manufacturer Consignment*** S/N: SSHH68022110202 2 Bits, 2.7" Bit Diameter, 585 Joule Impact Energy, 400 - 700 BPM, 9.5 - 16 gpm Working Flow, 1/2" Hydraulic Hose, Tool Kit, Nitrogen Charge Kit, To Fit 40-80hp Skidsteer Loader Receipt # 22-5103	1 x 1,600.00	1,600.00 T .
		Buyer's Premium -	160.00 T .
		Internet Service Fee -	40.00 T .
23	52642 - 2023 Agrotk PD680-PZ Hydraulic Post Driver Location: Washougal Washington ***Unused Manufacturer Consignment*** To Fit Skidsteer Loader Receipt # 23-1033	1 x 1,500.00	1,500.00 T .
		Buyer's Premium -	150.00 T .
		Internet Service Fee -	37.50 T .
99	53192 - 1974 Caterpillar 613 Elevating Motor Scraper Location: Boring Oregon ***End-User Consignment*** S/N: 71M2852 Engine: Caterpillar 1160 Diesel OROPS, Paddle Wheel, 23.5-25 Tires, *This item is located in Boring, Oregon and can be viewed by appointment only. To schedule a preview or to ask questions about this item call 888-230-8840 *, Receipt # offsite	1 x 12,000.00	12,000.00 . .
		Buyer's Premium -	1,200.00 . .

Washougal Sale Center & Corporate Office: 520 S. 28th St. Washougal, WA 98671
Spokane Sale Center: 8018 W. Sunset Hwy. Spokane, WA 99224

10161_0635

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Invoice #:	19617
Date:	4/28/2023
Page:	2

#144521 Moe Truman

Lot#	INVENTORY# - DESCRIPTION	UNIT PRICE	EXTENDED PRICE
		-----	-----
		Internet Service Fee -	300.00 . .
		-----	-----
113	52038 - 1985 Caterpillar D9L Crawler Dozer	1 x 77,500.00	77,500.00 . T
	Location: Spokane Washington		
	End-User Consignment		
	S/N: 4Y031156		
	Engine: Caterpillar 3412 Diesel Transmission: 3 Speed		
	4-Way 16' U-Blade, EROPS, Cab, CB Radio, 4-Barrel Multi-Shank		
	Ripper w/2 Shanks, 24" Single Bar Tracks, *Hydraulic Leak*, *Ripper		
	Shanks & Blade Tips Were Removed For Transportation but Come		
	With the Unit*, **Per Seller work done - Ripper Control Valve & Track		
	Link Assembly @ 4993 Hours, Complete Undercarriage &		
	Reseal/Rerod Blade Lift Cylinders @2226 Hours, New Hydraulic Oil		
	Cooler @ 3477 Hours, Re-seal Blade Lift Cylinders @ 4601 Hours**		
	Hours: 6,125		
		Buyer's Premium -	7,750.00 . T
		-----	-----
		Internet Service Fee -	750.00 . T
		-----	-----
		Total Quantity:	4.00
		Total Extended Price:	92,600.00
		0% Buyer's Premium:	0.00
		Buyer's Premium:	9,260.00
		Internet Service Fee:	1,127.50
		Tax1 Washougal, WA (8.5%) 0606:	296.44
		Tax2 Spokane City, WA 3210 (9.0%):	7,740.00
		Invoice Total:	\$111,023.94
		Remaining Invoice Balance:	\$111,023.94

All items must be removed from the auction site by 7 days from the sale date or storage fees will be charged per the terms of the sale.

I acknowledge that all sales are "As Is, Where Is" with no warranties or guarantees and that no sale shall be invalidated; nor shall the auctioneers be liable as a result of inaccuracies of description, condition or defect of any item being sold.

Signature

Date

WIRE TRANSFER INSTRUCTIONS

Please send wires to :

C/o:

J. Stout Auctions

US Bank

Washougal Sale Center & Corporate Office: 520 S. 28th St. Washougal, WA 98671

Spokane Sale Center: 8018 W. Sunset Hwy. Spokane, WA 99224



UNPAID

Invoice #:	19617
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520 S. 28th Street
Washougal, WA 98671

16415 SE McGillivray Blvd.
Vancouver WA 98683

Routing # 125000105 Account # 153568618240

Please reference your Buyer # and Invoice #

Washougal Sale Center & Corporate Office: 520 S. 28th St. Washougal, WA 98671
Spokane Sale Center: 8018 W. Sunset Hwy. Spokane, WA 99224
Portland Retail Sale Center: 12841 NE Whitaker Way, Portland, OR 97230
* (888) 230-8840 * www.jstoutauction.com

Secure Message Center

Invoice: Auction 248 - 144521 - Invoice# 19617

moe@eton.me

Received: May 8, 2023 8:35 AM
Expires: May 22, 2023 8:35 AM
From: kari@jstoutauction.com
To: moe@eton.me, crs@eton.me, kathy@eton.me
Cc:
Subject: Invoice: Auction 248 - 144521 - Invoice# 19617

Attachments:  Invoice_19617.pdf

This message was sent securely using Zix

****Read below to avoid delays - Updated Payment & Pickup Instructions****

PAYMENT INSTRUCTIONS:

-
Payment is due in full by end of day on May 4th. Failure to pay by this date will result in automatic late fees added to your balance due. We CANNOT release ANY items until payment is received and you receive a "Paid in Full" Invoice. Your items MUST be removed from the auction location by May 12th by scheduling a PICKUP APPOINTMENT. Failure to pick up by this date will result in storage charges, that are due before removal of your items.

Payment Methods:

Credit/Debit cards. We can process only \$5,000 per card. To use your card, complete the Credit Card Authorization Form attached and email it back to this same email address. The name on the credit card must match the name on the invoice. There is a 3% charge for paying by credit card.

Wire Transfer. Bank account and routing numbers are at the end of your invoice. Please include your invoice number on the wire transfer. Note: your bank might charge a fee for wire transfers. We recommend that you call us to verify the account information before sending wire.

10161_0638

Bank Deposit. Go to any US Bank and deposit funds by cash with exact change, check or cashier's check. Our bank account information is located at the end of the invoice.

Cashier's, Personal or Business Check Deposits: Your deposit will not be posted until the funds have cleared the bank, including cashier's checks. This could take 1 to 3 business days.

Cash Deposits : Please bring exact change, the bank does not give cash back. U.S. Bank may ask for personal information along with your government issued photo ID. Cash payments will be posted the following business day.

WE DO NOT ACCEPT CASH ONSITE.

WE DO NOT ACCEPT CHECKS, OR MONEY ORDERS OF ANY KIND ONSITE.

SALES TAX:

-
Sales tax is added to all invoices for items located in Washington or any other state locations where sales tax is charged. You must pay the sales tax based on where you take possession of your items. Unless you provide documentation that proves you hold a status of tax exempt.

Resellers :

Provide your state Reseller Permit or Resale Certificate and/or Dealer License.

Your business name on your invoice must match your resale documentation.

Provide a statement indicating what items on your invoice are for resale.

Non-Resident businesses will need to complete a Washington approved tax exempt form.

Other Tax Exemptions:

Notify us if you are exempt from tax for any other reason.

Provide tax exemption form for review. You may be required to complete an additional state approved form.

J. Stout Auctions holds the right to refuse tax exemption without the appropriate state approved documentation.

Non-Residents:

Once yearly, you can request a refund of a portion of your Washington state tax you paid from the Washington DOR website here: <https://dor.wa.gov/file-pay-taxes/apply-tax-refund/state-sales-tax-refund-qualified-nonresidents>

If you are having your items shipped to you, your transport company can provide us with a bill of lading (BOL)/Export documentation that shows the items being delivered, for a tax rate adjustment.

The BOL must show the pickup and delivery address and a description of the item(s) being shipped.

The BOL must include a verifiable Motor Carrier (MC) # or USDOT #.

10161_0639

If J. Stout Auctions has Nexus in the state in which you are having your item(s) delivered, we will adjust the tax to the delivery location tax rate. Note: If the tax rate is higher this will increase your total amount due.

WE DO NOT PROVIDE/CREATE BOLs ; that is for the shipping company to provide to the buyer or J. Stout Auctions.

PICKUP:

PICK UP HOURS: Monday – Friday from 8am – 4pm

Once J. Stout receives your payment in full, you will receive a “paid in full” receipt that you will need to take with you to pick up your items. You CANNOT pick up your items without a paid in full receipt.

When you get your receipt, please email back a requested appointment day and time and Tanya will put you on our schedule. Or you can call our main line at 888-230-8840.

We will provide you with a gate release upon scheduling an appointment for offsite locations. Please bring your paid in full receipt when picking up your items.

Please pay close attention to the OFFSITE PICKUP INSTRUCTIONS described in your Lot description on your invoice. There may be different deadlines, etc. We have multiple offsite locations in this auction.

J. Stout Auctions does not provide shipping. Shipping/Transport is the sole responsibility of the buyer.

**** MAKE SURE YOUR SHIPPER KNOWS YOUR FULL NAME AND INVOICE NUMBER AS A REFERENCE UPON PICK UP****

****We do not have the supplies or resources to package or ship your materials. Any pallets you may see in the pictures are for pictures only and may not be included with your items****

Thank you for your business.

If you cannot open the attached file you will need to download the Adobe Acrobat Reader from:
<http://get.adobe.com/reader/>

This message was secured by Zix®.

Secured by **zix** This service is hosted by Zix on behalf of JSTOUT Auction More Information

10161_0640

Exhibit 7B



Exhibit 8



Compliance

CONTACT US <<https://epa.gov/compliance/forms/contact-us-about-compliance>>

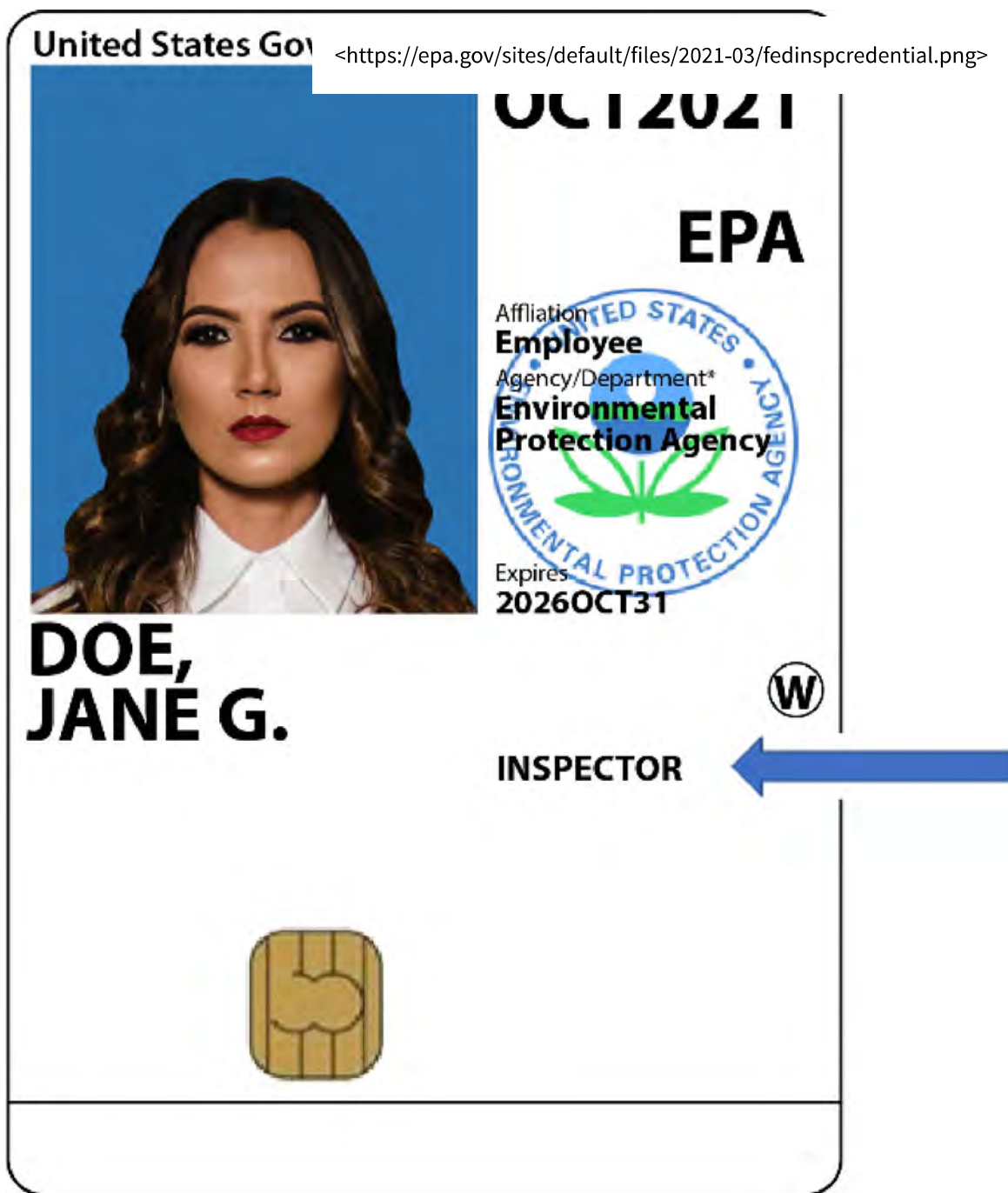
What is an EPA Inspector Credential?

EPA Inspector credentials may be issued to federal EPA employees, employees of other federal agencies, contractors, senior environmental employees, states, tribes, territories, and local governments who are authorized by EPA to conduct inspections or investigations and take samples on EPA's behalf under the various federal environmental statutes.

Federal EPA Inspector Credentials

Federal EPA inspector credentials include an "inspector" designation in the center of the badge.

Federal EPA Inspector Credential



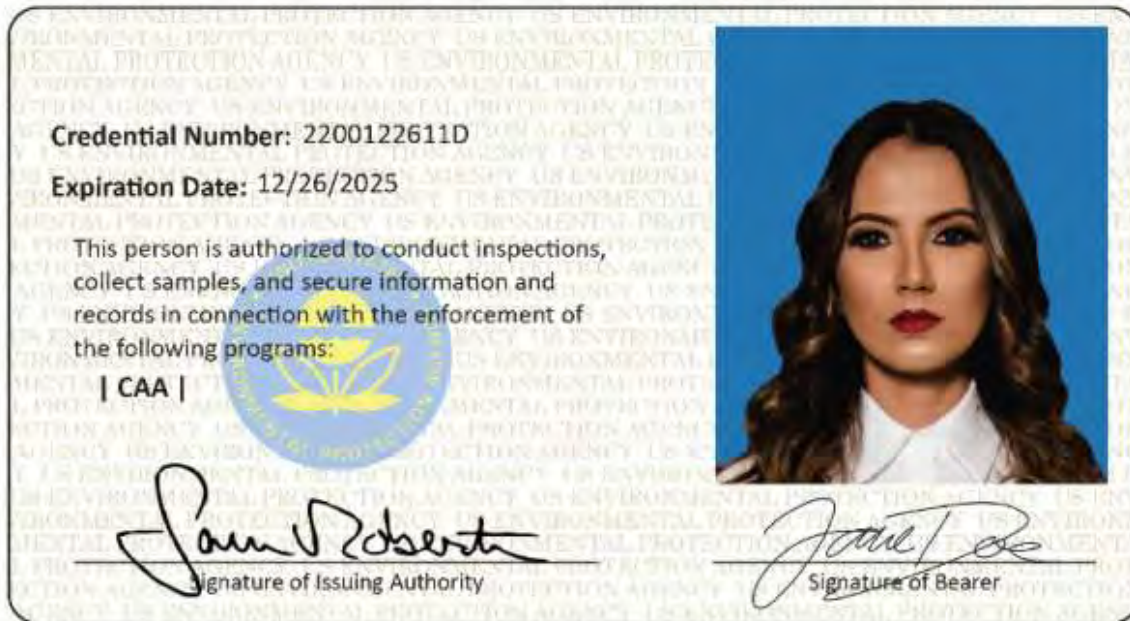
Non-Federal EPA Inspector Credentials

EPA Inspector credentials issued to non-federal employees are laminated and often carried in bifolds. They have a hologram of the EPA emblem and a statute specific designation on them. Inspector credentials issued to non-federal employees include the following codes to designate the inspector's affiliation:

- **St** (State)
- **Tr** (Tribe)
- **Te** (Territory)
- **SE** (Senior Environmental Employee or SEE)
- **Co** (Contractor)

2-Piece Laminated Non-Federal EPA Inspector Credential





[Compliance Home <https://epa.gov/compliance>](https://epa.gov/compliance)

[How We Monitor Compliance <https://epa.gov/compliance/how-we-monitor-compliance>](https://epa.gov/compliance/how-we-monitor-compliance)

Compliance Monitoring Programs <<https://epa.gov/compliance/compliance-monitoring-programs>>

CAA <<https://epa.gov/compliance/clean-air-act-caa-compliance-monitoring>>

CERCLA <<https://epa.gov/compliance/superfund-cercla-compliance-monitoring>>

CWA <<https://epa.gov/compliance/clean-water-act-cwa-compliance-monitoring>>

FIFRA <<https://epa.gov/compliance/federal-insecticide-fungicide-and-rodenticide-act-compliance-monitoring>>

RCRA <<https://epa.gov/compliance/resource-conservation-and-recovery-act-rcra-compliance-monitoring>>

SDWA <<https://epa.gov/compliance/safe-drinking-water-act-compliance-monitoring>>

TSCA <<https://epa.gov/compliance/toxic-substances-control-act-tsca-compliance-monitoring>>

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Asistans <<https://epa.gov/lep/assistance#hc>>

Assistância

<<https://epa.gov/lep/assistance#port>>

Tulong <<https://epa.gov/lep/assistance#tag>>

Ayuda <<https://epa.gov/lep/assistance#esp>>

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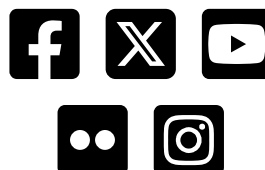


Exhibit 9





Exhibit 10

Matthew L. Johnson (6004)
Russell G. Gubler (10889)
JOHNSON & GUBLER, P.C.
Lakes Business Park
8831 West Sahara Avenue
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mjohnson@mjohnsonlaw.com
rgubler@mjohnsonlaw.com
Attorneys for Respondent

AIR POLLUTION CONTROL HEARING OFFICER MEETING

In the matter of:

ETON TRANSPORTATION CORP.,

Respondent.

NOV #10078

Hearing Officer: Holly Fic

**DECLARATION OF JOE MILLER
IN SUPPORT OF RESPONSE TO
NOTICE OF VIOLATION #10078**

Date of Hearing: September 19, 2024

Time of Hearing: 9:00 a.m.

I, Joe Miller, under oath and under penalty of perjury, state as follows:

1. I am over 18 years of age, am competent to testify of the things stated herein, and make this Declaration in support of the Response to Notice of Violation #10078.
2. I received my engineering credentials from the University of Minnesota.
3. I have worked for the following Construction companies in Las Vegas,
Nevada

- a. Ames Construction
- b. Frehner Construction
- c. Agg Industries.

4. I have been involved in all aspect of soil stabilization for over 20 years in while I managed project Clark County.

5. Six inches of roto milling is more than an adequate dust palliative to meet the fugitive dust requirement of the EPA clean air act.

6. For companies that use tracked equipment such as bulldozers, trenches, rail equipment, and back hoes in their businesses, black top is not a viable palliative, and roto milling is the only viable dust palliative.

7. I have reviewed the property located at 2596 Stratford Ave, Las Vegas, NV 89121 (the "Property").

8. Professionally, the roto milling on the Property is more than an adequate dust palliative to meet the fugitive dust requirement of the EPA clean air act.

Further, the Declarant saith naught.

DATED: September 5, 2024



Joe Miller

Exhibit 11

Matthew L. Johnson (6004)
Russell G. Gubler (10889)
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Attorneys for Respondent

AIR POLLUTION CONTROL HEARING OFFICER MEETING

In the matter of:

ETON TRANSPORTATION CORP.,

Respondent.

NOV #10078

Hearing Officer: Holly Fic

**DECLARATION OF PAUL HARBER
IN SUPPORT OF RESPONSE TO
NOTICE OF VIOLATION #10078**

Date of Hearing: September 19, 2024

Time of Hearing: 9:00 a.m.

I, Paul Harber, under oath and under penalty of perjury, state as follows:

1. I am over 18 years of age, am competent to testify of the things stated herein, and make this Declaration in support of the Response to Notice of Violation #10078.

2. I was a principal for the construction company, Harbor Company, which has been in business since 1995.

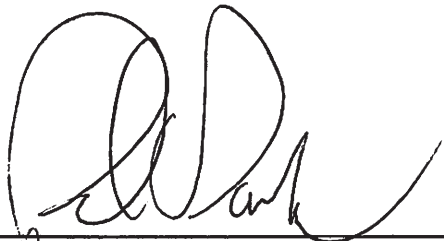
3. Based on my years in construction in the Las Vegas Valley, I am under the opinion that roto milling meets or exceeds the requirement as a comparable palliative for dust abatement, particularly when there is track equipment operating on the property.

4. Black top is not a viable palliative when there is track equipment operating on the property. Roto milling is the only viable dust palliative when there is track equipment operating on the property.

5. I have reviewed the property located at 2596 Stratford Ave, Las Vegas, NV 89121 (the "Property"), which is covered with roto milling, and meets the requirements as a comparable palliative for dust abatement.

Further, Declarant saith naught.

DATED: 9/5/2024



Paul Harber

Exhibit 12

Matthew L. Johnson (6004)
Russell G. Gubler (10889)
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Attorneys for Respondent

AIR POLLUTION CONTROL HEARING OFFICER MEETING

In the matter of:

ETON TRANSPORTATION CORP.,

Respondent.

NOV #10078

Hearing Officer: Holly Fic

**DECLARATION OF DAVID M
MCDONOUGH IN SUPPORT OF
RESPONSE TO NOTICE OF
VIOLATION #10078**

Date of Hearing: September 19, 2024

Time of Hearing: 9:00 a.m.

I, David M. McDonough, under oath and under penalty of perjury, state as follows:

1. I am over 18 years of age, am competent to testify of the things stated herein, and make this Declaration in support of the Response to Notice of Violation #10078.

2. I am the president of Aztech Materials Testing, Inc., located at 4700 Cooper Sage St A, Las Vegas, NV 89115.

3. I am an accredited tech in material testing for the State of Nevada.
4. I have personally performed material testing for the following governmental agencies: Department of Defense, Nevada Department of Transportation, United States Bureau of Reclamation, Clark County, City of Las Vegas, and many others.
5. As an accredit tech, for a property to be used for parking trucks, I can tell no difference in the fugitive dust emission leaving a property from a lot paved with asphalt compared to a property covered in roto milling.
6. I have reviewed the property located at 2596 Stratford Ave, Las Vegas, NV 89121 (the "Property"), which is covered with roto milling, and meets the requirements as an adequate comparable palliative for dust abatement.
7. Further, Declarant saith naught.

DATED: September 5, 2024


David M. McDonough

Exhibit 13

Matthew L. Johnson (6004)
Russell G. Gubler (10889)
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Attorneys for Respondent

AIR POLLUTION CONTROL HEARING OFFICER MEETING

In the matter of:

ETON TRANSPORTATION CORP.,

Respondent.

NOV #10078

Hearing Officer: Holly Fic

**DECLARATION OF FLOYD
MELDRUM IN SUPPORT OF
RESPONSE TO NOTICE OF
VIOLATION #10078**

Date of Hearing: September 19, 2024

Time of Hearing: 9:00 a.m.

I, Floyd Meldrum, under oath and under penalty of perjury, state as follows:

1. I am over 18 years of age, am competent to testify of the things stated herein, and make this Declaration in support of the Response to Notice of Violation #10078.

2. I graduated from the University of Utah with a degree in Engineering, and received my wet stamp as an engineer in 1963 in the State of Utah.

3. I was the owner of a construction and engineering company called Southern Nevada Paving, Inc. ("SNP") from 1964 until 2009.

4. I am familiar with roto milling, as it is a palliative that is more than adequate to suppress fugitive dust for a trucking or rail yard.

5. I have reviewed the property located at 2596 Stratford Ave, Las Vegas, NV 89121 (the "Property"), which is covered with roto milling.

6. It is my professional opinion, as an engineer, that roto milling will allow the Property to be in compliance with the Clean Air Act. Similarly, roto milling is a recycled material that works just as well as asphalt for tracked equipment.

7. By requiring the Property to be paved with asphalt, as opposed to roto milling, Clark County will create more air pollution from its activities. The following required items are needed to make virgin asphalt (all of which are activities that release CO2 into the atmosphere, require additional water to stop dust, and/or wash the material to have it prepared to make asphalt):

- a. Mining the rock;
- b. Fuel manufacturing to prepare fuel for the quarry equipment;
- c. Transportation of the fuel to the paving yard;
- d. Power generation to move the fuel from the refinery to the local fuel terminal;
- e. Transportation of the rock by haul trucks from the quarry site to the crusher;
- f. Generator to power the crushing equipment.

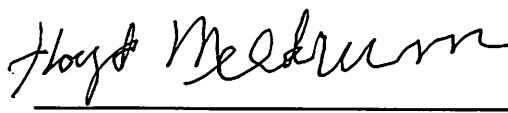
- g. Fuel usage to move the material by a loader to and around the plant;
- h. Fuel usage to transport the asphalt oil to the hot plant;
- i. Fuel usage to transfer the asphalt oil from the refiner to the local terminal;
- j. Fuel usage to heat the plant to heat the rock to allow the asphalt oil to adhere to the rock;
- k. Fuel usage for the hot asphalt to be delivered to the site.
- l. Fuel usage for the laydown machine to lay the asphalt.

8. If it is necessary, I can figure out the CO2 emissions that are generated for a ton of asphalt to show the increase in global warming to which the County is contributing.

9. As an engineer, I am concerned that Clark County would want paving for trucking lots, instead of roto milling. I believe that Air Quality Management's insistence on paving a parking lot in this application is a short-sighted practice, as the this not the best practices, when the use of a recycled material will meet the need, while reducing CO1 emissions.

Further, Declarant saith naught.

DATED: September 4, 2024



Floyd Meldrum

ST 3
2024

Exhibit 14

Matthew L. Johnson (6004)
Russell G. Gubler (10889)
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rgubler@mjohnsonlaw.com
Attorneys for Respondent

AIR POLLUTION CONTROL HEARING OFFICER MEETING

In the matter of:	NOV #10078
ETON TRANSPORTATION CORP.,	Hearing Officer: Holly Fic
Respondent.	DECLARATION OF MICHAEL MONTANDON IN SUPPORT OF RESPONSE TO NOTICE OF VIOLATION #10078
	Date of Hearing: September 19, 2024
	Time of Hearing: 9:00 a.m.

I, Michael Montandon, under oath and under penalty of perjury, state as follows:

1. I am over 18 years of age, am competent to testify of the things stated herein, and make this Declaration in support of the Response to Notice of Violation #10078.

2. I was the Mayor of the City of North Las Vegas from 1997-2009.

3. While I was Mayor, NLV was a proponent of using roto millings for a dust palliative for several reasons: (1) roto milling worked to keep dust reduced to more than

acceptable limits; (2) NLV found that roto millings produced less of a heat load back into the atmosphere than black-top paving, and as a result, kept our neighborhoods around the property with roto millings cooler; (3) the use of roto millings kept the product from going to the land fill; and (4) for the companies in NLV with tracked equipment, roto millings provide a way to keep the dust reduced to acceptable limits, while not destroying the black top.

Further, Declarant saith naught.

DATED: September 5, 2024



Michael Montandon

Exhibit 15

Boulder City Railroad

Search OpenWeb

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Q

Property Information

Parcel: 18608398001

Jurisdiction: Boulder City - 89005

Sale Date: Not Available

Sale Price: Not Available

Aerial Flight Date: []

Zoning and Planned Land Use

Legal Description

Ownership

filter owners...

Parcel

Owners

Recorded Document

Recorded Date

Flood Zone

Elected Officials

Links

Current Tool: Select Property

Coords in State Plane ft

X: 870871 Y: 26692123

Flight Date: Most Current Flight

Current View: Aerial Imagery Only

1: 1,000

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Print

An aerial photograph of an industrial area. A large, long, white warehouse with a dark roof is the central feature. To its left is a parking lot filled with many white vans or trucks. A pink line is drawn across the image, starting from the left edge, passing between the warehouse and the parking lot, and then curving around the right side of the warehouse. The surrounding area includes other industrial buildings, roads, and some bare ground.

10161_0672

Clark County Aviation

Search OpenWeb

Property Information

Parcel: 17706301025

Owner Name(s): COUNTY OF CLARK(AVIATION)

Jurisdiction: CC Enterprise - 89118

Sale Date: Not Available

Sale Price: Not Available

Estimated Lot Size: 16.23

Recorded Doc Number: 19940204 00000080

Aerial Flight Date: []

Zoning and Planned Land Use

Legal Description

Ownership

Flood Zone

Elected Officials

Links

Current Tool: Select Property

Coords in State Plane ft. ▾

X: 767472 Y: 26725869

Flight Date: Most Current Flight

Current View: Aerial Imagery Only

1: 1,000

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An aerial photograph showing a large, mostly empty industrial or commercial lot. A pink line is drawn across the lot, likely indicating a property boundary or a specific area of interest. To the left of the lot is a large, multi-story industrial building with a flat roof and numerous windows. A parking lot with several vehicles is visible between the building and the lot. The lot itself is mostly bare earth with some sparse vegetation. In the background, there are more industrial structures and a road. The bottom right corner of the image shows a scale bar indicating 100 feet and the text 'OpenWeb v4.3.5'.

10161_0674

Clark County Owned Property

Search OpenWeb

Property Information

Parcel: 17706101003

Owner Name(s): COUNTY OF CLARK(PUBLIC WORKS)

Site Address: 0

Jurisdiction: CC Enterprise - 89118

Sale Date: 01/1999

Sale Price: \$370,000

Estimated Lot Size: 3.12

Recorded Doc Number: 20070320 00003077

Aerial Flight Date: []

Zoning and Planned Land Use

Legal Description

Ownership

Flood Zone

Elected Officials

Links

Current Tool: Select Property

Coords in State Plane ft

X: 768347 Y: 26727640

Flight Date: Most Current Flight

Current View: Aerial Imagery Only

1: 2,000

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An aerial photograph showing a large, mostly empty lot outlined in pink. The lot is situated between a residential area with houses and parking lots to the north and a multi-lane highway to the south. The lot itself appears to be a mix of dirt and sparse vegetation. To the east of the lot, there are more residential buildings and parking areas. The highway at the bottom of the image has several lanes of traffic.

10161_0676

Dodge Commercial Rail Line

Property Information

Parcel: 14006110005
Owner Name(s): DODGE COMMERCIAL HOLDINGS LLC
Site Address: 4611 MITCHELL ST
Jurisdiction: North Las Vegas - 89081
Sale Date: 01/2003
Sale Price: \$1,007,500
Estimated Lot Size: 3.63
Construction Year: 1997
Recorded Doc Number: 20130509 00001803
Aerial Flight Date: []

Zoning and Planned Land Use

Legal Description

Ownership

Flood Zone

Elected Officials

Links

Current Tool: Select Property
Coords in State Plane ft
X: 800030 Y: 26791061
Flight Date: Most Current Flight
Current View: Aerial Imagery Only
1: 500

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Eastgroup Properties

Search OpenWeb

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Q

Property Information

Parcel: 16230801001

Owner Name(s): EASTGROUP PROPERTIES L P

Site Address: 5580 ARVILLE ST

Jurisdiction: CC Paradise - 89118

Sale Date: 05/2009

Sale Price: \$11,050,000

Estimated Lot Size: 9.39

Construction Year: 1998

Recorded Doc Number: [2009052700003654](#)

Aerial Flight Date: []

Zoning and Planned Land Use

Legal Description

Ownership

Flood Zone

Elected Officials

Links

Current Tool: Select Property

Coords in State Plane ft

▼

X: 769954 Y: 26734837

Flight Date: Most Current Flight

Current View: Aerial Imagery Only

1: 2,000

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An aerial satellite photograph of an industrial or commercial district. A large, rectangular, light-colored building with a flat roof, likely a warehouse or big-box store, is highlighted with a pink rectangular border. This building is situated on the left side of a major road that runs vertically through the center of the image. To the right of the road, there are several other large commercial buildings, parking lots filled with cars, and some undeveloped or less-dense areas. The overall scene is typical of a suburban or exurban industrial park.

10161_0680

Hidden Valley Rails LLC

An aerial photograph of a desert landscape featuring a multi-lane highway. A proposed road extension is highlighted with a pink line, starting from the highway and curving towards the right. The terrain is arid with sparse vegetation and sandy soil. In the bottom right corner, there is a scale bar labeled '100ft' and a small inset map showing the location within a larger region. The text 'OpenWeb v4.3.5' is visible in the bottom left corner.

JR Simplot

Search OpenWeb

Property Information

Parcel: 07130601001

Owner Name(s): SIMPLOT J R CO

Site Address: 1551 S MOAPA VALLEY BLVD

Jurisdiction: CC Moapa Valley - 89040

Sale Date: Not Available

Sale Price: Not Available

Estimated Lot Size: 17.62

Construction Year: 1953

Recorded Doc Number: 00001843 01802463

Aerial Flight Date: []

Zoning and Planned Land Use

Legal Description

Ownership

Flood Zone

Elected Officials

Links

Current Tool: Select Property

Coords in State Plane ft

X: 996191 Y: 26891958

Flight Date: Most Current Flight

Current View: Aerial Imagery Only

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Print



Lhoist North America

Search OpenWeb

Property Information

Parcel: 10326000003

Owner Name(s): LHOIST NORTH AMERICA OF ARIZONA

Site Address: 12101 LAS VEGAS BLVD

Jurisdiction: CC Unincorporated - 89124

Sale Date: Not Available

Sale Price: Not Available

Estimated Lot Size: 39.4

Recorded Doc Number: 2012121300001378

Aerial Flight Date: []

Zoning and Planned Land Use

Legal Description

Ownership

Flood Zone

Elected Officials

Links

Current Tool: Select Property

Coords in State Plane ft

X: 854059 Y: 26832680

Flight Date: Most Current Flight

Current View: Aerial Imagery Only

1: 2,000

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Print

An aerial satellite photograph of an industrial site, likely a refinery or chemical plant. The facility features several large storage tanks, complex piping, and large industrial buildings. A prominent purple rectangular box is overlaid on the image, highlighting a specific section of the industrial complex. The surrounding area is mostly flat, arid land with some sparse vegetation and a few smaller structures or parking lots. A road or highway is visible on the right side of the image.

OpenWeb v4.3.5

200ft

10161_0686

Nevada Ready Mix

Search OpenWeb

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Q

Property Information

Parcel: 16230701009

Owner Name(s): NEVADA READY MIX CORPORATION

Site Address: 4301 WHACIENDA AVE

Jurisdiction: CC Paradise - 89118

Sale Date: Not Available

Sale Price: Not Available

Estimated Lot Size: 2.45

Recorded Doc Number: 1990122100001362

Aerial Flight Date: []

Zoning and Planned Land Use

Legal Description

Ownership

Flood Zone

Elected Officials

Links

Current Tool: Select Property

Coords in State Plane ft. ▾

X: 770283 Y: 26735773

Flight Date: Most Current Flight

Current View: Aerial Imagery Only

1: 1,000

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An aerial photograph of an industrial site, likely a concrete batching plant. A pink rectangular outline highlights a central area containing several large vertical silos and associated machinery. To the left of the highlighted area is a large, open dirt lot with some scattered equipment. To the right is a large, multi-story industrial building with a flat roof and a parking lot filled with cars. In the background, there are rows of parking spaces and some trees. The overall scene is a typical industrial or construction area.

10161_0688

Oil Terminal

Search OpenWeb

Property Information

Parcel: 16231698001

Jurisdiction: CC Paradise - 89118

Sale Date: Not Available

Sale Price: Not Available

Aerial Flight Date: []

Zoning and Planned Land Use

Legal Description

Ownership

Flood Zone

Elected Officials

Links

Current Tool: Select Property

Coords in State Plane ft.

X: 771570 Y: 26731276

Flight Date: Most Current Flight

Current View: Aerial Imagery Only

1: 1,000

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Print

An aerial photograph of an industrial or commercial area. The scene includes several large, rectangular industrial buildings with flat roofs, some with multiple stories. There are extensive parking lots filled with cars and trucks. A railway line with multiple tracks runs diagonally across the middle of the image. To the right, there are large, cylindrical storage tanks and other industrial structures. A pink line is drawn across the image, starting from the top left and extending towards the bottom right. The interface includes a search bar at the top left, a property information section on the left, and a feedback section at the bottom left. A scale bar at the bottom right indicates 100ft.

OpenWeb v4.3.5

100ft

10161_0690

Pabco Gypsum 1

☰

Search OpenWeb

✕ 🔍

📌 Property Information

Parcel: 14200001003

Owner Name(s): PABCO BUILDING PRODUCTS L L C

Site Address: 4001 STATE HWY 147

Jurisdiction: CC Unincorporated - 89124

Sale Date: Not Available

Sale Price: Not Available

Estimated Lot Size: 639.2

Construction Year: 1964

Recorded Doc Number: 20031201 00003053

Aerial Flight Date: []

🏠 Zoning and Planned Land Use

📄 Legal Description

👤 Ownership

💧 Flood Zone

🗳️ Elected Officials

🔗 Links

📄

Current Tool: Select Property

Coords in State Plane ft ▾

X: 864532 Y: 26785023

Flight Date: Most Current Flight

Current View: Aerial Imagery Only

1: 1,000

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Pabco Gypsum 2



10161_0694

Pioneer Americas

Search OpenWeb



Property Information

Parcel: 17813101012
Owner Name(s): PIONEER AMERICAS LLC
Site Address: 435 FOURTH ST
Jurisdiction: CC.Unincorporated - 89015
Sale Date: Not Available
Sale Price: Not Available
Estimated Lot Size: 214.3
Construction Year: 1942
Recorded Doc Number: [19871203 00000100](#)
Aerial Flight Date: []



Zoning and Planned Land Use

Legal Description

Ownership

Flood Zone

Elected Officials

Links

Current Tool: Select Property
Coords in State Plane ft.
X: 823563 Y: 26718862
Flight Date: Most Current Flight
Current View: Aerial Imagery Only
1: 5,000

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Private Owner

☰

Search OpenWeb

✕ 🔍

📄

Property Information

⋮

Parcel: 16230501046

Owner Name(s): TASSAINER MINNIE

Site Address: 0

Jurisdiction: CC Paradise - 89118

Sale Date: Not Available

Sale Price: Not Available

Estimated Lot Size: 1.5

Recorded Doc Number: 20170405 00000520

Aerial Flight Date: []

🏠

Zoning and Planned Land Use

📄

Legal Description

👤

Ownership

🌊

Flood Zone

🗳️

Elected Officials

?

Links

🔧

Current Tool: Select Property

📍

Coords in State Plane ft. ▼

X: 770180 Y: 26737639

📅

Flight Date: Most Current Flight

👁️

Current View: Aerial Imagery Only

1: 2,000

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Rockview Dairies

Search OpenWeb

Property Information

Parcel: 04202201002

Owner Name(s): ROCKVIEW DAIRIES INC

Site Address: 2055 E STATE HWY 168

Jurisdiction: CC Moapa - 89025

Sale Date: 04/2000

Sale Price: \$376,834

Estimated Lot Size: 5.04

Construction Year: 1973

Recorded Doc Number: [20000428 00001956](#)

Aerial Flight Date: []

Zoning and Planned Land Use

Legal Description

Ownership

Flood Zone

Elected Officials

Links

Current Tool: Select Property

Coords in State Plane ft

X: 950383 Y: 26943933

Flight Date: Most Current Flight

Current View: Aerial Imagery Only

1: 2,000

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Tip: Pressing 'ctrl' and 'f5' keys simultaneously performs a "force reload", allowing you to enjoy new features as released

Print

An aerial photograph of a desert landscape. A property is outlined in a bright pink line. The property contains several large, dark, cylindrical structures, possibly silos or storage tanks, and some smaller buildings. To the right of the property is a multi-lane highway with several vehicles. The surrounding area is arid with sparse vegetation and some scattered buildings in the distance. The bottom right corner of the map shows the text "OpenWeb v4.3.5" and a scale bar for "200ft".

10161_0700

Exhibit 16

Elko Rail Yard

TRANSLOAD FACILITIES

- [Auburn, Maine >](#)
- [Birmingham, Alabama >](#)
- [Bowbells, North Dakota >](#)
- [Brownsville, Texas >](#)
- [Butte, Montana >](#)
- [Cedar City, Utah >](#)
- [Chehalis, Washington >](#)
- [Denver, Colorado >](#)
- [Detroit, Michigan >](#)
- [Doraville, Georgia >](#)
- [DuBois, Pennsylvania >](#)
- [El Dorado, Kansas >](#)
- [Elko, Nevada >](#)
- [Fernandina Beach, Florida >](#)
- [Greeley, Colorado >](#)
- [Hammond, Indiana >](#)
- [Junction City, Oregon >](#)
- [Los Angeles, California >](#)
- [Miami, Florida >](#)
- [New Stanton, Pennsylvania >](#)
- [Odessa, Texas >](#)
- [Pocatello, Idaho >](#)
- [Pocatello, Idaho Intermodal >](#)
- [Price, Utah >](#)
- [Rifle, Colorado >](#)
- [Rochester, New York >](#)
- [Salem, Oregon >](#)
- [Sayre, Pennsylvania >](#)
- [Shelby, Montana >](#)
- [Stockton, California >](#)
- [Tooele, Utah >](#)
- [Trenton, North Dakota >](#)
- [Westlake, Louisiana >](#)

ELKO, NEVADA TRANSLOAD FACILITY



As the preferred storage and transportation hub for partners like Nevada Gold and Nevada Drilling, the Elko facility is a major player in the ground journey of valuable commodities such as sulphur, ammonium nitrate prill, concentrate, and cathodes, to name a few.

RAIL SERVICES

- 60 railcar spots
- UP access
- Rail switching for industrial-served Customers

TRANSLOAD SERVICES

- Rail-to-truck, truck-to-rail service
- Dry bulk transloading via conveyor
- Liquid bulk transportation
- Dimensional product handling
- Boxcar loading and unloading
- HAZMAT capable
- On-site boiler
- Trucking service available
- Certified truck scale

INVENTORY MANAGEMENT

- Laydown space available upon request



**8852 E IDAHO ST
ELKO, NV 89801**

[View Google Map >](#)

[Elko, NV Fact Sheet >](#)

[Transload Network Book >](#)

[CONTACT US >](#)

Ely NV Rail Yard



Fernly Rail Site



-25%

Deep Cycle Lithium Battery
Sungoldpower Official

Track expansion completed at Western Nevada Rail Park in Fernley



Industrial Realty Group in November 2020 purchased the Western Nevada Rail Park east of Fernley to construct a major railroad freight operations and commerce center site.

NNBW staff report

Tuesday, November 16, 2021

Discuss

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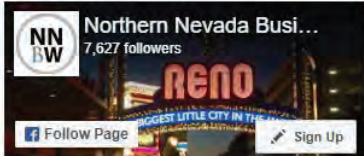
Email, Facebook, Twitter

Los Angeles-based Industrial Realty Group, LLC, recently announced it completed installation of an additional mile of rail track and improvements to the existing infrastructure at the 224-acre Western Nevada Rail Park site in Fernley.

With the new extension of 5,000 feet, the site now includes over 7,000 linear feet of track, according to a Nov. 1 press release.



NNBW on Facebook



Fernly Oil Terminal

Search 40 assets

Purple Heart Trl

Dwight D. Eisenhower Hwy

Purple Heart Trl

Purple Heart Trl

Dwight D. Eisenhower Hwy

Logan Ln

Logan Ln

Logan Ln

Fremont St

Fremont St

Fremont St

E Front St

E Front St

10161 0709
Fremont St

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Reno Rail Yard

THE RENO-SPARKS TRANSLOAD FACILITY

Nexxt Logistics is a full-service transportation and distribution subsidiary of NEXXT Rail, LLC. We offer Rail and Truck Loading / Unloading and full Transloading services.



Exhibit 17

Search

[Home](#) / [Railroad Safety](#)

IN THIS SECTION



Trespass Prevention

FRA works in partnership with railroads, state and local governments, and organizations to conduct outreach efforts to raise awareness about the inherent dangers and consequences of trespassing on railroad property—illegally entering or remaining on a railroad right-of-way. FRA also provides multiple resources to assist these stakeholders and the public to prevent trespassing.

Trespassing Is Dangerous and Illegal

Trespassing is the leading cause of rail-related deaths in the United States. Nationally, more than 500 trespass fatalities occur each year. The number of trespassing occurrences on railroad property each year far exceeds the number of fatalities, which means the potential for more trespasser accidents.

It is illegal to access private railroad property anywhere other than a designated pedestrian or roadway crossing. Trespassers are most often pedestrians who walk across or along railroad tracks as a shortcut to another destination. Some trespassers are loitering or are engaged in recreational activities such as taking photographs, jogging, bicycling, hunting, or operating recreational off-highway vehicles (ROVs). Riding ROVs along railroad tracks leads to the erosion of an important part of the track foundation known as ballast, or the rock and soil material that supports the ties and rail. Damage to the ballast degrades the entire track structure and can lead to a train derailment—which can cause a hazardous materials spill or damage to other people and property.



Always Expect a Train!

- Trains do not follow a set schedule, so they can come at any time of day from either direction.
- A train traveling at 55 miles per hour can take more than a mile to stop.
- Trains overhang railroad tracks by three feet or more on either side. Even when you are not standing directly on the tracks, you risk being hit by a train by being on railroad property.
- Despite their size, trains are relatively quiet and do not always sound warning horns when approaching a crossing.
- Never attempt to walk under, around, or between train cars, even when a train is at a complete stop.
- For more safety tips, view FRA's [I am a Pedestrian/Motorist](#) webpage.

Community Trespass Prevention Program

The [Community Trespass Prevention Guide](#) is a program for local, state, and national partnerships aimed at reducing trespassing and its related injuries and deaths. The goal of the program is to create safer communities by fostering the development of long-term trespass prevention strategies through community problem-solving partnerships. The program incorporates a problem-solving model with a step-by-step approach for dealing with trespassing issues in communities.

Trespass & Suicide Prevention Toolkit

FRA has an interactive resource, the [Trespass & Suicide Prevention \(TSP\) Toolkit](#), to identify effective strategies for trespass and suicide prevention and mitigation on the Nation's railroads. The TSP Toolkit is useful for individuals who work in railroad safety and for researchers, community members, suicide prevention groups, or other individuals or organizations with an interest in preventing trespassing and suicide.



National Strategy to Prevent Trespassing on Railroad Property

FRA's National Strategy to Prevent Trespassing on Railroad Property is a 2018 Report to Congress that includes four strategic focus areas: data gathering and analysis, community site visits, funding, and partnerships with stakeholders.

Data gathering and analysis of trespass incidents and close calls enables FRA to target resources to trespassing "hot spots." Conducting community site visits helps FRA to learn more about the specific local circumstances that contribute to trespassing and work with partners to help implement and evaluate targeted mitigation strategies. Requesting and providing funding supports community-based efforts to deter trespassing. Finally, building strong and enduring partnerships with communities, law enforcement, railroads, and organizations with a shared interest in saving lives enables FRA to leverage and concentrate available resources, expertise, and local knowledge to reduce trespassing.

Click [here](#) to access the report.

Resources

Expand All

Collapse All

Trespass Prevention Materials	▼
Rails With Trails	▼
Multimedia	▼
External Links	▼

Last updated: Friday, August 2, 2024

U.S. DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

1200 NEW JERSEY AVENUE, SE

WASHINGTON, DC 20590

202-366-4000

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Bipartisan Infrastructure Law

Safety Data
Buy America
Operation Lifesaver
Railroad Safety Advisory Committee
FRA Secure Area
Proactive Disclosure

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Reporter
Educator/Student

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No FEAR Act
Office of Inspector General
Privacy Policy
USA.gov
Vulnerability Disclosure Policy
Web Policies and Notices
Web Standards

Exhibit 18

Safety

Trespassing

Railroads are private property. Trespassers are those who are on railroad property without permission. Trespassing along railroad rights-of-way is the leading cause of rail-related fatalities in America. Trespassers are most often pedestrians who walk across or along the railroad tracks as a shortcut, or are loitering or engaging in recreational activities. Trespassing on railroad property is a property crime and a general offense.



Highway/Railway Crossings

A highway-railroad crossing is an intersection of railroad tracks and highway at the same grade level. It is critically important that drivers and pedestrians take special care at these crossings to ensure safety. The U.S. Department of Transportation offers the following steps for safety at highway/rail grade crossings:

- Approach with care
- Warn others that you are slowing down
- Turn on 4-way flashers
- Use pull-out lane if available
- Prepare to Stop
- Turn off fans and radio and roll down windows
- Be aware of the location of your cell phone for use in emergency
- Stop at least 15 feet, but not more than 50 feet from nearest rail
- Look and listen both ways, carefully
- Bend forward to see around mirrors and A-pillars
- If it won't fit, don't commit
- Trains extend beyond the width of the rails at least 3 feet on each side. Remember your vehicle – and cargo-overhang.
- Look again. Before you move, look again in both directions.
- Signal, watch for a safe gap, pull back onto the road if you used a pull-out lane
- Use the highest gear that will let you cross without shifting

Operation Lifesaver

Operation Lifesaver's mission is to end collisions, deaths and injuries at highway-rail grade crossings and on rail property through a nationwide network of volunteers who work to educate people about rail safety.

Larry Hamilton

Nevada Operation Lifesaver

600 Yucca Street

Boulder City, NV. 89005

(702) 286-3246

real.larry.hamilton@gmail.com

Exhibit 19

[Skip to Main Content](#)



Nevada Governor Joe Lombardo

Governor Sisolak Signs Executive Order Directing Administration to Collaborate on Achieving Nevada's Climate Goals

CARSON CITY, NV - November 22, 2019

Today, Governor Steve Sisolak signed Executive Order 2019-22 (EO) directing his administration, under the leadership of Director Bradley Crowell of the Nevada Department of Conservation and Natural Resources (DCNR) and Director David Bobzien of the Nevada Governor's Office of Energy (GOE), to collaborate with public, private, and tribal partners to help implement and accelerate cutting-edge solutions to advance the State of Nevada's ambitious climate goals.

The EO directs State of Nevada agencies to identify and evaluate policies and regulatory strategies to achieve the long-term goals of greenhouse gas emissions reductions, as required by Senate Bill 254 and in accordance with Nevada's commitments as a member of the US Climate Alliance. To help achieve these reduction targets, the administration, led by DCNR and GOE, will coordinate statewide efforts, including the facilitation of agency and stakeholder participation.

In addition to producing reports as required by Senate Bill 254, the Governor's administration will develop a State Climate Strategy, to be delivered by December 1, 2020, that will include recommendations to reduce carbon pollution from the electricity and transportation sectors, buildings, state operations, and other relevant sectors.

"This executive order will ensure Nevada continues to promote ambitious carbon-reduction standards that will help tackle the devastating impacts of climate change while creating good, high-paying jobs for Nevadans," **Gov. Steve Sisolak said**. "The impacts of climate change, and a job market that demands renewable energy and other clean technologies, are already here. For the sake of Nevada's future, and our children's future, we must take action."

"As the climate continues to warm, the science community has reported a significant increase in the severity and length of droughts and the frequency and intensity of wildfires," **DCNR Director Bradley Crowell said**. "With Nevada being the driest state in the nation, coupled with the risks and realities our State faces from climate change, smart climate solutions are critical to the long-term health and sustainability of our state. Under the Executive Order, we look forward to advancing strategies that reduce Nevada's climate footprint, promote clean energy, and foster a healthy and sustainable future for all."

"Pursuing these ambitious emissions reductions goals will require collaboration with local governments, tribal governments, businesses, and stakeholders from all across Nevada," **GOE Director David Bobzien said**. "This Executive Order provides the direction and framework for both combating climate change and realizing the economic opportunities of a decarbonized economy."

The Governor held the press conference at the Regional Transportation Commission of Washoe County, which has been a leader in investing in electric vehicle technology. The RTC was the first public agency in the State of Nevada to operate electric buses and added 17 to its fleet just last year.

The text of Executive Order 2019-22 is below:

EXECUTIVE ORDER 2019-22 ORDER DIRECTING EXECUTIVE BRANCH TO ADVANCE NEVADA'S CLIMATE GOALS

WHEREAS, climate change poses a serious threat to Nevada's natural resources, public health, communities, and economy;

WHEREAS, on March 12, 2019, the State of Nevada joined the U.S. Climate Alliance and committed to supporting the United Nations Climate Goals established at the 2015 Paris Conference. The primary U.S. Climate Alliance goal is to reduce greenhouse gas emissions by at least 26-28 percent below 2005 levels by 2025;

WHEREAS, as part of the U.S. Climate Alliance, Nevada will implement policies to reduce greenhouse gas emission, track and report progress on its efforts to achieve greenhouse gas emission reduction goals, and accelerate new and existing policies to reduce carbon pollution and promote clean energy deployment;

WHEREAS, the State of Nevada's electricity generation portfolio consists of approximately two-thirds imported fossil fuels and there is opportunity for greater in-state production of renewable electricity resources;

WHEREAS, on April 22, 2019, Senate Bill 358 was signed into law raising Nevada's renewable portfolio standard to 50 percent by 2030;

WHEREAS, as of 2015, fossil fuel use in the transportation sector is now the largest greenhouse gas and carbon emitting sector in Nevada;

WHEREAS, on June 3, 2019, Senate Bill 254 was signed into law directing the Nevada Department of Conservation and Natural Resources (the "Department") to "not later than December 31, 2019, and each year thereafter, issue a report that includes an annual statewide inventory of greenhouse gas emissions in this State and a projection of annual greenhouse gas emissions in this State for the 20 years immediately following the date of the report;"

10161_0721

WHEREAS, the report required by Senate Bill 254 shall include an annual inventory and projection of greenhouse gas emissions from

WHEREAS, the report required by Senate Bill 254 shall include an annual inventory and projection of greenhouse gas emissions from the electricity production and transportation sectors, and it shall include an inventory and projection of greenhouse gas emissions every fourth year for the industry, commercial and residential, agriculture, and land use and forestry sectors;

WHEREAS, pursuant to Senate Bill 254, the report shall include a statement of policy options needed to reach the economy-wide greenhouse gas emission reduction goals called for in Senate Bill 254 of 28 percent below 2005 levels by 2025 and 45 percent below 2005 levels by 2030;

WHEREAS, Senate Bill 254 directs the Governor to “designate an entity or entities to consult with the Department and identify for the Department the policies required pursuant to paragraph (c) of subsection 2;”

WHEREAS, the statement of policy options required under SB 254 will be developed through consultation and coordination among applicable state agencies as established by this Executive Order and under the leadership and direction of the Department and the Governor’s Office of Energy with a focus on achieving greenhouse gas emission reductions in the areas of electricity production, transportation, industry, commercial and residential, agriculture, and land use and forestry;

WHEREAS, climate change poses significant threats to vulnerable communities who may lack the resources, geographic mobility, and technological expertise to adapt to changes, including pronounced threats to cultural resources, economic vitality, and the human health of all of Nevada’s communities and Indian tribes;

WHEREAS, Las Vegas, Nevada is the nation’s fastest warming city, with a temperature increase of 5.76 degrees Fahrenheit between 1970 and 2018, a trend posing significant impacts to public health and economic prosperity now and in the future;

WHEREAS, protection of Nevada’s iconic hunting, fishing, and outdoor recreation opportunities is critical to our heritage, quality of life, economy, and ability to attract and retain businesses in diverse industries;

WHEREAS, Nevada’s abundant solar, geothermal and wind renewable energy resources, along with a skilled and capable workforce, provide jobs and economic opportunities to Nevada families as a pillar of Nevada’s leadership in establishing a competitive clean energy and decarbonized economy;

WHEREAS, changing national and global market conditions demand that Nevada’s businesses seek pragmatic solutions to climate change that maintain competitiveness and create a stable investment environment;

WHEREAS, Nevada’s growing clean energy sector has driven economic diversification throughout the state leading to a nationwide leading annual growth of over 34 percent in clean energy jobs from 2017 to 2018, for a total of 32,311 clean energy jobs in Nevada as of 2018; and

WHEREAS, States have continued to lead on climate change, have taken state-level action that is benefitting state economies and strengthening communities, and are demonstrating leadership to the nation and the world that ambitious climate action is achievable and imperative.

NOW, THEREFORE, by the authority vested in me as Governor by the Constitution and laws of the State of Nevada and the United States, it is hereby ordered as follows:

SECTION 1: State agencies within the Executive branch of Nevada government shall collaborate, as applicable, to advance Nevada’s climate goals.

SECTION 2: The Director of the Department of Conservation and Natural Resources and the Director of the Governor’s Office of Energy shall coordinate the work of the state agencies through convening meetings, facilitating stakeholder participation, and providing strategic direction for meeting the goals and requirements as directed under the Executive Order.

SECTION 3: For purposes of fulfilling the requirements of Senate Bill 254, the Administrators or Directors (or designees) of the Public Utilities Commission of Nevada, the Department of Transportation, and the Department of Motor Vehicles shall participate as required under Section 2, subsection 3 of Senate Bill 254.

SECTION 4: The administration’s effort shall also include participation from representatives of the Department of Administration and the other state agencies as appropriate in fulfilling the requirements of Senate Bill 254. The administration will continue to work with its partners at the Nevada System of Higher Education to achieve the broader goals and objectives established under this Executive Order.

SECTION 5: The administration’s effort shall proceed in phases:

A. Phase 1 shall be completed by December 31, 2019 for purposes of finalizing the first annual report as required under Senate Bill 254. The report, as described in Senate Bill 254, shall include:

i. An annual report of Nevada’s greenhouse gas emission completed by the Nevada Division of Environmental Protection; and

ii. A statement of policy options completed by the appropriate state agencies as defined under Senate Bill 254 and included in this Executive Order that could achieve reductions in projected greenhouse gas emissions by the sectors set forth under Section 2,

subsection 2(b) of Senate Bill 254.

B. Phase 2 shall build upon the work of Phase 1 and will culminate in a State Climate Strategy to be delivered to the Governor by December 1, 2020. The document shall include specific policy and budget recommendations to reduce greenhouse gas emissions and mitigate the effects of climate change as needed to meet the goals set forth under this Executive Order.

SECTION 6: The administration shall identify and evaluate policies and regulatory strategies, including but not limited to those identified pursuant to Senate Bill 254, to achieve reductions in greenhouse gas emissions, consistent with Nevada's commitment as a member of the U.S. Climate Alliance, across all categories of emission sources, and to further Nevada's resilience to climate change. Such policies and regulatory strategies shall include, but not be limited to, the following:

A. Comprehensive economy-wide or sector-specific programs to reduce carbon dioxide and other greenhouse gas pollution across Nevada, including market-based mechanisms that may be appropriate for Nevada's greenhouse gas emissions profile;

B. Support for transportation electrification and demand management, including infrastructure, fleet procurement, alternative funding mechanisms and other programs;

C. Building codes, and other programs to increase residential and commercial building energy efficiency; and

D. Enhancement of climate resiliency and mitigation of the impacts of climate change in urban and rural areas, including adoption of approaches to increase conservation, restoration and management of Nevada's forests, rangelands, and water resources.

SECTION 7: The administration shall prepare an agency risk assessment survey for all state agencies to identify and evaluate the potential impacts of climate change on their programs and operations, and to establish options for the integration of climate change mitigation and adaptation practices for their programs and operations.

SECTION 8: Each state agency shall prepare priority lists for building energy efficiency projects to be shared with the administration. The administration shall explore financing options and needed strategies for completion of these projects to achieve energy savings across state owned or leased buildings.

SECTION 9: The administration shall collaborate with local governments and tribal nations.

SECTION 10: The administration shall coordinate as much as possible with federal bureaus and agencies that manage land and natural resources in Nevada to help advance the priorities identified in the Executive Order.

SECTION 11: The administration shall consider the impact of proposed policies and programs on low-income and disadvantaged communities in Nevada.

SECTION 12: This order is effective upon signature and shall remain in effect until December 31, 2029 unless it is terminated earlier or extended beyond that date by subsequent Executive Order.

Contact

Ryan McNerney
Communications Director
rmcinerney@gov.nv.gov

Attachments

[Executive Order 2019-22 Directing Executive Branch to Advance Nevada's Climate Goals](#)

EXHIBIT 20

(13)

AGREEMENT TO CONVEY EASEMENT

THIS AGREEMENT TO CONVEY EASEMENT (hereinafter referred to as "Agreement") is made and executed by and between **PAN WESTERN CORPORATION**, having its principal office at 4755 West University Avenue, Las Vegas, Nevada, hereinafter referred to as ("PWC"), and **LAS VEGAS PAVING CORPORATION**, having its principal office at 4420 S. Decatur Boulevard, Las Vegas, Nevada, hereinafter referred to as ("LVP").

WITNESSETH:

WHEREAS, PWC currently owns certain real property located in Clark county, Nevada (the legal description and assessor's parcel map of which are attached hereto as Exhibit "A" and "B", respectively, and made a part hereof and hereinafter referred to as "PWC's property"); and

WHEREAS, PWC has applied with Union Pacific Railroad, and has received the right to construct a railroad spur on PWC's property from the main railroad line, the construction thereof which is intended to begin in the near future, and a diagram thereof is attached hereto as Exhibit "C" and made a part hereof; and

WHEREAS, LVP currently owns certain real property contiguous with PWC's property (the legal description and assessor's parcel map of which are attached hereto as Exhibit "D" and "E", respectively, and made a part hereof, hereinafter referred to as "LVP's property"), and is desirous to, at some point in time in the future, connect to and continue from on LVP's property that portion of the railroad spur to be constructed by PWC (being at the common property boundary found at Point C on Exhibit "C"), and thereafter, to commonly use with PWC that portion of PWC's railroad spur to exist from the parties' common property line to the main line of Union Pacific Railroad (found at points AC on Exhibit "C").

NOW THEREFORE, in consideration of the sum of One Hundred Eighty Three Thousand Two Hundred Eighty Seven (\$183,287.00) Dollars, and other

consideration as hereinafter provided and reserved, and the mutual covenants, conditions and promises of the parties as herein stated, the parties hereto agree as follows:

1. PWC hereby agrees to grant and convey to LVP a permanent easement and right of way to use as means of ingress and egress to and from LVP's property and the Union Pacific main line, a certain portion of the railroad spur to be constructed and located on PWC's property, the same being more particularly described as that portion of PWC's railroad spur to be constructed and designated as Points AC on Exhibit "C", attached hereto and made a part hereof. A copy of the Grant of Permanent Easement to be executed shall be substantially in the form as is set forth in Exhibit "F", attached hereto and made a part hereof.

2. The approximate location of the railroad spur to be constructed by PWC that will be subject to the easement as set forth in this Agreement is indicated as Points AC on Exhibit "C", attached hereto and made a part hereof. It is presently intended that Point C shall exist at the common boundary of the parties' respective real properties. However, the exact location of the railroad spur, and thus the easement and right of way, will solely be determined by PWC in its placement of the railroad spur.

3. Except as otherwise provided in this Agreement, the easements and right of ways herein declared are easements and right of ways appurtenant and shall run with the land, touch and concern the same and are intended to both benefit and burden the land subject thereto. Except as otherwise provided in the Agreement, the easements and right of ways herein declared shall continue perpetually without limitation, defeat, diminution, or discharge, by lapse of time, change of ownership of the parcels, change of use of any parcel, or increase in extent of use burden.

4. Unless otherwise stated in this Agreement, all notices or demands in this Agreement provided, to be given by either party hereto to the other, shall be deemed to have been fully given when made in writing and (1) personally delivered, or (2)

deposited in the United States Mail, registered or certified, and postage prepaid, and addressed as follows:

To PWC: PAN WESTERN CORPORATION
Attn: Mitchell Truman
4755 West University Avenue
Las Vegas, Nevada 89103

To LVP: LAS VEGAS PAVING CORPORATION
Attn: Robert Mendenhall
4420 South Decatur Boulevard
Las Vegas, Nevada 89103

The address to which any notice or demand may be given to any party, may be changed from time to time by written notice given by such party as above provided.

5. If any action at law or in equity shall be brought for or on account of any breach of, or to enforce or interpret any of the covenants, terms, or conditions of this Agreement, the prevailing party shall be entitled to recover from the other party, as part of the prevailing party's costs, reasonable attorney's fees, the amount of which shall be fixed by the Court and shall be made a part of any judgment or decree rendered.

6. Time is of the essence of this Agreement, and of each and every covenant, term, condition, and provision hereof.

7. In the event any section, paragraph, sentence, or clause of this Agreement is held invalid or unenforceable for any reason, then such invalidity or unenforceability shall not affect the validity or enforceability of the remainder of this Agreement.

8. This Agreement may not be modified, amended, or changed, except by a writing specifying the modification, amendment, or change which is signed by all of the parties hereto.

9. This Agreement contains the entire understanding of the parties hereto, and there are no warranties, representations, or covenants other than those expressly set forth herein.

10. The parties hereto acknowledge ample opportunity and time to consult independent legal counsel in connection with the negotiation and execution of the Agreement.

11. This Agreement is governed by the laws of the State of Nevada.

12. The (a) waiver of any terms, covenant, or condition of this Agreement; or (b) waiver of any breach of any term, covenant, or condition contained therein; or (c) failure of either party to take action with respect to any breach of the other of any term, covenant, or condition contained herein, shall not be deemed to be a waiver of such term, covenant, or condition, nor shall it be deemed a waiver of any subsequent default under the same or any other term, covenant, or condition, unless it is specified in writing and signed by the waiving party.

13. This Agreement shall, subject to the provisions as to assignment and transfer, bind and inure to the respective assigns, successors, heirs and personal representatives of the parties hereto, and to all those who may now and hereafter claim either through or under them.

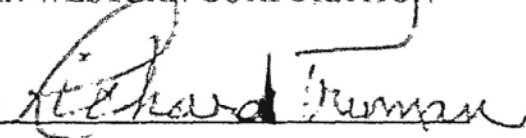
14. This Agreement has been mutually prepared by the parties hereto, and may be executed in duplicate originals, the same of which shall be signed by all parties hereto, each of which shall be deemed an original, but all of which shall constitute one instrument.

15. This Agreement shall be recorded.

IN WITNESS WHEREOF, the parties have hereunto set their hands on the date and year set below their respective names.

PAN WESTERN CORPORATION

By



RICHARD TRUMAN, PRESIDENT

Dated:

Feb 10, 1997

LAS VEGAS PAVING CORP.

By



ROBERT L. MENDENHALL,
PRESIDENT

Dated:

March 2, 1997

ACKNOWLEDGMENT

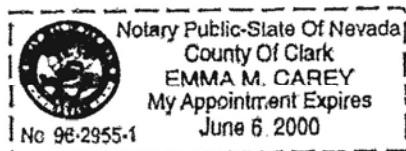
STATE OF NEVADA)

) SS.

COUNTY OF CLARK)

RICHARD

On the 10th day of February, 1997, personally appeared before me, the undersigned Notary Public, RICHARD L. TRUMAN, personally known to me or proved to me on the basis of satisfactory evidence, to be the person whose name is subscribed to the foregoing AGREEMENT TO CONVEY EASEMENT, who acknowledged to me that he executed the same in his capacity as President of PAN WESTERN CORPORATION.



Emma M. Carey
Notary Public in and for Said County and State

ACKNOWLEDGMENT

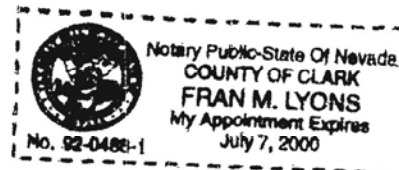
STATE OF NEVADA)

) SS.

COUNTY OF CLARK)

On the 1st day of March, 1997, personally appeared before me, the undersigned Notary Public, ROBERT L. MENDENHALL, personally known to me or proved to me on the basis of satisfactory evidence, to be the person whose name is subscribed to the foregoing AGREEMENT TO CONVEY EASEMENT, who acknowledged to me that he executed the same in his capacity as President of LAS VEGAS PAVING CORPORATION.

Fran M. Lyons
Notary Public in and for Said County and State



GRANT OF PERMANENT EASEMENT

PAN WESTERN CORPORATION, a Nevada Corporation, having its principal office at 4755 West University Avenue, Las Vegas, Nevada, hereinafter referred to as ("Grantor"), for and in consideration of the sum of Ten (\$10.00) Dollars, and other valuable consideration, receipt of which is acknowledged, does hereby grant to LAS VEGAS PAVING CORPORATION, a Nevada Corporation, having its principal office at 4420 South Decatur Boulevard, Las Vegas, Nevada, hereinafter referred to as ("Grantee"), a permanent easement to use as means of ingress and egress to and from Grantee's real property (legally described at Exhibit "A", attached hereto and made a part hereof and hereinafter referred to as ("Grantee's Property"), the same being APN: 520-530-016 and the Union Pacific Railroad main line, a certain portion of the railroad spur located on Grantor's real property (legally described at Exhibit "B", attached hereto and made a part hereof and hereinafter referred to as ("Grantor's Property"), the same being APN: 520-520-002, the same being more particularly described as that portion of grantor's railroad spur designated as Points AC on Exhibit "C", attached hereto and made a part hereof.

This Grant of Permanent Easement is conditioned upon the following:

1. The term "means of ingress and egress" shall mean the ability of Grantee to transport railroad cars on and over that portion of grantor's railroad spur subject to this easement (the same being Points AC on Exhibit "C") to and from the main line of Union Pacific Railroad.

Unless otherwise provided herein, Grantee shall have no other right of ingress and egress over Grantor's Property, it being the clear intent and understanding of Grantor and Grantee hereto that in order for Grantee to effectively use the grant of easement, that Grantee will be required to connect to and continue from the end of Grantor's railroad spur (the same being Point C on Exhibit "C", which is the common boundary of the parties) their own spur on

Grantee's Property, in order to load and unload railroad cars. Grantee shall have no right to load or unload any railroad cars from Grantor's Property.

2. Grantee, or its assigns, shall in no way cause or allow, directly or indirectly, any third party to transport railroad cars over the easement created herein that have no direct relationship to the business affairs of Grantee, or its assigns.

3. The easement granted Grantee on the railroad spur as hereinabove described, shall not be an exclusive right to use the same. Grantee shall use said rights commonly with Grantor, and with due regard to the unencumbered rights of Grantor to use the same. Grantee shall not use the railroad spur in any way that will impair the rights of Grantor to use it, nor shall Grantor use the railroad spur in any way that will impair the rights of Grantee to use it, nor shall either obstruct, directly or indirectly, the other's passage thereon. Grantor shall maintain specific right to transport on or over the easement along Grantor's North property line.

4. Grantor and Grantee shall share one-half the costs and expenses of maintaining the above-described easement (including the switch at Point B on Exhibit "C" attached hereto) in good repair throughout the term of the easement. Grantor and Grantee, their successors and assigns, understand and agree that each shall be responsible to pay his proportionate share of any and all costs associated with the installation of a automated railroad crossing if and when requested to be installed by the Union Pacific Railroad.

5. Grantee shall in no way cause or allow the Easement to be used for any unlawful purpose, and shall comply with all city, county, state and/or federal laws, rules and/or regulations respecting its use and the materials to be transported on and over said railroad spur. Grantee shall not cause or allow directly or indirectly, any form of hazardous materials or waste to be transported on or over the easement, other than those which may be deemed necessary and essential to the general business enterprise of Grantee. Any form of spillage of any materials or waste whatsoever on, over or around the easement and/or Grantor's Property by Grantee (or its agents, employees, servants, visitors, invitees or otherwise), shall be the sole

responsibility of Grantee to clean up and to assume the same in total, holding grantor harmless therefrom, and to indemnify Grantor for any costs, expenses or loss accruing therefrom. Grantee shall have the right of ingress and egress over Grantor's Property, subject to Grantor's consent, to perform the promises, covenants and conditions set forth in the Paragraph 5.

6. Grantor shall not be liable for any loss, injury, death, or damage to persons or property which at any time may be suffered or sustained by Grantee or by any person whosoever that may, at any time, be using or occupying or visiting the easement and/or Grantor's Property, or be in or about the same, whether such loss, injury, death, or damage shall be caused by or in any way result from or arise out of, any act, omission, or negligence of Grantee (its agents, employees, servants, visitors, invitees or otherwise), or of any occupant, subtenant, visitor, or user of any portion of the easement or Grantor's property, or shall result from or be caused by any other matter or thing, whether of the same kind or of a different kind, than the matters or things above set forth, and Grantee shall indemnify Grantor for and/or against all claims, liability, loss or damage whatsoever, on account of such loss, injury, death or damage. The preceding sentence shall not apply to loss, injury, death or damage arising by reason of the negligence or misconduct of Grantor, its agents, employees or servants.

7. Grantee shall, at a minimum, and at all times maintain in effect throughout the term of the easement, personal injury liability insurance covering Grantor's property (its improvements and appurtenances thereto and thereon) within a distance of 50 feet each direction from the centerline of the easement, in the amount of One Million Dollars (\$1,000,000.00), for injury to, or the death of, any one person, and One Million Dollars (\$1,000,000.00), for injury to, or the death of, any number of persons in one occurrence, and property damage liability insurance in the amount of One Million Dollars (\$1,000,000.00). Such insurance shall specifically insure Grantee against all liability assumed by it hereunder, as well as liability imposed by law, and shall insure both Grantor and Grantee, but shall be so

endorsed as to create the same liability on the part of the insurer, as though separate policies had been written for Grantor and Grantee.

The policies of insurance referred to in this paragraph shall be written in a form satisfactory to Grantor and by insurance companies satisfactory to Grantor, such satisfaction not to be unreasonably withheld. Grantee shall pay all of the premiums therefor and deliver such policies, or certificates thereon, to Grantor, and in the event of failure of Grantee either to effect such insurance in the names herein called for, or to pay the premiums therefor or to deliver such policies, or certificates thereof, to Grantor, Grantor shall be entitled, but shall have no obligation, to effect such insurance and pay the premiums therefor, which premiums shall be repayable immediately to Grantor. Each insurer mentioned in this section shall agree, by endorsement on the policy or policies issued by it, or by independent instrument furnished to Grantor, that it will give to Grantor thirty (30) days written notice before the policy or policies in question shall be altered or canceled. Grantor agrees that it will not unreasonably withhold its approval as to the form or to the insurance companies selected by Grantee.

In the event that either Grantor or Grantee shall at any time deem the limits of the personal injury or property damage, public liability insurance then carried to be either excessive or insufficient, the Grantor and Grantee shall endeavor to agree on the proper and reasonable limits for such insurance then to be carried and such insurance shall thereafter be carried with the limits thus agreed on.

8. Except as otherwise provided in this Grant of Permanent Easement, the easements and right of ways herein declared are easements and right of ways appurtenant and shall run with the land, touch and concern the same and are intended to both benefit and burden the land subject thereto.

9. Except as otherwise provided in this Grant of Permanent Easement, the easements and right of ways herein declared shall continue perpetually without limitation, defeat, diminution, or discharge, by lapse of time, change of ownership of the parcels, change of use of any parcel, or increase in extent of use burden.

10. Occurrence of any of the following events shall constitute a default hereunder:

- a. Delay in, nonperformance or failure of Grantee in keeping or performing any of the terms and conditions of this Grant of Permanent Easement;
- b. Failure in, or suspension of, business by Grantee for any reason; or
- c. Insolvency or bankruptcy of Grantee from any cause whatsoever.

11. A default on the part of Grantee as set forth in paragraph 10, for fifteen (15) days after notice from Grantor to Grantee, shall entitle Grantor, at Grantor's option, to declare, without further notice, this Grant of Permanent Easement, and all rights hereunder, terminated.

12. If any action at law or in equity shall be brought for or on account of any breach of, or to enforce or interpret any of the covenants, terms, or conditions of this Grant of Permanent Easement, the prevailing party shall be entitled to recover from the other party, as part of the prevailing party's costs, reasonable attorney's fees, the amount of which shall be fixed by the Court and shall be made a part of any judgment or decree rendered.

13. All remedies hereinbefore and hereafter conferred on Grantor shall be deemed cumulative, and no one is exclusive of the other or of any other remedy conferred by law.

14. Unless otherwise stated herein, all notice or demands in this Grant of Permanent Easement provided, to be given by either Grantor or Grantee to the other, shall be deemed to have been fully given when made in writing and (1) personally delivered, or (2) deposited in the United States Mail, registered or certified, and postage prepaid, and addressed as follows:

To Grantor: PAN WESTERN CORPORATION
Attn: Richard Truman
4755 West University Avenue
Las Vegas, Nevada 89103

To Grantee: LAS VEGAS PAVING CORPORATION
Attn: Robert L. Mendenhall
4420 S. Decatur Boulevard
Las Vegas, Nevada 89103

The address to which any notice or demand may be given to any party, may be changed from time to time by written notice given by such party as above provided.

15. The (a) waiver of any terms, covenant, or condition contained herein; or (b) waiver of any breach of any term, covenant, or condition contained herein; or (c) failure of either party to take action with respect to any breach of the other of any term, covenant, or condition contained herein, shall not be deemed to be a waiver of such term, covenant, or condition, nor shall it be deemed a waiver of any subsequent default under the same or any other term, covenant, or condition, unless it is specified in writing and signed by the waiving party.

16. This Grant of Permanent Easement shall, subject to the provisions as to assignment and transfer, bind and inure to the respective assigns, successors, heirs and personal representative of Grantor and Grantee, and to all those who may now and hereafter claim either through or under them.

17. The rights hereunder granted are subject to any reservations, restrictions and conditions if any, rights of way, easements or other encumbrances of record or in any way existing on Grantor's Property.

WITNESS my hand this 10th day of February, 1997

PAN WESTERN CORPORATION

By Richard Truman

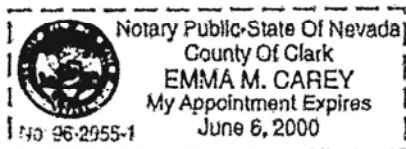
RICHARD TRUMAN, PRESIDENT

ACKNOWLEDGMENT

STATE OF NEVADA)
) SS.
 COUNTY OF CLARK)

RICHARD

On the 10th day of February, 1997, personally appeared before me, the undersigned Notary Public, EMMA M. CAREY TRUMAN, personally known to me or proved to me on the basis of satisfactory evidence, to be the person whose name is subscribed to the foregoing GRANT OF PERMANENT EASEMENT, who acknowledged to me that he executed the same in his capacity as President of PAN WESTERN CORPORATION.



Emma M. Carey
 Notary Public in and for said County and State

WHEN RECORDED MAIL TO:

LAS VEGAS PAVING CORPORATION
 4420 South Decatur Boulevard
 Las Vegas, Nevada 89103

CLARK COUNTY, NEVADA
 JUDITH A. VANDEVER, RECORDER
 RECORDED AT REQUEST OF:

LAS VEGAS PAVING CORPORATION

03-06-97 15:21 CPD
 OFFICIAL RECORDS

BOOK: 970306 INST: 01677

FEE: 19.00 RPT: 10161_0737

13

.00



Debbie Conway
RECORDER

CERTIFIED COPY, THIS
DOCUMENT IS A TRUE AND
CORRECT COPY OF THE
RECORDED DOCUMENT MINUS
ANY REDACTED PORTIONS

Instrument Number: 199703060001677

EXHIBIT 21

Licensing Agreement

THIS LICENSING AGREEMENT (the "Agreement") dated this 6th day of March, 2008

BETWEEN:

Las Vegas Paving Corporaton of 4420 S Decatur Blvd, Las Vegas, NV 89103
(the "Licensor")

OF THE FIRST PART

- AND -

Tonopah & Tidewater Railroad Company of 4755 Donovan Way, North Las Vegas,
NV 89081 (the "Licensee")

OF THE SECOND PART

(individually the "Party" and collectively the "Parties")

IN CONSIDERATION OF the Licensee paying the License Fee to the Licensor, the receipt and sufficiency of which consideration is hereby acknowledged, the Licensor grants the License to the Licensee on the following terms:

Licensed Intellectual Property

1. The Licensor owns and is granting to the Licensee the right to use the following licensed property (the "Property"): Railroad right of way across described property with a APN of 123-31-302-001.

Grant of License

2. The Licensor grants to the Licensee an exclusive license to use the Property (the "License"), from March 6th , 2008 until one of the Parties provides to the other Party 60 days' written notice to terminate the Agreement (such period, the "Term").

Permitted Use

3. The Licensee is permitted to use the Property in the following way: Operate a industrial railroad on the property.

4. The Licensee may not modify or change the Property in any way.

License Fee

5. The Licensee will pay the Licenser a license fee (the "License Fee") composed of:
 - a. California Portland Cement will pay Las Vegas, Paving \$50,000.00 (Fifty Thousand Dollars) every month for rent on behalf of Tonopah & Tidewater Railroad company..

Payment Details

6. The License Fee will be paid by check.

Assignment

7. The Licensee shall not allow others to use the Property and shall not use the Property in a way that allows others to use the Property except in accordance with this Agreement.
8. The Licensee may not assign or transfer the Agreement or any rights granted within without the prior written consent of the Licenser, and any attempted assignment or delegation without such consent will be void.

Sublicensing

9. The Licensee may not sublicense the Property or any rights granted in this Agreement without the prior written consent of the Licenser, and any attempted sublicense without such consent will be void.

Warranties

10. The Property is provided "as is" to the Licensee. The Licenser, and its officers, employees, agents and suppliers, do not provide any warranty, whether express or implied, as to the Property.

Liability & Indemnity

11. The Licenser will not be liable for any third party claims, losses, damages, liabilities, penalties, punitive damages, expenses, legal fees or costs of any kind or amount whatsoever resulting from the Licensee's use of the Property.
12. The Licensee agrees to defend, indemnify and hold harmless the Licenser and its officers, employees, agents and suppliers against any and all claims, losses, damages, liabilities, penalties, punitive damages, expenses, reasonable legal fees and costs of any kind or

amount whatsoever resulting from or arising out of the use of the Property by the Licensee, or its officers, employees, agents or suppliers, or the Licensee's breach of this Agreement.

Termination

13. This Licensor shall have the option to terminate the Agreement immediately upon the failure of the Licensee to comply with the terms and conditions herein.
14. The Licensor reserves the right to cancel this Agreement immediately:
 - a. if the Licensee fails to make a payment when due; or
 - b. in the event of the Licensee's insolvency or bankruptcy.
15. The Licensor reserves the right to discontinue the License and terminate the Agreement immediately, as well as to commence legal proceedings, if any copyright infringement has taken place due to the Licensee's unauthorized use of the Property.
16. Upon expiry or termination of this Agreement, the Licensee shall immediately discontinue the use of the Property and, where applicable, shall return all Property, as per the instructions of the Licensor.

Default

17. Notwithstanding anything to the contrary in this Agreement, if the Licensee defaults in the performance of any obligation under this Agreement, then the Licensor may declare the entire amount owing under this Agreement calculated at the time of default to be immediately due and payable.

Property Rights

18. The Licensor retains ownership of the Property.
19. The Property shall not be copied, published, or used in any way except as provided for in this Agreement.
20. The Licensee shall not falsely represent that they are the original creator of the Property.

Confidentiality

21. Any Confidential Information exchanged between the Parties will not be shared or disclosed to any person except with prior, written consent of the other Party, or as required by law. The obligations of confidentiality will apply during the Term and will survive indefinitely upon termination of this Agreement.
22. Confidential information refers to any data or information relating to the Party, whether business or personal, which would reasonably be considered to be private or proprietary to the Party and that is not generally known and where the release of that confidential information could reasonably be expected to cause harm to the Party, and includes trade secrets, moral rights, goodwill, copyrights, patents, trademarks, know-how, research, drawings, plans, designs, standards, specifications, and methods ("Confidential Information").
23. Confidential Information does not include: information that is available to the public other than through the Licensee's actions or inactions; information that is rightfully received from a third party, legally in possession of it; and information that is independently developed by the Licensee without the use of the Confidential Information.

General Provisions

24. If there is a conflict between any provision of this Agreement and the applicable legislation of the United States (the "Act"), the Act will prevail and such provision of the Agreement will be amended or deleted as necessary in order to comply with the Act. Further, any provisions that are required by the Act are incorporated into this Agreement.
25. If any terms or provisions of this Agreement are determined to be invalid or unenforceable by a court of competent jurisdiction, the remainder of this Agreement will not be affected and each unaffected term and provision will remain in full force and effect.
26. This Agreement will be governed by and construed in accordance with the laws of the State of Nevada, without regard to the jurisdiction in which any action may be instituted. The Licensee agrees to submit to the jurisdiction of the courts of Nevada to bring any action or for the enforcement of this Agreement. Notwithstanding, the Licensor reserves the right to commence legal action to obtain injunctive relief in any court of competent jurisdiction.
27. The Agreement will inure to the benefit and be binding upon the Licensor and the Licensee and their respective successors and assigns.

28. This Agreement constitutes the entire agreement between the Licensor and the Licensee with respect to the subject matter hereof and there are no further items or provisions, either oral or otherwise.
29. The provisions contained in this Agreement cannot be changed except by the signed and delivered written consent of both Parties.
30. Headings are inserted for convenience only and are not to be considered when interpreting this Agreement. Words in the singular mean and include the plural and vice versa. Words in the masculine mean and include the feminine and vice versa.
31. This Agreement may be executed in counterparts. Facsimile signatures are binding and are considered to be original signatures.
32. All monetary amounts in this Agreement refer to the United States dollar (USD), and all payments required to be paid under this Agreement will be paid in USD unless the Parties agree otherwise in writing.
33. Time is of the essence in this Agreement.

IN WITNESS WHEREOF the Parties have executed this Licensing Agreement on this 6th day of March 2008.

Connie Smith
(Witness)

Las Vegas Paving Corporation (Licensor)

By [Signature]

Connie Smith
(Witness)

Tonopah & Tidewater Railroad Company
(Licensee)

By Mr. [Signature]

EXHIBIT 22

Purchase Agreement

THIS PURCHASE AGREEMENT (the "Agreement") dated this 10th day of October, 2010

BETWEEN:

Pan Western Corporation of 4910 Donovan Way, North Las Vegas, NV 89081, USA
(the "Seller")

OF THE FIRST PART

- AND -

Tonopah & Tidewater of 4910 Donovan Way, North Las Vegas, NV 89081, USA
(the "Buyer")

OF THE SECOND PART

IN CONSIDERATION OF THE COVENANTS and agreements contained in this Purchase Agreement the parties to this Agreement agree as follows:

Sale of Goods

1. The Seller will sell, transfer and deliver to the Buyer the following goods on or before October 15, 2010 (the "Goods"):
 - 28,090 feet of 135 pound rail, 2,340 #1 railroad ties, 4,680 tie plates, 18,726 spikes, 14 spring loaded switches, and 12 #2 frogs,

Purchase Price

2. The Buyer will accept the Goods and pay for the Goods with the sum of \$750,000.00 (USD) (the "Purchase Price"), paid by intercompany transfer as required in clause 5 of this Agreement.
3. The Seller and the Buyer both acknowledge the sufficiency of this consideration. In addition to the Purchase Price specified in this Agreement, the amount of any present or future use, excise, or similar tax applicable to the sale of the Goods will be paid by the Buyer, or alternatively, the Buyer will provide the Seller with a tax exemption certificate acceptable to the applicable taxing authorities.

4. The Purchase Price is inclusive of sales tax, and is payable by the Buyer unless the Buyer provides the Seller with a tax exemption certificate acceptable to the applicable taxing authorities, in which case the amount of sales tax will be subtracted from the Purchase Price payable by the Buyer.

Payment

5. The Buyer will make payment for the Goods at the time when, and at the place where, the Goods are received by the Buyer or, in the alternative, when any document of title or registrable bill of sale, bearing any necessary endorsement, is tendered to the Buyer.

Delivery of Goods

6. The Goods will be delivered to Items to be left on site. The Seller agrees to furnish the facilities and at its cost to load the Goods on trucks furnished by the Buyer. The method of shipment will be within the discretion of the Buyer. However, the Seller will only be responsible for the lesser of truck freight or rail freight to the Buyer.

Risk of Loss

7. Risk of loss will be on the Buyer from the time of delivery to the carrier. The Buyer will provide, at its expense, insurance on the Goods insuring the Seller's and the Buyer's interest as they appear, until payment in full to the Seller.

Warranties

8. THE GOODS ARE SOLD 'AS IS' AND THE SELLER EXPRESSLY DISCLAIMS ALL WARRANTIES, WHETHER EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO, ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. The Seller does not assume, or authorize any other person to assume on the behalf of the Seller, any liability in connection with the sale of the Goods. The Seller's above disclaimer of warranties does not, in any way, affect the terms of any applicable warranties from the manufacturer of the Goods.
9. The Buyer has been given the opportunity to inspect the Goods or to have it inspected and the Buyer has accepted the Goods in its existing condition. Further, the Seller disclaims any warranty as to the condition of the Goods.

Title

10. Title to the Goods will remain with the Seller until delivery and actual receipt of the Goods by the Buyer or, in the alternative, the Seller delivers a document of title or registrable bill of sale of the Goods, bearing any necessary endorsement, to the Buyer.

Security Interest

11. The Seller retains a security interest in the Goods until paid in full.

Inspection

12. Inspection will be made by the Buyer at the time and place of delivery.
13. Any refund will not include costs of delivery or installation/de-installation. Those costs will be borne by the Buyer.

Claims

14. The Buyer's failure to give notice of any claim within 10 days from the date of delivery will constitute an unqualified acceptance of the Goods and a waiver by the Buyer of all claims with respect to the Goods.

Excuse for Delay or Failure to Perform

15. The Seller will not be liable in any way for any delay, non-delivery or default in shipment due to labor disputes, transportation shortage, delays in receipt of material, priorities, fires, accidents and other causes beyond the control of the Seller or its suppliers. If the Seller, in its sole judgment, will be prevented directly or indirectly, on account of any cause beyond its control, from delivering the Goods at the time specified or within one month after the date of this Agreement, then the Seller will have the right to terminate this Agreement by notice in writing to the Buyer, which notice will be accompanied by full refund of all sums paid by the Buyer pursuant to this Agreement. In all other cases, if the Seller fails to deliver the Goods to the Buyer within the time and manner specified in this Agreement, the Buyer may provide written notice of the default to the Seller. If within seven (7) days of the notice being received, or within such other time period as agreed to by the parties, the default is not corrected, the Buyer may immediately terminate this Agreement.

Remedies

16. The Buyer's exclusive remedy and the Seller's limit of liability for any and all losses or damages resulting from defective goods or from any other cause will be for the Purchase Price of the particular delivery with respect to which losses or damages are claimed, plus any transportation charges actually paid by the Buyer.

Cancellation

17. The Seller reserves the right to cancel this Agreement:

- a. if the Buyer fails to pay for any shipment when due;
- b. in the event of the Buyer's insolvency or bankruptcy; or
- c. if the Seller deems that its prospect of payment is impaired.

Notices

18. Any notice to be given or document to be delivered to either the Seller or Buyer pursuant to this Agreement will be sufficient if delivered personally or sent by prepaid registered mail to the address specified below. Any written notice or delivery of documents will have been given, made and received on the day of delivery if delivered personally, or on the third (3rd) consecutive business day next following the date of mailing if sent by prepaid registered mail:

SELLER:

- Pan Western Corporation of 4910 Donovan Way, North Las Vegas, NV 89081, USA

BUYER:

- Tonopah & Tidewater of 4910 Donovan Way, North Las Vegas, NV 89081, USA

General Provisions

19. Headings are inserted for convenience only and are not to be considered when interpreting this Agreement. Words in the singular mean and include the plural and vice versa. Words in the masculine mean and include the feminine and vice versa.
20. All representations and warranties of the Seller contained in this Agreement will survive the closing of this Agreement.
21. Either party to this Agreement may assign its rights under this Agreement, but the assignment will not change the duty of either party, increase the burden or risk involved, or impair the chances of obtaining the performance of the Agreement. However, no obligation for performance imposed on either party by this Agreement may be delegated to any other person without the prior written consent of the other party. Each party has a substantial interest in having the other party perform or control the acts required by this Agreement.

22. This Agreement cannot be modified in any way except in writing signed by all the parties to this Agreement.
23. This Agreement will be governed by and construed in accordance with the laws of the State of Nevada, including the Nevada Uniform Commercial Code and the Seller and the Buyer hereby attorn to the jurisdiction of the Courts of the State of Nevada.
24. Except where otherwise stated in this Agreement, all terms employed in this Agreement will have the same definition as set forth in the Uniform Commercial Code in effect in the State of Nevada on the date of execution of this Agreement.
25. If any clause of this Agreement is held unconscionable by any court of competent jurisdiction, arbitration panel or other official finder of fact, the clause will be deleted from this Agreement and the balance of this Agreement will remain in full force and effect.
26. This Agreement will inure to the benefit of and be binding upon the Seller and the Buyer and their respective successors and assigns.
27. This Agreement may be executed in counterparts. Facsimile signatures are binding and are considered to be original signatures.
28. Time is of the essence in this Agreement.
29. This Agreement constitutes the entire agreement between the parties and there are no further items or provisions, either oral or otherwise. The Buyer acknowledges that it has not relied upon any representations of the Seller as to prospective performance of the Goods, but has relied upon its own inspection and investigation of the subject matter.

IN WITNESS WHEREOF the parties have executed this Purchase Agreement on this 10th day of October , 2010

Connie Smith
(Witness)

Khuman
Tonopah & Tidewater (Buyer)

Connie Smith
(Witness)

Tom J. Jensen
Pan Western Corporation (Seller)

EXHIBIT 23



EXHIBIT 24

HAZARDOUS MATERIALS TRANSPORTATION

SECURITY

REQUIREMENTS



U.S. Department of Transportation
Pipeline and Hazardous Materials
Safety Administration

Enhanced Security Requirements

The Department of Transportation's (DOT) Pipeline and Hazardous Materials Safety Administration (PHMSA) is responsible for the safe and secure transportation of hazardous materials (hazmat). Hazmat is essential to the economy of the United States and the well-being of its people. Hazmat fuels our cars and trucks and heats and cools our homes and offices.

Hazmat is used in farming and medical applications as well as manufacturing, mining, and other industries. Every day millions of tons of hazmat are safely transported by air, train, truck, or vessel in quantities ranging from several ounces to thousands of gallons. In the wrong hands, however, hazmat can pose a significant security threat, particularly those that can be used as weapons of mass destruction. Addressing this security threat is vital to the safety of our citizens and security of our economy.

PHMSA, in consultation with the Transportation Security Administration of the Department of Homeland Security, published final rule HM-232F, titled *Risk-Based Adjustment of Transportation Security Plan Requirements* on March 9, 2010. This final rule modified the security plan requirements applicable to the commercial transportation of hazmat. Based on an evaluation of the security threats associated with specific types and quantities of hazmat considered to be "high consequence" if stolen and used for pernicious reasons, this final rule, effective 1 October 2010, narrows the list of materials subject to security plan requirements, thus reducing associated regulatory costs and paperwork.

This final rule also clarifies certain requirements related to security planning, training, and documentation. This information will assist you in managing the potential security risks associated with the transportation of hazmat in commerce, as well as identifying and understanding the recent changes to security plan requirements.



Security Plans

You *must* develop and implement a security plan if you offer for transportation or transport the following types or quantities of hazmat. “Large bulk quantity” refers to a quantity greater than 3,000 kg., (6,614 lbs.,) for solids or 3,000 liters (792 gal.,) for liquids and gases in a single packaging such as a cargo tank motor vehicle, portable tank, tank car, or other bulk container:

- Any quantity of a Division 1.1, 1.2, or 1.3 material;
- A quantity of a Division 1.4, 1.5, or 1.6 material requiring placarding in accordance with Subpart F of Part 172 of the HMR;
- A large bulk quantity of Division 2.1 material;
- A large bulk quantity of Division 2.2 material with a subsidiary hazard of 5.1;
- Any quantity of a material poisonous by inhalation as defined in §171.8 of this subchapter;
- A large bulk quantity of a Class 3 material meeting the criteria for Packing Group I or II;
- A quantity of a desensitized explosive meeting the definition of a Division 4.1 or Class 3 material requiring placarding in accordance with Subpart F of Part 172 of the HMR;
- A large bulk quantity of a Division 4.2 material meeting the criteria for Packing Group I or II;
- A quantity of a Division 4.3 material requiring placarding in accordance with Subpart F of Part 172 of the HMR;



- A large bulk quantity of a Division 5.1 material in Packing Groups I and II: perchlorates; or ammonium nitrate, ammonium nitrate fertilizers, or ammonium nitrate emulsions, suspensions, or gels;
- Any quantity of organic peroxide, Type B, liquid or solid, temperature controlled;
- A large bulk quantity of Division 6.1 material (for a material poisonous by inhalation see above);
- A select agent or toxin regulated by the Centers for Disease Control and Prevention under 42 CFR Part 73 or the U.S. Department of Agriculture under 9 CFR Part 121;
- A quantity of uranium hexafluoride requiring placarding under §172.505(b);
- International Atomic Energy Agency (IAEA) Code of Conduct Category 1 and 2 materials including Highway Route Controlled quantities as defined in 49 CFR 173.403 or known as radionuclides in forms listed as RAM-QC by the Nuclear Regulatory Commission; and
- A large bulk quantity of Class 8 material meeting the criteria for Packing Group I.

At a minimum, your security plan *must* address *personnel security, unauthorized access, and en route security*, as well as include the following elements:

- An assessment of transportation security risks for shipments of hazmat listed in §172.800, including site- or location-specific risks associated with facilities where hazmat is prepared for transportation, stored, or unloaded; and measures to address the assessed risks;
- Name/job title of senior official responsible for developing/implementing the security plan;



- Specific security duties for each position/department responsible for implementing the plan, or a portion thereof, and the process of notifying employees when specific elements must be implemented;
- A plan for training hazmat employees in accordance with §172.704(a)(4) and (5);
- The security plan, including the transportation security risk assessment, must be in writing and retained as long as in effect;
- The security plan must be reviewed at least annually, and revised and/or updated as necessary;
- The security plan must be available to responsible employees—consistent with security clearance/background investigation/need-to-know;
- When updated/revised, the most current copies of the security plan must be maintained, and responsible employees must be notified; and
- Persons responsible for developing/implementing a security plan must maintain copies, including electronic, that are accessible at/through their place of business, or make available, upon request, to authorized officials of DOT or the Department of Homeland Security.

The following table provides a comparison listing of previous versus newly revised threshold levels of hazmat requiring a Security Plan, and specific ruling changes:

Training

Each hazmat employee of a person/company required to have a security plan, who handles, performs a regulated function related to, or implements the security plan, *must* receive in-depth training that provides an awareness of the security risks associated with hazmat transportation and methods to enhance transportation security. This training should cover the following topics:

Hazard Class	Previous Threshold for Hazmat	
1.1	Any quantity	
1.2	Any quantity	
1.3	Any quantity	
1.4	A quantity requiring placarding	
1.5	A quantity requiring placarding	
1.6	A quantity requiring placarding	
2.1	A quantity requiring placarding	
2.2	A quantity requiring placarding	
2.3	Any quantity	
3	A quantity requiring placarding	
4.1	A quantity requiring placarding	
4.2	A quantity requiring placarding	
4.3	Any quantity	
5.1	A quantity requiring placarding	
5.2	Any quantity of organic peroxide, Type B, liquid or solid, temperature controlled, otherwise a placarded quantity	
6.1	Any quantity of PIH material otherwise a quantity requiring placarding	
6.2	Select agents	
7	Shipments requiring Yellow III label; highway route-controlled quantity	
8	A quantity requiring placarding	
9	Capacity >3,500 gallons for liquid/gas; volumetric capacity > 468 cubic feet for solids	

	New Threshold for Hazmat	Ruling Change
	Any quantity	None
	Any quantity	None
	Any quantity	None
	A quantity requiring placarding in accordance with Subpart F of this Part	None
	A quantity requiring placarding in accordance with Subpart F of this Part	None
	A quantity requiring placarding in accordance with Subpart F of this Part	None
	A large bulk quantity	Security plan not required for less than 3,000 L (792 gallons)
	A large bulk quantity of materials with an oxidizer subsidiary	Security plan not required for less than 3,000 L (792 gallons) of materials with oxidizer subsidiary
	Any quantity	None
	PG I and II in a large bulk quantity; placarded quantity desensitized explosives	Security plan not required for PG III; or less than 3,000 L (792 gallons) PG I or II - except for desensitized explosives
	A quantity of desensitized explosives requiring placarding in accordance with Subpart F of this Part	Security plan not required except for desensitized explosives in a placarded quantity
	PG I and II in a large bulk quantity	Security plan not required for PG III, or less than 3,000 kg (6,614 lbs.) PG I or II
	A quantity requiring placarding in accordance with Subpart F of this Part	None
	Large bulk quantity of Division 5.1 materials in PG I and II, and PG III perchlorates, ammonium nitrate, ammonium nitrate fertilizers, or ammonium nitrate emulsions or suspensions or gels in a large bulk quantity	Security plan not required for most PG III materials and PG I and II materials in less than a large bulk quantity 3,000 L (792 gallons)
	Any quantity organic peroxide, Type B, liquid or solid, temperature controlled	Security plan only required for Type B, liquid or solid, temperature controlled, no longer required at placarded level for others
	Any quantity PIH or a large bulk quantity of a material that is not a PIH	Security plan not required for less than 3,000 L (792 gallons) of a non-PIH material
	Select agents	None
	IAEA Categories 1 & 2; HRCQ; known radionuclides in forms listed as RAM-QC by NRC; or a quantity of uranium hexafluoride requiring placarding under §172.505(b)	Security plan only required for Class 7 materials that pose transportation security risk
	PG I in a large bulk quantity	Security plan not required for PG II or III materials; and less than a large bulk quantity of a PG I
	Not subject	Security plan not required for Class 9 materials



- Company security objectives;
- Organizational security structure;
- Specific security procedures, duties, and responsibilities for each employee;
- Specifics on how to recognize and respond to possible security threats; and
- Specific actions to be taken by each employee in the event of a security breach.

For in-depth security training required under §172.704 (a)(5) and (c)(2), a hazmat employee must be trained at least once every three years or, if the security plan for which training is required is revised during the three-year recurrent training cycle, within 90 days of implementation of the revised plan.

The following guidance—while not required by the HMR—should assist you in developing a security plan appropriate to your industry and operations. You may want to review your current security program and make any necessary adjustments to improve it.

Begin with a Security Assessment

To develop a security plan, you should begin with a security assessment. List the materials you handle, and identify those with the potential for use as a weapon or target of opportunity. Then, review your current activities and operations from a transportation security perspective. Ask yourself, *“What are we doing now? What could go wrong? What can we do differently?”* You can use a security-risk assessment model to identify risks and develop appropriate measures to reduce or eliminate them. The Risk Management Self-Evaluation Framework



Security Template found on PHMSA's hazmat safety homepage <http://phmsa.dot.gov/hazmat/risk/rmsef> utilizes the following steps:

- **Scoping** – determine the scope of operations that should be subject to security risk management. Identify the types of hazmat you handle and the modes of shipment used.
- **Knowledge of operations** – collect detailed information about your transportation operations: (1) quantities of material transported; (2) baseline security programs; (3) current security procedures; and (4) related safety programs and procedures.
- **Assessment** – analyze potential security threats and identify security risk control points. Risk control points are points in the transportation process where you can make an impact by improving procedures or operations.
- **Strategy** – rank or group security risks, prioritize opportunities for security risk reduction, and decide on preventative actions. Create a written document summarizing your decisions. This written document is your security plan.
- **Action** – implement your security plan.
- **Verification** – monitor implementation of your security plan.
- **Evaluation** – determine if goals are being met and compare your strategy and results with others in your field.



Suggested Security Measures

At a minimum, a security plan *must* include the following elements: *personnel security*, *unauthorized access*, and *en route security*. The following are suggestions on how to address these required elements—not detailed in the HMR—that you may want to consider for inclusion in your security plan.

Personnel Security

Be aware of the possibility that someone you hire may pose a potential security risk. You may want to establish a process to confirm applicant information, and check with former and current employers and personal references. Such confirmation must be consistent with applicable Federal and State laws and requirements concerning employment practices and individual privacy. Conversely, your employees can be one of your most critical assets as you endeavor to improve the security of your shipping or transportation operations. Under the new PHMSA security requirements, you must ensure your employees are familiar with your security plan and are properly trained in its implementation. Training should include company security objectives, specific security procedures, employee responsibilities, and organizational security structure. In addition, consider taking one or more of the following actions:

- Encourage your employees to report suspicious incidents or events.
- Implement routine security inspections.
- Convene regular employee/management meetings on security measures and awareness.

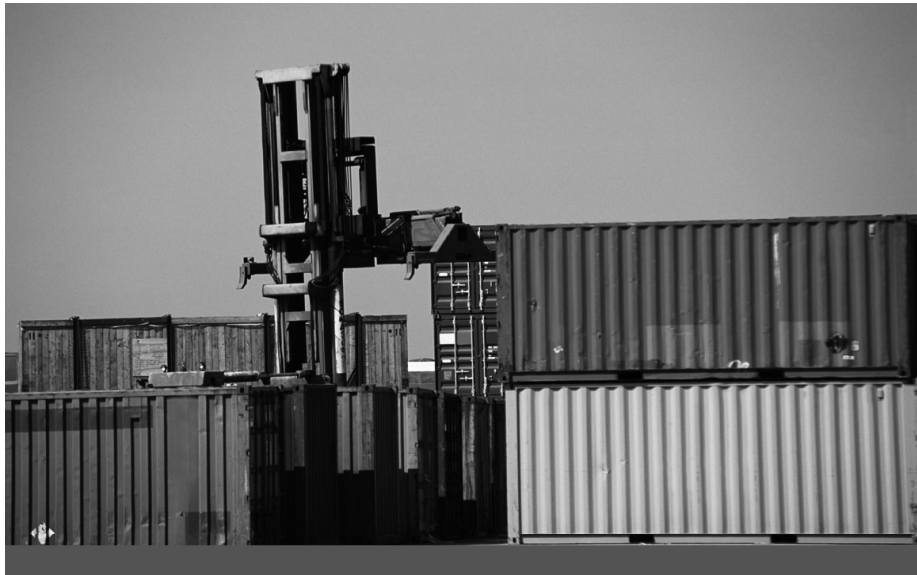


- Communicate with your staff using an *internal communication system* to provide information on facts, trends, and other security issues.

Unauthorized Access

Another security concern that must be addressed is access to hazmat in transportation and at your facility. You may consider using one or more of the following security measures to prevent unauthorized access:

- Establish partnerships with local law enforcement officials, emergency responders, and other public safety agencies with jurisdiction over your facility. Through such relationships, you can exchange information about threats, trends, and unsuccessful security programs.
- Request a review of your facility and security program by local law enforcement and fire safety officials, as applicable.
- Restrict the availability of information related to your facility and the materials you handle. Encourage authorities in possession of information regarding your facility to limit its disclosure on a need-to-know basis.
- Add security guards and increase off-hour patrols by private security personnel. Request that law enforcement personnel increase off-hour patrols.
- Check the adequacy of locks and other protective equipment. Consider equipping access gates with timed closure devices. Conduct frequent inspections.



- Install additional lights, alarm systems, or surveillance cameras.
- Restrict access to a single entry or gate.
- Secure hazmat in locked buildings or fenced areas. Institute a sign-out system for keys.
- Secure valves, manways, and other fixtures on transportation equipment when not in use. Lock all vehicle and delivery trailer doors when not in use. Secure all rail, truck, and intermodal containers when stored at your location.
- Use tamper-resistant or tamper-evident seals and locks on cargo compartment openings.
- Periodically inventory the quantity of hazmat you have on site in order to recognize if a theft has occurred.
- Keep records of security incidents. Review records to identify trends and potential vulnerabilities.
- Report any suspicious incidents or individuals to your local Federal Bureau of Investigation (FBI) office, and local law enforcement officials.

En Route Security

Shippers and carriers should work together to assure the security of hazmat shipments en route from origin to destination. Shippers must assess the security of transportation modes or combinations of modes available for transporting specific materials and select the most appropriate method of transportation to ensure their efficient and secure movement.

Transportation security is a shared function. Security functions performed by shippers and carriers often overlap. Shippers and carriers are encouraged to consider implementing one or more of the following measures:



- Use carrier safety ratings, assessments, safety surveys, or audits, and ask the carrier to provide information on security measures it has implemented.
- Verify the carrier has an appropriate employee hiring/review process, including background checks, and an on-going security training program.
- Verify the identity of the carrier and/or driver prior to loading hazmat.
- Ask the driver for photo identification and a commercial driver's license for comparison with information provided by the carrier.
- Ask the driver to tell you the name of the consignee and the destination for the material and confirm with your records before releasing shipments.
- Identify preferred and alternative routing, including acceptable deviations.
- Strive to minimize product exposures to communities or populated areas, including downtown areas; avoid tunnels and bridges where possible; and expedite transportation of the shipment to its final destination.
- Minimize stops en route; if you must stop, select locations with adequate lighting on well-traveled roads, and check your vehicle after each stop to make sure nothing has been tampered with.
- Consider using two drivers or driver relays to minimize stops during the trip. Avoid layovers, particularly for high-hazard materials.
- Shippers and rail carriers should cooperate to assure the security of rail cars stored temporarily on leased tracks.



- If materials must be stored during transportation, make sure they are stored in secure facilities.
- Train drivers on how to avoid hijacking or stolen cargo; keep vehicles locked when parked and avoid casual conversations with strangers about cargo and routes.
- Consider whether a guard or escort for a specific shipment of hazmat is appropriate.
- Consider using advanced technology to track or protect shipments en route to their destinations. For example, you may wish to install tractor and trailer anti-theft devices or use satellite tracking or surveillance systems.
- Install tamper-proof seals on all valves, package, or container openings.
- Establish a communication system with transport vehicles and operators, including a crisis communication system with primary and back-up means of communication among the shipper, carrier, law enforcement, and emergency response officials.
- Implement a system for a customer to alert the shipper if a hazmat shipment is not received when expected.
- When products are delivered, check the carrier's identity with shipping documents provided by the shipper.
- Get to know your customers and their hazmat programs. If you suspect you have shipped or delivered hazmat to someone who may intend to use it for a criminal purpose, notify local law enforcement officials or your local FBI office.



- Report any suspicious incidents or individuals to local law enforcement officials or your local FBI office.

Additional Information

Up-to-date information is a key element of any security plan. You should consider methods to:

- Gather as much data as you can about your own operations and those of other businesses with similar product lines and transportation patterns;
- Develop a communications network to share best practices and lessons learned;
- Share information on security incidents to determine if there is a pattern of activities that, when considered in isolation are not significant, but when taken as a whole generate concern; and
- Revise your security plans as necessary to take into account changing circumstances and new information.

Any other person who has knowledge of the theft or loss of any explosive materials shall, within 24 hours of discovery, report the theft or loss by telephoning 1-800-800-3855 (nationwide toll-free number) and in writing to the nearest ATF office. Theft or loss shall be reported to appropriate local authorities.

Federal Agencies

Pipeline and Hazardous Materials Safety Administration

U.S. Department of Transportation
1200 New Jersey Ave, SE., Washington, DC 20590
Hazardous Materials Info-Line: 800-467-4922

Publications and Reports

Fax: 202-366-7342;
Telephone: 202-366-4900
E-Mail: training@dot.gov
<http://hazmat.dot.gov>

Federal Aviation Administration

U.S. Department of Transportation
800 Independence Avenue, SW., Washington, DC 20591
Telephone: 1-866-TELL-FAA (1-866-835-5322)
<http://www.faa.gov>

Federal Motor Carrier Safety Administration

U.S. Department of Transportation
1200 New Jersey Ave, SE., Washington, DC 20590
Telephone: 800-832-5660
<http://www.fmcsa.dot.gov>

Federal Railroad Administration

U.S. Department of Transportation
1200 New Jersey Ave, SE., Washington, DC 20590
Telephone: 202-493-6024
<http://www.fra.dot.gov>

Bureau of Alcohol, Tobacco, Firearms and Explosives

Explosives Industry Programs Branch
99 New York Avenue, NE, Room 6N-672
Washington, DC 20226
202-648-7120
E-Mail: EIPB@atf.gov
<http://www.atf.gov/>

Bureau of Alcohol, Tobacco, Firearms and Explosives

U.S. Bomb Data Center
99 New York Avenue, NE, Room 8S-295
Washington, DC 20226
800-461-8841
E-Mail: USBDC@atf.gov
<http://www.atf.gov/>



Transportation Security Administration

601 South 12th Street
Arlington, VA 20598
Telephone: 866-289-9673
<http://www.tsa.gov>

United States Coast Guard

2100 Second Street, SW., STOP 7000
Washington, DC 20593
Telephone: 202-493-1713
<http://www.uscg.mil>

Industry Associations/Organizations

American Chemistry Council

700 Second Street, NE.
Washington, DC 20002
Telephone: 202-249-7000
<http://www.americanchemistry.com>

American Petroleum Institute

1220 L Street, NW.
Washington, DC 20005
Telephone: 202-682-8000
<http://www.api.org>

American Society for Industrial Security

1625 Prince Street
Alexandria, VA, 22314
Telephone: 703-519-6200
<http://www.asisonline.org>

American Trucking Association

950 North Glebe Road, Suite 210
Arlington, VA 22203
Telephone: 703-838-1700
<http://www.truckline.com>

Association of American Railroads

425 Third Street, SW.
Washington, DC 20024
Telephone: 202-639-2100
<http://www.aar.org>

Center for Chemical Process Safety American Institute of Chemical Engineers

3 Park Avenue
New York, N.Y. 10016-5991
Telephone: 212-591-7319
<http://www.aiche.org/ccp>

Chlorine Institute

1300 Wilson Blvd, Suite 525
Arlington, VA 22209
Telephone: 703-894-4140
<http://www.chlorineinstitute.org>

Compressed Gas Association

4221 Walney Road, 5th Floor
Chantilly, VA 20151
Telephone: 703-788-2700
<http://www.cganet.com>

The Fertilizer Institute

425 Third Street SW, Suite 950
Washington, DC 20024
Telephone: 202-962-0490
<http://www.tfi.org>

Institute of Makers of Explosives

1120 19th Street, Suite 310, NW.
Washington, DC 20036
Telephone: 202-429-9280
<http://www.ime.org>

National Association of Chemical Distributors

1555 Wilson Blvd, Suite 700
Arlington, VA 22209
Telephone: 703-527-6223
<http://www.nacd.com>

National Propane Gas Association

1899 L Street NW, Suite 350,
Washington, DC 20036
Teléfono: 202-466-7200
<http://www.npga.org>

National Tank Truck Carriers

950 North Glebe Road, Suite #520
Arlington, Virginia 22203-4183
Telephone: 703-838-1960
<http://www.tanktransport.com>

Security Industry Association

635 Slaters Lane
Alexandria, Virginia 22314
Telephone: 866-817-8888
<http://www.siaonline.org>

Synthetic Organic Chemical Manufacturers Association

1850 M Street, NW, Suite 700
Washington, DC 20036
Telephone: 202-721-4100
<http://www.socma.com>

Additional Security Requirement Resources

TSA Security Requirements

http://www.tsa.gov/travelers/airtravel/acceptable_documents.shtm
http://www.tsa.gov/assets/pdf/cargo_final_rule_5-26-06.pdf

NRC Security Requirements:

<http://www.nrc.gov/security/byproduct/orders.html>

NNSA Security:

<http://nnsa.energy.gov/>

PHMSA Security:

<http://www.phmsa.dot.gov/hazmat/security>

USCG Facility Requirements:

<http://www.uscg.mil/hq/cg5/cg522/cg5222/>

U.S. Department
of Transportation
Pipeline and
Hazardous Materials
Safety Administration



1200 New Jersey Avenue, SE, PHH-50
Washington, DC 20590-0001

EXHIBIT 25

Tonopah & Tidewater Railroad

SECURITY PLAN

PURPOSE:

The purpose of this security plan is to ensure the safe and secure transfer of hazardous materials from the point of origin to the final destination.

SCOPE:

The requirements of this rule requires all shippers and carriers subject to the Hazardous Materials Registration requirements found in 49 CFR Part 107 provide for:

- security vulnerability assessment (SVA)
- countermeasures with appropriate actions to address identified vulnerabilities
- security awareness training
- in-depth security training
- measures to confirm information on job applicants
- measures to address the risks of unauthorized access
- measures to address the risks of en route security

STATEMENT OF COMPANY POLICY:

It is the policy of this company to comply with the requirements of 49 CFR 172 (HM-232) as it specifically pertains to the security requirements for shippers and carriers of hazardous materials. Our company is committed to ensuring the safety of all employees, the public and to prevent all security-related opportunities for theft or misuse of hazardous materials.

SECURITY ASSESSMENT

Our company utilized the Asmark Security Vulnerability Assessment (ASVA) tool may be utilized to assess potential facility and transportation security risks for shipments of hazardous materials.

SECURITY TRAINING

Security awareness training will be provided primarily through

In-depth security training will be conducted for all HazMat employees by providing each person with access to our written security plan. Training will be conducted by company management (or their appointed representative) and consist of the following:

- a review of the written plan,

- presentation of the security objectives of the company,
- presentation of the security procedures of the company,
- employee responsibilities,
- emergency actions and organizational structure

The Emergency Response Plan for this facility is updated at least annually and may be used to satisfy and document many of the requirements associated with the in-depth training.

RESPONSIBILITIES:

The management of this company will ensure that all employees are provided with thorough security training. All employees will be trained and are expected to be familiar with the company's security plans and procedures.

List of general employee security responsibilities:

- Employees are responsible for adhering and conforming to all security-related work activities, processes, and procedures. In addition, employees are encouraged to provide feedback and suggestions on ways to improve the organization's security program.
- All employees are expected to understand and adhere to the following corporate suspicious activity reporting procedures. They are intended for all employees to follow in the event any unusual or suspicious activity that poses a threat to the safety of our employees and the security of our equipment, facilities, or hazardous materials cargo, is observed.
- The company will provide a work environment that is reasonably free of hazards and threats of violence which may cause damage to property or harm to people. It is also the company's policy to establish an effective and continuous safety and security program that incorporates educational and monitoring procedures. All supervisors and managers are responsible for ensuring that their employees are trained in appropriate security and suspicious activity reporting procedures.
- All employees have a responsibility to themselves and to the company to observe and report any suspicious or unusual activity that threatens safety or security.
- Employees are expected to use common sense and good judgment when assessing the threat potential of any suspicious activity. Depending on the given situation, employees will be expected to report any observed suspicious activity to their immediate supervisor, next level manager, the corporate safety director, or the local law enforcement official or fire department.

Suspicious activity is defined to include (but not limited to) any of the following situations:

- Unidentified person(s) attempting to gain access to property, equipment, or facilities.
- Unidentified person(s) in any area of the company, office, yard or parking lot.
- An employee, unescorted vendor, or supplier visiting a part of the company for no known reason.
- Fake ID Look for ID on Badge
- Any unescorted or unaccompanied visitor anywhere in the building or wondering around the yard or parking lot.

- Any person (employee or otherwise) who appears to be hiding something or is acting nervous, anxious, or secretive.
- Any employee or visitor making unusual or repeated requests for sensitive or important company documents or information.
- Any person asking an employee to make unauthorized movement (pick-up and delivery) for cash (motor carrier specific).
- Any person or group loitering outside a company facility or premises.
- Any person claiming to be a representative of a utility (gas, water, electric) but cannot produce valid company identification.
- Any person carrying a weapon such as a gun or a knife.
- After hours, any vehicle driving by a company facility with the lights off.
- Any occupied vehicle parked outside a company facility especially if the vehicle has been sitting for a long period or after normal work hours.
- An unfamiliar vehicle that appears to be abandoned near a company building or parking lot.

The above list is not all inclusive, but rather is meant to provide possible examples of suspicious activities. Once, and if, a suspicious activity is identified, the next step is to act. Employees not only need to be able to identify suspicious activity, they also need to know what to do about it.

MEASURES TO CONFIRM INFORMATION ON JOB APPLICANTS:

All applicants applying for any position involving access to, handling, storing, preparing for transport, and/or transport of hazardous materials for the company shall submit an accurate, complete, signed and dated application for employment. The hiring and screening process requires the information provided by the applicant on the application be verified as true and accurate.

An inquiry into the previous employment history shall be made for every hazmat employee applicant. Hazmat employee applicants shall provide accurate and complete previous and current employer information upon request, including but not limited to:

- Names and addresses of previous employers;
- Names and titles of previous supervisors;
- Phone numbers or other contact information for both of the above.

All hazmat employee applicants applying for positions with our company shall be given an personal interview by the appropriate responsible company personnel. Personal interviews will be used to determine fit for both the applicant and the company. In addition, the personal interview should be used to verify any gap(s) in employment, reason(s) for job or career changes, or any other important or unexplained behavior or history.

All applicants applying for any position involving the handling, storing, preparing for transport, and/or transport of hazardous materials for the company shall be required to provide either proof of U.S. citizenship or proof of their legal right to work in the United States.

The company's driver qualification and hiring procedures shall be in compliance with applicable state and federal regulations, and meet the security standards as established for this facility.

Applicants shall not be considered for employment as drivers by our company unless they meet the following requirements. Persons applying for the position of driver must:

- Meet the company's minimum age and experience requirements.
- Have a driving record that is in line with the company's safety standards.
- Be able to read and speak English sufficiently as required by subsection 391.11(b)(2).
- Be physically qualified to drive a company vehicle.
- Possess a current and valid commercial driver's license of the correct type and with the proper endorsements.
- Not be disqualified to drive a commercial motor vehicle under the rules set forth in subsection 391.15.

An inquiry into the driving record during the preceding 3 years (10 years for positions requiring a CDL) shall be made for every driver applicant. The inquiry shall be made to the appropriate agency of the state in which the applicant holds a motor vehicle operator's license or permit.

An investigation into the employment record during the preceding 3 years (10 years for positions requiring a CDL) shall be made for every driver applicant. Driver applicants shall provide accurate and complete previous and current employer information upon request, including but not limited to:

- Names and addresses of previous employers;
- Names and titles of previous supervisors and dispatchers;
- Phone numbers or other contact information for both of the above.

An investigation into the drug and alcohol history with regard to previous employers shall be made for every driver applicant per subsection 40.25. The driver qualification and hiring process shall not be finalized until drug and alcohol information from previous employees for the preceding 2 years has been obtained and verified.

All applicants applying for the position of CDL driver with the company shall submit to a pre-employment drug screen as required by subsection 382.301, and no driver applicant shall perform any work or activity for our company until a verified negative test result has been obtained for the applicant.

All applicants applying for the position of driver must be medically examined and certified as physically qualified (or present a current Medical Examiner's Certificate) to operate a commercial motor vehicle by a licensed medical examiner.

MEASURES TO ADDRESS THE RISKS OF UNAUTHORIZED ACCESS:

The company will continue to establish a working relationship with local law enforcement officials, emergency responders, and other public safety and security agencies. These partnerships will include the sharing of the operation, work processes, and hazardous materials stored on site or transported. Information regarding its hazmat operation, locations, and potential threats will be shared as appropriate with these agencies.

Local law enforcement officials, emergency responders, and other public safety and security agencies will be periodically invited on-site to discuss and evaluate potential security risks, vulnerabilities, and to assist in the development or enhancement of security program.

All suspicious activities or apparent criminal acts affecting the safety or security will be reported immediately to the proper law enforcement agencies and appropriate company officials. In addition, documentation should be recorded of any security-related incident.

A complete listing of emergency telephone numbers (found in the emergency plan) shall be provided to all dispatchers, supervisors, and managers. This list shall include the numbers for local police and fire departments, regional state police offices, the FBI, and all company managers and executives.

The company may also elect to request an increase in off-hours law enforcement patrols to coincide with increases in national security threat/risk levels.

All information (electronic and hard copy) relating to the storage and/or transporting of hazardous material shall be restricted to employees on a need-to-know basis. All hazmat-related paperwork and other documentation shall be maintained and retained in a secure area with limited and controlled access.

All work/load assignment sheets involving the transportation of hazardous materials shall be maintained in a secure location. Access to hazardous materials load information shall be limited to operations personnel only, including dispatchers, the operation manager, and other designated employees. Dispatch personnel are responsible for the security and proper issuance of all hazardous materials load-related work assignment documents. When providing load information to drivers, dispatchers must review the load information to ensure that it is complete and accurate. For security purposes, it is extremely important that:

- Loadout paperwork (invoices, shipping tickets, etc.) are checked and verified;
- Spreader or trailer numbers on all load assignments are verified; and
- Load assignment numbers are clearly communicated.

Drivers failing to abide by any of the procedures in this plan are subject to disciplinary action.

MEASURES TO ADDRESS THE RISKS OF EN ROUTE SECURITY:

The following guidelines and procedures apply to all shipments of hazardous materials. All company personnel will be expected to be knowledgeable of, and adhere to, these guidelines and procedures when performing any hazardous material-related activity.

Before using any motor carrier for the purposes of transporting hazardous materials, each carrier should satisfy themselves the motor carrier has a satisfactory rating and uses safe and qualified drivers and equipment.

Before loading any hazardous material onto a commercial carrier, the identity of the driver and motor carrier shall be verified. Drivers may be asked to produce photo identification and current operator's or commercial driver's license (CDL), and the carrier shall be contacted to verify the:

- Driver's name and license number; and
- Tractor/trailer number.

After loading any hazardous materials cargo onto a commercial carrier has been completed, the company should ensure the trailer is sealed with a company-issued barrier-type seal. All seal numbers, along with the date and time, shall be recorded in the presence of the driver on all shipping documents.

When all loading activity has been completed, drivers are responsible for making sure the cargo is secure and to check the bill of lading or the delivery manifest to ensure cargo count is accurate. Once drivers are satisfied that the cargo matches the shipping papers, they should:

1. Close the trailer doors and witness the shipper sealing of the trailer;
2. Record the seal number(s) on the shipping papers; and
3. Have the shipping papers signed by the responsible shipping personnel before leaving.
4. Contact their supervisor/dispatch to verify all pertinent load-related information and the loading process has been completed.

If a discrepancy is found between the cargo and bill of lading or shipping manifest, drivers shall contact their supervisor immediately for instructions.

In the event the shipper fails to supply a seal, drivers are required to use a company-issued seal. Seals can be obtained from any reputable source.

Before leaving any shipper, drivers must make a thorough visual observation of their immediate surroundings and report any unusual or suspicious activity to their supervisor immediately. Drivers, together with their supervisor/dispatcher, shall prepare and execute trip plans for all hazardous materials movements that list:

1. Routing schedules that avoid highly populated areas, bridges and tunnels when possible;
2. Fueling and break locations;
3. Dates and times of daily/routine check calls; and
4. Estimated times of arrival to stop offs and final destination.

These trip plans shall also include potential alternate routes and acceptable deviations.

For all hazardous materials movements, drivers shall minimize stops en route. Proper execution of thorough trip plans will help reduce the need for unnecessary or unplanned stops.

In the event a load containing hazardous materials need to be staged at a company terminal or facility while en route, it shall be stored in a secured location with limited and controlled access.

When deemed necessary for high hazard materials, the company will consider either the use of a team driver operation, escort service or an additional person to ensure security.

While in transit, drivers are prohibited from discussing information related to their load, route, or delivery schedule with any person(s) other than authorized company officials. Drivers are to report any suspicious activity such as load-related inquiries from strangers, to their supervisors immediately.

Drivers are expected to take all reasonable and responsible precautions to prevent damage to company vehicles and theft of hazardous material(s) cargo while in transit.

For personal protection and safety, and the security of the cargo, drivers are expected to park in safe, well lit parking locations only. In all cases, drivers are required to inspect their vehicle and trailer for evidence of tampering after each stop.

Drivers should lock their vehicles and have all windows in the closed position at all times while in transit] especially during all time spent in urban areas, and parked at truck stops and rest areas.

When possible, dispatch shall contact receivers for the purpose of arranging secure overnight or after hours parking for drivers who can safely and legally arrive at their destinations ahead of schedule.

Drivers are prohibited from taking their equipment (loaded or empty) to or through home, or parking in any unsecured area.

Drivers are expected to maintain regular communications with the company while in transit. Any incident of drivers failing to check in when required shall be assumed by the company to be suspicious and highly irregular. Immediate action shall be taken in such situations. Drivers are expected to fully understand this procedure and make every effort to maintain regular contact and communication with dispatch.

In the event of an attempted vehicle hijacking or cargo theft situation while the vehicle is in motion, the company has adopted a NO STOP policy. Drivers who believe a vehicle hijacking is, or may be, in progress, are instructed to keep the vehicle moving as safely and responsibly as possible until the attempt has ceased and/or the authorities have been notified. However, in any hijack situation, drivers should use their own judgment (whether to stop or keep moving) based on the degree to which they feel their personal safety is at risk. Nothing our drivers do is worth getting hurt over. Drivers who do fall victim to vehicle hijackers or cargo thieves are instructed to notify police as soon as possible. Once the proper authorities have been notified, drivers are required to contact an appropriate company official and follow all subsequent instructions.

Drivers are prohibited from picking up and transporting any unauthorized person.

Drivers failing to abide by any of the procedures in this plan are subject to disciplinary action.

EXHIBIT 26

26

Matthew L. Johnson (6004)
Russell G. Gubler (10889)
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Attorneys for Respondent

AIR POLLUTION CONTROL HEARING OFFICER MEETING

In the matter of:

ETON TRANSPORTATION CORP.,

Respondent.

NOV #10078

Hearing Officer: Holly Fic

**DECLARATION OF WILLIARD
STICKLER IN SUPPORT OF
RESPONSE TO NOTICE OF
VIOLATION #10078**

Date of Hearing: September 19, 2024

Time of Hearing: 9:00 a.m.

I, Willard Stickler, under oath and under penalty of perjury, state as follows:

1. I am over 18 years of age, am competent to testify of the things stated herein, and make this Declaration in support of the Response to Notice of Violation #10078.
2. I was a security guard at the 2596 Stratford Ave, Las Vegas site on or about January 9th. I was in the security shack when I saw a white pickup with several people blowing by my security office and paid no attention to the posted sign that all visitors must sign in at the corner of the property entrance.

3. I called Moe Truman on the radio and let him know we had an active intruder on the property, and I was heading over. Moe told me he was closer, and I saw him intercept the intruder.

4. I watched him intercept the car and saw the people in the car get out and one used the company rest room and observed him talking to the car occupants. When I saw all the safe signs from Moe Truman I went back to my safety station.

Further, the Declarant saith naught.

DATED: September 16, 2024



Willard Stickler

Matthew L. Johnson (6004)
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AIR POLLUTION CONTROL HEARING OFFICER MEETING

In the matter of: ETON TRANSPORTATION CORP., Respondent.	DCOP #57148 NOV #9994 and #10078 DECLARATION OF WILLARD STRICKLER
--	--

I, Willard Strickler, under oath and under penalty of perjury, state as follows:

1. I am over 18 years of age, am competent to testify of the things stated herein, and make this Declaration in support of Respondent's appeal in the above-referenced matter.

2. On March 20, 2025, at approximately midafternoon, I saw a vehicle follow truck #25 into our terminal located at 2596 Stratford Ave, Las Vegas, Nevada (the "Property"), once the gate was open.

3. The driver of the vehicle did not check in or ask permission to enter the Property.

4. I jogged towards the vehicle to check the ID of the driver of the vehicle and to learn why they were entering into the terminal.

5. As I approached the vehicle, the vehicle sped out of the Property, and I had to jump out of the way of the vehicle way to avoid being hit.

6. I did not get the plates, but I saw that it was a county vehicle. .

7. Similarly, on March 27, 2025, at approximately 1:58 P.M. , I saw a pickup on a walking trail that follows I-11 from Sahara Road to the Flamingo Wash.

8. A man was standing in the pickup taking photos of the Property. Once he saw me, the man got down in his pickup and drove down the walking path. When he closed his door, I saw an Air Quality logo on his door.

DATED: March 28, 2025

Willard Strickler

EXHIBIT 27

27

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AIR POLLUTION CONTROL HEARING OFFICER MEETING

In the matter of:

ETON TRANSPORTATION CORP.,

Respondent.

NOV #10078

Hearing Officer: Holly Fic

**DECLARATION OF CRYSTAL
THORNE IN SUPPORT OF
RESPONSE TO NOTICE OF
VIOLATION #10078**

Date of Hearing: September 19, 2024

Time of Hearing: 9:00 a.m.

I, Crystal Thorne, under oath and under penalty of perjury, state as follows:

1. I am over 18 years of age, am competent to testify of the things stated herein, and make this Declaration in support of the Response to Notice of Violation #10078.

2. I was a security guard on duty at the 2596 Stratford Ave, Las Vegas site on or about January 8th. I tried to flag down a white sedan that breached the security perimeter of the site and paid no heed to the sign that was posted to check in before

entering the site and would not stop for me to check her identification. The car had one female occupant. I contacted Moe Truman to let him know we had an intruder on property.

3. I then witnessed Moe Truman rush out to the car to identify the intruder, he gave me directions to call the police for backup if I observed the pre-arranged sign to call for police help.
4. I witnessed what looked like a verbal exchange between the car's occupant and Mr. Truman and then I observed the car leave the property.

Further, the Declarant saith naught.

DATED: September 16, 2024



Crystal Thorne

EXHIBIT 28

28





Moe Truman

From: Amazon.com <auto-confirm@amazon.com>
Sent: Monday, November 13, 2023 2:45 PM
To: Moe Truman
Subject: Your Amazon.com order of "Office Neon Sign".



Order Confirmation

Hello m,

Thank you for shopping with us. We'll send a confirmation when your item ships.

Details

Order #113-9298595-6697807

Arriving:
November 27 -
Tuesday, November 28

Ship to:
eton
LAS VEGAS, NV

Order Total: \$391.78

[View or manage order](#)

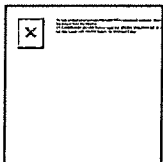


Office Neon Sign
Qty : 1

We hope to see you again soon.

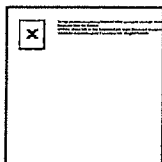
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Moe Truman

From: Everything Neon <sales@everythingneon.com>
Sent: Wednesday, November 15, 2023 7:32 AM
To: Moe Truman
Subject: 18252-1: Your Order has entered our Manufacturing System



Call Us At: 512-765-4470
Email: sales@everythingneon.com

Sign Order Status

Dear moe truman,

We are pleased to inform you that the following order has been entered in our System.

Order Number: 18252-1

Shipping Address: 2596 STRATFORD AVE
LAS VEGAS, NV 89121

Shipping Method: FedEx

Expected Ship Date: 11/25/2023

Item	Qty	Item Description
N105-3394	2	Office With Arrow LED Neon Sign Color:Red and White Backing Material : Black Backing Outdoor : No Thanks Size : 13 x 32 inches

Upon receipt of this email, please check to make sure the shipping address and items are correct.

Thank you
Everything Neon

EXHIBIT 29

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Attorneys for Respondent

AIR POLLUTION CONTROL HEARING OFFICER MEETING

In the matter of: ETON TRANSPORTATION CORP., Respondent.	DCOP #57148 NOV #9994 and #10078 DECLARATION OF FRANKIE NEVAREZ
--	--

I, Francisco Nevarez, under oath and under penalty of perjury, state as follows:

1. I am over 18 years of age, am competent to testify of the things stated herein, and make this Declaration in support of Respondent's appeal in the above-referenced matter.
2. On March 20, 2025 at 2:40 P.M. PST, a Clark County vehicle followed me into 2596 Stratford Ave, Las Vegas, Nevada (the "Property"), when I opened the gate.
3. The occupant of the vehicle did not check in or ask permission to enter the Property.
4. I observed them taking pictures of the Property.
5. One of my co-workers, William Strickler, jogged towards the vehicle.

6. When the occupant of the vehicle noticed William Strickler approaching, the occupant of the vehicle drove out of the Property at a high rate of speed, almost running over William Strickler.

DATED: March 27, 2025

Francisco Nevarez

EXHIBIT 30

1 BEFORE THE AIR POLLUTION CONTROL HEARING OFFICER
2 CLARK COUNTY, NEVADA
3
4 IN THE MATTER OF THE NOTICE OF)
5 VIOLATION ISSUED TO ETON)
6 TRANSPORTATION CORP.,) NOV#9994
7 ENVIRONMENTAL TRANSPORTATION OFVs) DCOP#57148
8 NEVADA, LLC D/B/A ETON, AND MOE)
9 TRUMAN, ,)
10 Respondent.)
11 _____)

12
13
14
15 DATE: October 29th, 2024

16
17 BEFORE: Hearing Officer Holly Fic

18
19 APPEARANCES:

20 RUSSELL G. GUBLER, ESQUIRE

21 Johnson & Gubler, P.C.

22 8831 W. Sahara Avenue

23 Las Vegas, Nevada 89117

24 (702) 471-0065



<p>1 PROCEEDINGS</p> <p>2 ***</p> <p>3 THE CLERK: This is the Air</p> <p>4 Pollution Control Hearing Officer Meeting, 8:00 a.m.,</p> <p>5 October 29th, 2024. Holly Fic presiding.</p> <p>6 HEARING OFFICER: 8:06. Again, my</p> <p>7 apologies for being late. We're going to call this</p> <p>8 meeting to order. This is the Air Pollution Control</p> <p>9 Hearing Officer Meeting. This is a specialized</p> <p>10 meeting for two -- three cases, actually, I believe,</p> <p>11 that we've carried over. I am Holly Fic, your hearing</p> <p>12 officer today, here to assure you that the parties are</p> <p>13 afford an opportunity to present evidence and</p> <p>14 arguments at the hearing in affair and impartial</p> <p>15 manner.</p> <p>16 Air Pollution Control hearings are</p> <p>17 conducted in accordance with Nevada by statutes and</p> <p>18 the Clark County Department of Air Quality Regulations</p> <p>19 and Clark County Code. Evidence must be relevant and</p> <p>20 material admissible, probative to the issues in each</p> <p>21 matter and helpful determine the outcome. Decisions</p> <p>22 will be made in accordance with the preponderance of</p> <p>23 the evidence. And I may take judicial notice or</p> <p>24 official notice of certain facts. And just please</p> <p>Page 2</p>	<p>1 Transportation Corporation, NOV9994.</p> <p>2 And please come forward. Good</p> <p>3 morning.</p> <p>4 MR. GUBLER: Good morning.</p> <p>5 HEARING OFFICER: Okay. And please</p> <p>6 state your name, sir.</p> <p>7 THE CLERK: You just need to turn</p> <p>8 the button on so it's red.</p> <p>9 MR. GUBLER: Great. Thank you. Good</p> <p>10 morning.</p> <p>11 HEARING OFFICER: Good morning.</p> <p>12 MR. GUBLER: My name is Russ Gubler. I</p> <p>13 represent the respondents --</p> <p>14 HEARING OFFICER: Okay, great.</p> <p>15 MR. GUBLER: -- in this matter. And</p> <p>16 with me is Mitchell Truman.</p> <p>17 HEARING OFFICER: Okay. And he is in</p> <p>18 what capacity in relation to ETON Transportation Corp?</p> <p>19 MR. GUBLER: He's going to be the</p> <p>20 client's representative.</p> <p>21 HEARING OFFICER: Okay.</p> <p>22 Representative. So I need to swear him. And is he</p> <p>23 going to be giving testimony?</p> <p>24 MR. GUBLER: Correct.</p> <p>Page 4</p>
<p>1 make sure you have silenced your phones and we will</p> <p>2 call to order with the first case.</p> <p>3 We had a status check for Nevada</p> <p>4 System of Higher Education, NOB10018. Where are we at</p> <p>5 on that? I believe we were waiting on a settlement</p> <p>6 agreement.</p> <p>7 MS. SUTOWSKA: Yes, Madam Hearing</p> <p>8 Officer, my name is Anna Sutowska, Air Quality</p> <p>9 supervisor for the department of Environment and</p> <p>10 Sustainability, Division of Air Quality. The</p> <p>11 settlement agreement has been drafted, comments have</p> <p>12 been submitted and reviewed. So we're at the final</p> <p>13 stages of hopefully getting it signed. So we should</p> <p>14 have it signed one by the November hearing.</p> <p>15 HEARING OFFICER: Okay. So I was going</p> <p>16 to say we'll continue this to the November hearing</p> <p>17 first status check to make sure we're -- hopefully we</p> <p>18 have it signed before then. And if it comes in early</p> <p>19 to -- earlier to me, I can look at that, but we'll</p> <p>20 keep it on for November.</p> <p>21 MS. SUTOWSKA: Okay. Sounds good.</p> <p>22 Thank you so much.</p> <p>23 HEARING OFFICER: Okay. Thank you.</p> <p>24 And then we are ready to start with number 1, ETON</p> <p>Page 3</p>	<p>1 HEARING OFFICER: Okay. Let's raise</p> <p>2 your right hand. Do you swear to tell the whole</p> <p>3 truth, and nothing but the truth, so help you God?</p> <p>4 THE WITNESS: Yes.</p> <p>5 (WITNESS SWORN).</p> <p>6 HEARING OFFICER: Okay. Thank you.</p> <p>7 Okay. And then do you want to make opening</p> <p>8 statements? How do you want to go about that? Or do</p> <p>9 you want to save that to the end and just present your</p> <p>10 case? How do you want to move forward?</p> <p>11 MR. GUBLER: I would like to discuss a</p> <p>12 preliminary matter.</p> <p>13 HEARING OFFICER: Okay.</p> <p>14 MR. GUBLER: To make sure that that was</p> <p>15 on the record.</p> <p>16 HEARING OFFICER: Okay.</p> <p>17 MR. GUBLER: First of all.</p> <p>18 HEARING OFFICER: Housekeeping type</p> <p>19 items?</p> <p>20 MR. GUBLER: Well, it -- it's a</p> <p>21 jurisdictional matter that I wanted to present. Okay.</p> <p>22 Madam Counsel, are you okay with that?</p> <p>23 MS. JORGENSEN: No. And for the</p> <p>24 record, Catherine Jorgenson for Department of</p> <p>Page 5</p>



<p>1 Environmental Sustainability, Division of Air Quality. 2 HEARING OFFICER: Okay. 3 MS. JORGENSEN: And, no, I don't have 4 an issue with that. 5 HEARING OFFICER: Okay. 6 So, you may proceed. 7 MR. GUBLER: Thank you so much. So, 8 the hearing officer considers cases and determines 9 number 1, if a violation of the Air Quality regulation 10 exists. And number two, the extent of penalties, if 11 any. We, the respondents, of course, respectfully, 12 under the -- respectfully, we're arguing that this is 13 not the proper form -- proper jurisdiction for this. 14 Because what we're doing is we're 15 asking for much more than that determination. In 16 order to get to that determination, we're asking you, 17 Madam Hearing Officer to make -- that there would be 18 other determinations that had to be -- that have to be 19 made. Under an old case, Marbury versus Madison 1803. 20 Right. 21 HEARING OFFICER: I liked them in law 22 school. 23 MR. GUBLER: Right? That's right. 24 That is the power -- the cons -- that is for the</p> <p>Page 6</p>	<p>1 And that's our argument. Our -- we're submitting that 2 that did not happen here. 3 We're also -- and it -- and it's more 4 than just that. We're asking -- we're asking the 5 trial of fact, really, to also -- and the court to 6 make constitutional issue determinations due process, 7 whether AQR is preempted by federal law, whether this 8 unreasonably interferes with interstate commerce, 9 discrimination, Fourth Amendment, unreasonable 10 searches and seizures, HM-232 security under PHMSA, it 11 must be applied first, despite permits, whether that 12 applies first, it's a federal law and separation 13 powers as well. 14 We're also asking, that the proper 15 form to interpret unrelated state statutes, such as 16 whether -- there's an argument back and forth whether 17 my client is a railroad company or works for a 18 railroad company. And quite frankly, we're not sure 19 that that actually even applies. If not, the STB 20 still requires railroads or trucking companies, both, 21 they still regulate those. Still interstate commerce 22 issues. 23 And whether this is the form to 24 determine if Tonopah and Tidewater meets the state</p> <p>Page 8</p>
<p>1 proposition of the power of the court to declare this 2 legislative or executive act in violation of the 3 constitution. And so what we have is the respondents 4 submit that we need to know whether the -- there was a 5 -- whether the EPA approved statewide plans under the 6 Clean Air Act. 7 Now, we read, which is cited in our -- 8 in our briefing, the Association American Railroads 9 versus Southern Coast Air Quality, that's the 2010/19 10 9th Circuit case, does require approved statewide 11 plans. And then in the recent cases this year of the 12 Supreme Court in the Loper Bright and the Corner Post 13 cases, the interpretation -- and I think this goes 14 with Marbury versus Madison, but in both of those 15 cases, those recent ones, the interpretation of a 16 statute is less -- is less for the courts, not for an 17 administration. 18 And here it's specifically -- this -- 19 one of the issues specifically is related to the EP -- 20 the Clean Air Act and what the EPA did. So, here, I 21 don't think that the -- we're disputing that the EPA 22 approved countywide plans in 2000. But again, the 23 Associate American Railroads case later on, 10 years 24 later in 2010, talks about statewide approved plans.</p> <p>Page 7</p>	<p>1 requirement or the respondents of reasonably available 2 methods as opposed to best available control measures. 3 And so I wanted to put that on record and ask Madam 4 Hearing Officer to -- well, what we -- what we don't 5 think that this is a proper form. And so again, 6 respectfully, truly, we would ask that the case be 7 dismissed so they can be filed where all those things 8 can be considered. 9 HEARING OFFICER: You do have the 10 option to appeal to. I mean, that's what I would 11 think would be the proper channel. Because what I'm 12 -- I understand you're making constitutional 13 arguments. I can hear the reasons, I obviously, but 14 under the Air Quality Reg -- Air Quality Regulations, 15 I can make a determination and you can appeal that 16 matter. That's how I see that. 17 But, Counsel, you want to respond. 18 MS. JORGENSEN: Thank you. In this 19 administrative process, it goes first to the hearing 20 officer. If either party is dissatisfied with the 21 hearing officer's decision, then they can appeal to 22 the hearing board-- the Air Pollution Control Hearing 23 Board. In front of the Air Pollution Control Hearing 24 Board, it is a de novo hearing, which means all the</p> <p>Page 9</p>



<p>1 facts would be heard again. It's -- they wouldn't be</p> <p>2 taking, in this case, your decision and making a</p> <p>3 determination about whether or not it was arbitrary</p> <p>4 and capricious. They would actually just hear</p> <p>5 everything again.</p> <p>6 The -- I believe there's a case law</p> <p>7 that supports two different ways of approaching this.</p> <p>8 One is the respondent in this case could make whatever</p> <p>9 constitutional arguments, preserving them for the</p> <p>10 future. I've also seen case law that indicates that,</p> <p>11 because generally administrative proceedings don't</p> <p>12 make determinations on constitutional issues, that</p> <p>13 they don't actually need to preserve them. They can</p> <p>14 bring them up when and if this ever gets to a court.</p> <p>15 So, from the hearing board level, if</p> <p>16 either party is dissatisfied, then the next step would</p> <p>17 be judicial review. In that situation on judicial</p> <p>18 review, the facts would be based on or would -- the</p> <p>19 court would look at the facts that had been</p> <p>20 established and accepted by the hearing board at the</p> <p>21 time of that hearing, and those would not be</p> <p>22 overturned unless they were arbitrary and capricious.</p> <p>23 However, any questions of law would be</p> <p>24 all heard de novo in front of a court. So, in my</p> <p>Page 10</p>	<p>1 everybody's saying.</p> <p>2 HEARING OFFICER: Uh-huh.</p> <p>3 MR. GUBLER: But the Supreme Court</p> <p>4 cases in the Loper Bright and Corner Post cases, say,</p> <p>5 because everything that's been presented that goes to</p> <p>6 another administrative hearing, they're all</p> <p>7 administrative hearing. And that says the courts have</p> <p>8 the right to interpret those statutes, not the</p> <p>9 administrative body. And so that's what we're asking</p> <p>10 for.</p> <p>11 MS. JORGENSEN: If I may. In this</p> <p>12 case, the administrative body that they're talking</p> <p>13 about is a -- for instance, a state department -- I</p> <p>14 mean a federal department. I don't believe that that</p> <p>15 case represents or deals with an administrative</p> <p>16 quasi-judicial process. Again, but to the extent it</p> <p>17 does, this is the process in place, and response can</p> <p>18 preserve these issues and make sure that they -- if</p> <p>19 they're dissatisfied with the outcome of they're</p> <p>20 either this or a hearing board proceeding, they can</p> <p>21 always present these things in front of a court.</p> <p>22 HEARING OFFICER: Anything further?</p> <p>23 MR. GUBLER: No, I don't think that</p> <p>24 changes the argument.</p> <p>Page 12</p>
<p>1 view, this is an air of -- alleged violation of Air</p> <p>2 Quality Regulations. This is the forum based on state</p> <p>3 law as well as what's been what? EPA has accepted as</p> <p>4 part of the state implementation plan, so under the</p> <p>5 Clean Air Act as well.</p> <p>6 We -- I -- in my position -- in my --</p> <p>7 it's my position that we should just move forward, and</p> <p>8 whatever arguments or constitutional issues or</p> <p>9 anything that respondent believes is appropriate in</p> <p>10 front of a different forum, they can preserve those</p> <p>11 issues and we can proceed accordingly.</p> <p>12 HEARING OFFICER: I tend to agree. I</p> <p>13 mean, this is -- this is the administrative process</p> <p>14 that was set up. It's not like you're stuck with my</p> <p>15 decision, and you can bring it up to the hearing board</p> <p>16 de novo, and then you still have the judicial review.</p> <p>17 So there is a certain processes to go through. So, I</p> <p>18 am --</p> <p>19 MR. GUBLER: May I make a quick --</p> <p>20 HEARING OFFICER: Oh, sure. You can</p> <p>21 respond to that. Go ahead.</p> <p>22 MR. GUBLER: Thank you so much.</p> <p>23 HEARING OFFICER: Sure.</p> <p>24 MR. GUBLER: I understand what</p> <p>Page 11</p>	<p>1 HEARING OFFICER: Okay.</p> <p>2 MR. GUBLER: It -- it's the Clean Air</p> <p>3 Act, which is a federal statute. It's whether the EPA</p> <p>4 properly acted. That's a federal administrative body.</p> <p>5 And that's part of our argument along with the</p> <p>6 constitutional issues.</p> <p>7 HEARING OFFICER: And I appreciate</p> <p>8 that. It -- but this is Step 1 of the process. And</p> <p>9 it's -- you are not precluded. It's not going to --</p> <p>10 it's not going to harm this in any manner. And this</p> <p>11 is in Step 1. So I'm going to proceed forward. So,</p> <p>12 in response to dismissal, I'm not going to dismiss it.</p> <p>13 You can put on your case and we can -- and that's</p> <p>14 fine.</p> <p>15 I understand you're making the federal</p> <p>16 arguments. I understand what your arguments are. But</p> <p>17 at this, this is Step 1 of the process that the state</p> <p>18 has approved, and this is how we go forward. And you</p> <p>19 have the right to appeal the decision and move forward</p> <p>20 with the hearing board and then go to judicial review.</p> <p>21 But I am not going to dis -- I'm going to deny the</p> <p>22 request to dismiss and we'll proceed forward.</p> <p>23 MR. GUBLER: Thank you.</p> <p>24 HEARING OFFICER: Thank you. And do we</p> <p>Page 13</p>



<p>1 want to start with you presenting the evidence and 2 then responding? 3 MS. JORGENSEN: We can see what the 4 best approach would be. The -- that would be my 5 preference. There are two notices of violation, 9994 6 and 10078. They both involve the same -- these are 7 both related to or involve Section 94, the Air Quality 8 Regulation that deals with construction. 9 And the first one is the events 10 essentially take place in January of 2024. The second 11 one, the events take place in July and August of 2024. 12 When I say events, those are the days of the alleged 13 violations. 14 HEARING OFFICER: Okay. 15 MS. JORGENSEN: And so I'm comfortable 16 with just moving forward with calling my first 17 witness. Although I don't know if respondent would 18 like to proceed with opening statements or -- I'm 19 flexible. Yeah. How would you like to go about that? 20 And that's fine. That's why it's an informal process. 21 MR. GUBLER: I don't think that opening 22 statements are necessary. I'd like to reserve the 23 closing. 24 HEARING OFFICER: Okay. Thank you.</p> <p style="text-align: right;">Page 14</p>	<p>1 the recommended penalties, overseeing dust controlled 2 permit processes, overseeing the complaint line in our 3 asbestos program. 4 Q. And how long have you been with Air 5 quality? 6 A. Ten years. 7 Q. And how long have you been in this 8 current position? 9 A. Seven years. 10 Q. Are you familiar with Moe's Violation 11 9994? 12 A. I am. 13 Q. And to whom was it issued? 14 A. It was issued to ETON Transportation 15 Corporation. 16 Q. And in January, 2024, did ETON have a 17 Dust Control Operating Permit for the construction 18 site that is the subject of NOV 9994? 19 A. They did. 20 Q. And where is that located? 21 A. The site? 22 Q. Yes? 23 A. It's located on Stratford Avenue. 24 MS. JORGENSEN: Okay. Could we go to a</p> <p style="text-align: right;">Page 16</p>
<p>1 You can call your first witness. 2 MS. JORGENSEN: Thank you. I'd like to 3 call Anna Sutowska. 4 HEARING OFFICER: Raise your right hand 5 so I -- do you solemnly swear that you'll tell the 6 truth, the whole truth, and nothing but the truth, so 7 help you God? 8 THE WITNESS: I do. 9 (WITNESS SWORN). 10 HEARING OFFICER: Thank you. 11 EXAMINATION. 12 BY MS. JORGENSEN: 13 Q. Mr. Sutowska, would you please state 14 your full name? 15 A. Anna Sutowska. 16 Q. And what are -- what position do you 17 hold with the Division of Air Quality? 18 A. I'm an air quality supervisor in the 19 compliance and enforcement section of the Division of 20 Air Quality. 21 Q. And what are your job duties? 22 A. So, I have a staff of 11 and they do 23 various things. My duties include reviewing the 24 notices of violation that have been drafted, reviewing</p> <p style="text-align: right;">Page 15</p>	<p>1 copy of the Dust Control Operating Permit? It's 2 Version 0. It's attached to Air Quality's reply. I 3 don't know if these have been Bates stamps. I'm not 4 sure. Okay. Well, you've got it. Can you make that 5 smaller. 6 THE CLERK: Smaller? 7 MS. JORGENSEN: So you can see a little 8 bit more on the page? 9 BY MS. JORGENSEN: 10 Q. Okay. Ms. Sutowska, what is -- what 11 is this document? 12 A. That is the Dust Control Operating 13 Permit for construction activities. 14 Q. Okay. And I'm just going to ask you 15 some questions related to that. Who is the permittee? 16 A. The permittee is ETON. 17 Q. And who's the designated onsite 18 representative? 19 A. Moe Truman. 20 Q. And what does a designated onsite 21 representative do? 22 A. Well, they should be onsite at all 23 times that construction activities are occurring so 24 that they can ensure that dust control is being</p> <p style="text-align: right;">Page 17</p>



1 **maintained.**
2 Q. Okay. And when was this permit
3 originally issued?
4 **A. August 30th, 2023.**
5 Q. Okay. And then who is the responsible
6 official?
7 **A. Mr. Moe Truman.**
8 Q. And what is the responsibilities of
9 the responsible official?
10 **A. So, the responsible official is**
11 **required to ensure that the permit application has**
12 **been submitted completely and accurately. They sign**
13 **all documents related to the project, including the**
14 **permit application. They ensure compliance of Air**
15 **Quality Regulations on site. They implement long-term**
16 **stabilization at the project closure or once the**
17 **project has been completed. And then they do submit a**
18 **-- they are required to submit a permit closure form.**
19 Q. Okay. And going back to the
20 designated onsite representative, is that individual
21 required to have a dust card?
22 **A. Yes, they are.**
23 Q. And what is the dust card?
24 **A. Well, a dust card, they are required**

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1 **to attend our dust control class. It's a class we**
2 **offer twice a month. It goes through all of the best**
3 **management practices for construction sites, how to**
4 **maintain dust control, what's required for permits,**
5 **and they do also discuss long term stabilization once**
6 **you close your project.**
7 Q. And if someone applies for a permit,
8 and does -- and there is that onsite representative
9 does not have a dust card, is there any leeway?
10 **A. Yes. There are --**
11 Q. Go ahead?
12 **A. I'm sorry. They're supposed to sign**
13 **up for and attend the dust class within 30 days of the**
14 **permit issuance.**
15 Q. And in this case, did Mr. Truman sign
16 up for a dust class?
17 **A. He did. He signed up for the October**
18 **10th, 2023 class.**
19 Q. And did he attend that class?
20 **A. He did not.**
21 Q. To the best of your knowledge, did Mr.
22 Truman ever attend a dust class during the period of
23 the -- when the dust permit was in place?
24 **A. Yes, he did -- he did attend the dust**

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1 **class in February, 2024.**
2 Q. Okay. Is it a condition of the Dust
3 Control Operating Permit that the permittee agrees to
4 permit the inspection by Air Quality staff during
5 permittees hours of operation without prior notice?
6 **A. Yes.**
7 Q. And is that indicated on this first
8 page?
9 **A. It is.**
10 Q. Is there any other place where it's
11 indicated on the permit?
12 **A. Yes. It's also on page 3.**
13 Q. Could we go to page 3? Okay. And
14 where are you looking? I don't know if you have a
15 point. Or you have a pointer?
16 **A. I do.**
17 Q. Okay?
18 **A. So, right here, so, when the**
19 **responsible official submits their permit application**
20 **online, this is a condition that they affirm in the**
21 **permit application. And it states, in accordance with**
22 **the DCOP and AQRs, The applicant and the permittee**
23 **shall consent to inspection of the site during normal**
24 **hours of operation by Division of Air Quality staff,**

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1 **without prior notice, to determine compliance with the**
2 **terms and conditions of the DCOP and AQRs.**
3 Q. Okay. So by submitting this
4 application on behalf of ETON, Mr. Truman acknowledged
5 that the permittee had consented to this permit
6 condition; is that correct?
7 **A. That's correct.**
8 Q. And one of the few other questions
9 about this Version 0, what type of construction did
10 the -- did this version of the Dust Control Operating
11 Permit authorize?
12 **A. So, it was submitted to grub the site**
13 **because they wanted to perform a survey to determine a**
14 **grading plan.**
15 Q. Okay. And if I could, which page is
16 this of the permit?
17 **A. This is the second page. Well, this**
18 **is page 1 after the face plate.**
19 Q. Okay. So, it says additional project
20 information. So, grub site, cleared survey. Okay.
21 And then there was demolition was authorized.
22 Anything else that you can tell from this?
23 **A. Nothing else, no.**
24 Q. Okay. And what was the amount of

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1 acreage, this dust control permit, the first version
2 originally covered?
3 **A. 3.19 acres was the size of the parcel.**
4 Q. Okay. Can we go to a map? Is there a
5 map in the dust control proof property sent?
6 **A. There is. It's page 4.**
7 MS. JORGENSEN: Go to page 4.
8 BY MS. JORGENSEN:
9 Q. Okay. So, can you indicate where the
10 -- what the site is?
11 **A. So the parcel is outlined in this pink**
12 **purple boundary, and this is the parcel that was**
13 **permitted.**
14 Q. Okay. And is this a -- to the best of
15 your knowledge, an aerial that was provided by the
16 permittee or the applicant?
17 **A. That's correct.**
18 Q. And does -- at the time, do you -- can
19 we tell from this when -- what date this aerial photo
20 was?
21 **A. We cannot tell from this aerial.**
22 Q. Okay. But it does appear that at the
23 time this was submitted, there's no --
24 **A. Yes.**

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1 Q. -- buildings on this or --
2 **A. That's correct. It appears to be an**
3 **undisturbed parcel with vegetation growing on it.**
4 Q. Okay. Was the dust control permit
5 ever revised?
6 **A. It was.**
7 MS. JORGENSEN: And if we could go to
8 Version 1 of the Dust Control Operating Permit. This
9 is Exhibit B of Air Quality's reply.
10 BY MS. JORGENSEN:
11 Q. Ms. Sutowska, could you please
12 identify what this document is?
13 **A. So this is a Modification 1 to the**
14 **Dust Control Operating Permit for construction**
15 **activities.**
16 Q. Okay. And what is the revision date?
17 **A. It's February 8th, 2024.**
18 Q. Where does it say that?
19 **A. Here.**
20 Q. There, thank you. And what is the
21 project acreage now?
22 **A. 4.99 acres.**
23 Q. So it just under two acres?
24 **A. That's correct.**

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1 Q. And who is the designated onsite
2 representative?
3 **A. Mr. Moe Truman.**
4 Q. And I believe you stated that he did
5 obtain a dust card. When was that, again, did he
6 attend the class?
7 **A. He did attend the February 27th class**
8 **after this permit was issued.**
9 Q. Okay. And who's the responsible
10 official?
11 **A. Mr. Moe Truman.**
12 Q. And does this version of the Dust
13 Control Operating Permit also require that the
14 permittee allow inspections during normal business
15 hours without notice by Air Quality staff?
16 **A. Yes, it does.**
17 Q. What type of construction did this
18 version authorize?
19 **A. So in this version, Mr. Truman**
20 **submitted that he was adding acreage and was also**
21 **going to pave the areas with hot mix asphalt.**
22 MS. JORGENSEN: Okay. And could you go
23 to the end of this permit document?
24 BY MS. JORGENSEN:

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1 Q. Okay. Ms. Sutowska, what are those --
2 if you could go to the e-mails that are at the end of
3 it, what are these, Ms. Sutowska?
4 **A. So, whenever a permit application is**
5 **reviewed by our permit reviewer, they do require any**
6 **changes in writing. The permit reviewer requested**
7 **clarification about any -- Mr. Truman had indicated in**
8 **the application he was removing acreage, which in fact**
9 **was not. Before the permit was issued, I asked Mr.**
10 **Truman if he can clarify that he was going to be**
11 **paving the area with permanent asphalt pavement and**
12 **not an alternative such as recycled asphalt.**
13 **Mr. Truman confirmed that, correct,**
14 **three inches of hot mix would be applied.**
15 MS. JORGENSEN: Okay. I don't have any
16 further questions right now for Ms. Sutowska.
17 HEARING OFFICER: Okay. Thank you.
18 Counsel, do you have any questions.
19 MR. GUBLER: I have no questions for
20 Ms. Sutowska.
21 HEARING OFFICER: Okay.
22 MS. JORGENSEN: I'd like to call Candy
23 Rowsell.
24 HEARING OFFICER: If you raise your

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1 right hand. Do you solemnly swear that you will tell
2 the truth, the whole truth, and nothing but the truth
3 so help you God?
4 THE WITNESS: I do.
5 (WITNESS SWORN).
6 HEARING OFFICER: Okay. You may
7 proceed.
8 EXAMINATION.
9 BY MS. JORGENSEN:
10 Q. Ms. Rowsell, do you please state your
11 name for the record?
12 A. **Canduela Rowsell.**
13 Q. And Candy is a shortened version?
14 A. **Yes, it's my nickname.**
15 Q. Okay. And what is your job title?
16 A. **Air Quality Specialist too.**
17 Q. And what are your duties?
18 A. **My duties are to go to dust control**
19 **sites and to do an inspection to verify that they're**
20 **following with the AQRs.**
21 Q. And how long have you been with Air
22 Quality?
23 A. **Two years and three months.**
24 Q. And how long have you been in your

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1 current position?
2 A. **Two years and three months.**
3 Q. Okay. On January 8th, 2024, did you
4 visit the ETON construction site that is the subject
5 of this notice of violation 9994?
6 A. **Yes.**
7 Q. And what was the purpose of your
8 visit?
9 A. **Just a normal routine inspection.**
10 Q. And during your inspection, what did
11 you observe?
12 A. **Unstable soils and a trucking yard**
13 **being active on the site.**
14 MS. JORGENSEN: Could we go to Photos 1
15 and 2, Exhibit C?
16 BY MS. JORGENSEN:
17 Q. Ms. Rowsell, could you describe what
18 these two photographs are?
19 A. **It's a view of the unstable and dry,**
20 **loose, powdery, soils caused by vehicular travel on**
21 **the site.**
22 Q. And is that true for both Photograph 1
23 and Photograph 2?
24 A. **Correct.**

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1 Q. And did you take these photographs?
2 A. **I did.**
3 Q. And where did you take them from?
4 A. **From -- on the site.**
5 Q. And were you in your vehicle or
6 outside your vehicle?
7 A. **I was sitting in my vehicle.**
8 Q. Okay. And did these photographs
9 fairly and accurately represent what you observed on
10 that day?
11 A. **Yes.**
12 Q. Okay. Did you document -- I'm sorry,
13 did you speak with the responsible official, Mr.
14 Truman?
15 A. **Yes, I spoke with Mr. Truman.**
16 Q. Would you please describe your
17 interaction with him?
18 A. **Yes. I was sitting in my truck**
19 **looking at my computer, and all of a sudden someone**
20 **tried to yank open my truck door, which I keep locked**
21 **for security reasons. And I turned and saw Mr.**
22 **Truman, and I rolled my window down about three inches**
23 **and asked who he was.**
24 Q. So at the time when you said you

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1 turned and saw -- looked at him, you didn't know who
2 he was?
3 A. **I did not know who he was.**
4 Q. Okay. Please go ahead?
5 A. **And then I asked him who he was and he**
6 **said his name was Mitchell Truman -- Moe Truman. And**
7 **he said, what are you doing here? And I informed him**
8 **that I was -- I was here to do an inspection. He told**
9 **me I wasn't allowed to be on the site. I need to**
10 **check in. And I stated that there's no signs stating**
11 **that I need to check in. And he said, you have to**
12 **check in. And I told him, all my other sites I go to,**
13 **they have signs posted when we have to check in. And**
14 **then he stated that he had hazardous materials on the**
15 **site. And I said, there's no signs. And he stated**
16 **that he doesn't have to have signs. And I stated, you**
17 **have to have signs, stating what you have on your**
18 **site, or you have to say check in at the office so**
19 **that nobody comes out.**
20 **And he said, I don't know who you are,**
21 **if you're with Clark County, federal, state, whoever,**
22 **I don't know who you are, when clearly it states on my**
23 **truck that -- who I am. And I handed him my business**
24 **card. And he said, are you done? And I said, no, I**

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1 needed to complete my inspection. And he said, okay.
2 And he walked away.
3 Q. Okay. Did you document your
4 inspection by preparing construction site inspection
5 report?
6 A. Yes.
7 MS. JORGENSEN: Could we go to Exhibit
8 B? Can you -- I don't know if you can make that go up
9 there. Okay. Could you go back to the top of that,
10 Ms. Thompson?
11 BY MS. JORGENSEN:
12 Q. Ms. Rowsell, what is this document?
13 A. This is the form that we fill out
14 after we do an inspection on a site.
15 Q. So is this the form that you filled
16 out after your inspection on January 8th, 2024?
17 A. Yes.
18 Q. Does the report note your observations
19 that the site soils were unstable?
20 A. Yes.
21 Q. And did you also note that there was
22 no track out control device?
23 A. Yes.
24 MS. JORGENSEN: Could we go back to the
Page 30

1 Dust Control Operating Permit Version 1, the copy of
2 the map? It's Exhibit B of the reply -- of Air
3 Quality's reply.
4 THE CLERK: The revision?
5 MS. JORGENSEN: That one. Yes. Thank
6 you.
7 BY MS. JORGENSEN:
8 Q. Ms. Rowsell, what is this?
9 A. This is the map of the site. And then
10 the areas in the green are the area that he's
11 disturbed that is not on his permit.
12 Q. Okay. And this is in back on January
13 8th, 2024?
14 A. Correct.
15 Q. Because eventually those sites, that
16 area was permitted?
17 A. Correct.
18 Q. Okay. Can you -- I don't -- do you
19 have a pointer? Can you show where a dust control
20 track out device was needed?
21 A. Right here and right here.
22 Q. So the top, and that was your
23 understanding that that's where vehicles were going in
24 and out of?
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1 A. I observed semis going in and out of
2 here while I was on site. And this is the entrance
3 that I came in, and a couple semis came in --
4 Q. Okay?
5 A. -- and then I followed along.
6 Q. And then can you show -- so is it your
7 -- and based on your observations, your understanding
8 the people -- that vehicles would come in at the top
9 of the site?
10 A. They were coming in at both locations.
11 Q. Oh, they were coming in both. Were
12 they exiting both?
13 A. Yes.
14 Q. Okay. And when you took your
15 pictures, where were you located?
16 A. I was sitting right here. Truck -- I
17 parked out of the way of the trucks because I didn't
18 want to get run over.
19 Q. Okay?
20 A. Or being their way.
21 Q. Okay?
22 MS. JORGENSEN: Could we go back to
23 Exhibit B of the notice of violation?
24 BY MS. JORGENSEN:
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1 Q. Okay. Did you include any inspector
2 notes in the report?
3 A. I did.
4 Q. Would you please read them?
5 A. Yes. I conducted a routine
6 inspection. I observed approximately 1.58 acres of
7 dry loose powdery site soils, along with multiple
8 semi-trailers parked throughout the project, along
9 with multiple semi tractors and semis entering and
10 exiting the project. While I was filling out my
11 inspection on site, a man tried to yank open my
12 driver's side door that I keep locked for safety
13 purposes.
14 When I asked him who he was, he stated
15 that his name was Mitchell Truman or Moe Truman. I
16 spoke with Moe Truman, responsible official on site,
17 and he asked me, who gave me permission to access the
18 project. I stated to Mr. Truman that since there was
19 a dust control permit on this site, that I had
20 authority to access the site.
21 Mr. Truman stated that I had to get
22 permission to be on site as there were hazardous
23 materials on site, and that he was sure I wouldn't
24 know anything about -- know about that. I informed
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<p>1 Mr. Truman that I did understand about hazardous</p> <p>2 materials, and I understood his concern for his</p> <p>3 property. I informed Mr. Truman that he did not have</p> <p>4 a sign posted at the entrance warning about hazardous</p> <p>5 materials on site or any sign posted to check in.</p> <p>6 Mr. Truman stated that the federal</p> <p>7 government doesn't require a sign, and that the feds,</p> <p>8 Trump, the state, or county or whomever I work for. I</p> <p>9 informed Mr. Truman that all my other sites that</p> <p>10 require check-in have a sign posted at the entrance.</p> <p>11 Mr. Truman stated that he would have the sign up by</p> <p>12 tomorrow. Mr. Truman asked me if I was done, I stated</p> <p>13 that I needed to complete my inspection. Mr. Truman</p> <p>14 walked away, and I left the site.</p> <p>15 Q. Keep going?</p> <p>16 A. I'm sorry. Immediately and informed</p> <p>17 my senior about the inspection and that I needed a</p> <p>18 follow up. My senior stated he would go with David</p> <p>19 Dean and complete the follow up inspection tomorrow.</p> <p>20 Q. Okay. Did you return to the site</p> <p>21 again?</p> <p>22 A. I did.</p> <p>23 Q. And did you re -- in this -- in your</p> <p>24 notes you indicated that you -- that someone was going</p> <p style="text-align: right;">Page 34</p>	<p>1 powdery site soils observed in the central portion of</p> <p>2 the project. And then view of dry, loose, powdery</p> <p>3 site soils absorbed -- I'm sorry, observed in the</p> <p>4 central portion of the project again in a different</p> <p>5 area.</p> <p>6 Q. And then what about 13?</p> <p>7 A. And 13 was view of dry, loose, powdery</p> <p>8 soils observed on the western edge of the project.</p> <p>9 Q. When you went there on January 17th,</p> <p>10 did you go with anybody else from Air Quality?</p> <p>11 A. Yes, I went with Air Quality senior,</p> <p>12 Andrew Kirk.</p> <p>13 Q. Okay. And when you took these</p> <p>14 photographs -- oh, let me ask you this, did you take</p> <p>15 these photographs?</p> <p>16 A. I took all the photographs.</p> <p>17 Q. And did these photographs accurately</p> <p>18 represent what you observed?</p> <p>19 A. Yes.</p> <p>20 Q. And did you take these photographs</p> <p>21 inside your vehicle, outside your vehicle, or both?</p> <p>22 A. Outside my vehicle.</p> <p>23 Q. Okay?</p> <p>24 A. I walked the side.</p> <p style="text-align: right;">Page 36</p>
<p>1 to return on January 9th. Did you return on January</p> <p>2 9th?</p> <p>3 A. I did not.</p> <p>4 Q. When did you return?</p> <p>5 A. On January 17th.</p> <p>6 Q. And on the 17th, did you perform in</p> <p>7 site inspection?</p> <p>8 A. I did.</p> <p>9 Q. And did you take any photographs of</p> <p>10 what you observed?</p> <p>11 A. I did.</p> <p>12 MS. JORGENSEN: Could we go to Exhibit</p> <p>13 C, Photographs 9 through 13.</p> <p>14 BY MS. JORGENSEN:</p> <p>15 Q. Ms. Rowsell, could you go through --</p> <p>16 let's -- if we could go through Photographs 9 through</p> <p>17 13, if you could describe what they depict?</p> <p>18 A. It's a view of dry, loose, powdery</p> <p>19 site soils observed on the northeastern portion on the</p> <p>20 project, number 9. Number 10 is more dry, loose,</p> <p>21 powdery site soils observed on the northern portion of</p> <p>22 the project.</p> <p>23 Q. Photograph 11?</p> <p>24 A. I'm sorry. View of dry, loose,</p> <p style="text-align: right;">Page 35</p>	<p>1 Q. Okay. And when you arrived on January</p> <p>2 17th, do you recall whether or not there was any signs</p> <p>3 posted about hazard -- hazardous chemicals or checking</p> <p>4 at the office?</p> <p>5 A. There was not.</p> <p>6 Q. Okay. To the best of your</p> <p>7 recollection, did you speak with Mr. Truman on January</p> <p>8 17th while on site?</p> <p>9 A. Can I see my CSI.</p> <p>10 MS. JORGENSEN: If we could go to</p> <p>11 Exhibit -- make sure I have this right. Yeah, Exhibit</p> <p>12 H.</p> <p>13 THE WITNESS: No, I did not speak with</p> <p>14 Mr. Truman. This is the one where I e-mailed him.</p> <p>15 BY MS. JORGENSEN:</p> <p>16 Q. So, if I could just back up real</p> <p>17 quick. What is this document we're looking at?</p> <p>18 A. This is my construction site</p> <p>19 inspection report for January 17th that I fill out</p> <p>20 when I'm done with my inspection.</p> <p>21 Q. Okay. And so based on -- you don't</p> <p>22 have a specific recollection whether or not you spoke</p> <p>23 to Mr. Truman?</p> <p>24 A. No.</p> <p style="text-align: right;">Page 37</p>



1 Q. But this indicates that you did not?
2 **A. This does indicate that I sent him an**
3 **e-mail. That I did not speak with him.**
4 Q. Okay. Thank you. On this
5 construction site report, did you document the
6 observations that you made?
7 **A. I did.**
8 Q. And did you document that there was
9 unstable soil?
10 **A. Yes.**
11 Q. And what about track out control
12 device, had that been installed?
13 **A. Not yet.**
14 Q. And what was -- sorry, go ahead?
15 **A. I said no. It was needed though.**
16 Q. Okay. And when you were there on
17 January 8th, I believe that the observed instability
18 was 1.58 acres?
19 **A. Correct.**
20 Q. Was this less?
21 **A. Yes.**
22 Q. So, did it appear to you that some
23 actions had been taken?
24 **A. Yes.**

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1 Q. Okay. Because it was something less?
2 **A. Yes, it was one and a half acres less.**
3 Q. Okay?
4 **A. Almost.**
5 Q. Did you include any inspector notes in
6 your report?
7 **A. I did.**
8 Q. And would you please read them?
9 **A. Yes. I conducted a follow up**
10 **inspection and observed approximately 0.26 acres of**
11 **dry, loose, powdery site soils throughout the project.**
12 **I e-mailed Moe Truman, responsible official, informing**
13 **him that this is yet another day of non-compliance**
14 **with a possible notice of violation, for failure to**
15 **maintain disability in installing a track out control**
16 **device at all exit points.**
17 **I informed Mr. Truman to immediately**
18 **stabilize all site soils and maintaining a moisture**
19 **crystal condition 24/7, and install a track out**
20 **control device as required on the non sent by Katrinka**
21 **Byers on January 10th, 2024.**
22 Q. And what is a non?
23 **A. A notice of non-compliance is when we**
24 **go to a site and they're not in compliance with AQRs,**

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1 **we issue a notice of non-compliance with a possible**
2 **notice of violation.**
3 Q. Okay. And so based on these notes, it
4 was your understanding that Ms. Byers had provided the
5 permittee with a notice of non-compliance?
6 **A. Correct.**
7 Q. Okay. Did you notice by Mr. Truman of
8 your observations on -- from your inspection on
9 January 17th?
10 **A. Yes, I sent him an e-mail.**
11 MS. JORGENSEN: Okay. Could we go to
12 Exhibit J?
13 BY MS. JORGENSEN:
14 Q. Okay. Ms. Rowsell, could you describe
15 what this is?
16 **A. This is the e-mail that I sent Mr.**
17 **Truman informing him that it's another day of notice**
18 **of non-compliance.**
19 Q. Okay. And then after the 17th, did
20 you return to the site again on February 1st, 2024?
21 **A. Yes.**
22 Q. And on February 1st, 2024, what were
23 the site conditions?
24 **A. Can I look at my report, please?**

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1 Q. Sure. If we can go to Exhibit K?
2 **A. There we go.**
3 Q. Could you, Ms. Roswell, describe what
4 this document is?
5 **A. It's my inspection that I fill out**
6 **after I complete my inspect -- it's my inspection form**
7 **I fill out after I complete my inspection.**
8 Q. And when you went there on February
9 1st, did you go with anybody else from Air Quality?
10 **A. Yes. Senior Air Quality specialist,**
11 **Andrew Kirk.**
12 Q. Okay. And on February 1st, what were
13 the site conditions?
14 **A. The site was stable and there was no**
15 **action taken. He had installed the track out control**
16 **device as directed and everything was fine.**
17 Q. And did he install track out control
18 devices on both of those points or just one of them?
19 **A. I believe both of them.**
20 Q. If you recall Okay.
21 **A. For sure on the north, but I believe**
22 **both of them, yes.**
23 Q. Okay. And do you -- was the -- was
24 there any signs posted about hazardous chemicals,

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<p>1 hazardous materials?</p> <p>2 A. There was no hazardous sign.</p> <p>3 Q. And what about a sign posted to check</p> <p>4 in, if you recall?</p> <p>5 A. I don't recall.</p> <p>6 Q. Did you speak with Mr. Truman while on</p> <p>7 site?</p> <p>8 A. Yes.</p> <p>9 Q. And do you have any recollection of</p> <p>10 that conversation?</p> <p>11 A. No, just that he was back in</p> <p>12 compliance.</p> <p>13 Q. Okay. And then did you include any</p> <p>14 inspector notes on this report?</p> <p>15 A. I did.</p> <p>16 Q. Would you please read them?</p> <p>17 A. I conducted a follow up inspection and</p> <p>18 observed the signing compliance at this time. The</p> <p>19 track out pad has been installed on both entrances,</p> <p>20 the soils are stable, and the permit modification has</p> <p>21 been received to include the areas for paving on the</p> <p>22 northern site.</p> <p>23 Q. Okay. So, we've heard previous</p> <p>24 testimony that the permit was revised at one point.</p> <p>Page 42</p>	<p>1 door.</p> <p>2 Q. Okay. And what did you say?</p> <p>3 A. I gave him my business card, and I</p> <p>4 stated that I work for Air Quality and I have the</p> <p>5 right to be there.</p> <p>6 Q. Okay. Do you have a copy of that</p> <p>7 business card here today?</p> <p>8 A. I don't. I can get one in the break.</p> <p>9 Q. Okay. And will you describe to me</p> <p>10 what that business card says?</p> <p>11 A. It says my name, my -- it says Air</p> <p>12 Quality, it says I'm an inspector, and my phone</p> <p>13 number, my e-mail.</p> <p>14 Q. And where did you have that card made?</p> <p>15 A. Clark County makes them for us.</p> <p>16 Q. And so, I'd like to look at Exhibit 8</p> <p>17 of our -- of our exhibits. And go to page 2, please.</p> <p>18 So this will come out later in my client's testimony,</p> <p>19 but this is something as far as credentials go, that</p> <p>20 my client is looking for when -- before my client lets</p> <p>21 somebody onto their property. Usually with the</p> <p>22 government official, they present some type of</p> <p>23 credentials. Looking at this as an example, a set of</p> <p>24 credential, does your business card have a picture on</p> <p>Page 44</p>
<p>1 And so it's your understanding that at the -- at the</p> <p>2 time when you were there on February 1st, the revision</p> <p>3 to the permit had already been submitted?</p> <p>4 A. Correct.</p> <p>5 Q. Okay. And that would be the revision</p> <p>6 that would include those additional acreage?</p> <p>7 A. Correct.</p> <p>8 Q. Okay?</p> <p>9 MS. JORGENSEN: I don't have any</p> <p>10 further questions for Ms. Roswell.</p> <p>11 HEARING OFFICER: Okay.</p> <p>12 Counsel.</p> <p>13 MR. GUBLER: Yes, I do.</p> <p>14 EXAMINATION.</p> <p>15 BY MR. GUBLER:</p> <p>16 Q. Ms. Roswell, I understand based on</p> <p>17 your testimony, that you went out onto the property</p> <p>18 site on the January 8th and the 17th, as well as</p> <p>19 February 1st; is that right?</p> <p>20 A. Correct.</p> <p>21 Q. And let -- let's just take these one</p> <p>22 by one. On January 8th, did you -- did you introduce</p> <p>23 yourself?</p> <p>24 A. I did after he tried to open my car</p> <p>Page 43</p>	<p>1 it?</p> <p>2 A. No, but my badge that I wear around my</p> <p>3 neck does.</p> <p>4 Q. Okay. Does that -- but you -- but you</p> <p>5 gave him your business card, correct?</p> <p>6 A. I handed him my business card when I</p> <p>7 introduced myself.</p> <p>8 Q. Okay. Did -- does it have -- does</p> <p>9 your business card have an expiration date?</p> <p>10 A. No.</p> <p>11 Q. Does it have some type of a seal from</p> <p>12 Air Quality?</p> <p>13 A. It has our logo. Is that what you're</p> <p>14 talking about?</p> <p>15 Q. It has a logo. Please describe that</p> <p>16 for me?</p> <p>17 A. It says Clark County.</p> <p>18 Q. Okay. And it says --</p> <p>19 A. Air Quality.</p> <p>20 Q. Air quality. Does it have any type of</p> <p>21 a logo?</p> <p>22 A. Yes, it does.</p> <p>23 Q. And what's that logo, please describe</p> <p>24 that for me?</p> <p>Page 45</p>



1 **A. It looks like this.**
2 Q. As a Clark County with a --
3 **A. It says Air Quality.**
4 Q. And Air Quality. So it's the Clark
5 County. Okay. If -- does it have any type of a chip?
6 **A. No.**
7 Q. Okay?
8 MR. GUBLER: If you could go down to
9 the next page, please. It might be even the next page
10 after that.
11 BY MR. GUBLER:
12 Q. Does it have any type of certification
13 on it?
14 **A. It says Air Quality Specialist.**
15 Q. Does it have any type of statement
16 such as this person is authorized to conduct
17 inspections, anything like that?
18 **A. No.**
19 Q. Okay. Is it signed by you?
20 **A. No.**
21 Q. Is it -- is it signed by any person
22 having authority with Clark County?
23 **A. No.**
24 Q. Does it have any credential number on

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1 it?
2 **A. No.**
3 Q. Does it have an expiration date?
4 **A. No.**
5 Q. Okay. Now, when you -- did you -- did
6 you present any type of credential that even resembles
7 something like this, that's part of our Exhibit 8?
8 **A. I had my badge around my neck, but I**
9 **did not present it to him, and neither did he ask for**
10 **it.**
11 Q. Okay. Did you ask to enter the
12 property?
13 **A. No, I don't have to ask to enter the**
14 **property when I have a dust control permit, unless**
15 **there's a sign posted, which there was not.**
16 Q. Are you -- you're there under the
17 auspices of the regulations, Air Quality regulations,
18 aren't you?
19 **A. Correct.**
20 Q. Okay. Did -- so you didn't present
21 the credentials and you didn't ask them to enter the
22 property; is that right? How about on the 17th?
23 Let's ask those questions. Did you -- did you ask him
24 to enter the property and did you present credentials

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1 there?
2 **A. No, I did not have to ask to enter the**
3 **property.**
4 Q. That's not what I asked. I asked you,
5 did you?
6 **A. No, I did not.**
7 Q. How about February 1st, let's go with
8 that. Did you -- did you ask him to enter the
9 property? And did you present appropriate
10 credentials?
11 **A. No.**
12 Q. Do you have any hazmat training?
13 **A. No, I do not.**
14 Q. Did you drive past a guard check when
15 you were on the property?
16 **A. There's no guard check on the**
17 **property. It's clearly labeled a guard check.**
18 **There's a lot of buildings around the build property.**
19 Q. Okay. So you're saying that there's
20 no guard check on the property; is that right?
21 **A. Not one that I saw that's clearly**
22 **labeled guard check.**
23 Q. Did you perform a drop ball test?
24 **A. I did not.**

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1 Q. Okay. What is a drop ball test?
2 **A. A drop ball test is a steel ball that**
3 **we drop from a foot high to measure the unstable**
4 **soils. But in my training, if the soils are deep**
5 **enough where we would lose our drop ball, we do not**
6 **have to do that.**
7 MR. GUBLER: Okay. Could you -- I
8 believe it was their Exhibit K on February 1st. Can
9 we go back to that?
10 BY MR. GUBLER:
11 Q. Okay. So, you see where it says
12 emission compliance right there?
13 **A. Yes.**
14 Q. What was the plume length?
15 **A. It says it's in compliance, so there**
16 **was no plume length.**
17 Q. Okay. So you didn't have to have
18 anything like that there. You didn't have any plume
19 length on February 1st; is that right?
20 **A. No, because they're in compliance.**
21 **There was no plume length.**
22 Q. Okay. Did you ever do a steel ball
23 test at the property?
24 **A. No, I did not. Did I believe --**

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1 Q. Now, just to reiterate, you didn't
2 have any hazmat training; is that right?
3 **A. No, I do not.**
4 Q. Okay. So, what knowledge do you have
5 of what's supposed to be displayed if there's hazard
6 materials on the property?
7 **A. My husband is a radiation safety**
8 **officer, so I listened to all of his training when**
9 **he's doing his training. So I know that the NRC makes**
10 **you have signs posted.**
11 Q. And did you get a certification in
12 that training?
13 **A. I did not.**
14 Q. I have no other questions?
15 HEARING OFFICER: Okay.
16 MS. JORGENSEN: Just a couple --
17 HEARING OFFICER: Go ahead.
18 MS. JORGENSEN: Redirect.
19 EXAMINATION.
20 BY MS. JORGENSEN:
21 Q. Ms. Rowsell, to the best of your
22 knowledge, does notice of Violation 9994 allege that
23 the respondents denied access to the Air Quality
24 inspectors?

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1 **A. No.**
2 Q. When you were there on site and
3 speaking to Mr. Truman on January 8th, were you in
4 your vehicle?
5 **A. Yes.**
6 Q. What does -- is that a vehicle from
7 Clark County?
8 **A. Yes.**
9 Q. And what does -- how do you know it's
10 a vehicle from Clark County?
11 **A. It has our Clark County logo on the**
12 **door and it says Clark County Air Quality all along**
13 **the bed of the truck. It's clearly labeled. It's a**
14 **Clark County vehicle. And it has EX plates as well.**
15 Q. Ex? What are EX plates?
16 **A. Government plates. They're exempt.**
17 Q. Okay. And then you stated that you
18 provided a business card to Mr. Truman?
19 **A. I did.**
20 Q. And you also had your badge around
21 your neck?
22 **A. Yes, always.**
23 Q. Okay?
24 **A. And I had a Clark County logo shirt on**

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1 **as well.**
2 Q. Oh, Clark County logo shirt. Okay.
3 And then when you were there on February 1st, I
4 believe you stated that I -- your -- the Exhibit K
5 indicates that you spoke with Mr. Truman but if I
6 remember correctly, you didn't -- you don't have any
7 specific knowledge of that? You don't remember?
8 **A. No, because the site was in**
9 **compliance.**
10 Q. And at the time when you were there on
11 February 1st, would you have been in your Clark County
12 vehicle?
13 **A. Yes.**
14 Q. Were you wearing your logo shirt?
15 **A. Yes.**
16 Q. Would you have had your badge around
17 your neck?
18 **A. Yes.**
19 Q. And -- okay. Nothing further?
20 HEARING OFFICER: Counsel, anything?
21 Any further questioning?
22 MR. GUBLER: No.
23 HEARING OFFICER: Okay. Thank you.
24 MS. JORGENSEN: No further questions

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1 for Ms. Roswell.
2 HEARING OFFICER: Okay. Call your next
3 witness.
4 MS. JORGENSEN: Would like to call Ms.
5 Katrinka Byers.
6 HEARING OFFICER: Please raise your
7 right hand. Do you solemnly swear that you'll tell
8 the truth, the whole truth, and nothing but the truth,
9 so help you God?
10 THE WITNESS: Yes.
11 (WITNESS SWORN).
12 HEARING OFFICER: Okay. You may
13 continue.
14 MS. JORGENSEN: Thank you.
15 EXAMINATION.
16 BY MS. JORGENSEN:
17 Q. Ms. Byers, would you state your name
18 for the record?
19 **A. Katrinka Byers.**
20 Q. And what is your job title?
21 **A. Senior Air Quality specialist.**
22 Q. And what are your duties?
23 **A. I am a senior for the southern portion**
24 **of the Clark County Valley. I oversee approximately**

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<p>1 half of the staff. I review their work and assist 2 with job sites that are different and difficult at 3 times. 4 Q. And so, as a senior, do you inspect as 5 many sites as Air Quality Specialists 1 or 2? 6 A. No. 7 Q. And how many Air Quality specialists 8 do you supervise approximately? 9 A. Four at this time. 10 Q. Okay. And do you recall how many you 11 supervised back in January of 2024? 12 A. I believe it was the same -- around 13 the same, three or four. 14 Q. Okay. On January 9th, 2024, did you 15 visit the construction site that is a subject to the 16 notice violation? 17 A. Yes. 18 MS. JORGENSEN: And could we go to 19 Exhibit E? 20 BY MS. JORGENSEN: 21 Q. While you were on site, were you there 22 with anyone else from Air Quality? 23 A. Yes, I was there with my supervisor, 24 David Dean and the other senior Air Quality</p>	<p>1 what you saw? 2 A. Yes. 3 MS. JORGENSEN: Could we go to Exhibit 4 C? Photographs 3 through 8. 5 BY MS. JORGENSEN: 6 Q. Ms. Byers, could you go through these 7 photographs and describe what they depict? 8 A. So, Photograph 3, that's -- I'm 9 looking northeast at dry, loose, and powdery site 10 soils observed around the center of the project. 11 Q. And Photograph 4? 12 A. Photograph 4 is more of a close view 13 of the dry, loose, and powdery site soils showing 14 there's absolutely no moisture in the site soils. 15 Q. And how about five? 16 A. And five again is looking at west now 17 at dry, loose, powdery site soils observed and, again, 18 the center of the project. 19 Q. And six? 20 A. I'm looking -- I'm looking again at 21 dry, loose, powdery site soils more in the central 22 portion of the project. We were parked as soon we 23 pulled in, worked -- we tried to find the check-in 24 area and there was nothing that said that, so this is</p>
<p>1 specialist, Andrew Kirk. 2 Q. Okay. And could you tell me what this 3 Exhibit E is? 4 A. This is the construction site 5 inspection documenting the findings that we observed 6 that day. 7 Q. And what did you observe that day? 8 A. We observed approximately 1.58 acres 9 of dry, loose, and powdery site soils. We observed 10 what appeared to be a trucking freight yard. It was 11 -- it was not represented on the desk control 12 operating permit, and I believe no fire control 13 device. 14 Q. Okay. Did you observe -- or how did 15 you get into the site? 16 A. We drove onto the site. 17 Q. Was there any signs posted about 18 checking in that you recall? 19 A. No, there were no signs. 20 Q. And what about any signs related to 21 hazardous materials being present? 22 A. No, we saw no hazardous signed 23 materials or presence of that. 24 Q. Okay. Did you take any photographs of</p>	<p>1 where I took the photos. 2 Q. Okay. And seven? 3 A. Seven is a view of, again, of just a 4 close view of dry, loose, powdery site soils. No 5 moisture on site. No water truck available. 6 Q. Okay. And what about eight? 7 A. Again, looking south now at dry, 8 loose, and powdery site soils as well. So we're 9 outside the permit area, it's on the right of way, 10 which is also still in the permit boundaries on the 11 western edge of the project. 12 Q. So this site had an active Dust 13 Control Operating Permit; is that correct? 14 A. That's correct. 15 Q. And when you go to inspect a site with 16 a Dust Control Operating Permit active, what do you 17 look for? 18 A. We look for soil stability, we look 19 for the dust control permit sign, we look to see if 20 they have any kind of way to -- best available control 21 measures on site to mitigate any dry, loose, powdery 22 site soils, we try to speak with the site sweeper or 23 responsible official. We find the person located on 24 site with operating valid dust card. We also verify</p>



1 **if the water truck operator has a valid dust card.**
2 Q. And if they had completed
3 construction, what would you be looking for?
4 **A. That they were landscape paved and**
5 **built out. And if any parts of the project were not,**
6 **we would make sure they met BMP 11 control measures**
7 **and they were stabilized under those control measures**
8 **for final stabilization for long term.**
9 Q. And what does BMP stand for?
10 **A. Best Management Practices. BMP is**
11 **best management practices.**
12 Q. And when you reference BMP 11, you're
13 talking about something at Section 94?
14 **A. Yes, Section 94. It's also on their**
15 **-- within their dust control permit.**
16 Q. Okay. If we could go back to Exhibit
17 E. Did you -- while you were on site, did you speak
18 with Mr. Truman?
19 **A. Yes, we -- after speaking with Candy,**
20 **we were trying to find the check-in area and we pulled**
21 **in, parked, and Mr. Truman approached us once we were**
22 **parked.**
23 Q. Okay. And what did you discuss with
24 him?

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1 **A. Well, we wanted to find out why he was**
2 **so confrontational with our inspector. He was very**
3 **argumentative as well. My supervisor took the lead on**
4 **that and Andrew and I stood back and listened.**
5 Q. When you say your supervisor, you're
6 referring to David Dean?
7 **A. Yes, he -- David Dean was the one that**
8 **spoke with him.**
9 Q. Okay?
10 **A. We did -- first of all, we showed Mr.**
11 **Truman all of us had our badges with us. So we did**
12 **present credentials right away. And then Mr. Truman**
13 **basically just told us that he was with the -- up**
14 **there with the federal EPA and that we were dog shit.**
15 Q. And did you all come in one vehicle?
16 **A. Yes, we did.**
17 Q. And was that a vehicle -- county
18 vehicle for Air Quality?
19 **A. Yes, it was.**
20 Q. And were you wearing a shirt that had
21 your logo on it -- Air Quality logo on it? Do you
22 recall?
23 **A. Yes. We all had our air quality logo**
24 **shirts on. Okay.**

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1 Q. And, if we could -- did you note your
2 observations of unstable soil and no track out control
3 device in exhibit -- in the report from January 9th?
4 **A. Yes, I listed the unstable soils under**
5 **BNP compliance. You can see 1.58 acres was unstable.**
6 **I also noted there was over acreage. I don't remember**
7 **exactly how much, but I also indicated that in the**
8 **report as well.**
9 Q. Okay. If you go to, it looks like,
10 let's see, five boxes down, it says admin compliance?
11 **A. Correct.**
12 Q. Does that indicate how much acreage
13 was permitted?
14 **A. Yes. Originally it was 3.19 acres**
15 **permitted by Mr. Truman. And we observed 4.95 acres**
16 **--**
17 Q. Okay?
18 **A. -- utilized.**
19 Q. So about an additional 1.75 acres was
20 being used that wasn't permitted?
21 **A. That's correct.**
22 Q. Okay. All right. Did you take -- did
23 you include any inspector notes in the report?
24 **A. Yes, I did.**

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1 Q. Could you please read them? If not
2 you can -- I have it on here too, if it's easier to
3 readOkay.
4 **A. My supervisor, David Dean, senior Air**
5 **Quality specialist, Andrew Kirk, and I conducted a**
6 **follow-up inspection and observed dry, loose, and**
7 **powdery site soils with no available BACM.**
8 Q. What's BACM?
9 **A. BACM stands for Best Available Control**
10 **Measures.**
11 Q. Okay?
12 **A. No track control device at the exit**
13 **point. Approximately 1.76 acres of disturbed soil**
14 **outside the permit boundary with no -- with trucks,**
15 **cars, and equipment stored on the lots. And both the**
16 **responsible official, Mr. Moe Truman, and the water**
17 **truck operator not to hold a valid dust card. We**
18 **spoke with Mr. Truman on site regarding the prior**
19 **inspection conducted by a QS 2 Canduella Rowsell,**
20 **regarding possible hazardous waste material store**
21 **without proper notification to the public.**
22 **Mr. Truman was very argumentative and**
23 **said Ms. Rowsell should have checked in prior to**
24 **conducting an inspection due to hazardous waste on**

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<p>1 site. Mr. Dean pointed out that the site did not have</p> <p>2 any signs indicating dangerous or hazardous waste on</p> <p>3 site, nor did the site have any signs requiring a</p> <p>4 mandatory check-in prior to conducting an inspection.</p> <p>5 We explained the waste on site. We</p> <p>6 explained the dust permit. Project description was</p> <p>7 issued for grubbing the site to survey for crews to</p> <p>8 start gathering data points. However, we observed</p> <p>9 three large maintenance tents for repairing equipment,</p> <p>10 approximately 10 to 15 semi haul trucks, and various</p> <p>11 equipment stored over the 5.66 acres of disturbed</p> <p>12 soil.</p> <p>13 Mr. Truman was very argumentative</p> <p>14 regarding the status of the permit, and when</p> <p>15 instructed to comply with BMP-11 and remove all</p> <p>16 equipment onsite or paid the lot to close out the</p> <p>17 permit, he said he would notify his attorney to handle</p> <p>18 all matters. Mr. Dean, Andy, and I took photos of the</p> <p>19 site and document our findings.</p> <p>20 A notice of compliance -- notice of</p> <p>21 non-compliance with a possible notice of violation to</p> <p>22 be issued to Mr. Truman via e-mail to save by site</p> <p>23 soil immediately, install tracker control device,</p> <p>24 which is two inch to three inch rock minimum six</p> <p>Page 62</p>	<p>1 A. I e-mailed this to Mr. Truman, I</p> <p>2 believe actually the next day on January 10th.</p> <p>3 MS. JORGENSEN: Could you scroll down</p> <p>4 to the next page? Okay.</p> <p>5 BY MS. JORGENSEN:</p> <p>6 Q. And, Ms. Byers, is this the e-mail</p> <p>7 that you were just speaking of?</p> <p>8 A. Yes, this is an e-mail I sent to Mr.</p> <p>9 Truman and the attached notice of non-compliance was</p> <p>10 with it.</p> <p>11 MS. JORGENSEN: Okay. I don't have any</p> <p>12 further questions for Ms. Byers.</p> <p>13 HEARING OFFICER: Thank you.</p> <p>14 Counsel?</p> <p>15 EXAMINATION.</p> <p>16 BY MR. GUBLER:</p> <p>17 Q. Ms. Byers, what days did you say that</p> <p>18 you were at the property?</p> <p>19 A. I was on site on January 9th, which</p> <p>20 was, I believe a Tuesday.</p> <p>21 Q. And you said that you were there with</p> <p>22 two supervisors; is that right?</p> <p>23 A. I was there with my supervisor, David</p> <p>24 Dean, yes, and the other senior Air quality</p> <p>Page 64</p>
<p>1 inches deep as long as -- along as haul truck, at the</p> <p>2 exit point onto Stafford Avenue by the close of</p> <p>3 distance Friday, 1/10/2024, and register both himself</p> <p>4 and the water truck operator for the next available</p> <p>5 dust class by the close of business Thursday,</p> <p>6 1/11/2024.</p> <p>7 The over acreage with stored material</p> <p>8 outside the front boundary will be addressed with a</p> <p>9 separate notice of non-compliance under Section 92.</p> <p>10 Q. Thank you. Did you issue that -- a</p> <p>11 notice of non-compliance?</p> <p>12 A. Yes, we did.</p> <p>13 MS. JORGENSEN: Could you go to Exhibit</p> <p>14 2, please?</p> <p>15 BY MS. JORGENSEN:</p> <p>16 Q. Ms. Byers, could you describe what</p> <p>17 this document is?</p> <p>18 A. This is a notice non-compliance and it</p> <p>19 lists the non-compliance issues that we observed</p> <p>20 during our inspection at the time on January 9th.</p> <p>21 Q. And did you provide this notice</p> <p>22 non-compliance to Mr. Truman?</p> <p>23 A. Yes.</p> <p>24 Q. And when did you do that?</p> <p>Page 63</p>	<p>1 specialist, Andrew Kirk.</p> <p>2 Q. You said that you spoke with Mr.</p> <p>3 Truman, correct?</p> <p>4 A. That's correct.</p> <p>5 Q. And did you introduce yourself?</p> <p>6 A. Yes, we did.</p> <p>7 Q. And what -- how did you introduce</p> <p>8 yourself?</p> <p>9 A. We usually start by introducing</p> <p>10 ourselves with our name and who we're with, Clark</p> <p>11 County Air Quality, and the reason for our -- you</p> <p>12 know, we're there to re-inspect, and we also showed</p> <p>13 Mr. Truman our badges.</p> <p>14 Q. Okay. What badges are you talking</p> <p>15 about?</p> <p>16 A. Every one of us wear a badge around</p> <p>17 our neck which has our name, where we work, and our</p> <p>18 title of our job, and our signature.</p> <p>19 Q. And is that to get you into the</p> <p>20 building in Clark County?</p> <p>21 A. That's correct.</p> <p>22 Q. Okay. Did it -- did it have -- does</p> <p>23 it have an expiration date on it?</p> <p>24 A. It does not.</p> <p>Page 65</p>



1 Q. Does it have any type of chip with it?
2 **A. It does. It's inside the actual**
3 **badge.**
4 Q. Okay. And that's to get into the area
5 -- the Clark County Building; is that right?
6 **A. I believe that's what it's for, yes.**
7 Q. Does it have certification on it
8 saying this person is authorized to conduct
9 inspections?
10 **A. It says this badge is a property of**
11 **Clark County, Nevada, and must be visibly displayed or**
12 **available for presentation upon demand at all times**
13 **while on duty or on county premises.**
14 Q. So, please listen to my question
15 carefully. Does it say this person is authorized to
16 conduct an inspection?
17 **A. No, it's not.**
18 Q. Does it have a conventional number on
19 it?
20 **A. No, it does not.**
21 Q. Does it have an expiration on it?
22 **A. No, it does not.**
23 Q. So, but that's -- but that's the badge
24 that you presented; is that right?

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1 **A. That's correct.**
2 Q. Okay. Did you ask to enter the
3 property for inspection specifically?
4 **A. I'm sorry, did I ask to what?**
5 Q. Did you ask to enter the property for
6 inspection specifically?
7 **A. Yes. We pulled in and told Mr. Truman**
8 **we were going to be doing inspection -- a**
9 **re-inspection.**
10 Q. Okay. Did you ask, I said?
11 **A. We did not pull up and ask him if we**
12 **could, no.**
13 Q. So, while you were there, did your
14 supervisor say that he had clearance to get into the
15 Nevada Test Site?
16 **A. I don't recall that.**
17 Q. Did he say that he could drive right
18 into the Nevada Test Site?
19 **A. I don't recall that.**
20 Q. I don't have any other questions?
21 HEARING OFFICER: Okay. Thank you.
22 MS. JORGENSEN: Just a couple of follow
23 up.
24 EXAMINATION.

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1 BY MS. JORGENSEN:
2 Q. Ms. Byers, does the Dust Control
3 Operating Permit that was in place for this site on
4 January 8th -- I'm sorry, January 9th, when you
5 visited the site, does it require the permittee to --
6 or that the -- does it state that the permittee agrees
7 to allow -- to allow inspections without notice during
8 business hours?
9 **A. Yes, it does.**
10 MS. JORGENSEN: I have nothing further.
11 HEARING OFFICER: Okay. Thank you.
12 MR. GUBLER: No further questions.
13 HEARING OFFICER: Okay. Let's call in
14 our next witness.
15 MS. JORGENSEN: I would like to call
16 David Dean.
17 HEARING OFFICER: Good morning, Mr.
18 Dean.
19 MR. DEAN: Good morning.
20 HEARING OFFICER: Please raise your
21 right hand. Do you solemnly swear that you'll tell
22 the truth, the whole truth, and nothing but the truth,
23 so help you God?
24 THE WITNESS: I do.

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1 (WITNESS SWORN).
2 HEARING OFFICER: Okay. Thank you.
3 You may proceed.
4 MS. JORGENSEN: Thank you.
5 EXAMINATION.
6 BY MS. JORGENSEN:
7 Q. Mr. Dean, would you please state your
8 name for the record?
9 **A. David Dean.**
10 Q. And what is your job title?
11 **A. I am a compliance supervisor for Clark**
12 **County Air Quality.**
13 Q. And what are your duties?
14 **A. My duties are to oversee the**
15 **enforcement and compliance of dust control permits on**
16 **construction sites, vacant land, on paved storage**
17 **yards, and I oversee a team of approximately 10 or 11**
18 **personnel that go out every day and conduct those**
19 **inspections.**
20 Q. And how long have you been with Air
21 Quality?
22 **A. Twenty-two years.**
23 Q. And how long have you been in your
24 current position?

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<p>1 A. Seven years.</p> <p>2 Q. Okay. And did you visit the site that</p> <p>3 is the subject of the Notice Violation 9994 on January</p> <p>4 9th, 2024?</p> <p>5 A. I did.</p> <p>6 Q. And were you there with Ms. Byers and</p> <p>7 Mr. Andrew Kirk?</p> <p>8 A. Yes.</p> <p>9 Q. And what was the purpose of your</p> <p>10 visit?</p> <p>11 A. I wanted to visit the site because one</p> <p>12 of my inspectors, Canduella, had went the day prior or</p> <p>13 a few days prior. I don't remember exactly how many</p> <p>14 days in between. But she informed me that she was go</p> <p>15 on the site to conduct an inspection and was</p> <p>16 confronted by somebody that tried to open her truck</p> <p>17 door without getting her attention or anything like</p> <p>18 that. Just walked up and tried to open her door,</p> <p>19 scared her a little bit. So -- and then was kind of</p> <p>20 disruptive with her and combative.</p> <p>21 So I wanted to make sure anytime that</p> <p>22 happens on a job site, I want to go to the site and</p> <p>23 assess the site to see what the safety situation is.</p> <p>24 So I wanted to go look at the site, see who was being</p> <p style="text-align: right;">Page 70</p>	<p>1 the site is permitted, and the sign is up, they're</p> <p>2 working within their permitted boundaries. The soil</p> <p>3 stabilization is -- the soil is stable, there's a</p> <p>4 track out control device. The site superintendent has</p> <p>5 a dust control card. The water truck operators have</p> <p>6 dust cards, and that they're actually implementing</p> <p>7 soil control sometimes.</p> <p>8 Q. Okay. And when you were on the site</p> <p>9 on January 9th, 2024, was there any signs posted</p> <p>10 saying that a -- that somebody would need to check in</p> <p>11 at a particular building or check in somewhere that</p> <p>12 you recall?</p> <p>13 A. No, nothing that I recall.</p> <p>14 Q. And do you recall seeing anything, any</p> <p>15 signs posted regarding hazardous materials?</p> <p>16 A. No, nothing at all.</p> <p>17 Q. Do -- generally, do construction sites</p> <p>18 have those sorts of signs posted?</p> <p>19 A. They don't. The construction sites,</p> <p>20 we don't normally have that where somebody would say,</p> <p>21 Hey, I'm drawing a dust control permit, and, oh, by</p> <p>22 the way, I'm having hazardous materials on site. You</p> <p>23 might see that at a stationary source site that has a</p> <p>24 stationary source permit, and they have some</p> <p style="text-align: right;">Page 72</p>
<p>1 combative with her, and assess it for safety and</p> <p>2 inspect the site myself.</p> <p>3 Q. So, at the time of your visit on</p> <p>4 January 9th, did this site have a dust control</p> <p>5 operating permit?</p> <p>6 A. It did.</p> <p>7 Q. And when you just generally go and its</p> <p>8 -- oh, well, let me ask you this?</p> <p>9 As a supervisor, how often do you</p> <p>10 conduct site inspections yourself?</p> <p>11 A. I go out. I don't conduct site</p> <p>12 inspections at all. I just go when there's a --</p> <p>13 there's an issue or maybe I need to be involved in a</p> <p>14 meeting on site to resolve a situation.</p> <p>15 Q. And so prior to your being in the</p> <p>16 position you're currently at in as supervisor, what --</p> <p>17 were you more regularly going on-site inspections?</p> <p>18 A. Absolutely. I've done thousands of</p> <p>19 inspections.</p> <p>20 Q. Okay. And when someone goes on site</p> <p>21 to do a site inspection of a -- of a site that has a</p> <p>22 dust control operating permit, what are the sorts of</p> <p>23 things that you're looking for?</p> <p>24 A. So, we're -- first we make sure that</p> <p style="text-align: right;">Page 71</p>	<p>1 conditions about entering the sites. But a</p> <p>2 construction site itself, I can't recall anybody ever</p> <p>3 having something like that or requiring us to report</p> <p>4 to the office before we conduct a site inspection.</p> <p>5 Q. If something like that had been</p> <p>6 posted, would you have reported to the office to --</p> <p>7 before conducting the site inspection?</p> <p>8 A. Absolutely.</p> <p>9 Q. And do you -- when you were there on</p> <p>10 January 9th, did the site appear to you to be at -- a</p> <p>11 construction site?</p> <p>12 A. Yes, actually it was a full blown</p> <p>13 trucking yard. An unpaved trucking yard. I didn't</p> <p>14 really see any construction going on. They'd already</p> <p>15 graded off all the foliage and there was probably 20</p> <p>16 or 30, 18 wheeler hauler trucks there. And there was</p> <p>17 really no construction activity. It was -- it was</p> <p>18 already an operating truck. So it was an unpaved</p> <p>19 yard.</p> <p>20 Q. And if -- because it appeared to be</p> <p>21 like finished with whatever the construction permit</p> <p>22 had been pulled for, what would've been the steps to</p> <p>23 have closed out that permit?</p> <p>24 A. So, he would've closed out -- he -- we</p> <p style="text-align: right;">Page 73</p>



<p>1 don't -- Clark County does not require -- does not</p> <p>2 authorize unpaved parking or storage yards in</p> <p>3 hydrographic basins 212, 216 and 217. So --</p> <p>4 Q. Sorry. Hydrographic area is 216 --</p> <p>5 say it again?</p> <p>6 A. 217 and 212.</p> <p>7 Q. Can you describe what that general</p> <p>8 area is?</p> <p>9 A. So, it's really the Las Vegas Valley</p> <p>10 area and Apex.</p> <p>11 Q. And why is that? Why do we -- why --</p> <p>12 if you know, why are there rules regarding</p> <p>13 specifically hydrographic basins 212, 216, and 217?</p> <p>14 A. When the federal EPA Clark County work</p> <p>15 together or are working together to resolve the Air</p> <p>16 Quality issues in the Valley, they determined that</p> <p>17 these three areas were the highest potential for</p> <p>18 creating dust issues and unstable soil. So that's why</p> <p>19 they're targeted with stricter regulations.</p> <p>20 Q. So, when you talk about dust, what</p> <p>21 type of NAAQS or National Ambient Air Quality Standard</p> <p>22 is implicated when it comes to dust in this case?</p> <p>23 A. Well, we enforce PM10 requirements for</p> <p>24 dust control.</p> <p>Page 74</p>	<p>1 many pieces of tractor equipment there and we would</p> <p>2 work with the permittee to determine, okay, how many do</p> <p>3 you have? What areas do you need to move it? And</p> <p>4 things like that. So, there would not be an all out</p> <p>5 exemption, like, okay, you have one -- in this case,</p> <p>6 you have one track vehicle on the whole site. We'll</p> <p>7 just exempt you for the whole site. That wouldn't be</p> <p>8 the case.</p> <p>9 Q. Okay. And if there is track</p> <p>10 equipment, why would there be an exception regarding</p> <p>11 paving the entire site, if there were track equipment?</p> <p>12 A. Because tracked vehicles, especially</p> <p>13 the one he has on site, I believe is a D10 dozer, it</p> <p>14 will tear up the asphalt. And we recognize that would</p> <p>15 be just a waste of money.</p> <p>16 Q. Okay. And in this case, has there</p> <p>17 been an opportunity to go to the site to determine</p> <p>18 what the track equipment is, where it's being used,</p> <p>19 and to determine where would be the appropriate site</p> <p>20 or appropriate amount of paving to accommodate this</p> <p>21 track equipment?</p> <p>22 A. No. After our first few inspections</p> <p>23 on the site, January, February, Mr. Truman stopped</p> <p>24 authorizing us to come in. He's built up areas around</p> <p>Page 76</p>
<p>1 Q. Okay?</p> <p>2 A. And part of that is, anything that's</p> <p>3 -- anything that's new and it's -- especially in this</p> <p>4 case where they went in and they graded off all the</p> <p>5 natural foliage and created an unpaved parking lot,</p> <p>6 we're not -- we don't allow that after January 1st,</p> <p>7 2002, I believe. And anything new can't be created</p> <p>8 like that in those hydrographic basins.</p> <p>9 And this is clearly one of those</p> <p>10 cases. So, to close out this site, he would be</p> <p>11 required to pave, unless he met a certain exemption.</p> <p>12 And what I determined on the site, there were very</p> <p>13 limited areas that we would exempt.</p> <p>14 Q. Okay. But in terms of just generally</p> <p>15 speaking, if someone, you know, is not grandfathered</p> <p>16 in after January 1st, 2002 or 2003, whichever the</p> <p>17 right date is, but sometime early 2000s, would -- how</p> <p>18 would you determine where -- would you -- let me say</p> <p>19 it this way, would there be a requirement no matter</p> <p>20 what to pave the entire surface?</p> <p>21 A. Yes, there -- at least most of it.</p> <p>22 Q. Okay. Let's say that in, for</p> <p>23 instance, let's say there's a track equipment?</p> <p>24 A. We would -- we would determine how</p> <p>Page 75</p>	<p>1 the facility that -- and put gates up so you can't</p> <p>2 drive onto the site. You can't drive in to check in</p> <p>3 the office because you can't even get through the --</p> <p>4 through the gates or barricades that are there. So,</p> <p>5 there's been no opportunity for us to assess the site.</p> <p>6 And Mr. Truman has not asked us to meet on site or</p> <p>7 anything like that to determine like, hey, I want to</p> <p>8 close my site out, what do I need to do?</p> <p>9 Q. Okay. And going back to January 9th,</p> <p>10 2024, when you were on site, do you remember speaking</p> <p>11 with Mr. Truman?</p> <p>12 A. I do.</p> <p>13 Q. And what did you discuss?</p> <p>14 A. I was asking him how come he was so</p> <p>15 aggressive with the -- with the inspector on site and</p> <p>16 that why would he -- why would he walk up and pull on</p> <p>17 her door like that? It concerned me because of the</p> <p>18 safety issues. We don't normally have that kind of</p> <p>19 behavior because it's kind of strange. And so he said</p> <p>20 because he wanted to know who it was. And I -- and</p> <p>21 told him, well, maybe in the future you should just</p> <p>22 get her attention and then she will talk with you</p> <p>23 about who she is and what she's doing there.</p> <p>24 I also wanted to make sure he</p> <p>Page 77</p>



1 understood that we were authorized to come on the site
2 and inspect it as often as we wanted to. And it was
3 documented in his permit and that he understood by
4 requesting a permit from us he was going to comply
5 with the permit conditions.
6 Q. Do you recall any other -- did you
7 discuss hazardous materials?
8 A. I -- it was so long ago. I don't
9 remember all of it. I know we talked about it and I
10 -- he was talking about having authorization to come
11 on sites or a secret security clearance or something
12 like that. And I think I told him that I had a top
13 secret security clearance from my military time. And
14 that -- and maybe we discussed other sites, the test
15 site or something like this, that this is not the test
16 site that authorized -- that requires something like
17 that.
18 And that, you know, our authorization
19 is the dust permit that he drew, and that we can come
20 on the site when we want. And he informed me that he
21 was -- he operated within federal guidelines and that
22 we were with Clark County and we were dog shit, and
23 that he didn't have to comply.
24 Q. Okay. I have no further questions?

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1 HEARING OFFICER: Counsel.
2 EXAMINATION.
3 BY MR. GUBLER:
4 Q. Mr. Dean --
5 MR. GUBLER: Thank you for getting
6 that.
7 HEARING OFFICER: Okay.
8 BY MR. GUBLER:
9 Q. Mr. Dean, so if I understand right,
10 you were there on January 9th, 2024; is that right?
11 A. I believe so, yes.
12 Q. Were you on the site at any other
13 time?
14 A. I don't believe so.
15 Q. Okay. So, while you were on there,
16 just maybe going backwards from your testimony, did
17 you say that you had clearance to get into the Nevada
18 Test Site?
19 A. I don't believe I had that. I might
20 have said I worked at the Nevada Test Site.
21 Q. You didn't say you had clearance to
22 get into the Nevada Test Site?
23 A. No.
24 Q. And that you could drive right onto

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1 the Nevada Test Site?
2 A. No.
3 Q. You didn't say that?
4 A. I don't believe so, no.
5 Q. So, we talked about, you know, track
6 equipment, correct? And was there track equipment on
7 the property when you were there?
8 A. There was one piece, if I remember
9 correctly.
10 Q. And what was it?
11 A. I think it's a Caterpillar D10 dozer.
12 Q. Okay. How big is that?
13 A. It's big.
14 Q. How big?
15 A. I don't know, 15 feet tall by 20 feet
16 long.
17 Q. Okay?
18 A. Probably weighs, I don't know, 10,000
19 pounds, 20,000 pounds.
20 Q. And at that, so, kind of give us an
21 idea, how much of this room would it occupy?
22 A. Maybe from this -- the edge of this
23 table to that wall. From the American flag to that
24 wall.

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1 Q. So it's big?
2 A. It's fairly big.
3 Q. And what -- are you aware of the
4 concerns that track equipment would have on asphalt?
5 A. Very.
6 Q. Sorry, say that again?
7 A. I'm very aware of it.
8 Q. What are what are those? What would
9 track equipment do to asphalt?
10 A. Oh, it absolutely tear it up.
11 Q. Okay. Would it make it look like rot
12 mill?
13 A. Well, no, but it could, depending on
14 how they operate on it and the way they spin on it,
15 they can drive across it. They -- it's possible to
16 drive across it, but it could put grooves in the
17 asphalt. It could, if they pivoted on the asphalt.
18 Depends on how the operator operates on it.
19 Q. Okay. But just driving across it
20 would tear it up as well, wouldn't it?
21 A. It could damage it.
22 Q. Okay. So, would you agree that
23 asphalt's pretty expensive, wouldn't you?
24 A. Very.

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1 Q. Okay. So, now, you had mentioned that
2 there were gates around this property; right?
3 **A. There -- no, no I said that --**
4 MS. JORGENSEN: Don't. That wasn't the
5 testimony.
6 THE WITNESS: No, I -- yeah, I -- what
7 I said is that there's barricades and things around
8 it. When I had there, there weren't gates blocking
9 you from driving in the facility.
10 BY MR. GUBLER:
11 Q. So this was later on you're talking
12 about; is that right?
13 **A. Yes.**
14 Q. Okay. So -- fair enough. So, these
15 barricades, how tall are they?
16 **A. Well, they have -- is it possible to**
17 **look at the photographs that you have just so I can**
18 **determine it off? Do you have some with conex boxes**
19 **and things like that?**
20 Q. I think that's perfectly fine?
21 **A. Thank you.**
22 MR. GUBLER: Do you remember,
23 Catherine, what --
24 MS. JORGENSEN: Exhibit C is one with

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1 photographs.
2 MR. GUBLER: Probably --
3 MS. JORGENSEN: You just try scroll
4 through them and see.
5 MR. GUBLER: -- the one with the --
6 THE WITNESS: There's a frontal shot of
7 the -- of the place where Katrinka was testifying
8 about the right of way. Yeah, that one right there.
9 So, those conex boxes are 10 feet tall, 12 feet tall,
10 and they're -- and you're double stacked on there. So
11 let's say 20 feet tall.
12 BY MR. GUBLER:
13 Q. Okay. So, what size of an area does
14 that enclose?
15 **A. Excuse me. One more time?**
16 Q. These barricades, I think that's what
17 you called them, what size -- what size of an area
18 does that enclose?
19 **A. When I was there, it covers the front**
20 **of the property. So, 200 feet, 300 feet.**
21 Q. Okay. Is it -- is it enclosed?
22 **A. It -- it's -- the barricades blocked**
23 **the front of it. But to the left -- just where that**
24 **cone is, I believe you can enter there. And on the**

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1 **far end of the property, you could enter down there**
2 **too as well.**
3 Q. Are there barricades there?
4 **A. I don't know what's there now. I know**
5 **after we went through our inspection and Mr. Truman**
6 **started refusing entry to the property, there's some**
7 **type of barricaded or fence or something there.**
8 Q. So, within the barricade, how big of
9 an area is that?
10 **A. I think it's -- according to the dust**
11 **permit, it's 4.99 acres.**
12 Q. Okay. And that's on -- that's on two
13 pieces of property that are separate from the original
14 three acres; is that right?
15 **A. I'd have to see the site map. If you**
16 **want to bring the site map up to -- do we have a**
17 **better one than that.**
18 MR. GUBLER: Do you have the one where
19 the --
20 MS. JORGENSEN: There might be one if
21 you look at the dust permit, if you pull up probably
22 the second one has a better distinction. So if you go
23 to that B. Go to Exhibit B there. Right there.
24 THE WITNESS: Okay.

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1 BY MR. GUBLER:
2 Q. So, what area is the barricade enclose
3 in?
4 **A. So it's -- thank you. So, I believe**
5 **it's right here. This --**
6 MS. JORGENSEN: And I'm sorry. Can I
7 clarify this is on January 9th, 2024.
8 MR. GUBLER: I'm just asking about the
9 barricade, which he said was later, right? That's all
10 I care about right now since he's just use them as a
11 witness right now.
12 MS. JORGENSEN: Well, I'm just trying
13 to figure out which date are you talking about.
14 MR. GUBLER: Whenever the barricades
15 were there. He said they were later.
16 MS. JORGENSEN: I -- can I just for
17 clarification, if he wasn't there -- if he was there
18 on January 8th that he can testify -- or sorry,
19 January 9th, he can testify about that.
20 MR. GUBLER: He said he knew about the
21 barricades. He just testified to it. So I'm asking
22 him about it since he said he knew about it.
23 BY MR. GUBLER:
24 Q. So, what area does the barricade

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1 enclose?
2 **A. So --**
3 **HEARING OFFICER: How do you know about**
4 **the barricades? I guess, I'm -- because I know he was**
5 **on property on January 9th.**
6 THE WITNESS: Correct. So, that's the
7 only time I've been to the site. So --
8 HEARING OFFICER: Testifying as to what
9 he's seen on January 9th?
10 THE WITNESS: Correct.
11 BY MR. GUBLER:
12 Q. How do you know about the barricades?
13 **A. Well, because I saw him on January**
14 **9th.**
15 Q. Okay. So what area does that enclose?
16 **A. It covers this area right here on the**
17 **-- along the front of the street.**
18 Q. Okay. All right. So, the purple
19 area, that is approximately 3.19 acres; is that right?
20 **A. I would've to look at the dust permit,**
21 **but I could agree to that.**
22 Q. Looking over to the left, see how it
23 says MOE equals 3.19?
24 **A. I see that.**

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1 Q. Okay. Is that -- is that an accurate
2 assumption?
3 **A. I could agree with that.**
4 Q. Okay. So, we're -- we have this heavy
5 equipment -- big track equipment for about 3.19 acres;
6 is that right?
7 **A. Well, that's -- I think it's five**
8 **acres now.**
9 Q. Okay. Does the respondents have
10 access to the other sections? Do you know that?
11 **A. So, when I was on the site, what we**
12 **saw was Mr. Truman was working outside of his dust**
13 **control permit, his permitted boundaries. And I**
14 **believe it's the -- this site right here, this area**
15 **right here, and this area right here were not**
16 **permitted. I definitely remember this site, but**
17 **please keep in mind it's been 10 months ago. And I**
18 **would've to look at it.**
19 **But I remember driving on and**
20 **discussing the areas. Because we have a computer with**
21 **a map overlay on it. We can tell what's permitted.**
22 **And this right here was not permitted. I believe this**
23 **area was not permitted. So, what we were trying to do**
24 **to determine when we were there, after speaking with**

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1 **Mr. Truman, to educate him on our authorization to**
2 **come on the site and conduct inspections, we also**
3 **conducted an inspection and determined the site soils**
4 **were unstable and these areas were not permitted. And**
5 **I believe the dozer was parked in this area right**
6 **here.**
7 Q. So as far as when you went onto this
8 site, again, did you ask to enter for inspection?
9 **A. I'm confused by that question. We --**
10 **there's nobody to ask. Like there's not a guard at a**
11 **gate. So you drive in. Because my inspector from the**
12 **day prior said that Mr. Truman wanted somebody to stop**
13 **in at the office before conducting an inspection,**
14 **that's what we did.**
15 Q. So you stopped into the office, is
16 that what you're telling me?
17 **A. Yes.**
18 Q. Okay. And did you present any
19 credentials?
20 **A. Yes.**
21 Q. What did you present?
22 **A. We presented our ID badges with our**
23 **photographs on them, and our Clark County symbol, and**
24 **it says Air Quality. We gave business cards. I**

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1 **believe Katrinka gave a business card. And we were in**
2 **a Clark County -- we were on a county vehicle that was**
3 **marked Clark County Air Quality.**
4 Q. So you handed that to whom?
5 **A. Mr. Truman.**
6 Q. Okay. So -- and in that -- on those
7 credentials that you're saying, does it have a
8 credential number?
9 **A. No.**
10 Q. Does it have a statement saying the
11 person is authorized to conduct the inspections?
12 **A. Nope.**
13 Q. Does it say that this certifies that
14 -- I don't remember your first name, Mr. Dean is an
15 employee of Air Quality Control?
16 **A. It does.**
17 Q. And then does it have an expiration
18 date?
19 **A. No expiration date.**
20 Q. Okay. I don't have any other
21 questions for you?
22 HEARING OFFICER: Okay. Thank you.
23 MS. JORGENSEN: Just one follow-up.
24 EXAMINATION.

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1 BY MS. JORGENSEN:
2 Q. Mr. Dean, I believe you indicated that
3 you recall that -- the dozer?
4 A. Yes.
5 Q. Is that what you call it. Was in that
6 second portion. If you could do the highlight of
7 where it was. Right here?
8 A. It was right there.
9 Q. Okay. Do you specifically remember
10 that or is that --
11 A. I -- I'm almost positive it was right
12 there.
13 Q. Okay?
14 A. Uh-huh.
15 Q. Nothing further?
16 HEARING OFFICER: Okay. Thank you.
17 The next witness.
18 MS. JORGENSEN: I'd like to -- I'd like
19 to call Andrew Kirk.
20 HEARING OFFICER: Okay. Mr. Kirk,
21 raise your hand. Do you solemnly swear that you'll
22 tell the truth, the whole truth, and nothing but the
23 truth, so help you God?
24 THE WITNESS: I do.

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1 (WITNESS SWORN).
2 HEARING OFFICER: Okay. Thank you.
3 You may proceed.
4 MS. JORGENSEN: Thank you.
5 DIRECT EXAMINATION.
6 BY MS. JORGENSEN:
7 Q. Mr. Kirk, would you please state your
8 name for the record?
9 A. I'm Andrew Kirk.
10 Q. And what is your job title?
11 A. I'm a senior Air Quality Specialist.
12 Q. And what are your duties?
13 A. So, I complete construction and
14 inspections on the northern part of town on Northrop
15 Charleston. I also have four inspectors that are
16 under me. And I review all the documents that they
17 fill out, including notice of violations, notice of
18 non-compliances, construction site inspections, things
19 like that.
20 Q. How long have you been with Air
21 Quality?
22 A. Almost 11 years.
23 Q. And how long have you been in your
24 current position?

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1 A. About six.
2 Q. And prior to that, what was your
3 position?
4 A. Air Quality Specialist 2.
5 Q. Okay. During your career with Air
6 Quality, have you always worked on construction site
7 or done construction site inspections and other things
8 related to construction sites or maybe even vacant
9 land?
10 A. Yes, I've been with the Dust
11 Compliance Group the entire time I've worked for the
12 Air Quality.
13 Q. Okay. And did you visit the site that
14 is the subject of notice of Violation 9994 on January
15 9th, 2024?
16 A. I did.
17 Q. And do you recall having -- did you
18 personally have any discussions with Mr. Truman while
19 you were on site?
20 A. I did not.
21 Q. Okay. Do you -- were you present when
22 Mr. Dean and Mr. Truman were speaking?
23 A. Yes, I was.
24 Q. Do you have any recollection of that

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1 conversation?
2 A. Not other than Mr. Dean had stated.
3 Like, it was about 10 months ago. I don't remember
4 exactly what was discussed.
5 Q. Okay. Do you have any recollection of
6 seeing -- well, let me back up before I go to there?
7 Did you all -- did you return to the
8 site on January 17th as well as February 1st with Ms.
9 Rowsell?
10 A. I did.
11 Q. And during those three dates that you
12 were there, how did you enter the site?
13 A. We drove through the northern section
14 of the property on the west -- northwest corner of
15 that map right there.
16 Q. Could you point to it on the map? And
17 --
18 A. About in here.
19 Q. -- was there a gate?
20 A. There was a gate that's built there,
21 but it was either broken. It was never -- I've never
22 observed that closed. It was open.
23 Q. And while you were there, were there
24 any other vehicles coming onto the site?

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1 **A. There were, on the southern end.**
2 **There's another gate that's entry here, and this is**
3 **where the trucks -- 18 wheeler trucks come in and out.**
4 Q. Okay. And when you say gate, was that
5 blocked? Was it gated or was it -- I mean, if you
6 remember, was it gated? Was it open? What was --
7 **A. Both. It's closed and open. When**
8 **trucks come in, they open it up.**
9 Q. Okay?
10 **A. And it stays open for a little bit and**
11 **then closes.**
12 Q. Oh, so it's like an automatic gate?
13 **A. Yes.**
14 Q. Okay?
15 **A. This was always open. I believe**
16 **there's a road up here and they --this is residential**
17 **neighborhoods. I believe they share the same road or**
18 **they used to. And they shared that. That's why that**
19 **was never closed.**
20 Q. Oh, okay. And -- let's see. When you
21 were there on, and I don't know which day, but if you
22 have any recollection when you were there on the ninth
23 -- January 9th, January 17th, or February 1st, do you
24 -- do you recall seeing a tracked vehicle, a dozer?

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1 **A. I do.**
2 Q. And where do you recall seeing that?
3 **A. I remember exactly where it was. It**
4 **was in the top corner right here. It was buried**
5 **behind a bunch of other storage containers and**
6 **equipment. It didn't look like it had been used or**
7 **moved for a while because it was buried pretty deep**
8 **right in the corner here.**
9 Q. And why do you recall having or was
10 there anything that drew your attention to that dozer?
11 **A. No. I mean, we -- when we see unpaid**
12 **parking lots, we specifically look for tracked**
13 **vehicles to determine whether or not that might be**
14 **something we need to discuss down the road. So we**
15 **were just kind of reviewing everything and kind of**
16 **seeing what was being stored there. Like I said, we**
17 **-- that's something that we look for.**
18 Q. Did you recall -- was that on January
19 9th that you saw the dozer or do you remember which
20 day you saw it?
21 **A. I do not remember.**
22 Q. Okay. And do you recall seeing any
23 other track vehicles on any of that close to five
24 acres?

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1 **A. No, we looked pretty good. We --**
2 **there was -- I don't recall seeing another one. Just**
3 **that one.**
4 Q. Okay. I have nothing further?
5 HEARING OFFICER: Okay.
6 Counsel, any questions?
7 CROSS EXAMINATION.
8 BY MR. GUBLER:
9 Q. Mr. Kirk, did you speak with Mr.
10 Truman while you were there?
11 **A. So, on the ninth, Mr. Dean spoke to**
12 **Mr. Truman, and on February 1st, as you -- we talked**
13 **about earlier, and said on the construction site**
14 **inspection form that Candy had filled out that we did**
15 **speak to him. I don't recall exactly what was**
16 **discussed at that point either.**
17 Q. And were you on there any other days?
18 **A. Just those three. The 9th, the 17th**
19 **and February -- January 9th, January 17th, and**
20 **February 1st.**
21 Q. On these days, did you -- did you ask
22 to enter the property for inspection?
23 **A. I did not.**
24 Q. And that includes February 1st, 7th,

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1 and the 9th; is that right?
2 **A. 17th and the 9th, yes.**
3 Q. 17th and the 9th. Thank you. So,
4 that -- so, let me just ask that question again. That
5 includes February 1st, January 17th, and January 9th?
6 **A. Yes.**
7 Q. Okay. And then did you present any
8 type of credentials?
9 **A. I'm all -- I don't remember. We**
10 **didn't meet or discuss, so there was no credentials to**
11 **present to anybody. So, no.**
12 Q. Okay. I have no other questions?
13 HEARING OFFICER: Thank you.
14 MS. JORGENSEN: Just a couple of follow
15 up.
16 REDIRECT EXAMINATION.
17 BY MS. JORGENSEN:
18 Q. Mr. Kirk, does the Dust Control
19 Operating Permit that was the subject that was in
20 place on January 9th, January 17th, and February 1st
21 require that the permittee allow inspections without
22 notice during regular business hours?
23 **A. It does, as we had read earlier with**
24 **Ms. Sutowska.**

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<p>1 Q. And -- let's see. Oh, since February 2 1st -- so the -- this particular notice of violation 3 goes through February 1st, 2024. With that in mind, 4 have you been to the site since February 1st, 2024? 5 A. I have. 6 Q. Okay. I don't have anything further? 7 HEARING OFFICER: Thank you. Next 8 witness -- next witness. 9 MS. JORGENSEN: Next witness, these are 10 all the witnesses I have to -- for the purpose of 11 determining whether or not a violation occurred. 12 HEARING OFFICER: Okay. 13 MS. JORGENSEN: The next witness I 14 would have is Ms. Sutowska to discuss the penalty 15 amount. That is something that to your choosing. We 16 could go ahead and present and then you could make 17 both decisions or we could -- which -- whichever you 18 prefer. 19 HEARING OFFICER: So, I'd rather wait 20 and present evidence whether -- I understand your -- 21 if I'm understanding what your argument is, is that 22 under Air Quality regulations, you're challenging -- 23 you're saying it did not occur because the proper -- 24 it was unconstitutional or it's federal preemption, if</p> <p>Page 98</p>	<p>1 MR. GUBLER: I do have Mr. Truman here 2 today. 3 HEARING OFFICER: Okay. 4 MR. GUBLER: I didn't know if we -- are 5 we going -- are we done with both items on your side? 6 MS. JORGENSEN: Just 9994. 7 HEARING OFFICER: Yeah, just whether 8 the violation occurred and then -- 9 MS. JORGENSEN: For that one 10 (inaudible). 11 HEARING OFFICER: Oh, yes. For the 12 one. Okay. So, yeah. Okay. And with the other, did 13 we want -- I guess I would rather -- or what would be 14 more efficient, I guess, because these are all running 15 into one another too. 16 MS. JORGENSEN: They do involve the 17 same site, different time periods. There is an 18 allegation of unstable soil for the first NOV, 19 allegation of unstable soil for the second NOV. The 20 second NOV is the one that deals with denial of 21 access. But the first NOV does not. 22 HEARING OFFICER: Okay. How would you 23 like to proceed? You want to keep them separate or go 24 all with that one and then run into that? However you</p> <p>Page 100</p>
<p>1 I'm understanding that correctly? 2 MR. GUBLER: Yes. That's on -- that's 3 on -- going to be on both of the items that we're here 4 for today. The other -- you know, the other argument 5 is that the regulation itself requires the request and 6 the presenting of proper credentials, which submit did 7 not happen. So that -- that'll be a closing argument 8 though. 9 HEARING OFFICER: Okay. 10 MR. GUBLER: But that -- we didn't want 11 to lose sight of that either. 12 HEARING OFFICER: Okay. So -- 13 MS. JORGENSEN: And I'm sorry. I'm not 14 sure if they're planning to present any witnesses or 15 do anything, but -- 16 HEARING OFFICER: That -- okay. 17 Because that's what I'm understanding. Because, like, 18 if my understanding is correct, are you planning to 19 contest that under Air Quality regulations whether the 20 violation occurred? Do you have witnesses to contest 21 that? And that's what I would have you address right 22 now. 23 MR. GUBLER: Yes. We -- 24 HEARING OFFICER: Okay.</p> <p>Page 99</p>	<p>1 think it's more efficient. 2 MR. GUBLER: I think it would be more 3 efficient if we just have the government present their 4 evidence first, and then Mr. Truman, I can present 5 him. And I -- because I -- it's just going to be so 6 overlapping. I think it would just make more sense. 7 HEARING OFFICER: Okay. Then we'll 8 continue in that matter. 9 MS. JORGENSEN: Okay. So we'll move on 10 to notice of Violation 10078. 11 HEARING OFFICER: Yes. 12 MS. JORGENSEN: Okay. And we're just 13 addressing the -- whether the violations occurred -- 14 HEARING OFFICER: Yes. 15 MS. JORGENSEN: -- first. Yep. All 16 right. I'd like to call, Candy Rowsell. 17 DIRECT EXAMINATION. 18 BY MS. JORGENSEN: 19 Q. And just a reminder, you're still 20 under oath? 21 A. Yes. 22 Q. Ms. Rowsell, are you familiar with 23 notice of Violation 10078? 24 A. Yes.</p> <p>Page 101</p>



1 Q. Does it -- does it involve the same
2 site as the one that is the subject of notice of
3 Violation 9994?
4 A. Yes.
5 Q. On July 17th, 2024, did you visit the
6 construction site?
7 A. Yes.
8 Q. And what was the purpose of your
9 visit?
10 A. Just the routine inspection.
11 Q. Did you visit the site with anyone
12 else from Air Quality?
13 A. Yes, Andrew Kirk.
14 Q. And if you could just remind the
15 hearing officer, what was your last visit prior to
16 January 17th -- I'm sorry, July 17th?
17 A. I believe it was in February.
18 Q. And in February when you visited the
19 site, had -- was the site in compliance?
20 A. Yes.
21 Q. Okay. During your inspection, what
22 did you observe?
23 A. Unstable soils.
24 Q. And --

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1 A. Can I see my inspection, please?
2 Q. Yeah. Let's go to Exhibit B. Ms.
3 Rowsell, could you describe what this document is?
4 A. It's my construction site inspection
5 that I fill out when I do an inspection on all sites.
6 Q. Okay. And do you -- were you able to
7 conduct a full inspection while you were there on July
8 17th?
9 A. Yes.
10 Q. So you got out of your car, walked
11 around?
12 A. Yes, we were able to go in.
13 Q. Okay. And at that point, was there a
14 -- was the site gated and blocked where you couldn't
15 go in -- you couldn't drive in like you'd previously
16 been able to in January and February?
17 A. No, I don't believe so. I can't --
18 Q. So you don't recall having to stop and
19 --
20 A. I can't see.
21 Q. Oh, here, let me show you on this one?
22 MS. JORGENSEN: I'm pulling up the one
23 on -- here so she can see it easier.
24 BY MS. JORGENSEN:

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1 Q. So, here's Exhibit B. So do what you
2 want to do?
3 A. Yes, I was allowed on site.
4 Q. Do you recall whether or not you
5 needed to -- was there a sign saying that you needed
6 to check in?
7 A. No.
8 Q. Do you recall any sign about hazardous
9 materials?
10 A. No.
11 Q. Okay. And do you remember -- did you
12 have to check in -- to get onto the site, did you have
13 to check in? Do -- if you recall?
14 A. I don't recall this time.
15 Q. Okay. So, during your inspection,
16 what did you observe?
17 A. Dry, loose, powdery site soils.
18 Q. And do you recall whether or not the
19 track out control device that had previously been
20 installed was still in place?
21 A. Yes, it was there.
22 Q. Okay. So there was no issue with
23 regard to the track out device?
24 A. No.

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1 Q. Okay. Did you perform a drop ball
2 test?
3 A. I did not need to.
4 Q. When you say you didn't need to, what
5 do you mean?
6 A. Because I could tell by the -- my
7 training that the drop ball it would fail, because
8 it's a -- it was very bad.
9 Q. Okay. Did you take any photographs,
10 what you saw?
11 A. Yes.
12 MS. JORGENSEN: Could we go to Exhibit
13 C?
14 BY MS. JORGENSEN:
15 Q. Could you go through Photographs 1
16 through 6 and describe what they depict?
17 A. This is a view of the north at dry,
18 loose, powdery site soils located in the southwestern
19 portion of the project, that clearly see it's unstable
20 with no water use. And then that's view looking
21 northeast at the dry, loose, powdery site soils
22 observed in the central portion of the project. And
23 view looking north at dry, loose, powdery site soils
24 observed in the southern portion of the project. And

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<p>1 you can clearly see there's inches of dry, loose, 2 powdery soils. 3 And then view looking east at dry, 4 loose, powdery site soils observed on the southeastern 5 portion of the project. And that's a closer up view 6 of the northeast -- looking northeast at dry, loose, 7 powdery site soils observed on the northeastern end of 8 the project. And view looking east at dry, loose, 9 powdery site observed on the Northwestern end of the 10 project. 11 Q. And do these -- are these photographs 12 that you took? 13 A. Yes. 14 Q. And do they thoroughly and accurately 15 represent what you observed? 16 A. Yes. 17 Q. Did you document your inspection -- 18 actually, I think we've already looked at or gone 19 through Exhibit B, but if we go to Exhibit B. Does 20 this construction site inspection report document 21 which you observed on that day? 22 A. Yes. 23 Q. And does the report note your 24 observations of the soil -- site soils were unstable?</p> <p style="text-align: right;">Page 106</p>	<p>1 lawyers are for. 2 Mr. Kirk and I left the site without 3 further discussion. I issued a notice of 4 non-compliance with a possible notice of violation and 5 sent the non via e-mail to Mr. Truman and his 6 attorney, Mr. Russell Gubler. 7 Q. And did you issue that notice of 8 non-compliance? 9 A. Yes. 10 MS. JORGENSEN: Could we go to Exhibit 11 E? 12 BY MS. JORGENSEN: 13 Q. Ms. Rowsell, could you describe what 14 this is? This document? 15 A. This is a notice of non-compliance 16 that we e-mailed to the responsible official when our 17 site is not in compliance, giving them direction of 18 what needs to be done to bring it back into 19 compliance. 20 Q. Okay. And at this point, on July 21 17th, there was still a Dust Control Operating Permit 22 on this site? 23 A. Correct. 24 Q. Did you provide a copy of the notice</p> <p style="text-align: right;">Page 108</p>
<p>1 A. Yes. 2 Q. And did you include any inspector 3 notes in the report? 4 A. I did. 5 Q. Would you please read them? 6 A. Yes. I conducted a routine inspection 7 with Andrew Kirk, senior Air Quality specialist, and 8 observed approximately 1.3831 acres of dry, loose, 9 powdery site soils. Due to the amount of egregious, 10 unstable soils, the soil stabilization test was not 11 conducted due to the fact it was not needed to verify 12 instability. 13 Andrew and I spoke in person with Moe 14 Truman, responsible official, and informed him that 15 the site was not in compliance at this time, and that 16 a notice of non-compliance with a possible notice of 17 violation will be issued. Mr. Truman stated that he 18 was in litigation regarding this site with Air 19 Quality. 20 When Mr. Kirk tried to explain to Mr. 21 Truman that the soils need to be stabilized and 22 maintained in a moisture crusted condition 24/7 per 23 the conditions of his dust permit, Mr. Truman stated 24 he wasn't going to discuss it and that's what the</p> <p style="text-align: right;">Page 107</p>	<p>1 of non-compliance to Mr. Truman and his attorney? 2 A. Yes. 3 Q. And when was that? 4 A. I believe on July 17th, I think. 5 Q. I think that's part of Exhibit E; is 6 that right? 7 MS. JORGENSEN: Can you make that 8 bigger, Pam? 9 THE WITNESS: Yeah, July 17th at 5:06 10 p.m. I e-mailed it to them. 11 BY MS. JORGENSEN: 12 Q. Okay. Did you return to the site 13 again? 14 A. Yes. 15 Q. And when was that? 16 A. July 25th, I think. Or was that Andy? 17 Q. Yeah? 18 A. I went the next day, July 31st. 19 Q. July 31st is when you went next time? 20 A. Yes. 21 Q. Okay. And did you go with anyone, 22 from Air Quality on July 31st? 23 A. Yes. 24 Q. And who is that?</p> <p style="text-align: right;">Page 109</p>



1 **A. I believe it was Noe Cran -- can I see**
2 **the notes again?**
3 Q. Here. We can go --
4 THE CLERK: So many times.
5 MS. JORGENSEN: I know. So let's go
6 back to --
7 THE WITNESS: Noel, I went with Noel.
8 I can see it too.
9 BY MS. JORGENSEN:
10 Q. Noel?
11 **A. Crandall.**
12 Q. Okay?
13 **A. The Air Quality Inspector 2.**
14 Q. And why did he accompany you?
15 **A. Because we had changed areas, and so I**
16 **took Mr. Crandall with me to introduce him to Mr.**
17 **Truman and explain that he was going to be the new**
18 **inspector for that area.**
19 Q. And so did you have that opportunity
20 to -- just to introduce him to Mr. Truman?
21 **A. I did.**
22 Q. And did you recall any other parts of
23 the discussion?
24 **A. I explained to him that the soils were**

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1 **unstable, and that he needed to maintain them 24/7,**
2 **and that it was another day of non-compliance.**
3 Q. Okay. On July 31st, were you able to
4 perform a full site inspection?
5 THE WITNESS: Can you pull up the CSI,
6 please? Okay. Yeah. Thank you.
7 Yes, I believe we were on site. Can
8 you --
9 BY MS. JORGENSEN:
10 Q. What do you need to look at?
11 **A. (Inaudible) right there.**
12 Q. Okay. Here?
13 THE CLERK: I don't know how to, I'm
14 so sorry.
15 THE WITNESS: Sorry. It's at an angle
16 where you can't read it very well.
17 No, we were not able to go onto the
18 full site.
19 BY MS. JORGENSEN:
20 Q. Okay. Did you take any pictures of
21 what you were able to see?
22 **A. Yes, I took pictures to the gate.**
23 Q. Okay. So at this point, on July 3 --
24 so, on July 17th there was no gate blocking your

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1 access?
2 **A. Correct.**
3 Q. And then on July 31st there was?
4 **A. Correct.**
5 Q. So how did you speak to -- how did you
6 get to speak to Mr. Truman?
7 **A. In the middle of the site on Stratford**
8 **there is a button that you push, and a secretary, I**
9 **believe, asks what you're there for. And I stated**
10 **we're here to do -- we were with Air Quality, we're**
11 **here to do an inspection. And Mr. Truman came out and**
12 **spoke with this outside of that door.**
13 Q. So, he came outside of the building
14 and was speaking with you in the front of the --
15 **A. In the front of the building --**
16 Q. -- the area?
17 **A. Yes.**
18 Q. Okay?
19 **A. In the parking area.**
20 Q. Okay. Let's see?
21 MS. JORGENSEN: If we could go to Photo
22 12. Our Exhibit C.
23 BY MS. JORGENSEN:
24 Q. Is this a copy of a photo that you

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1 took?
2 **A. Yes, that's where I was looking**
3 **through the gate blocking the access to the site.**
4 **That's what I could see looking through.**
5 Q. And is this a gate that's on the where
6 is the south end?
7 **A. South.**
8 Q. So this is where you've previously
9 seen trucks go in and out?
10 **A. Correct. There was trucks going in**
11 **and out.**
12 Q. Okay. And this is where the gate
13 would automatically open up?
14 **A. I -- somebody opened it. Yeah, I**
15 **don't know if opened automatically.**
16 Q. Okay. But while you were there,
17 trucks were going in and out?
18 **A. Yes.**
19 Q. Okay. Did you document your visit by
20 preparing a construction site inspection report?
21 **A. Yes.**
22 MS. JORGENSEN: Could we go to Exhibit
23 H? Could you -- oh, gosh.
24 THE CLERK: I can make it.

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1 MS. JORGENSEN: No, I'm sorry. I like
2 messed this this up. One second. So, how do I get
3 back to -- yeah. So, there we go. Thank you.
4 BY MS. JORGENSEN:
5 Q. Okay. So, let me get you to Exhibit
6 H. Okay. So, do what you need to do to look at
7 Exhibit H?
8 **A. Okay.**
9 Q. So could you describe what this
10 document is?
11 **A. Yes, it's the construction site**
12 **inspection that we do when we do an inspection on the**
13 **site.**
14 Q. And does this report memorialize what
15 occurred during your visit?
16 **A. It does.**
17 Q. Did you include any inspector notes in
18 the report?
19 **A. Yes.**
20 Q. Would you please read those inspector
21 notes?
22 **A. Yes. An Air Quality specialist, Noel**
23 **Crandall and I attempted to conduct a follow-up**
24 **inspection on this project but was denied accessed by**
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1 **the responsible official, Mr. Truman. I therefore was**
2 **not able to complete a close-up inspection of the**
3 **soils, but could see through the fence that they were**
4 **still dry, loose, and powdery throughout the site and**
5 **appeared to be unchanged from the last inspection on**
6 **7/17 and 7/24, '25 - '24.**
7 **There was a front end loader spreading**
8 **what appears to be millings on the main area by the**
9 **south entrance. But I was unable to confirm materials**
10 **as access was denied. Mr. Truman stated that since no**
11 **crime and I don't have OSHA 40 certification, we'll**
12 **not be allowed access on his site.**
13 **I did tell Mr. Truman that he must**
14 **stabilize all site soils immediately and maintain them**
15 **in a moisture crystal condition 24/7. I asked Mr.**
16 **Truman, just to be clear, you are denying us access to**
17 **your site; is that correct? And Mr. Truman stated,**
18 **yes. I stated, okay, then Mr. Crandall and I left the**
19 **premises.**
20 Q. Prior to your attempt to fully inspect
21 the site on July 31st, had Mr. Truman ever stated that
22 an Air Quality inspector would need an OSHA 40
23 certification to perform an inspection on this site?
24 **A. No.**
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1 Q. And does -- to the best of your
2 knowledge -- well, let me ask it this way, before July
3 31st, did Mr. Truman ever deny you entry to the site
4 such as on January 8th, February 1st, or July 17th?
5 **A. Not me personally, no.**
6 Q. And was it a condition of the Dust
7 Control Operating Permit that the permittee allow Air
8 Quality inspections without notice during business
9 hours?
10 **A. Yes.**
11 Q. Did Mr. Truman state or give any
12 indication that he was denying access to you and Mr.
13 Crandall because he questioned whether you were Clark
14 County Air Quality inspectors?
15 **A. No, he denied us access because we**
16 **didn't have OSHA 40 certification.**
17 Q. At least that's what he stated?
18 **A. That's what he stated.**
19 Q. Okay. Did you provide anything in
20 writing to Mr. Truman and his attorney concerning the
21 denial of access on July 31st?
22 **A. Yes, we sent an e-mail.**
23 MS. JORGENSEN: And if we could go to
24 Exhibit I.
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1 BY MS. JORGENSEN:
2 Q. Ms. Roswell, is this the e-mail you
3 were referencing?
4 **A. Yes.**
5 Q. And when was this sent?
6 **A. July 31st at 5:05 p.m.**
7 Q. Okay. Could you please read that
8 first paragraph of the e-mail?
9 **A. Yes. Good afternoon Mr. Truman, Mr.**
10 **Gubler, I went out to your project Dust Control**
11 **Operating -- DCO -- Permit, DCOP 57148-Stratford-1 on**
12 **Wednesday, 7/31/2024 at approximately 1:55 p.m. for a**
13 **follow-up inspection was denied access.**
14 **I was told that your lawyer needed to**
15 **figure out if access is going to be allowed since we**
16 **don't have OSHA 40 certification before allowing**
17 **access to the site. Even though as an inspector, I**
18 **have the authority to complete an unscheduled**
19 **inspection at any reasonable time.**
20 **In fact, on page 3 of 16 of your DCOP,**
21 **it says, in accordance with the DCOP and the AQRs, the**
22 **applicant and the permittee shall consent to inspection**
23 **of the site during normal hours of operation by**
24 **Division of Air Quality, DAQ staff without prior**
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1 notice to determine compliance with the terms and
2 conditions of the DCOP and the AQRs. This became
3 binding after the DCOP was signed and issued to you,
4 the responsible official.
5 Q. And does the e-mail include anything
6 else?
7 A. Yes.
8 Q. And what else does it include?
9 A. It includes the two Nevada revised
10 statutes that apply here for the power to do an
11 inspection NRS445B.240, power of representative and
12 department to enter and inspect premises.
13 Q. And what's the other statute?
14 A. NRS445A -- is that B or E?
15 Q. B?
16 B.580, officer of department may
17 inspect or search premises.
18 Q. Okay. Did you and Mr. Crandall return
19 to the site again on August 7th for an inspection?
20 A. Yes.
21 Q. And while on site, did you speak with
22 Mr. Truman?
23 A. Yes.
24 MS. JORGENSEN: Could you go to Exhibit
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1 J, please?
2 BY MS. JORGENSEN:
3 Q. Ms. Roswell, could you please describe
4 what this document is?
5 A. It's my construction site inspection
6 report from when we did our inspection of what we
7 found on site.
8 Q. And this was for August 7th?
9 A. Correct.
10 Q. Okay. And were you able to go onto
11 the site to perform your inspection?
12 A. No.
13 Q. And did you speak with Mr. Truman?
14 A. Yes.
15 Q. And did he deny you access?
16 A. Yes. Mr. Truman stated his lawyer had
17 not gotten back to him yet as to whether access will
18 be granted for the inspection.
19 Q. Did you document what you observed in
20 the construction site inspection report?
21 A. Yes.
22 Q. Or I guess document your visit? Could
23 you please read the inspector notes in the report?
24 A. Yes. I conducted a follow-up
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1 inspection with Air Quality Inspector Noel Crandall,
2 and was denied access to the site by Mr. Moe Truman,
3 responsible official. Mr. Truman stated that his
4 lawyer had not gotten back to him yet as to whether
5 access will be granted for an inspection. I was
6 unable to tell if the soils were stable or unstable
7 since access was denied. It appears that millings
8 were applied throughout most of the site from what I
9 could see through the fence.
10 Q. I believe you had already testified
11 that on July 17th -- no, I'm sorry, on August -- I'm
12 sorry, July 31st. Let me just make sure. Let me just
13 think for a second. Okay. Remind me. On July 17th,
14 is that the first time -- no. On July 31st is the
15 first time you went with Mr. Crandall; is that
16 correct?
17 A. Yes, I believe so.
18 Q. And you introduced -- one of the
19 reasons of bringing Mr. Crandall was to introduce him
20 to Mr. Truman; is that correct?
21 A. Yes.
22 Q. And on August 7th, did Mr. Truman make
23 any statements about -- oh, let me back up?
24 On July 31st, what was the reason of
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1 bringing Mr. Crandall to introduce him to Mr. Truman?
2 A. Because our areas were changing and
3 Mr. Crandall was going to be the new inspector of the
4 area. And I wanted Mr. Truman to meet him.
5 Q. So on August 7th when you showed up
6 with Mr. Crandall, did Mr. Truman make any remark
7 about your appearance?
8 A. Yes, he said -- he goes, I thought you
9 were done here. And I said, I'm not done until this
10 is solved.
11 Q. Okay. After your inspection on August
12 7th, did you send a follow up e-mail to Mr. Truman and
13 his attorney?
14 A. Yes.
15 MS. JORGENSEN: Could we go to Exhibit
16 K?
17 BY MS. JORGENSEN:
18 Q. Ms. Roswell, could you describe what
19 this document is?
20 A. Is the e-mail that I sent to Mr.
21 Truman.
22 Q. And when did you send it?
23 A. On August 12th, 9:18 a.m.
24 Q. Okay. So August 7th was the date of
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<p>1 the inspection or attempted inspection, and then</p> <p>2 August 12th is the date that you sent the e-mail?</p> <p>3 A. Correct.</p> <p>4 Q. And in that e-mail, did you again,</p> <p>5 state to Mr. Truman that the Dust Control Operating</p> <p>6 Permit provided that authorization to go onsite?</p> <p>7 A. Correct.</p> <p>8 Q. On August 14th, did you and Mr.</p> <p>9 Crandall return again to the site to perform an</p> <p>10 inspection?</p> <p>11 A. Yes.</p> <p>12 Q. And on the 14th -- well, actually if</p> <p>13 we could go to -- oh, actually no?</p> <p>14 Did you -- do you recall speaking with</p> <p>15 Mr. Truman on the 14th?</p> <p>16 A. Can I pull up the CSI, please?</p> <p>17 Q. Sure?</p> <p>18 A. There. I can see.</p> <p>19 Q. Okay?</p> <p>20 A. Yes, we did. No, actually, no. This</p> <p>21 was the one where he was in a meeting, and we spoke</p> <p>22 with a female worker. On the -- when we pushed the</p> <p>23 button and asked to do a site inspection, she stated</p> <p>24 that Mr. Truman was in a meeting, was unable to let us</p> <p style="text-align: right;">Page 122</p>	<p>1 A. This is the gate that's on the north</p> <p>2 end.</p> <p>3 Q. The north endOkay.</p> <p>4 A. And then that's in the middle of the</p> <p>5 project where the office is, that you check in.</p> <p>6 Q. Okay. And how did you know it was the</p> <p>7 office?</p> <p>8 A. Just now there's a sign saying all</p> <p>9 visitors must check in.</p> <p>10 Q. Okay. Since August 14th, have you</p> <p>11 returned to the site?</p> <p>12 A. No, I don't believe -- oh, wait. I</p> <p>13 don't believe so. No.</p> <p>14 Q. For the purposes of this notice of</p> <p>15 violation, is the last inspection on August 14th,</p> <p>16 2024?</p> <p>17 A. Yes.</p> <p>18 Q. And then since August 14th, 2024. So</p> <p>19 not part of this notice violation, but have there been</p> <p>20 subsequent visits --</p> <p>21 A. Yes.</p> <p>22 Q. -- that you've been to?</p> <p>23 A. I believe on August 24th, I think.</p> <p>24 Q. Do you -- and again, if you recall, is</p> <p style="text-align: right;">Page 124</p>
<p>1 in to do an inspection and to come back later.</p> <p>2 Q. Okay. And is this a construction site</p> <p>3 inspection report that you prepared?</p> <p>4 A. I believe I -- no, I believe no.</p> <p>5 Yeah, no. That there's inspection this time because</p> <p>6 since it's in his area.</p> <p>7 Q. Okay. But you recall having that</p> <p>8 conversation with the -- with the employee, not Mr.</p> <p>9 Truman?</p> <p>10 A. Correct.</p> <p>11 Q. Okay?</p> <p>12 A. Noel and I had the conversation with</p> <p>13 her.</p> <p>14 Q. Okay?</p> <p>15 MS. JORGENSEN: Could you go to Exhibit</p> <p>16 C, Photo 16 and 17?</p> <p>17 BY MS. JORGENSEN:</p> <p>18 Q. Ms. Roswell, could you describe what</p> <p>19 these photographs depict, 16 and 17?</p> <p>20 A. Yeah, this is a view looking southeast</p> <p>21 at the close gate blocking access to the site observed</p> <p>22 during the follow-up inspection.</p> <p>23 Q. And is this the gate that's on the</p> <p>24 south end?</p> <p style="text-align: right;">Page 123</p>	<p>1 it your understanding that the site has -- oh, let me</p> <p>2 back up?</p> <p>3 So, notice of Violation 9994, you went</p> <p>4 on July, on February 1st the site was in compliance,</p> <p>5 so things were closed out and moved forward. Is that</p> <p>6 a correct statement?</p> <p>7 A. Correct.</p> <p>8 Q. For this notice of violation, after</p> <p>9 August 14th, 2024, is it your understanding that the</p> <p>10 site is now in compliance?</p> <p>11 A. No.</p> <p>12 Q. Okay?</p> <p>13 MS. JORGENSEN: I have nothing further</p> <p>14 for this witness.</p> <p>15 HEARING OFFICER: Thank you.</p> <p>16 Counsel?</p> <p>17 EXAMINATION.</p> <p>18 BY MR. GUBLER:</p> <p>19 Q. Ms. Roswell, so we've already</p> <p>20 discussed your prior visits before July. But you were</p> <p>21 on the property on July 17th, 25th, 31st, 7th, and</p> <p>22 14th; is that right?</p> <p>23 A. I was not on the 25th.</p> <p>24 Q. Not on the 25th. I apologize. So, on</p> <p style="text-align: right;">Page 125</p>



1 the -- on the 17th, how did you access the site?
2 **A. We drove in on the north side.**
3 Q. And did you check in?
4 **A. We did not.**
5 Q. Okay. And now, when you had spoken to
6 Mr. Truman before, he told you that you needed to
7 check in; is that right?
8 **A. And we told him he had to post signs.**
9 Q. But he told you that, is that -- isn't
10 that right?
11 **A. Correct.**
12 Q. Okay. Did you check in?
13 **A. We checked -- we talked to him, but we**
14 **didn't check -- we didn't push the button.**
15 Q. On July 17th, did you check in? So,
16 just for clarification?
17 **A. No, I don't believe so.**
18 Q. Okay. On -- and you said you weren't
19 there July 25th. July 31st, did you check in?
20 **A. Yes.**
21 Q. Okay. And you checked in with whom?
22 **A. Mr. Truman.**
23 Q. With Mr. Truman. And did you ask him
24 to enter the property for inspection?

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1 **A. Yes.**
2 Q. Okay. And did you present your
3 credentials?
4 **A. We have our credentials around our**
5 **neck at all times.**
6 Q. Okay. And what is that?
7 **A. My employee badge.**
8 Q. Your employee badge, that doesn't have
9 a certification on it, correct?
10 **A. It does not say. It says I have the**
11 **-- I have to have --**
12 Q. Just answer my question, please?
13 **A. No.**
14 Q. Okay. And it -- it's the same badge
15 that we had asked you about before; is that right?
16 **A. Correct.**
17 Q. Okay. So, let's see. Let's go to
18 July 31st. Did you check in?
19 **A. Yes.**
20 Q. And did you -- did you ask to enter
21 the property for inspection?
22 **A. Yes.**
23 Q. Okay. And did you present your
24 credentials?

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1 **A. We have our badges around our necks,**
2 **our vehicles, and our shirts at all times.**
3 Q. Okay. Did you present them to him --
4 to Mr. Truman?
5 **A. He didn't ask for them, so no.**
6 Q. Okay. And that's the same answer for
7 the 17th. He didn't ask them, so no; is that right?
8 **A. Correct.**
9 Q. Okay. On August 7th, did you ask to
10 enter the property for inspection?
11 **A. Yes.**
12 Q. And did you present your credentials?
13 **A. No.**
14 Q. Okay. On August 14th, did you ask to
15 enter the property for inspection?
16 **A. Yes.**
17 Q. And did you present your credentials?
18 **A. No.**
19 Q. Let me ask you this, on the days that
20 you said that you were on the property, what test
21 methods did you use?
22 **A. To determine -- what's the question?**
23 **I'm sorry.**
24 Q. You know, you said that my client's

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1 not in compliance, right?
2 **A. Correct.**
3 Q. So what test methods did you use?
4 **A. You can tell by looking at the soils**
5 **when there's two inches and you can see two inches of**
6 **tire trucks that the soils are not stable because you**
7 **should not be able to make tire trucks or footprints**
8 **if the soils are stable.**
9 Q. So under the regulations there's
10 certain test methods, correct?
11 **A. Correct.**
12 Q. Which one did you use?
13 **A. My visual training.**
14 Q. Is that one of the test methods used
15 in the regulations? It isn't, correct?
16 **A. I'm not familiar, so --**
17 Q. Okay. So I'm going to go under the
18 USC, the Uniform Commercial Code, the United States
19 Code, excuse me, Title 29, labor, Subtitle B,
20 regulations relating to labor, Chapter 17,
21 Occupational Safety, Health Administration, OSHA,
22 Department of Labor, Occupational Safety and Health
23 Standards, Part 1910, and Subpart Z, Toxic and
24 Hazardous Substance?

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<p>1 Ms. Roswell, do you have -- do you</p> <p>2 have hazmat training as required under Title 29 of the</p> <p>3 USC?</p> <p>4 A. I do not.</p> <p>5 Q. And why is that?</p> <p>6 A. Because it's not required for my</p> <p>7 position.</p> <p>8 Q. Okay. I don't have any other</p> <p>9 questions?</p> <p>10 HEARING OFFICER: Okay. Thank you.</p> <p>11 EXAMINATION.</p> <p>12 BY MS. JORGENSEN:</p> <p>13 Q. Ms. Roswell, was it your understanding</p> <p>14 that Mr. Truman recognized you and knew who you were</p> <p>15 on January -- I'm sorry, July 17th, July 31st, August</p> <p>16 7th, and August 14th?</p> <p>17 MR. GUBLER: Objection, speculation.</p> <p>18 THE WITNESS: Yes.</p> <p>19 MS. JORGENSEN: I asked about whether</p> <p>20 it was her understanding.</p> <p>21 HEARING OFFICER: Oh, well.</p> <p>22 BY MS. JORGENSEN:</p> <p>23 Q. Did he, on August 7th -- I believe it</p> <p>24 was, yeah, on August 7th, did he make a statement to</p> <p>Page 130</p>	<p>1 been going over two hours, so we'll go ahead and take</p> <p>2 a break.</p> <p>3 MS. JORGENSEN: Okay.</p> <p>4 HEARING OFFICER: It's like 10:16. So,</p> <p>5 we're going off the record. Is 10 minutes sufficient?</p> <p>6 Okay. So right before 10:26.</p> <p>7 (OFF THE RECORD).</p> <p>8 Okay. Are we ready to go back on the</p> <p>9 record? It's about 10:26, 10 minute after a 10-minute</p> <p>10 break. We all are ready.</p> <p>11 MS. JORGENSEN: Yeah, we're ready.</p> <p>12 HEARING OFFICER: Okay. Call your next</p> <p>13 witness.</p> <p>14 MS. JORGENSEN: I'd like to call Andrew</p> <p>15 Kirk. And just remind you, you're still under oath,</p> <p>16 Mr. Kirk.</p> <p>17 HEARING OFFICER: Yeah, go ahead.</p> <p>18 EXAMINATION.</p> <p>19 BY MS. JORGENSEN:</p> <p>20 Q. Mr. Kirk, are you familiar with notice</p> <p>21 of Violation 10078?</p> <p>22 A. I am.</p> <p>23 Q. And did you perform or visit the site</p> <p>24 that is a subject to that NOV on a couple of different</p> <p>Page 132</p>
<p>1 you, asking why you were there when you weren't</p> <p>2 supposed to (inaudible)? If you could describe again</p> <p>3 what the interaction you had with him on August 7th</p> <p>4 with regard to him pointing out, asking you why you</p> <p>5 were there?</p> <p>6 A. Yes. When he came out and he saw that</p> <p>7 I was there with Mr. Crandall, he said, why are you</p> <p>8 still here? I thought you were done with this area.</p> <p>9 Q. So, was it your understanding from</p> <p>10 that, that he remembered your discussion on July 31st</p> <p>11 when you introduced Mr. Crandall and stated that you</p> <p>12 would be changing areas?</p> <p>13 A. Correct. Yes.</p> <p>14 MS. JORGENSEN: Nothing further.</p> <p>15 HEARING OFFICER: Counsel?</p> <p>16 MR. GUBLER: Nothing.</p> <p>17 HEARING OFFICER: Okay. The next</p> <p>18 witness.</p> <p>19 MS. JORGENSEN: I'd like to call, Mr.</p> <p>20 Kirk.</p> <p>21 HEARING OFFICER: Take a break. Okay.</p> <p>22 A break have been requested.</p> <p>23 MS. JORGENSEN: Oh, okay.</p> <p>24 HEARING OFFICER: And we have actually</p> <p>Page 131</p>	<p>1 occasions in July of 2024?</p> <p>2 A. I did twice.</p> <p>3 Q. Did you visit the site on July 17th</p> <p>4 with Ms. Roswell?</p> <p>5 A. Yes.</p> <p>6 Q. And when you arrived on site, do you</p> <p>7 recall if the area around the site was blocked?</p> <p>8 A. Yes, I remember they were blocked.</p> <p>9 Q. So you couldn't -- previous to what</p> <p>10 you'd been able to do, you weren't -- back in January</p> <p>11 and February, you were no longer able to drive onto</p> <p>12 the site?</p> <p>13 A. That's correct.</p> <p>14 Q. And so when it was locked, what did</p> <p>15 you end up doing?</p> <p>16 A. We rang on the doorbell in the middle</p> <p>17 of the property on that west end. There's now a door</p> <p>18 that says, all visitors must check in, and there's a</p> <p>19 doorbell to ring, which we did.</p> <p>20 Q. Okay?</p> <p>21 MS. JORGENSEN: Could you go to -- Pam,</p> <p>22 could you go to Exhibit B of -- I know I'm going to be</p> <p>23 jumping around. Exhibit B of the reply. That's going</p> <p>24 to be the dust control. Yeah. And if you could go to</p> <p>Page 133</p>



1 the map. Okay.
2 BY MS. JORGENSEN:
3 Q. So Mr. Kirk, is this a map of the
4 site?
5 A. It is.
6 Q. And could you indicate -- I think you
7 have the clicker?
8 MS. JORGENSEN: Oh, and I was going to
9 say just for future reference, is this the only
10 clicker we have or? Okay. No, that's fine. So we'll
11 just -- if you end up needing it, then we can pass it
12 over when it's -- if it becomes important.
13 MR. GUBLER: On this?
14 MS. JORGENSEN: Yeah. Or anything.
15 BY MS. JORGENSEN:
16 Q. Okay. Mr. Kirk, if you could show
17 where you ended up pushing -- ringing a bell or
18 ringing a --
19 A. No. Try and get as close as possible,
20 but it's hard to tell without the aerial visible.
21 Q. Yeah?
22 A. But it's right in the middle.
23 Q. Okay?
24 A. I know what that arrow says.

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1 Q. Looks like it says MO3?
2 A. Oh, it's got nothing to do with it. I
3 think it's south of there.
4 Q. Okay?
5 A. There's a -- there's a door right
6 around here.
7 Q. Okay?
8 A. And then parking all up and down here.
9 Q. Okay?
10 A. Employee parking and stuff. And we
11 drove in and parked right next to the door.
12 Q. Okay. And what did you do next?
13 A. We rang on the doorbell and Mr. Truman
14 answered.
15 Q. Okay?
16 A. And we introduced ourselves.
17 Q. When I say -- when you say he
18 answered, like, he opened a door?
19 A. Yes.
20 Q. Okay?
21 A. Yes.
22 Q. Go ahead?
23 A. And then we introduced ourselves. And
24 then we had -- with Air Quality, here due to

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1 inspection. And then he asked us to grab some PPE,
2 which is a hard hat and a vest, which we just went to
3 the car, which is right next to where we were
4 standing. Grabbed that stuff, and then we entered
5 into the facility through that door.
6 Mr. Truman was on a phone call or
7 something. He went into the office, and Ms. Rowsell
8 and I stood outside. There's a little office area
9 here with some computers and phones and stuff like
10 that. We stood outside of that for a few minutes.
11 Q. Did he ask you to wait?
12 A. Yes.
13 Q. Okay. Go ahead?
14 A. And then he came out when he was
15 finished. And we just discussed, once again, what we
16 were here to do. And he allowed us access to complete
17 an inspection without presenting credentials.
18 Q. Okay?
19 A. Although we were wearing our badges
20 and shirts and the truck logos.
21 Q. Okay. And then did you return to the
22 site again on July 25th, 2024?
23 A. I did.
24 Q. And did you perform a full site

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1 inspection on that day?
2 A. I did not.
3 Q. And were you there with anyone else --
4 A. No, I was --
5 Q. -- from Air Quality?
6 A. No, it was just me.
7 Q. Okay. And did you speak with Mr.
8 Truman?
9 A. I did.
10 Q. And did you do the same thing where
11 you parked and then rang a doorbell?
12 A. Yes.
13 Q. And did he appear at the -- that door?
14 A. He did.
15 Q. And did he deny you access to the
16 site?
17 A. Yes. He said that he needed to get
18 approval from his lawyer, to give his access or not.
19 Q. Okay. Did you take any -- even though
20 you weren't able to go actually onto the site, did you
21 take any photographs of what you saw?
22 A. I did.
23 MS. JORGENSEN: And could we go to
24 Exhibit C, Photographs 7 through 11.

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1 BY MS. JORGENSEN:
2 Q. Mr. Kirk, could you go through those
3 five photographs and describe what they depict?
4 A. Yeah. So this is a picture, it's
5 looking east. This is the southwest gate where the
6 trucks come in and out. It was closed at the time. I
7 just took a picture through it. Photo number 8, that
8 is the same -- that's another gate on the -- that's a
9 northwest corner. You can see that it's closed.
10 And there's just a picture of the
11 conex boxes stacked on top. That's all along the
12 western end of the project. And I believe I have a
13 picture of the door next. Yes. Here's where you ring
14 the doorbell. And there's a sign that says, now
15 notice all visitors must check in or ring the
16 doorbell, and that's where we're greeted or we were
17 greeted by Mr. Truman.
18 Q. Okay?
19 A. And that's another picture of the
20 southwest gate just further back, because you can see
21 the entire area.
22 Q. So is the door further north?
23 A. Yes.
24 Q. Okay?

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1 MS. JORGENSEN: Could you go back to
2 Photograph 10, I think?
3 BY MS. JORGENSEN:
4 Q. Is this the same door that you
5 observed on July 17th?
6 A. Yes.
7 Q. Okay?
8 A. That's the only door entry and besides
9 the gates, that's the only way in.
10 Q. Okay. And -- let's see. Did you
11 prepare a construction site inspection report?
12 A. I did on the 25th.
13 Q. On the 25th?
14 A. Yes.
15 MS. JORGENSEN: Could we go to Exhibit
16 F?
17 BY MS. JORGENSEN:
18 Q. Mr. Kirk, could you please describe
19 what this document is?
20 A. Oh, so that's a construction site
21 inspection form that I filled out after my inspection
22 on the 25th, 3:00 p.m. -- 3:15 p.m.
23 Q. Okay. And did you include in the
24 inspector notes?

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1 A. I did.
2 Q. Could you please read those notes?
3 A. Yes. I attempted to conduct a
4 follow-up inspection of this project, was -- but was
5 denied access by the responsible official, Mr. Truman.
6 I therefore was not able to complete a close up
7 inspection of the soils, but could see through the
8 fence that they appear to be dry, loose, and powdery
9 and unchanged from the last inspection on July 17th,
10 2024.
11 I'm issuing another notice of
12 non-compliance for access being denied, which is a
13 violation of Section 4.1, D1 and NRS 445B240, and
14 NRS445B580. I did tell Mr. Truman that he must
15 stabilize all soils as immediately and maintaining the
16 moist crystal condition 24/7.
17 Q. To the best of your knowledge, had Mr.
18 Truman ever denied entry or access to the site to an
19 Air Quality inspector prior to your visit on July
20 25th?
21 A. Not that I'm aware of. That was the
22 first time.
23 Q. Okay. And I believe you've previously
24 testified you were there on January 9th, January 17th,

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1 February 1st, and July 17th?
2 A. I was.
3 Q. And he didn't deny access on any of
4 those days?
5 A. No.
6 Q. Was it a condition of the Dust Control
7 Operating Permit that Air Quality staff could conduct
8 inspections during business hours without notice?
9 A. Yes, it is.
10 Q. When Mr. Truman denied access on July
11 25th, did he state or give any indication that he was
12 denying access because he questioned whether you were
13 a Clark County Air Quality inspector?
14 A. No. It was specifically to get
15 approval from his lawyer.
16 Q. Okay. And when you were there, you
17 were in a county vehicle?
18 A. We -- yes, we were.
19 Q. And the county -- I'm talking July
20 25th?
21 A. Yes.
22 Q. And July -- and then July 17th?
23 A. Yes, all the times, yes.
24 Q. Okay. And that county vehicle has

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1 printing on it?
2 **A. Yes. Have like the Clark County seal**
3 **on the door and then Air Quality logo on both sides on**
4 **the bed of the truck.**
5 Q. And prior to your discussion with him
6 on July 25th, you had already talked -- you had also
7 talked to him on July 17th?
8 **A. Yes.**
9 Q. And did you -- and you were also
10 present when David Dean was having a discussion with
11 him on January 9th?
12 **A. Yes.**
13 Q. And then I know -- and then you also
14 saw him on July 17th; is that right?
15 **A. Yes.**
16 Q. Okay. Did you issue a notice of
17 non-compliance?
18 **A. I did.**
19 Q. And did you provide this notice of
20 non-compliance to Mr. Truman and his attorney?
21 **A. Yes.**
22 MS. JORGENSEN: Could we please go to
23 Exhibit G?
24 BY MS. JORGENSEN:

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1 Q. Could you, Mr. Kirk, please describe
2 what this document is?
3 **A. Yeah. So it's just a notice of**
4 **non-compliance with the deficiencies that were**
5 **observed that day, July 25th at the top. It goes**
6 **through that it failed to adhere to Section 4.1 D1, as**
7 **outlined in Dust Control Permit. And then I explained**
8 **exactly what section 4.1 says --**
9 Q. Okay?
10 **A. -- in that. And then I sent that by**
11 **e-mail, I believe the next Monday. I think that was a**
12 **Thursday I did that inspection. And then on Monday**
13 **that e-mail was sent to both of them.**
14 Q. Okay. And that on July 29th?
15 **A. Yes.**
16 Q. Okay. I don't have any further
17 questions?
18 MS. JORGENSEN: I don't have any
19 further questions.
20 HEARING OFFICER: Okay.
21 Counsel?
22 EXAMINATION.
23 BY MR. GUBLER:
24 Q. Mr. Kirk, hello again. So, just for

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1 clarification, you were on the property on July 17th
2 and July 25th; is that right?
3 **A. Yes.**
4 Q. Any other days other than in -- that
5 you had testified to before?
6 **A. No.**
7 Q. Okay?
8 **A. Just those two.**
9 Q. Just those two. So, on these days,
10 well, we had -- we had discussed a notice of violation
11 that you had -- that you had issued to the
12 respondents; is that right? Do you remember that
13 testimony?
14 MS. JORGENSEN: I'm sorry. Did you say
15 notice of violation.
16 MR. GUBLER: Yes. Was it notice of
17 violation? Notice of non-compliance? Which one was
18 it?
19 THE WITNESS: I -- can you repeat that?
20 That -- I guess with who.
21 BY MR. GUBLER:
22 Q. You issued -- you said that you issued
23 a notice of, I thought it was a violation, after the
24 visit on the 25th; is that right?

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1 **A. Yeah. A notice of non-compliance.**
2 Q. Notice of non-compliance. Thank you.
3 And what was that pursuant to?
4 **A. We issued notice of non-compliance is**
5 **when we found non-compliance issues on our inspections**
6 **of sites that have Dust Control Permits. And we put**
7 **on there the deficiencies that are observed at that**
8 **time. In this case it was denying access to the**
9 **property.**
10 Q. Okay. And on there, did -- when --
11 and did you ask to enter the property for inspection?
12 **A. On which date?**
13 Q. On the 25th?
14 **A. Yes.**
15 Q. Same question on July 17th, did you
16 ask to enter the property for inspection?
17 **A. Yeah. Yes, I did. And it was**
18 **approved.**
19 Q. Okay. Did you present appropriate
20 credentials on the 17th?
21 **A. Can you explain what you mean by**
22 **present, please?**
23 Q. Did you -- did you show Mr. Truman any
24 credentials? Your credentials?

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1 **A. With that explanation, yes.**
2 Q. Okay. Tell me what you did?
3 **A. I had my badge on my neck and Air**
4 **Quality shirt on.**
5 Q. Okay. And you -- and you -- and you
6 showed him and said, I'm so -- I'm Mr. Kurt from Air
7 Quality Control, and I request to enter your property
8 for inspection. Is that what you said?
9 **A. Yes.**
10 Q. Okay. And you said these are my
11 credentials. Is that what you said?
12 **A. I don't remember exactly what I said.**
13 **It was 10 months ago. I don't know if I used those**
14 **exact words.**
15 Q. I mean, you already testified that you
16 didn't present credentials, right? Now you're saying
17 the opposite, right? That's what you said in your
18 testimony on the 17th?
19 **A. Well, this is a different violation.**
20 Q. Yes. But you said you didn't present
21 credentials on the 17th, now you're changing your
22 story; is that right?
23 **A. I did not say that.**
24 Q. You did too -- you did too?

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1 MS. JORGENSEN: You've already asked
2 and answered -- it's already been asked and answered.
3 BY MR. GUBLER:
4 Q. On July 25th, did you present
5 appropriate credentials?
6 **A. Based on your explanation what present**
7 **means, yes, I did.**
8 Q. And so you showed him your badge and
9 said, I'm Mr. Kirk and these are my -- this is my
10 badge from Air Quality; is that right?
11 **A. Again, I don't remember exactly what I**
12 **said, but it was around my neck. So that is showing**
13 **my credentials.**
14 Q. But you didn't lift it up, say, this
15 is who I am, right?
16 **A. I don't remember.**
17 Q. And that badge --
18 **A. Probably not. I don't normally do**
19 **that. I don't normally have to take my badge and show**
20 **it to people, that's around my neck.**
21 Q. So on your -- on your badge that says
22 that -- does that say that you're authorized to
23 conduct inspections?
24 **A. No.**

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1 Q. Okay. Let me ask you something, are
2 you with the State Department of -- indulgence here.
3 Are you with the State Department of Conservation
4 Natural Resources?
5 **A. Can you -- I'm with the Department of**
6 **Environment and Sustainability, Division of Air**
7 **Quality.**
8 Q. So you're not with the State
9 Department of Conservation Natural Resources, correct?
10 **A. That is correct.**
11 Q. Do you know if Ms. Roswell is?
12 **A. She works for the same as me, DES,**
13 **Division of Air Quality?**
14 Q. And so would you agree she's not with
15 the State Department of Conservation Natural
16 Resources; is that correct?
17 MS. JORGENSEN: I object. They've
18 already all testified that they work for Clark County.
19 MR. GUBLER: I'm just --
20 HEARING OFFICER: I'm not so sure where
21 you're headed, but I -- it's an informal, I mean,
22 form.
23 MR. GUBLER: So, I mean, Ms. Roswell
24 had said that she sent a -- some type of a

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1 correspondence pursuant to NRS445B.580, which
2 identifies the department.
3 MS. JORGENSEN: I can also clarify
4 that. If you go to 445B.500, that is one of the
5 statutes, it's applicable to the county program. So
6 even though it says department in 580, 500 brings that
7 into the purview of Clark County as well.
8 MR. GUBLER: That's on what it says in
9 NRS 445.1125, the department --
10 MS. JORGENSEN: I -- honestly, you need
11 to look at the statutes, and if we can want to have
12 argument about statutes, we can do that.
13 HEARING OFFICER: Yeah.
14 MS. JORGENSEN: But I assure you that 5
15 -- 445B.500 does authorize the use of 580 for purposes
16 of the county.
17 MR. GUBLER: So, may I finish my
18 argument.
19 HEARING OFFICER: That's fine.
20 MR. GUBLER: The department means the
21 State Department of Conservation National Resources
22 under the statute.
23 BY MR. GUBLER:
24 Q. Mr. Kirk -- indulgence. When you were

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1 there on July 17th and July 25th, what test methods do
2 you use -- did you use?
3 **A. Oh, we didn't do any test methods --**
4 Q. Okay?
5 **A. -- on those days.**
6 Q. No other question?
7 **A. On the 17th.**
8 Q. Thank you?
9 MS. JORGENSEN: I have no further
10 questions.
11 HEARING OFFICER: One second. Okay.
12 MS. JORGENSEN: Thank you. Nothing
13 further for this witness.
14 HEARING OFFICER: Okay. Next witness.
15 MS. JORGENSEN: I'd like to call Noel
16 Crandall.
17 HEARING OFFICER: Okay. Mr. Crandall,
18 please raise your right hand. Do you solemnly swear
19 that you will tell the truth, whole truth, and nothing
20 but the truth, so help you God.
21 THE WITNESS: I do.
22 (WITNESS SWORN).
23 HEARING OFFICER: Okay.
24 EXAMINATION.

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1 BY MR. GUBLER:
2 Q. Mr. Crandall, would you -- would you
3 please state your name for the record?
4 **A. I'm Noel Crandall, Air Quality**
5 **Specialist 2.**
6 Q. And what are your job duties?
7 **A. Do inspections, investigate**
8 **complaints, go out and do routine inspections also.**
9 Q. And is it all related to the Dust
10 program?
11 **A. Yes.**
12 Q. How long have you been with Air
13 Quality?
14 **A. Excuse me. Going on almost 20 years.**
15 Q. And how long have you been in your
16 current position?
17 **A. About three.**
18 Q. And I'm sorry, you said you're an Air
19 Quality Specialist 2?
20 **A. Yes.**
21 Q. And what were you prior to -- prior to
22 the three years ago?
23 **A. I worked at the front desk.**
24 Q. And what other positions have you

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1 held?
2 **A. That's it in Air Quality.**
3 Q. Okay. Did you visit the site on July
4 31st, August 7th, and August 14th with Ms. Rowsell to
5 perform site inspections on each of those days?
6 **A. Yes, I did.**
7 Q. Did Mr. Truman deny you and Ms.
8 Rowsell access to the site on July 31st, August 7th,
9 and August 14th?
10 **A. No, he didn't.**
11 Q. He did?
12 **A. No, he didn't.**
13 Q. He did not?
14 **A. He did not denied access.**
15 Q. So, when did he -- when did he -- did
16 he allow you on any of those dates?
17 **A. No, he didn't. No, he did not.**
18 Q. He did not allow you access. Okay.
19 Do you recall any of the reasons why Mr. Truman denied
20 access?
21 **A. On August 30, July 31st, it was**
22 **because he said that we didn't have OSHA 40 training.**
23 Q. Do you know what OSHA 40 training is?
24 **A. Not at that time. It was probably**

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1 **related to hazardous materials.**
2 Q. Okay. Was there any signs posted
3 saying that there was hazardous materials on site that
4 you recall seeing?
5 **A. Not that I could see.**
6 Q. Okay. Do you recall being introduced
7 to Mr. Truman on July 31st?
8 **A. Yes.**
9 Q. And did you speak with him or did Ms.
10 Rowsell do all the talking?
11 **A. She spoke to him then after she**
12 **introduced me, I introduced myself, and I actually**
13 **held up my badge and showed him, you know, who I was.**
14 Q. Okay. Do you recall any other reasons
15 why Mr. Truman denied access on any of those days?
16 July 31st, August 7th, or August 14th?
17 **A. The 31st was OSHA 40. The seventh was**
18 **he was unable to -- his lawyer was not getting back to**
19 **him to allow us access, if -- you know, if we were**
20 **allowed access at the time.**
21 Q. And I believe the previous testimony
22 regarding August 14th is that you did not see Mr.
23 Truman on August 14th?
24 **A. I believe so. That's where the female**

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1 **worker came out and said he was in a meeting.**
2 Q. Okay. To the best of your knowledge,
3 did Mr. Truman ever state or give any indication that
4 he denied access because he -- because he questioned
5 whether you or Ms. Rowsell were Clark County Air
6 Quality inspectors?
7 Q. No, he didn't.
8 Q. When you went to the site on August
9 14th with Ms. Rowsell, did you prepare a construction
10 site inspection report?
11 **A. I believe so.**
12 MS. JORGENSEN: Could we go to Exhibit
13 L?
14 THE WITNESS: So I can see it right
15 here.
16 BY MS. JORGENSEN:
17 Q. Okay. Probably for my --
18 **A. Oh, okay.**
19 Q. Yeah. Mr. Crandall, could you
20 describe what this document is?
21 **A. It's a construction site inspection**
22 **report of the day that we inspected the site.**
23 Q. And which day is that?
24 **A. August 14th.**

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1 Q. And is this something that you
2 prepared?
3 **A. Yes.**
4 Q. And were you able to go on site and do
5 it a full inspection?
6 **A. No, we were denied access.**
7 Q. Okay. And did you include any
8 inspector notes on the report?
9 **A. Yes, I did.**
10 Q. And what did those notes state?
11 **A. It states, I attempted to conduct a**
12 **follow-up inspection with Air Quality inspector,**
13 **Canduella Rowsell, but was denied access to the site**
14 **by a female officer -- office worker. She stated that**
15 **Mr. Truman -- Moe Truman, who was responsible official**
16 **was in a meeting and was unable to let us in to do an**
17 **inspection and to come back later. I was unable to**
18 **tell if the soils were stable or unstable since access**
19 **was denied, but I did -- but it did appear that the**
20 **mailings have been applied throughout most of the site**
21 **from what could be seen through the fence.**
22 Q. Okay. And did you or Ms. Rowsell go
23 back later?
24 **A. No, we didn't.**

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1 Q. Okay. Did you provide a follow-up
2 e-mail to Mr. Truman and his attorney?
3 **A. I believe so.**
4 MS. JORGENSEN: And could we go to
5 Exhibit M?
6 BY MS. JORGENSEN:
7 Q. Mr. Crandall, could you please
8 describe what this document is?
9 **A. It's an e-mail to Mr. Truman, with our**
10 **findings to our inspection.**
11 Q. And what date? What's the date of
12 this e-mail?
13 **A. August 14th.**
14 Q. Okay. So you sent it the same day as
15 the -- as when you -- after you and Ms. Rowsell went
16 out to the site?
17 **A. Correct.**
18 Q. I have no further questions?
19 HEARING OFFICER: Okay.
20 Counsel.
21 MR. GUBLER: Thank you.
22 EXAMINATION.
23 BY MR. GUBLER:
24 Q. Mr. Crandall, so just for

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1 clarification, the days that you were on site included
2 the 30 -- July 31st, August 7th and August 14th; is
3 that right?
4 **A. Correct.**
5 Q. Were there any other days that I'm
6 missing there?
7 **A. Just for this particular NOV, it was**
8 **those days.**
9 Q. And let's just go through each of
10 those dates. On July 31st, did you -- did you ask to
11 enter the property for inspection?
12 **A. Yes.**
13 Q. Okay. And you present -- did you
14 present any credentials?
15 **A. Yes, when I was introduced to Mr.**
16 **Truman, I spoke to him and showed my badge who I was.**
17 Q. And what does that badge include?
18 **A. My picture, the county logo, my title.**
19 Q. Okay. And what is your title?
20 **A. Air Quality Specialist 2.**
21 Q. Air Quality Specialist 2. What did
22 you -- what was your qualifications to become an Air
23 Quality Specialist 2?
24 **A. We have to have training and then we**

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1 **have to, kind of, pass a knowledge test, I believe,**
2 **you know, just where they feel that you could go out**
3 **on your own and, you know, won't -- you know the**
4 **regulations.**
5 Q. And how long does that take?
6 **A. It could vary, you know, whenever they**
7 **feel that you're good to go and I'm able to do the**
8 **job.**
9 Q. How long did it take you?
10 **A. I don't quite remember, sir.**
11 Q. Okay. Are we talking about more than
12 six months of training?
13 **A. Probably six months, yeah, six months,**
14 **around there.**
15 Q. Okay. So, on your -- does it -- does
16 it call you a control officer on there, on your badge?
17 **A. No, it doesn't.**
18 Q. Does it have any certification saying
19 that you're authorized to conduct inspections?
20 **A. No.**
21 Q. Any credential number on it?
22 **A. No.**
23 Q. Did you -- on -- let's go to August
24 7th. Did you enter the property -- did you ask to

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1 enter the property for inspection on August 7th?
2 **A. August 7th? Yes, I did.**
3 Q. Okay. And who -- with whom did you
4 speak?
5 **A. Mr. Truman.**
6 Q. And did you present credentials to Mr.
7 Truman?
8 **A. Just had my -- like everyone else, I**
9 **had my badge and my shirt that stated I was working**
10 **for Air Quality.**
11 Q. Okay. Let's go to August 14th. Did
12 you request to enter the property for inspection?
13 **A. Yes, I did.**
14 Q. And did you present credentials to, I
15 believe you said it was a female worker; is that
16 right?
17 **A. Yes.**
18 Q. And did you -- did you show those
19 credentials to the female worker?
20 **A. Same thing, we had our badges on our**
21 **neck and our shirts.**
22 Q. Okay. At any time while you were
23 there, did you perform some type of a test?
24 **A. No. Access was denied.**

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1 Q. Do you work for the State Department
2 of Conservation Natural Resources?
3 **A. No.**
4 Q. I don't have any other questions?
5 HEARING OFFICER: Okay. Thank you.
6 MS. JORGENSEN: I don't have anything
7 further. And no further witnesses for whether or not
8 a violation occurred.
9 HEARING OFFICER: Okay.
10 Counsel, your case.
11 MR. GUBLER: Where would you like him?
12 Right here is fine.
13 HEARING OFFICER: He's fine there?
14 Yeah, that's fine.
15 MR. GUBLER: Okay.
16 HEARING OFFICER: Would you to leave
17 that chair out, so you have more space?
18 EXAMINATION.
19 BY MR. GUBLER:
20 Q. Mr. Truman --
21 HEARING OFFICER: And I'll remind you,
22 you're under oath. I believe I swore him in first.
23 Thank you. Thank you. Mr. Truman.
24 BY MR. GUBLER:

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1 Q. You can go ahead and state and spell
2 your name for the record?
3 **A. Mitchell, M-I-T-C-H-E-L-L, last name**
4 **Truman, T-R-U-M-A-N. Middle name, Moe, M-O-E.**
5 Q. Mr. Truman, who's your employer?
6 **A. I work for two different companies.**
7 **One is Tonopah Tidewater Railroad and one is ETON**
8 **Transportation, denoted name as ETON.**
9 Q. Okay. And what is your position with,
10 let's just do them individually Tonopah Tidewater?
11 **A. Manager.**
12 Q. Manager. And with ETON?
13 **A. Manager.**
14 Q. Manager. I'd like you to look at our
15 Exhibit 2. First of all, do you recognize this
16 document?
17 **A. I do.**
18 Q. What is it?
19 **A. It's incorporation of the railroad by**
20 **the day George Keal for the Tonopah Tidewater**
21 **Railroad.**
22 Q. And how long has it been in -- been --
23 when was it formed?
24 **A. 2004.**

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<p>1 Q. And what type of business does Tonopah 2 and Tidewater Railroad Company do?</p> <p>3 A. Move freight across railroads.</p> <p>4 Q. And how long has it done that?</p> <p>5 A. On and off since 2004.</p> <p>6 Q. Does it currently do that?</p> <p>7 A. No, it does not.</p> <p>8 Q. Does it --</p> <p>9 MS. JORGENSEN: I'm sorry, I can't hear</p> <p>10 very well.</p> <p>11 HEARING OFFICER: (Inaudible).</p> <p>12 THE WITNESS: It does not.</p> <p>13 BY MR. GUBLER:</p> <p>14 Q. Does the -- does it -- does it own</p> <p>15 railroads rails?</p> <p>16 A. It does.</p> <p>17 Q. And did it construct rails?</p> <p>18 A. It did.</p> <p>19 Q. And does -- did it -- and does it have</p> <p>20 access still to operate on those roads?</p> <p>21 A. It has an active license on property 22 of Las Vegas Paving, yes.</p> <p>23 Q. Okay. We're going to go ahead and --</p> <p>24 so, to your knowledge, before we leave this exhibit,</p> <p style="text-align: right;">Page 162</p>	<p>1 for it to be a Class 3 railroad -- rail carrier; is</p> <p>2 that right?</p> <p>3 A. An exemption from some of the safety 4 requirements of the Class 1 and Class 2s.</p> <p>5 Q. So if you didn't get this exemption,</p> <p>6 could it still be a railroad company?</p> <p>7 A. Yes. The only thing is, the Federal 8 Railroad Administration would've regulatory issues 9 over it.</p> <p>10 Q. Okay. I'd like you to just briefly to</p> <p>11 look at Exhibit 4. Do you recognize this?</p> <p>12 A. I do. We tried to do a name change 13 and we were unsuccessful with the name changed.</p> <p>14 Q. Why is that?</p> <p>15 A. Union Pacific Railroad thought that 16 the name was close to their name, which was our 17 intent, and they went through and filed an exception 18 report, which was granted.</p> <p>19 Q. So what did you do?</p> <p>20 A. Then we went back to operate the 21 railroad under the Tonopah and Tidewater Railroad.</p> <p>22 Q. And when you say operate the railroad,</p> <p>23 what are we talking about?</p> <p>24 A. Just the 2.6 miles. Just bring cars</p> <p style="text-align: right;">Page 164</p>
<p>1 the railroad company was formed under NRS Chapter 78;</p> <p>2 is that right?</p> <p>3 A. Correct.</p> <p>4 Q. Does it hold itself out as a railroad</p> <p>5 company?</p> <p>6 A. It does.</p> <p>7 Q. Still to this day; is that right?</p> <p>8 A. Correct.</p> <p>9 Q. I'd like to look at Exhibit 3?</p> <p>10 MR. GUBLER: And probably scroll down</p> <p>11 just a little bit.</p> <p>12 BY MR. GUBLER:</p> <p>13 Q. Do you recognize this document?</p> <p>14 A. It was -- I do.</p> <p>15 Q. What is it?</p> <p>16 A. It's actually for exemption from 17 regulatory issues by the Surface Transportation Board 18 as a Class 3 railroad.</p> <p>19 Q. What's a Class 3 railroad?</p> <p>20 A. The STB rates railroad by revenue 21 stream. Class one would be the UP, BNSF, the larger 22 revenue ones. Class 3 is the smallest revenue style 23 of railroads that they have.</p> <p>24 Q. And if -- so, this is an application</p> <p style="text-align: right;">Page 163</p>	<p>1 in off the main line, trans-loading them, loading 2 them, and send it back on the railroad. And then we 3 entered back into lease with Van Western to go through 4 and lease the property -- the railroad property back 5 again.</p> <p>6 Q. So, I'd like to look -- we're going to</p> <p>7 jump -- skip ahead just a little bit. Exhibit 20. Do</p> <p>8 you recognize this document?</p> <p>9 A. Yes.</p> <p>10 Q. What is it?</p> <p>11 A. We entered an agreement with a company 12 called Las Vegas Paving to jointly pay for switch off 13 the main line and to go through and get them a 14 perpetuity -- access in perpetuity. There was 15 agreement to go through and convey an easement across 16 a piece of property on West University to go ahead and 17 get onto their property. That way the Las Vegas 18 Paving piece of property have access across the Pan 19 Western property in perpetuity for the railing.</p> <p>20 Q. So, now it's saying Pan Western had</p> <p>21 its office in West University. Now, the property that</p> <p>22 we're dealing with on this easement, what is -- which</p> <p>23 property are we talking about? Is it the same one</p> <p>24 that we've been discussing earlier today?</p> <p style="text-align: right;">Page 165</p>



1 **A. It is. West University is where we**
2 **lived at this timeframe, which was backed up to Las**
3 **Vegas Paving property on Decatur. And the property in**
4 **question was over on Donovan Way -- 4910 Donovan Way.**
5 Q. Okay. So the property that we've been
6 discussing where there were some --
7 **A. Rail equipment?**
8 Q. Well, where -- well, before, that
9 we've been discussing all morning. On that property
10 that has, you know, the Conex box?
11 **A. Oh, the Stratford?**
12 Q. The Stratford Avenue. Is this a
13 separate property?
14 **A. It is.**
15 Q. And so, the Stratford Avenue property
16 is what?
17 **A. Supports the Las Vegas Paving piece**
18 **that we have the property or the rail equipment on.**
19 Q. And it's -- is it a yard of Tonopah
20 Tidewater?
21 **A. It is.**
22 Q. So just looking at page 3 of this
23 exhibit. Mitchell Truman, do you recognize that
24 person?

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1 **A. I do.**
2 Q. Who is that?
3 **A. Myself.**
4 Q. Okay. And so, you were involved with
5 Pan Western Corporation as well; is that right?
6 **A. I was.**
7 Q. And what was your position there?
8 **A. In this time I was vice president.**
9 Q. Okay. And just going back and, I
10 guess, page 5 of this document, do you recognize these
11 signatures?
12 **A. I do. One's Richard Truman, who's my**
13 **father, is deceased, and one's Robert Mendenhall, is**
14 **also deceased.**
15 Q. Okay. Now, after this document was
16 signed, what did you do to it?
17 **A. We had it where you give it to the**
18 **county and they record it. There's work.**
19 Q. You had it recorded. And I see on the
20 very top, there is a number on every page,
21 199703060001677. Is that the recorded easement?
22 **A. It's probably the recorded document**
23 **number.**
24 Q. The recorded document?

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1 **A. Uh-huh.**
2 Q. Thank you. Moving on, let's look at
3 Exhibit 21. Do you recognize this document?
4 **A. I do.**
5 Q. What is it?
6 **A. It's a conveying of the original**
7 **recorded document or recorded easement, putting**
8 **Tonopah Tidewater in Pan Western's position.**
9 Q. So -- but this is a license agreement.
10 And it looks like, if you look down --
11 **A. Oh, sorry, sorry, sorry. This one's**
12 **for the right of way across Paving property.**
13 Q. So this is -- this is for a right of
14 way across Las Vegas Paving property; is that right?
15 **A. Correct.**
16 Q. And down below, so Paragraph 1, it
17 looks like it says railroad right of way act across
18 described property with an APN of 12331302001. Do you
19 see that?
20 **A. Correct.**
21 Q. So what was your understanding what
22 this -- what this does?
23 **A. That APN number is the Las Vegas**
24 **Paving piece, and that gives us access to go through**

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1 **and run the rail across our property and access to the**
2 **ability to use that right of way.**
3 Q. Okay. And what is the permitted use
4 under this?
5 **A. Permitted to use -- operate on**
6 **Industrial Railroad.**
7 Q. Okay. Now, the -- now looking under
8 the ground of the license, can you just read that
9 part?
10 **A. The license or grants license and**
11 **exclusive license to use the property, the license**
12 **from March 6th, 2008 until the parties provide to the**
13 **parties 90 -- 60 days written notice to terminate the**
14 **agreement, such period of time.**
15 Q. Is this agreement still valid?
16 **A. As I understand it, yes.**
17 Q. Has it been -- has anybody given
18 notice that they intend to terminate?
19 **A. No, not that I've seen.**
20 Q. Okay. So just going to exhibit or the
21 same exhibit, page 5?
22 THE CLERK: No, I don't think so.
23 MR. GUBLER: That's great, thank you.
24 No, you're good. Done by the signatures. Would be

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1 great. That's page 5, it looks like. I don't know,
2 somehow it got mixed up.
3 BY MR. GUBLER:
4 Q. Do you recognize these signatures?
5 A. I recognize mine. I guess that's
6 Bob's, kind of was an office worker, I think at
7 Paving.
8 Q. Okay. Did you sign these at the same
9 time?
10 A. We did.
11 Q. Okay. So you watched Bob Mendenhall
12 sign this?
13 A. Uh-huh.
14 Q. Yes?
15 A. Yes.
16 MR. GUBLER: Let's go to Exhibit 22.
17 BY MR. GUBLER:
18 Q. Do you recognize this document?
19 A. Yes. It's where we moved the asset
20 from Pan Western into Tonopah Tidewater all the rail
21 and ties and switches and all the other associated
22 rail paraphernalia.
23 Q. Okay. So Tonopah Tidewater purchased
24 these rails; is that right?

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1 A. Correct.
2 Q. Do they still own them?
3 A. They do.
4 Q. Okay?
5 MR. GUBLER: And let's fully leave
6 there. Let's go to page 6 of this document.
7 BY MR. GUBLER:
8 Q. Do you recognize these signatures?
9 A. I do.
10 Q. And who are they?
11 A. Catherine Truman, my wife, and myself.
12 Q. And so Tonopah Tidewater owns those
13 rails; is that right?
14 A. Correct.
15 Q. And where are those rails today?
16 A. Still over the Las Vegas Paving piece
17 of property.
18 Q. Okay. Will you look at Exhibit 23?
19 A. Do you have a pointer? So I can go
20 ahead and -- there is property line between the Pan
21 Western piece and the Las Vegas Paving piece. So
22 everything on this site is on the Las Vegas Paving
23 piece. This right here was the old Pan Western piece.
24 Again, the rail line comes in from the main line,

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1 comes across the easement on the Pan Western slash
2 rail across line that comes over Las Vegas Paving. And
3 that's the stuff we had purchased.
4 Q. And so, does Tonopah Tidewater operate
5 these rails?
6 A. Not today, no -- not today, no.
7 Q. It owns them, correct?
8 A. Correct.
9 Q. And it has -- and it can go and
10 operate them; is that right?
11 A. Absolutely.
12 Q. And it does maintain them; is that
13 right?
14 A. We do.
15 Q. Okay. And you are paid to have them
16 put there; is that right?
17 A. Yes.
18 Q. And so any -- anything -- anytime
19 Tonopah and Tidewater wants, they can utilize those
20 rails?
21 A. Correct.
22 MR. GUBLER: Let's go to Exhibit 1,
23 please.
24 BY MR. GUBLER:

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1 Q. Do you recognize this document?
2 A. I do. It's when we bought the
3 property on Stratford.
4 Q. Okay. And Tonopah Tidewater Railroad
5 Company is the owner; is that right?
6 A. Correct.
7 Q. And that's still till today?
8 A. It is.
9 MR. GUBLER: Let's go to Exhibit 5.
10 BY MR. GUBLER:
11 Q. Do you recognize this?
12 A. It's a commercial lease. Looks like
13 we started in 2023, between Tonopah Tidewater and
14 ETON.
15 Q. And what is this lease for?
16 A. ETON was getting evicted from their --
17 evicted but their rent had gone up on their Losee
18 address. They needed to a place to land, so we leased
19 them the property for several months.
20 Q. Okay. Does ETON do any work for to
21 Tonopah Tidewater Railroad Company?
22 A. It transports material off the rail
23 line from time to time.
24 Q. Okay. And does it do any other type

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1 of work?
2 **A. Yeah, it's a -- it's a common carrier,**
3 **regulated under the Interstate Commerce Commission.**
4 **It was superseded by the Service Transportation Board.**
5 **So it has a STB number or a DOT number to operate in**
6 **Interstate Commerce.**
7 Q. Okay. Is Tonopah Tidewater able to do
8 that as well?
9 **A. It's not a trucking company nor does**
10 **it put itself out to the trucking company. So it uses**
11 **ETON to do its trucking.**
12 Q. But it does ship product across state
13 lines?
14 **A. Absolutely.**
15 Q. Okay. So both ETON and Tonopah
16 Tidewater do that?
17 **A. Tonopah Tidewater will bring material**
18 **in from other states and they'll ship, yes.**
19 Q. So ETON, under what state is it
20 organized?
21 **A. It should be stated Nevada, I think.**
22 Q. Okay. And it's -- and it's organized
23 as a -- as a company under the State of Nevada?
24 **A. As a corporation, yes.**

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1 Q. Okay. And now, I believe what we were
2 showing a permit previously; is that right?
3 **A. Or a few permits?**
4 Q. That ETON had applied for a dust
5 permit?
6 **A. On behalf of ETON, since they needed**
7 **access to the property, I went through and filled out**
8 **a dust permit for ETON to go through and do the**
9 **grabbing and grading on the Stratford property.**
10 Q. And that's -- and that was -- is ETON
11 still on property?
12 **A. Eton? Yes.**
13 Q. Okay. Does -- so, what did ETON do as
14 far as this grabbing for Tonopah Tidewater?
15 **A. It had bought some equipment, a**
16 **loader, dozer, some other moving equipment in it,**
17 **would own trucks. It leveled the truck and, or**
18 **leveled the property, cleaned it off, put the material**
19 **that was organic, sent it to the landfill, and then**
20 **roll in some field to go through and bring it up to a**
21 **usable piece of property for the railroad.**
22 Q. Now, we'd already talked a little bit
23 about the railroad. Does the railroad do any type of
24 work for the Department of Defense?

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1 **A. It has the defense, yes.**
2 Q. What type of work has it done?
3 **A. From time to time the DOD will go**
4 **ahead and have either trains of personal carriers or**
5 **tanks that they need to get off the main line and they**
6 **would go through and bring it into the facility to**
7 **clear the main line, and then they'd go through and**
8 **put it back on the main line and take it either to**
9 **Barstow or to where the other just department facility**
10 **would be. Typically, would be airline.**
11 **HEARING OFFICER: Just to -- just to**
12 **pause here. And it's just -- it's a time thing. I**
13 **didn't realize, I thought we have the room till 1:00,**
14 **but we have it till 12:00.**
15 MS. JORGENSEN: We have it till 12:00.
16 However, I've just asked to see if we can maybe move
17 into a different room in the event we go past 12:00.
18 So --
19 HEARING OFFICER: Yeah, because it's
20 only fair. I want -- he's going through --
21 MS. JORGENSEN: Absolutely.
22 HEARING OFFICER: -- and I'm -- I've
23 reviewed the briefs and I see tracking. It's going to
24 be some time going through this.

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1 MS. JORGENSEN: Yeah.
2 HEARING OFFICER: So I want to have
3 them to have sufficient time.
4 MS. JORGENSEN: Absolutely. So, Ms.
5 Sutowska is looking to see if we can move into a
6 different room once we hit noon.
7 HEARING OFFICER: Okay.
8 Continue.
9 MR. GUBLER: Thank you.
10 BY MR. GUBLER:
11 Q. Let's go ahead and look at Exhibit 7.
12 Do you recognize this document?
13 **A. I do.**
14 Q. What is it?
15 **A. It's a partial stuff of auction of**
16 **some equipment.**
17 Q. Okay. And what is this showing this?
18 **A. That right there is just a postal**
19 **driver -- postal driver.**
20 Q. Did Tonopah Tidewater, does it own any
21 track equipment? Well, let's scroll through?
22 **A. Oh, there. It's right there. It's a**
23 **D9L, so yes, that's part of Tonopah Tidewater.**
24 Q. Okay. And where is -- well, I --

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<p>1 we've heard some testimony, but please describe what</p> <p>2 this track equipment looks like?</p> <p>3 A. The one testimony was close, it's</p> <p>4 about 200,000 pounds is what the weight is, not 20 or</p> <p>5 10,000 pounds. It is -- he's correct, 15 feet tall,</p> <p>6 12 feet wide with a blade, and then with a ship --</p> <p>7 with a ripper shank on it. It's about 28 feet long.</p> <p>8</p> <p>9 Q: Now, if you drove this on asphalt or concrete,</p> <p>10 what would it do?</p> <p>11 A. It would -- the grousers, the part</p> <p>12 that actually makes it into a tractor would destroy it</p> <p>13 in quick order because of the weight of the material</p> <p>14 or the weight of the -- of the dozer.</p> <p>15 Q. Now, have you ever purchased asphalt</p> <p>16 before?</p> <p>17 A. We have.</p> <p>18 Q. Is it expensive?</p> <p>19 A. Yes.</p> <p>20 Q. Will you give us an idea of how</p> <p>21 expensive that is? Are you able to do that?</p> <p>22 A. I don't think -- I think they sell it</p> <p>23 by the ton, and I think it's about \$150 to \$200 a ton,</p> <p>24 depends on the design you have.</p> <p>Page 178</p>	<p>1 Q. Is there a barrier around the</p> <p>2 property?</p> <p>3 A. There is. We have to comply to a</p> <p>4 federal regulation just called HM 232, which is</p> <p>5 regulated by PHMSA. Where we, if it's stated</p> <p>6 incorrectly in their testimony, we don't have</p> <p>7 hazardous waste, we have hazardous material.</p> <p>8 Hazardous material that haul in trucks. If they had</p> <p>9 some hazardous communication, there's a flip chart on</p> <p>10 the -- on the trailers.</p> <p>11 The flip chart has a nomenclature of</p> <p>12 what material you have. As an example, if the flip</p> <p>13 chart says Class 7, that would be radioactive.</p> <p>14 Inhalation damage or inhalation danger would be one of</p> <p>15 the other flip charts, explosives, flammable. So the</p> <p>16 flip charts which are on the trailers determine what's</p> <p>17 in the trailers.</p> <p>18 So as a transporter, and I'll read HM</p> <p>19 232 requires shippers, which is ourselves,</p> <p>20 transporters, which are ourselves, of hazards smeared</p> <p>21 materials to create a formal written security plan to</p> <p>22 prevent equipment or cargo from being used as a weapon</p> <p>23 and terrorist attack.</p> <p>24 So based on the 9/11 unfortunate</p> <p>Page 180</p>
<p>1 Q. And to place it on this property that</p> <p>2 we've been discussing today, not where the rails are,</p> <p>3 but when I say the property, I'm just going to refer</p> <p>4 to the --</p> <p>5 A. Stratford?</p> <p>6 Q. -- Stratford, yes. If you were to put</p> <p>7 asphalt on that property, what would happen?</p> <p>8 A. Oh, the dozer would -- to its -- to</p> <p>9 its determining on the gravel it would bring it back</p> <p>10 into its native components, which is gravel with some</p> <p>11 mass, although they call it rip wrap or what they call</p> <p>12 it, regrind is one of the other names for it.</p> <p>13 Q. What areas of the property does this</p> <p>14 dozer go?</p> <p>15 A. Typically goes where it's needed to</p> <p>16 go. So, it's romes the whole property. When you have</p> <p>17 to load it, you need to be off the asphalt to load it</p> <p>18 and unload it, otherwise you destroy it. So it's</p> <p>19 problematic to go through and find out other place.</p> <p>20 It's not going be --</p> <p>21 Q. Now, we saw some pictures earlier, do</p> <p>22 you recall that? There's some Conex boxes and things</p> <p>23 like that, right?</p> <p>24 A. Correct.</p> <p>Page 179</p>	<p>1 accident that happened with the Twin Towers, before</p> <p>2 there and after that, the federal government had put</p> <p>3 in place the people who hazard -- who haul hazards</p> <p>4 material have a safety plan on their sites so that the</p> <p>5 material in transit isn't dropped overnight or over</p> <p>6 the weekend that, somebody doesn't get into that area,</p> <p>7 grab the truck and now they have a arbitrarily a</p> <p>8 potential bomb that they can go through and take out</p> <p>9 Hofer Dam or some other high profile facility.</p> <p>10 So as we reach to our HM 232 plan, we</p> <p>11 did a security analysis of the old property, the new</p> <p>12 property. We updated every three years of thread</p> <p>13 analysis. And that's our requirement to go through</p> <p>14 and keep the site safe. Just so that the hearing</p> <p>15 officer will know, the killing field of a rail car of</p> <p>16 chlorine is about 15 miles. So that's what the UP</p> <p>17 requires or suggests when there's a breach of a rail</p> <p>18 car, that the 15 square miles around that is</p> <p>19 evacuated. So every day there's has some material</p> <p>20 going up and down I95 and I15 through the -- through</p> <p>21 the Valley.</p> <p>22 Q. So, we're going to go back just a</p> <p>23 little bit. We started talking about barriers and --</p> <p>24 A. So that's part of our security plan.</p> <p>Page 181</p>



<p>1 Q. Just part of the security plan. And</p> <p>2 we'll get to that here shortly. How tall are these</p> <p>3 barriers at a minimum?</p> <p>4 A. Containers are nine feet tall, so</p> <p>5 they're 18 feet if you put them on top of each other.</p> <p>6 Q. Okay. So at least nine feet tall; is</p> <p>7 that right?</p> <p>8 A. Correct.</p> <p>9 MR. GUBLER: Let's go to Exhibit 7 (b).</p> <p>10 BY MR. GUBLER:</p> <p>11 Q. Do you recognize this photograph?</p> <p>12 A. I do.</p> <p>13 Q. Who took it?</p> <p>14 A. Myself.</p> <p>15 Q. Okay. And what is this showing you?</p> <p>16 A. A track piece of equipment. D9 is the</p> <p>17 model number.</p> <p>18 Q. Okay. And is this the same track</p> <p>19 equipment that's on the property?</p> <p>20 A. Correct.</p> <p>21 Q. Okay. Why does Tonopah Tidewater have</p> <p>22 this tracked equipment?</p> <p>23 A. Probably an issue that we have at the</p> <p>24 rail lines. This is the best equipment to go through</p> <p style="text-align: right;">Page 182</p>	<p>1 drove by the security guards. And they, again,</p> <p>2 alerted me that she was there.</p> <p>3 Went back and tried to find out why</p> <p>4 she was there. The door was locked to her vehicle.</p> <p>5 She rolled down the window and I asked her what the</p> <p>6 heck she was doing there. We were a controlled</p> <p>7 environment. We had a hazardous goods on site,</p> <p>8 non-hazardous waste. And wanted to know what she was</p> <p>9 doing back here, where she went by the security</p> <p>10 people.</p> <p>11 Q. Do you know who she was?</p> <p>12 A. Through testimony, it's the lady that</p> <p>13 testified that she was there. I don't remember her</p> <p>14 name or much of what she looked like when she was in</p> <p>15 the car. I would match it with the testimony's been</p> <p>16 given. I would not doubt that she was who she was on</p> <p>17 that date.</p> <p>18 She presented no credentials. And I</p> <p>19 asked her again why she was here, and she told me that</p> <p>20 she had the right to be there. And I let her know in</p> <p>21 some (inaudible) via our security plan, under the HM</p> <p>22 232, that you needed to go through and check in</p> <p>23 because we're a controlled yard.</p> <p>24 Q. And did you ever revoke that</p> <p style="text-align: right;">Page 184</p>
<p>1 and clear the rail line. It's large enough to push</p> <p>2 rail cars off the railroad to go ahead and clear the</p> <p>3 line.</p> <p>4 Q. And do you do this work for just</p> <p>5 Tonopah Tidewater or is it for other railroad</p> <p>6 companies?</p> <p>7 A. Primarily for us. And if the UP needs</p> <p>8 help, we've been offered that and helped them in the</p> <p>9 past.</p> <p>10 Q. Now, we -- we've heard some testimony</p> <p>11 about various visits on January 8th, 9th, I believe</p> <p>12 February 1st, July 17th, July 25th, July 31st, July --</p> <p>13 August 7th, and August 14th. Do you recall that</p> <p>14 testimony, first of all?</p> <p>15 A. I do.</p> <p>16 Q. Okay. And on January 8th, 2024, can</p> <p>17 you tell us what happened?</p> <p>18 A. Was that the first time?</p> <p>19 Q. Yes?</p> <p>20 A. We got a radio call from one of the</p> <p>21 security guards that we had an intruder on the</p> <p>22 facility. And so they told me where it was at. So I</p> <p>23 went out in the back of the property and found a</p> <p>24 person there. Had no clue why she was there, but she</p> <p style="text-align: right;">Page 183</p>	<p>1 statement, that she did need to check in?</p> <p>2 A. No, I've never revoked that statement.</p> <p>3 This statement still stands.</p> <p>4 Q. Now, you mentioned the security guard.</p> <p>5 Where's the security guard located?</p> <p>6 A. You can see, first of all, there is --</p> <p>7 right there, there's a person who is -- during normal</p> <p>8 work hours, is in that facility. On the other side,</p> <p>9 there's another facility person who sits there.</p> <p>10 Q. And was the security guard there when,</p> <p>11 I believe it was Ms. Roswell said that she showed up</p> <p>12 on January 8th. Was the security guard there?</p> <p>13 A. That's -- the security guard let me</p> <p>14 know by radio that we had an intruder.</p> <p>15 Q. And so what -- and so that's when you</p> <p>16 went and to find out who it was?</p> <p>17 A. Correct.</p> <p>18 Q. And did that person request entry of</p> <p>19 the property?</p> <p>20 A. No.</p> <p>21 Q. Did that person present credentials?</p> <p>22 A. No.</p> <p>23 Q. And, I guess, you know, before we get</p> <p>24 into too much of these other dates, tell me, when I</p> <p style="text-align: right;">Page 185</p>



1 say credentials, what -- what's your understanding of
2 credentials?
3 **A. So I've been here 55 years at the same**
4 **company -- same companies. And so in that timeframe,**
5 **I have worked with lots of federal agencies, the FBI,**
6 **we've worked with the Department of Treasury, we've**
7 **worked with ATF, worked with the Department of Energy,**
8 **worked with the police on several issues, State Nevada**
9 **Department of Taxation, Home and Security, FEMA. I'm**
10 **trying to think.**
11 **And they all seem to have the same**
12 **pattern as they introduce themselves, and they present**
13 **their credentials, and say, I'm here with the FBI,**
14 **here's my badge. And the badges all look to -- look**
15 **the same. They have a number that's identifiable that**
16 **you can call back to headquarters and go through and**
17 **find out who they're. And once they've gone through**
18 **their credentials, they ask, can we come on site?**
19 **The FBI, we had some issues with some**
20 **-- it was a joint issue. There were some drugs coming**
21 **in from Mexico along the railroad cars that were**
22 **hidden inside. So they came in on site before they**
23 **got a -- what do you call it where the judge issues?**
24 **Q. Search warrant?**

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1 **A. Search warrant to come on site. They**
2 **ask if they could come on with their dogs and search**
3 **the rail cars. So that's the same. We had the -- a**
4 **fatality of a person killed in transit from Mexico in**
5 **a rail car. We called the Coroner's office, came and**
6 **they prevented their credentials. I'm so and so. I'm**
7 **with the Clark County Coroner's Office, here's my**
8 **credentials.**
9 **So there is a -- seems to be a common**
10 **thread of when somebody comes in a regulatory issue to**
11 **go through and present their credentials of who they**
12 **are. And they all typically have the same type of**
13 **information, which is something that's hard to**
14 **replicate, a badge that's raised or a hologram or**
15 **something of this nature to go through and do that.**
16 **Department of Transportation, they**
17 **come and do audits on us. Federal agency, state**
18 **agency, but they do the same thing. Before they ever**
19 **do anything they always, I'm with Department of**
20 **Transportation, here's my credentials. And they go**
21 **through and show that before they go through and do**
22 **that.**
23 **So, of the 55 years in the -- in the**
24 **different departments we've dealt with, they've all**

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1 **seen to follow the same format here. So I am, here's**
2 **my credentials, can we come in?**
3 **Q. And so going off of some of these, you**
4 **mentioned FEMA, you mentioned the FBI, you dealt with**
5 **Department of Justice?**
6 **A. Department of Justice came by, Michael**
7 **Chu, and he also went through and say, I'm Michael Chu**
8 **with DOJ and here's my credentials.**
9 **Q. Okay. And Federal Railroad**
10 **Administration, have you -- have you dealt with them?**
11 **A. Same routine. Special agents will**
12 **come in and also just regular audits out of Roseville,**
13 **this is where the department that we go. They'll come**
14 **in with credentials. My name is so and so, here's my**
15 **credential. State of Nevada Public Service Commission**
16 **has a railroad department. Same issue. They'll come**
17 **in, tell me who they're, they'll show me their**
18 **credentials.**
19 **Q. The PUC?**
20 **A. Public Utilities Commission, that's**
21 **what you just talked about.**
22 **Q. Okay. That -- that's the same one**
23 **that you're talking about?**
24 **A. Uh-huh.**

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1 **Q. How about the Coroner's Office?**
2 **A. Same drill. Here I am, here's my**
3 **credentials. We had a fatality in the back of the**
4 **facility. We had a undercover police officer came by.**
5 **Same deal. I'm officer so and so, here's my badge.**
6 **And we had a fire marshal come in the same routine.**
7 **I'm officer or fire marshal, so and so, here's my**
8 **credentials.**
9 **Q. Okay. And so, we'll just go down this**
10 **list briefly. The Vegas Valley Water District, did**
11 **they have credentials?**
12 **A. They did.**
13 **Q. The Department of Energy, are they --**
14 **did they have credentials?**
15 **A. DOE, we've done quite a bit of cleanup**
16 **jobs with some hazardous waste out the Tonopah test**
17 **range and also Berkely. And every time they present**
18 **the same type of credentials, I'm so and so with DOE.**
19 **Q. The Clark County Aviation?**
20 **A. We dealt with Randy Walker's office**
21 **quite a bit of bring rail by fuel way rail for the**
22 **airport in the same dance. I'm Randy Walker with**
23 **Clark County Aviation and here's my credentials.**
24 **Q. Department of Defense?**

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<p>1 A. DOD, moving on the rail cars we talked 2 about, same dance. I'm officer so and so, here's my 3 Navy credentials. 4 Q. US Air Force? 5 A. USAF, Air Force, they wanted some help 6 with some cleanup, and the same dance. I'm a petty 7 officer, so and so, here's my credentials. 8 Q. A dog (inaudible)? 9 A. They're up on my neighborhood. Pretty 10 funny that he also would show his credentials before 11 he did anything. 12 Q. And when they -- what -- I guess, 13 backing up, when they show you these credentials, what 14 were they doing? What were they asking for? 15 A. Sometimes entry, sometimes 16 information, but they have the same issue to identify 17 themselves that they have a standing to do something. 18 Q. How about the Constable? 19 A. Constable's Office, we've dealt with 20 them quite a bit for truck drivers and railroad 21 workers that have garnishments. And they come to do 22 the same thing, I'm Officer or Constable Ellison. And 23 he would have his credentials. 24 Q. The FDIC?</p> <p style="text-align: right;">Page 190</p>	<p>1 so with the IRS, here is my credentials. 2 Q. Metro? 3 A. We talked about Metro. 4 Q. We talked about Metro, Fire 5 Department, we talked about the ATF? 6 A. Again, that was on some -- the 7 smuggling of stuff from Mexico. So they showed up. 8 Again, they showed their credentials of we're with the 9 ATF. 10 Q. The Highway Patrol? 11 A. Safety audit. They come in and, 12 again, they do the same thing. I'm officer so and so, 13 here's my credentials. 14 Q. OSHA? 15 A. OSHA, we've had actions on site. And 16 they, again, will identify themselves as their name. 17 And OSHA will show their state issued credentials, 18 which will typically have, we'll always have an ID 19 number so we can check with their office to find out 20 if they're a bonafide officer. 21 Q. Now, just so that we understand. So, 22 let's look at Exhibit 8, going to second page. So, is 23 this typically something that -- what is typical is 24 something that you would see with these credentials</p> <p style="text-align: right;">Page 192</p>
<p>1 A. We had problems with a bank that 2 somebody -- we took some material off of a facility 3 that they wanted to know where it went to. So the 4 FDIC came over and they again showed their 5 credentials, wanted to know where that equipment we 6 transported went to. 7 Q. How about the BLM? 8 A. BLM. Had problems with -- they 9 thought we were on their property and they came over 10 and wanted to show up and get an order officer, fill 11 someone with a Bureau of -- Bureau of Land Management 12 and show me their credentials. Government issues. 13 Q. What of IRS? 14 A. IRS, they came over doing some, you 15 know what rims are? 16 Q. What is it? 17 A. Fuel tax when you do -- when you do 18 environment or when you do diesel field. They give 19 you a rims credit and the IRS tracks that. And so we 20 had bring in diesel or ethanol in the State of Nevada. 21 And so they wanted to know where that was going 22 because rims were being fraudulently applied. So the 23 IRS came and wanted do an audit of the rail cars that 24 came in. Again, the same problem, I'm officer so and</p> <p style="text-align: right;">Page 191</p>	<p>1 that you've been shown? 2 A. Either a raised seal that's hard to 3 replicate, and if not, it I'll be very official 4 looking like a government issued. And then they will 5 always have a -- ID number that's be able to go back 6 to their home office and call and see if they're valid 7 as inspector. And I'll have a date that it's good 8 for, and their signature in the picture. 9 Q. Is it -- is it common to have a 10 statement that, this person's authorized to conduct 11 whatever it is, inspections or anything like that? 12 A. Yeah, it gives them jurisdictional 13 issues. Is -- that says that on their ID information 14 that they have the scope of work that they're able to 15 do. 16 Q. And have you had credential training? 17 A. I have. 18 Q. Tell us about that? 19 A. Part of our Homeland Security training 20 at the railroad yard is we have to go through and do a 21 site assessment. And a site assessment is we go to 22 training at DOE over their office Losee and Atomic 23 Wave, is where we do their training, and they go 24 through to help us do a site selected process.</p> <p style="text-align: right;">Page 193</p>



<p>1 And one of the things they do is</p> <p>2 school us on what we should look for people who are</p> <p>3 trying to enter the process or the yard or facility</p> <p>4 fraudulently. And so we go through and have been</p> <p>5 trained by that department of what to look for and how</p> <p>6 to put that in our plan.</p> <p>7 Q. So on these -- let's go back to some</p> <p>8 of these dates. January 8th you already testified to,</p> <p>9 but January 9th, was there a request for entry?</p> <p>10 A. There was -- there was not. Again, I</p> <p>11 knew they're on property when one of the security</p> <p>12 guards let us know we had an intruder on site. And</p> <p>13 that's where I came out and find them. I think they</p> <p>14 had a big pickup of -- a big ford pickup of dual cab,</p> <p>15 and there was three individuals in there.</p> <p>16 Q. And so, were there -- were there any</p> <p>17 credentials presented?</p> <p>18 A. No, they were not like the typical</p> <p>19 government agencies where they say, I'm so and so,</p> <p>20 here's my credentials. That was not presented.</p> <p>21 Q. Okay. And going through -- we're</p> <p>22 going to ask same question on July 17th, 25th, July</p> <p>23 31st, August 7th, August 14th. On any of those days,</p> <p>24 is there a request for entry on the property?</p> <p style="text-align: right;">Page 194</p>	<p>1 I said, does it have a -- an ID number on it that I</p> <p>2 could call and find out if you're legitimate or not?</p> <p>3 And there's no signature on it. And she just sort of,</p> <p>4 that's all I got.</p> <p>5 Q. Okay. And was that typical? Did</p> <p>6 anybody else show you anything like that?</p> <p>7 A. Nobody showed me and presented it like</p> <p>8 other government officials have, that I am so and so,</p> <p>9 here is my credentials.</p> <p>10 Q. And why is that important to you?</p> <p>11 A. You know, I've learned as we've gone</p> <p>12 through this process that they have a dance, meaning</p> <p>13 that the county officials have a dance to do also is</p> <p>14 to present credentials. Present to me is like the</p> <p>15 adjective says, present is to give, to show.</p> <p>16 Q. Let's take a look here?</p> <p>17 MR. GUBLER: Let's pull Exhibit 24,</p> <p>18 please.</p> <p>19 BY MR. GUBLER:</p> <p>20 Q. Do you recognize this?</p> <p>21 A. I do.</p> <p>22 Q. What is this?</p> <p>23 A. It's an owner's responsibility for the</p> <p>24 trucking and the railroad companies to meet and have a</p> <p style="text-align: right;">Page 196</p>
<p>1 A. Define that for me.</p> <p>2 Q. Was there a request for entry? Did</p> <p>3 they ask you, I'm here to inspect this, may I enter</p> <p>4 your property?</p> <p>5 A. They did later on. Not in the</p> <p>6 beginning, but later on. But then they never followed</p> <p>7 that up with presentation of credentials.</p> <p>8 Q. Okay. Did anybody come out on August</p> <p>9 28th, 2024?</p> <p>10 A. Is that the one where they testified</p> <p>11 that somebody from the office talked to them and I was</p> <p>12 on the phone?</p> <p>13 Q. No, I believe this was later?</p> <p>14 A. I can't tell you that. If we could</p> <p>15 look at their exhibit maybe.</p> <p>16 Q. At any time -- let me ask you this.</p> <p>17 At any time, did anybody show up and did you ask them</p> <p>18 for credentials?</p> <p>19 A. I did at the -- at the last. It's</p> <p>20 towards the last, I guess. The lady for one, and she</p> <p>21 said, I have no credentials. And she pulled out her</p> <p>22 human resource tiny little thing. And she said, all I</p> <p>23 have is this. And I use this just to swipe to get</p> <p>24 into the office. And I said -- and I laughed at her.</p> <p style="text-align: right;">Page 195</p>	<p>1 security plan.</p> <p>2 Q. What's a security plan?</p> <p>3 A. The site where we have a terminal,</p> <p>4 we're required to go through and provide a security</p> <p>5 plan to keep it secure.</p> <p>6 Q. And so this tells you what those</p> <p>7 requirements are; is that right?</p> <p>8 A. It does. You start off with the</p> <p>9 threat assessment. Is where you look at the</p> <p>10 geographic and demographic property that you're</p> <p>11 talking about, and go through and look at what threats</p> <p>12 are available to that property. And then you design a</p> <p>13 security plan to go through and meet the threats of</p> <p>14 that property to keep terrorists from gaining access</p> <p>15 to it and then gaining access to the trucks and</p> <p>16 trailers that have the hazardous material inside them.</p> <p>17 Q. Okay?</p> <p>18 MR. GUBLER: Let's go to, I think it's</p> <p>19 three pages in on this one. Stop, go back.</p> <p>20 BY MR. GUBLER:</p> <p>21 Q. So, I think you had mentioned this,</p> <p>22 the little triangle. Do you see that on the truck?</p> <p>23 A. Yes, we call it the flip chart, but</p> <p>24 yes.</p> <p style="text-align: right;">Page 197</p>



1 Q. And that's what you were referring to
2 before?
3 A. Yes.
4 Q. Okay. And what is that again?
5 A. That is the triangle that tells the
6 material that's inside the container and has it has or
7 has hazardous communication training, will teach the
8 employee what that placard means.
9 Q. Okay. So, did you ever come up with a
10 security plan?
11 A. We have. We do.
12 Q. Let's take a look at Exhibit 25. What
13 is this?
14 A. Social security plan.
15 Q. Okay. When was this created?
16 A. It was created 2005, would've been
17 updated when we moved in 2023.
18 Q. And did it exist before January of
19 2024?
20 A. It did.
21 Q. Okay. So going to the second page of
22 this, down towards the end, part of the -- part of the
23 plan, if you look the second to last point, do you see
24 that? Fake ID look for ID on badge?

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1 A. Correct.
2 Q. Why is that on there?
3 A. It's a big part of stopping people who
4 fraudulently are trying to get onto a secured site.
5 Q. And that was part of your security
6 plan before?
7 A. It was.
8 Q. And so when you were -- when these
9 individuals all showed up on the January and July and
10 August, was this a concern for you?
11 A. Yes. I mean, they presented nothing
12 that I'd ever dealt with before that looked official.
13 Q. And again, why -- I -- you probably
14 touched on this, but why is that important?
15 A. The official list allows us to know
16 that they're going to be safe on site.
17 Q. Okay. And if they're not safe on
18 site, what could happen?
19 A. The potential, again, as I'll
20 reiterate -- the killing field of a rail car with
21 chlorine is 15 miles. And so it's incumbent upon us
22 to keep our society and our little part of the world
23 safe.
24 Q. And is that -- so you mentioned

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1 chlorine. Is that -- is that type of thing on a -- on
2 the property?
3 A. Well, it's truth to put. I mean, the
4 material comes and goes, that's why they call it a
5 terminal. So the cars will come in or tanker cars
6 will come in. They either get repowered, sit there
7 for the weekend. The drivers take their hours of
8 service off, and then depart again.
9 Q. Okay. Well let's look at Exhibit 17.
10 So -- well, do you -- what is this? Do you recognize
11 this?
12 A. It's from FRA.
13 Q. What's the FRA?
14 A. It's a sub department of the
15 Department of Transportation. Stands for Federal
16 Railroad Administration.
17 Q. Okay. So, it says trespassing is
18 dangerous and illegal. Would you agree or disagree
19 with that statement?
20 A. Trespassing is illegal.
21 Q. And why is that?
22 A. There is -- most of -- most of the
23 hazmat in this country is moved by rail. And so with
24 such a large profile potential material to get into

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1 terrorist hand it's important that they are secured,
2 to the point that the railroad has its own police
3 department to go through and provide security.
4 MR. GUBLER: Let's go to Exhibit 18.
5 Sorry.
6 BY MR. GUBLER:
7 Q. And again, do you recognize this?
8 A. I do.
9 Q. And what is it?
10 A. It's, again, it's the Federal Railroad
11 Administration talking about trespassers and help us a
12 railroad go through and understand and watch out for.
13 Q. And is that a real safety issue?
14 A. It is.
15 Q. Okay. And that's because of the
16 hazardous materials and such that they're on the
17 property?
18 A. It is.
19 Q. That come and go on the property.
20 Now, do you have any signage on your property?
21 A. We do.
22 Q. Okay. What does that look like?
23 A. No camping here.
24 Q. Okay. Railroad property, no

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1 trespassing, federal statute. I -- it looks to me
2 like there's some dust on there. How long has that
3 been on the property?
4 **A. That was put in October, I want to**
5 **say.**
6 Q. Of what year?
7 **A. '23.**
8 Q. 2023?
9 **A. Uh-huh.**
10 Q. And where was it displayed?
11 **A. It's been in several different places.**
12 **It's ended up on the gates and then front, before that**
13 **it would've just been on the front of the property.**
14 Q. So if you wanted to enter the
15 property, would you have seen this sign?
16 **A. I -- that's a speculation. I don't**
17 **know their acuity.**
18 Q. Is it -- is it obviously posted in the
19 front?
20 **A. To me it was, but again, it's probably**
21 **different for everybody.**
22 Q. Okay. But it was -- it was there in
23 January, 2024, posted --
24 **A. Yes.**

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1 Q. -- on the front of the property?
2 **A. Uh-huh.**
3 Q. What else do you have there?
4 **A. Just the signs we have about all**
5 **visitors need to check in.**
6 Q. And where is that posted?
7 **A. From time to time -- right now they're**
8 **on both gates in the middle. It's always been on the**
9 **-- on the very front where the gate was at.**
10 Q. When you say always, what do you mean?
11 **A. Since we were set up there in October.**
12 Q. October of 2023?
13 **A. Correct.**
14 Q. Okay. Are you familiar with
15 rotomilling?
16 **A. I am.**
17 Q. What is it?
18 **A. It's the aftermath of -- aftermath of**
19 **somebody taking a machine and grinding up the asphalt,**
20 **either to rehabilitate it or to go through and regrind**
21 **it.**
22 Q. And what's the size of this material?
23 **A. Typically, three inch to quarter inch.**
24 Q. Okay?

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1 MR. GUBLER: And let's go to Exhibit 9,
2 please.
3 BY MR. GUBLER:
4 Q. Do you recognize this picture?
5 **A. I do.**
6 Q. What is it?
7 **A. 2596 Stratford Avenue.**
8 Q. Okay. So this is the property,
9 correct?
10 **A. Correct.**
11 Q. And is this what it looks like to me?
12 **A. It does.**
13 Q. Now, that on the ground, what is that?
14 **A. Roto-Mill.**
15 Q. And what areas of the property does
16 that cover?
17 **A. 98 percent.**
18 Q. Okay. The nine -- the 2 percent,
19 where's that at?
20 **A. Offices.**
21 Q. The offices, so there's a structure?
22 **A. It's some concrete.**
23 Q. It's some concrete. Okay. Otherwise,
24 this covers the property; is that right?

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1 **A. Correct.**
2 Q. Okay. And how deep is it?
3 **A. About six-inch lift.**
4 Q. So six inches deep?
5 **A. Correct.**
6 Q. Why is this on the property?
7 **A. Best practices for dust abatement.**
8 Q. For dust abatement, you said?
9 **A. Yes.**
10 Q. How do you know that?
11 **A. I asked my date neighbor, Jay Smith,**
12 **but from Las Vegas Paving on what the best product**
13 **would be and he said the best product is six inches of**
14 **Roto-Mill.**
15 Q. Have you used Roto-Mill before,
16 though?
17 **A. I have.**
18 Q. Where?
19 **A. We used it at university property, we**
20 **used the Donovan Way property, and we used it at the**
21 **Losee Road property.**
22 Q. Okay. And why did you use it?
23 **A. It's the most economical, best**
24 **material to -- as a pallet to stop the dust emissions.**

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<p>1 Q. How much is this a ton?</p> <p>2 A. Jay gave me a good price. So, maybe</p> <p>3 \$20 a ton.</p> <p>4 Q. Dollars a ton compared to how much is</p> <p>5 that?</p> <p>6 A. Probably 10 percent of what</p> <p>7 (inaudible) is.</p> <p>8 Q. Okay. And when you use this, has this</p> <p>9 created any type of dust plumes?</p> <p>10 A. Not that I can tell.</p> <p>11 Q. Now, does this work as effectively as</p> <p>12 asphalt for your property?</p> <p>13 A. You know, there's some qualifiers in</p> <p>14 there because of the track equipment we have, because</p> <p>15 of that, I think it works better than asphalt, because</p> <p>16 then we don't have to destroy what we just put down as</p> <p>17 we use the -- get rid of the -- remove the loader for</p> <p>18 an assignment.</p> <p>19 Q. Does this material maintain?</p> <p>20 A. Yeah, we have it laid right there and</p> <p>21 maintains it.</p> <p>22 Q. Okay. And is this -- is this work as</p> <p>23 effectively as water?</p> <p>24 A. Qualify that because water's in when</p> <p style="text-align: right;">Page 206</p>	<p>1 them?</p> <p>2 A. I did.</p> <p>3 Q. And did -- and so what did they</p> <p>4 recommend?</p> <p>5 A. Roto-Mill.</p> <p>6 Q. Both of them did?</p> <p>7 A. Correct.</p> <p>8 MS. JORGENSEN: And I'm going to stop</p> <p>9 you right there because I know you're going to</p> <p>10 probably go to their affidavits. But we're -- the</p> <p>11 time. So we've got a -- that's more or less. So I</p> <p>12 have to check first because I only anticipated being</p> <p>13 here for -- so, there is a conference room available</p> <p>14 that I booked on this first floor. It's by the east</p> <p>15 entrance to the building.</p> <p>16 HEARING OFFICER: Okay. And how long</p> <p>17 do we anticipate? Because -- or what's the hours that</p> <p>18 we're --</p> <p>19 MS. JORGENSEN: We can have it until</p> <p>20 the end of the day.</p> <p>21 HEARING OFFICER: Of the day. Yeah.</p> <p>22 MR. GUBLER: Did you want them to stay</p> <p>23 till 3:00 instead.</p> <p>24 HEARING OFFICER: Well, the problem is,</p> <p style="text-align: right;">Page 208</p>
<p>1 in a drought? So it's --</p> <p>2 Q. Well, I mean, is it -- was this</p> <p>3 cheaper than watering this 24/7 to put this Roto-Mill</p> <p>4 down?</p> <p>5 A. It's probably more socially</p> <p>6 responsible than water. Because, again, we are in a</p> <p>7 drought and this material would go to landfill. So</p> <p>8 it's a recycled material. So does it work better than</p> <p>9 water? It's equal to, I've had to say that, but</p> <p>10 again, it's more socially responsible.</p> <p>11 Q. So, with water, do you have to employ</p> <p>12 anybody to put that?</p> <p>13 A. You do. So you have CO2 emissions</p> <p>14 from the water truck, and then you just, again, have</p> <p>15 the whole issue to pump the water. Is power</p> <p>16 intensive.</p> <p>17 Q. Now, did you do any type of inquiries?</p> <p>18 What would be the best dust pallet for your property?</p> <p>19 A. Just asking the experts.</p> <p>20 Q. Okay. Who are those experts?</p> <p>21 A. Two asked -- what I asked would Jay</p> <p>22 Smith from Las Vegas Paving and Floyd Milgram from</p> <p>23 Houston, Southern Nevada Paving.</p> <p>24 Q. Okay. And you spoke with both of</p> <p style="text-align: right;">Page 207</p>	<p>1 yeah, I only -- I have to take off time to be here as</p> <p>2 well. That's the whole day that I'm out. And I did</p> <p>3 not plan on that from my office.</p> <p>4 MR. GUBLER: Do we need to reschedule</p> <p>5 it.</p> <p>6 HEARING OFFICER: So I have to check</p> <p>7 with my office. Let's just take a break. We'll take</p> <p>8 a break right now and reconvene at -- it's 11:54</p> <p>9 --11:55. So right before noon, so I can figure out</p> <p>10 whether --</p> <p>11 MR. GUBLER: Or we reschedule it?</p> <p>12 MS. JORGENSEN: No.</p> <p>13 HEARING OFFICER: Well, is hard to get</p> <p>14 a room.</p> <p>15 MR. GUBLER: No, no. For a different</p> <p>16 --</p> <p>17 HEARING OFFICER: Day. That's -- I</p> <p>18 mean, because everybody's here today, so -- Yes.</p> <p>19 Okay. So the options are to have a room. If I can be</p> <p>20 here till 05:00.</p> <p>21 MS. JORGENSEN: But it'd be available</p> <p>22 till 5:00.</p> <p>23 HEARING OFFICER: Right. And then I</p> <p>24 have to return to my office and we'll discuss this.</p> <p style="text-align: right;">Page 209</p>



<p>1 Let's -- we'll come back right before -- let's do --</p> <p>2 let's do like a three minutes, 55 to 56. So we're</p> <p>3 going off the record at 11:55. I can find out by --</p> <p>4 within the next three minutes and we can discuss</p> <p>5 whether we move to another day or if we --</p> <p>6 MS. JORGENSEN: And then if we were</p> <p>7 going to reschedule, then we'd need dates.</p> <p>8 HEARING OFFICER: Right.</p> <p>9 MS. JORGENSEN: Okay.</p> <p>10 (OFF THE RECORD).</p> <p>11 HEARING OFFICER: Okay. We are going</p> <p>12 to go back on the record. We convened shortly before</p> <p>13 12:00. It's now 12:16. We were trying to come up</p> <p>14 with dates or times to ensure that respondent has</p> <p>15 plenty of time to put on their case in chief. And we</p> <p>16 have enough time for cross and to address the penalty</p> <p>17 phase because we are still in the violation phase.</p> <p>18 So, we have confirmed that we can</p> <p>19 reconvene on the 5th of November, Tuesday, which is</p> <p>20 next Tuesday. So we will start -- I can start at</p> <p>21 8:00.</p> <p>22 MS. JORGENSEN: No, no, no.</p> <p>23 HEARING OFFICER: Okay.</p> <p>24 MS. JORGENSEN: That would not be my</p> <p>Page 210</p>	<p>1 (Off the record.)</p> <p>2 (Whereupon, the proceeding was adjourned at</p> <p>3 12:18 p.m.)</p> <p>4 ***</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>Page 212</p>
<p>1 preference.</p> <p>2 HEARING OFFICER: Okay.</p> <p>3 MS. JORGENSEN: Could we start at 9:00?</p> <p>4 This way I know I'll be on time too. Yeah, we -- I</p> <p>5 come from Henderson, so --</p> <p>6 HEARING OFFICER: Is 9:00 okay?</p> <p>7 MS. JORGENSEN: 9:00 is fine for me.</p> <p>8 THE CLERK: 9:00 a.m.</p> <p>9 HEARING OFFICER: 9:00 a.m.? Okay. We</p> <p>10 will --</p> <p>11 MR. GUBLER: I'll follow you later.</p> <p>12 HEARING OFFICER: I'm sorry?</p> <p>13 MR. GUBLER: I said I'll follow you</p> <p>14 later on. 9:00's fine.</p> <p>15 HEARING OFFICER: Oh, I can do later.</p> <p>16 MR. GUBLER: No. (Inaudible).</p> <p>17 HEARING OFFICER: I cannot agree to</p> <p>18 that. Okay. So we'll reconvene on the fifth, which</p> <p>19 is next Tuesday, November 5th at 9:00 a.m. And then</p> <p>20 this adjourns the meeting now it is 12:17 -- 12:18.</p> <p>21 MS. JORGENSEN: Okay.</p> <p>22 HEARING OFFICER: Thank you.</p> <p>23 MR. GUBLER: Thank you.</p> <p>24</p> <p>Page 211</p>	



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EXHIBIT 31

1 APPEARANCES :

2

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<p>1 PROCEEDINGS</p> <p>2 ***</p> <p>3 THE CLERK: This is the Air Pollution</p> <p>4 Control Hearing Officer Meeting. It's approximately</p> <p>5 8:30 a.m., on November 5th, 2024.</p> <p>6 Holly Fic is the presiding hearing</p> <p>7 officer.</p> <p>8 HEARING OFFICER: (Indiscernible) it's</p> <p>9 9:00, and this is going to be the time to start.</p> <p>10 I'm going to call the meeting to order. This is the</p> <p>11 Air Pollution Control Hearing Officer Meeting. This</p> <p>12 is the continuation from the 1029 testimonies and</p> <p>13 representations by air quality and ETON</p> <p>14 Transportation Corp in regards to NOB 9994 and</p> <p>15 10078.</p> <p>16 ETON Transportation had the floor putting</p> <p>17 their case on chief, so we want to continue from</p> <p>18 there. I'm going to -- sir, would you raise your</p> <p>19 right hand? Do you solemnly swear that you'll tell</p> <p>20 the truth, the whole truth, and nothing but the</p> <p>21 truth, so help you God?</p> <p>22 THE WITNESS: I do.</p> <p>23 HEARING OFFICER: Okay. And you may</p> <p>24 continue with your case in chief.</p> <p>25 MR. GUBLER: Before we get involved, any</p> <p style="text-align: right;">Page 3</p>	<p>1 Mr. Kirk, Mr. -- Ms. Crandall, sorry, Byers and</p> <p>2 Kirk.</p> <p>3 HEARING OFFICER: I mean, this is an open</p> <p>4 forum and it's usually open to everyone. That's --</p> <p>5 my concern, is that we usually don't invoke</p> <p>6 exclusionary rules and it's open. It's just that</p> <p>7 this happens to be a -- a special time that's set</p> <p>8 away for that -- set away for that. And you're</p> <p>9 going to call all of these people to testify today?</p> <p>10 MR. GUBLER: Yes. It'll -- it'll be</p> <p>11 different testimony. I'm not -- I'm not seeking to</p> <p>12 ask them things that I've -- I've asked --</p> <p>13 HEARING OFFICER: Okay.</p> <p>14 MR. GUBLER: -- previously.</p> <p>15 HEARING OFFICER: Okay.</p> <p>16 MR. GUBLER: Hoping to be very brief.</p> <p>17 HEARING OFFICER: Okay.</p> <p>18 MR. GUBLER: Okay.</p> <p>19 HEARING OFFICER: I'm going to allow it if</p> <p>20 -- if it's different from what he's saying, and I</p> <p>21 just want to give them every opportunity to present</p> <p>22 their case. So -- and they are witnesses and he's</p> <p>23 going to call them, and he has a reason for that.</p> <p>24 Although this is -- is an open proceeding, this is</p> <p>25 -- we've put it to this time. So I'm just going to</p> <p style="text-align: right;">Page 5</p>
<p>1 -- here just briefly. I'm going to make a request</p> <p>2 to sequester witnesses.</p> <p>3 HEARING OFFICER: Okay. And reason being?</p> <p>4 MR. GUBLER: I -- I -- I intend to call</p> <p>5 after Mr. Truman, I intend to call in some more</p> <p>6 witnesses that are in the room. And I do not want</p> <p>7 them to collude on their -- on their testimony. I</p> <p>8 believe that there was last time, I think we all</p> <p>9 observed how -- how the testimonies had changed</p> <p>10 throughout the hearing last time. And so that's why</p> <p>11 I would like it sequestered today.</p> <p>12 HEARING OFFICER: Okay. Respondent's</p> <p>13 counsel, any objections?</p> <p>14 MS. JORGENSEN: I think it's too late. I</p> <p>15 think it's a -- a belated request and I think the</p> <p>16 representation that testimony change I think it is</p> <p>17 unsupported, and I -- I don't think it's necessary.</p> <p>18 I mean, and my only concern is, I mean, we're here a</p> <p>19 week later if -- whatever was said was said. I -- I</p> <p>20 understand you're to say that they're going to --</p> <p>21 that certain witnesses are going to collude on</p> <p>22 testimony. But questions that you're going to ask</p> <p>23 today, what -- specifically, who do you want</p> <p>24 excluded?</p> <p>25 MR. GUBLER: I would ask for Ms. Roswell,</p> <p style="text-align: right;">Page 4</p>	<p>1 -- well, they'll have to be, I guess, on standby to</p> <p>2 be called in. Well, there wouldn't be a reason to</p> <p>3 exclude them right now, until they start testifying,</p> <p>4 at least based on the representations by counsel.</p> <p>5 MR. GUBLER: No. I would like them</p> <p>6 excluded with Mr. Truman's testimony.</p> <p>7 HEARING OFFICER: Again, it's an informal</p> <p>8 proceeding, but if he's got a good faith basis that</p> <p>9 he's saying, that I would want him to put on his</p> <p>10 testimony, just so that they won't be prepared for</p> <p>11 that. And that happens in a normal process, I don't</p> <p>12 see that as unreasonable. So I'm going to allow it.</p> <p>13 MS. JORGENSEN: Okay. So who's being</p> <p>14 excluded?</p> <p>15 MR. GUBLER: We've asked Roswell.</p> <p>16 HEARING OFFICER: Roswell?</p> <p>17 MR. GUBLER: Forgive me. Yes.</p> <p>18 HEARING OFFICER: Uh-huh.</p> <p>19 MR. GUBLER: Roswell. Thank you.</p> <p>20 HEARING OFFICER: Mr. Kirk.</p> <p>21 MR. GUBLER: Byers, Dean, and Kirk.</p> <p>22 HEARING OFFICER: Dean is not here today.</p> <p>23 I believe I stated last time that he would not be</p> <p>24 here.</p> <p>25 MR. GUBLER: That -- that -- that's fine</p> <p style="text-align: right;">Page 6</p>



<p>1 -- that's fine.</p> <p>2 HEARING OFFICER: So, Byers.</p> <p>3 MR. GUBLER: Uh-huh.</p> <p>4 HEARING OFFICER: Roswell, Kirk, Byers and</p> <p>5 Crandall I thought you said.</p> <p>6 MR. GUBLER: Crandall.</p> <p>7 HEARING OFFICER: Okay. Okay. It is now</p> <p>8 9:06, and I've granted counsel's request to exclude</p> <p>9 potential witnesses while we -- he puts his case on</p> <p>10 and starts with the -- his case. So you may</p> <p>11 continue.</p> <p>12 MR. GUBLER: Thank you so much.</p> <p>13 EXAMINATION</p> <p>14 BY MR. GUBLER:</p> <p>15 Q. Mr. Truman, do you recall last time we</p> <p>16 were talking about credentials, do you remember</p> <p>17 that?</p> <p>18 A. Yes.</p> <p>19 Q. Now, you -- you -- we went through -- we</p> <p>20 won't go through all that again. But we went</p> <p>21 through different agencies that had come and -- and</p> <p>22 -- and presented their credentials to you for</p> <p>23 different various reasons relating to -- to business</p> <p>24 and personal experience. Do you remember that?</p> <p>25 A. Yes.</p> <p>Page 7</p>	<p>1 signed on behalf of a representative of ETON, you</p> <p>2 signed a permit; is that right?</p> <p>3 A. Correct. Electronically.</p> <p>4 Q. Now, when you signed this permit, what</p> <p>5 were you thinking?</p> <p>6 A. Well, before this on the permit, I looked</p> <p>7 at the statutes, the code, whatever, to go through</p> <p>8 and understand what that would entail. And in the</p> <p>9 county code, it presented a protocol of how they</p> <p>10 would go through and present themselves to enter the</p> <p>11 property.</p> <p>12 So with -- with that understood of how the</p> <p>13 protocol would work, I guess you'd call the -- the</p> <p>14 rule of law. Here's how the law's going to be</p> <p>15 presented to you, Mr. Truman, I then signed that --</p> <p>16 that they would've access to the property, based on</p> <p>17 their presentation in their literature of what the</p> <p>18 code required them to do.</p> <p>19 Q. Why is that important to you?</p> <p>20 A. I've had several opportunities to work</p> <p>21 with the government agencies where they have -- have</p> <p>22 been heavy handed and have come on my properties</p> <p>23 over -- over the years without duly presenting</p> <p>24 credentials. And then we have negotiated out under</p> <p>25 the Fourth Amendment issues, that they came under</p> <p>Page 9</p>
<p>1 Q. At any time did the same person from the</p> <p>2 same agency ever come back?</p> <p>3 A. Yes, they have.</p> <p>4 Q. And -- and when they came back -- so the</p> <p>5 first time your testimony was, and correct me if I'm</p> <p>6 wrong, that -- that they presented their</p> <p>7 credentials, whatever that was, said what they were</p> <p>8 there for, stated their purpose. Did they say</p> <p>9 anything else?</p> <p>10 A. Sometimes they would ask what they were</p> <p>11 there for. If they could come on property, if they</p> <p>12 could talk to somebody. So it depended on the</p> <p>13 reason they were there.</p> <p>14 Q. Okay. So when they returned, what did</p> <p>15 they do?</p> <p>16 A. The same, for lack of a better word,</p> <p>17 dance. They present themselves that I'm so and so</p> <p>18 from this department, here's my credentials. Can I</p> <p>19 come on site? Can I talk to somebody? So it was --</p> <p>20 every time they would come back, it would be the</p> <p>21 same protocol of introducing themselves, presenting</p> <p>22 credentials, and then I ask if they could come on</p> <p>23 site if they needed to come on site for some reason.</p> <p>24 Q. Now, I believe that there was some</p> <p>25 testimony previously kind of moving on, that you had</p> <p>Page 8</p>	<p>1 issues that they provided unreasonable seizures --</p> <p>2 search and seizures.</p> <p>3 The first time would've been with my aunt</p> <p>4 who owned a company called Trainer Wholesale. And</p> <p>5 the feds came on her property to go ahead and get</p> <p>6 some information without a warrant and without</p> <p>7 asking her, she was not at the home or the business</p> <p>8 when they came by. And that was settled out?</p> <p>9 And then my own personal first one was</p> <p>10 with the water district. The water district came on</p> <p>11 a piece of property we owned or leased, and a</p> <p>12 representative or a city inspector of the water</p> <p>13 district came on site, and rejected some pipe, and</p> <p>14 then proceeded to graffiti my property that -- that</p> <p>15 I had there.</p> <p>16 And so, when this happened, I told the --</p> <p>17 the water district and they sent out an investigator,</p> <p>18 and we went through what happened. And when I was</p> <p>19 in college, I -- I was a history major first, and so</p> <p>20 I studied -- the study was 1780 to 1790 was my part</p> <p>21 of history that I specialized in, which had a lot to</p> <p>22 do with the Bill of Rights.</p> <p>23 And so, I knew somewhat of what the</p> <p>24 historical context was of the Bill of Rights,</p> <p>25 particularly the Fourth Amendment. And particularly</p> <p>Page 10</p>



<p>1 at -- at college, I got to know a guy by the name of</p> <p>2 Bruce Hafen (ph), who taught constitutional law at</p> <p>3 the college -- legal college, next to the college I</p> <p>4 went to. We got to know him.</p> <p>5 And so through my study of history, my</p> <p>6 relationship with him and followed up with</p> <p>7 relationship with Judge George here in Las Vegas,</p> <p>8 where we got to know him through his kids and spent</p> <p>9 some time with him at his home and his chambers</p> <p>10 discussing that 1880 to 1890 or 1780 to 1790 time</p> <p>11 period, I became somewhat information -- informed</p> <p>12 about the Fourth Amendment.</p> <p>13 Q. So let me just break this up just a little</p> <p>14 bit. You -- you've mentioned the Fourth Amendment a</p> <p>15 couple times. What does that mean to you?</p> <p>16 A. Historically, the -- the British would</p> <p>17 come onto the -- the Colonist property without any</p> <p>18 ability to stop them. And so, Madison went through</p> <p>19 and helped to write that into the Fourth Amendment,</p> <p>20 that, that would be a keystone of the new</p> <p>21 constitution, the new country that government did</p> <p>22 not have that right to come on site without some</p> <p>23 sort of warrant, some sort of information, some sort</p> <p>24 of process.</p> <p>25 So protected and -- the integrity of -- of</p> <p>Page 11</p>	<p>1 Next time we have problems with the Fourth</p> <p>2 Amendment, those was Clark County waste department.</p> <p>3 We have a client, a person who rented from us called</p> <p>4 Renew Oil, and a overzealous (indiscernible) jumped</p> <p>5 the fence, searched some containers that they had on</p> <p>6 site to find out if there's any solid waste that had</p> <p>7 come from the casinos.</p> <p>8 Again, we went back to the county this</p> <p>9 time and found somebody who was in charge of the</p> <p>10 solid waste in the the legal department. I guess</p> <p>11 it's the -- I don't know if it's the DA's or what</p> <p>12 sub-department, but he came out of Chicago and he</p> <p>13 was very familiar with the -- the solid waste</p> <p>14 landscape with interstate commerce.</p> <p>15 And so he was quite conversant with what</p> <p>16 interstate commerce meant. Again, they backed out,</p> <p>17 got the letter of apology from the Solid Waste</p> <p>18 Department of Clark County of their -- their</p> <p>19 enforcement agency jumping on the fence to go</p> <p>20 through and present an illegal search and seizure of</p> <p>21 our property.</p> <p>22 So those are the -- the big ones that I</p> <p>23 haven't been involved with personally to understand</p> <p>24 what overreach of the government is, but also the</p> <p>25 rule of law. If you understand what the the</p> <p>Page 13</p>
<p>1 somebody's personal property that they just could</p> <p>2 not show up and say, okay, I'm here. That there's a</p> <p>3 process that the government had to go through to --</p> <p>4 to get on the property. And so, that was -- they</p> <p>5 validated when we dealt with the -- the water</p> <p>6 district and -- and they concurred that the Fourth</p> <p>7 Amendment was violated. They put in place to train</p> <p>8 their -- their employees of what that became.</p> <p>9 The next issue with the Fourth Amendment</p> <p>10 was, we had problems with a -- a government agency</p> <p>11 called an Air Force, we owned a property next to the</p> <p>12 Air Force Base at Sloan and Range Road. We had some</p> <p>13 monitoring wells we put on to find out whether some</p> <p>14 aviation fuel had leaked from somebody's tanks was</p> <p>15 come across our property.</p> <p>16 And the Air Force came on our -- our</p> <p>17 property and took samples off from of our monitor</p> <p>18 wells. And we had to -- to go to the base commander</p> <p>19 with the attorney at the time, with Stan Perry, to</p> <p>20 go through and get it straightened out that they had</p> <p>21 no ability to come on my property.</p> <p>22 Even though they're the government, even</p> <p>23 though they had this, I was protected in the Fourth</p> <p>24 Amendment. Air Force backed down, we were issued a</p> <p>25 letter -- a policy from the Air Force.</p> <p>Page 12</p>	<p>1 responsibilities of the parties going in, you should</p> <p>2 be able to determine and hold fast to what both</p> <p>3 party says.</p> <p>4 So if the -- the county air quality</p> <p>5 control says, we statutorily or -- or our code says</p> <p>6 that this is how we'll enter your property, I signed</p> <p>7 that, contractually in my mind, that this is how it</p> <p>8 would happen. If they wanted to come on property,</p> <p>9 it'd present their credentials and has to come on.</p> <p>10 Q. So you -- you heard testimony before from</p> <p>11 some of the government employees. One related to</p> <p>12 saying there's no security guard, there's no signs.</p> <p>13 You know, last time that you -- you brought a couple</p> <p>14 different signs, what did those signs say again?</p> <p>15 A. One was the issue about the trespassing,</p> <p>16 and there the federal CFR, and the other was just a</p> <p>17 -- a blue and white line that told them they needed</p> <p>18 to stop at the property, and sign in.</p> <p>19 Q. Okay. Now, do you believe that they did</p> <p>20 not see any security guard?</p> <p>21 A. I -- I can't testify what they saw or --</p> <p>22 or cannot see.</p> <p>23 Q. I'm asking what you believe.</p> <p>24 A. I believe they -- they did not look for</p> <p>25 one.</p> <p>Page 14</p>



<p>1 Q. Okay. So you brought some -- some things 2 today with you? 3 A. I did. 4 Q. What is it? 5 A. One is -- two items from when I bought 6 something from Amazon, and then the other two are 7 actual pictures of the signs that were on the site 8 at the time in question that they arrived on site. 9 Q. Okay. And what else did you bring? 10 A. Affidavits of the security guards on duty 11 of both the 8th and the 9th. 12 Q. Okay. I -- I know this -- this is a 13 little unusual, but we'd ask to at least present 14 those so that they're in the record --- --- --- 15 HEARING OFFICER: So they're not ones yet. 16 So these are new that haven't been presented or 17 because I know there are quite a few affidavits in 18 there. 19 MR. GUBLER: Correct. That is correct. 20 There's -- there's two, they're very short. It's 21 basically saying that this is what they observed. 22 HEARING OFFICER: Any objection 23 (indiscernible) to review it? 24 MS. JORGENSEN: I believe these are -- I 25 assume that these are employees of either ETON or</p> <p>Page 15</p>	<p>1 MR. GUBLER: No disrespect. 2 HEARING OFFICER: And -- and I assume 3 you're going to question the witnesses. Would you 4 question some of the air quality about this as well? 5 MR. GUBLER: About the picture, yes. 6 HEARING OFFICER: Okay. I'm going to -- 7 because it's informal, I mean, obviously I get trial 8 by ambush, but because it's informal, and no 9 opportunity to cross-examine, and these are -- I 10 assume either ETON though it's not -- doesn't say 11 who they work for. So it's -- clearly they could 12 have had these people here if they had so chosen. 13 And I -- that's something that I will 14 consider. And -- and -- and I have my own questions 15 as well too. So -- but I will consider that, I'll 16 allow it because we are informal because that's -- 17 that's, you know, the process here. And you'll be 18 allowed to cross and we'll just -- I'd rather have 19 it in than have this, you know, I just want to give 20 him every opportunity. So go ahead and proceed. 21 BY MR. GUBLER: 22 Q. Let's go ahead and look at the declaration 23 of Willard Stickler. Who's Mr. Stickler? 24 A. He's an employee of ETON. 25 Q. Of ETON. And what's Mr. Sticklers</p> <p>Page 17</p>
<p>1 Tonopah & Tidewater. So I -- best evidence is, they 2 should have brought these witnesses too, so I can 3 have the ability to cross-examine them. So I would 4 object to the entrance of these affidavits. 5 HEARING OFFICER: And -- 6 MS. JORGENSEN: As to the other items, I 7 don't know what those are yet. 8 HEARING OFFICER: My only concern is that 9 too. I mean, you guys have the opportunity I review 10 them and -- and I know you presented all your 11 exhibits, and that would've been a time when they 12 would have fair times to respond to that. And it's 13 like after the fact we're in day 2 of trial, and so 14 it's -- it's -- it's unfair. 15 But I get, it's -- it's -- it's an 16 informal process, so I'll -- I'll allow it. But 17 it's -- it's because of how brief it is, I don't 18 want pages that are new to give them the opportunity 19 to respond to it. And then, I mean, I guess you -- 20 you can testify about how those affidavits came out, 21 but best evidence would be that (indiscernible). 22 MR. GUBLER: May I approach. 23 HEARING OFFICER: Yes. Oh. 24 MR. GUBLER: Sorry. 25 HEARING OFFICER: Yes. No, that's fine.</p> <p>Page 16</p>	<p>1 responsibilities? 2 A. General yard labor and security guard. 3 Q. And I -- I believe that you showed us in 4 some pictures, where the -- the security shack is. 5 What is -- what's the security shack look like? 6 Please describe that. 7 A. That's an 8 by 20 office building mobile. 8 Q. Okay. And where is it located? 9 A. Just inside the south entrance to the 10 property. 11 Q. So what -- what did Mr. -- so January 9th, 12 what did Mr. Stickler report to you? Tell -- tell 13 me in your own words, what -- what happened? 14 A. We used the Nextcom radio on site for 15 communication, and he just got on the next tel, let 16 us know there was a potential intruder on site. And 17 I was walking out and I said, no, let me go and see 18 who it is. 19 Q. Do you know -- do you know how he knew 20 that there was an intruder -- potential intruder on 21 site? 22 A. Inside the security shack there's video 23 monitors at the site. So he -- he -- he would've 24 either saw them that way or the door was open, he 25 would've seen them coming (indiscernible).</p> <p>Page 18</p>



<p>1 Q. Drive by?</p> <p>2 A. Correct.</p> <p>3 Q. So you mentioned a -- a sign that was</p> <p>4 posted saying that all visitors must check in; Is</p> <p>5 that right?</p> <p>6 A. Correct.</p> <p>7 Q. And where was that located?</p> <p>8 A. Would've been in three places. Would've</p> <p>9 been on the south, the north, and the middle.</p> <p>10 Q. So how did -- how did Mr. Stickler contact</p> <p>11 you?</p> <p>12 A. Just on the radio.</p> <p>13 Q. Okay. And what did he tell you?</p> <p>14 A. Just giving a trigger on side pass.</p> <p>15 Q. And so what did he do?</p> <p>16 A. Went out there to find out who it was.</p> <p>17 Q. Okay. Did you involve Mr. Stickler at all</p> <p>18 after that?</p> <p>19 A. No. He needed to stay in his post.</p> <p>20 Q. Okay. So then after -- after he informed</p> <p>21 you, Mr. Stickler informed you that there were</p> <p>22 intruders on the property, what did you do?</p> <p>23 A. Went out and met them.</p> <p>24 Q. Okay. And who was it?</p> <p>25 A. I don't know their names, but they're a</p> <p style="text-align: right;">Page 19</p>	<p>1 Q. Okay. So what did she report to you?</p> <p>2 A. Just there's a car in the back of the</p> <p>3 property that just came in.</p> <p>4 Q. And so what did you do?</p> <p>5 A. Went back there to find out who was there,</p> <p>6 why they're there.</p> <p>7 Q. And who was it?</p> <p>8 A. I think her name is -- I take it from last</p> <p>9 time, Candy or something. Cindy, Candy or something</p> <p>10 of that nature.</p> <p>11 Q. Okay. You also brought some pictures and</p> <p>12 invoices; is that correct?</p> <p>13 A. Correct.</p> <p>14 Q. Tell us what these are.</p> <p>15 A. Early on in October, we had problems with</p> <p>16 people understanding where the office was. Security</p> <p>17 was spending way too much time trying to chase them</p> <p>18 down, and we likewise were helping them chase the</p> <p>19 people down that came on the property. So we bought</p> <p>20 illuminated signs that said office on them, and put</p> <p>21 them on the perimeter of the facility, and the</p> <p>22 interior of the facility.</p> <p>23 Q. When were they installed?</p> <p>24 A. The end of November.</p> <p>25 Q. What year?</p> <p style="text-align: right;">Page 21</p>
<p>1 white Ford pickup crew cab. We saw them last time</p> <p>2 we're here. I -- I don't recall their names, but</p> <p>3 there's two females and -- maybe one female and two</p> <p>4 males.</p> <p>5 Q. Crystal Thorne, who's -- who is she?</p> <p>6 A. She's a long time employee that does</p> <p>7 security, you know, by security, day security for</p> <p>8 us.</p> <p>9 Q. Okay. Who does she work with?</p> <p>10 A. ETON -- ETON.</p> <p>11 Q. And so she discusses an incident on</p> <p>12 January 8th, looks like in her declaration. Where</p> <p>13 was she located? Where was her post on January 8th?</p> <p>14 What was she -- what duties were she performing?</p> <p>15 A. Same, security office or shack.</p> <p>16 Q. It's same -- same as Mr. -- where Mr.</p> <p>17 Stickler was?</p> <p>18 A. Correct.</p> <p>19 Q. Okay. And -- and so tell us what</p> <p>20 happened.</p> <p>21 A. Same issue. She called me on the radio.</p> <p>22 The security people are not to leave their -- their</p> <p>23 post. So whoever's on the radio and closer will go</p> <p>24 through and look and find out who the people are and</p> <p>25 find out why they're here.</p> <p style="text-align: right;">Page 20</p>	<p>1 A. 2023.</p> <p>2 Q. And so looking at, there's -- looks like</p> <p>3 there's two pictures. What are these pictures of?</p> <p>4 A. They show the signs that get on the</p> <p>5 perimeter and then on the interior.</p> <p>6 Q. And -- okay. So which one's the interior?</p> <p>7 A. The one with the red Conex, with the green</p> <p>8 outline around it, that would be on the interior,</p> <p>9 and the security person would then -- if somebody</p> <p>10 came in, signed up, they would then use that as a</p> <p>11 landmark for them of where to go, where to park.</p> <p>12 Q. So this was installed in November of 2023.</p> <p>13 Is it still there?</p> <p>14 A. It is.</p> <p>15 Q. Has it ever been taken down?</p> <p>16 A. No.</p> <p>17 Q. Is the light -- when -- when -- when the</p> <p>18 office is open, is the light always on?</p> <p>19 A. It's always on.</p> <p>20 Q. It's always on?</p> <p>21 A. Yes. Because we get Amazon on the</p> <p>22 outside, and so we're having an Amazon dropbox on</p> <p>23 the outside shown in the -- the one picture with the</p> <p>24 car in it. So it helps Amazon people at that time</p> <p>25 know where to take the Amazon packages.</p> <p style="text-align: right;">Page 22</p>



1 Q. So are -- is the -- is it pretty obvious
2 where the office is, at -- at the Stanford property?
3 **A. Seems to be to everybody else who comes on**
4 **site.**
5 Q. Okay. So there's also some -- looks like
6 -- looks like a couple emails. Where are these?
7 **A. The receipts back from the courier where**
8 **we bought signs from?**
9 Q. So this is just the receipt for the
10 purchase of the two signs?
11 **A. Correct.**
12 MR. GUBLER: Just for, I guess, purposes,
13 we could just mark Mr. Stickler's as Exhibit 26 and
14 Ms. Thorne's as 27, and the -- the pictures with the
15 invoices as 28.
16 HEARING OFFICER: Okay. All together?
17 MR. GUBLER: Yes.
18 HEARING OFFICER: Okay. So marked Exhibit
19 26 is Stickler's affidavit, Exhibit 27 is Thorne's
20 affidavit, and 28 is the pictures along with the
21 invoices.
22 (Exhibit 26 through 28 marked for
23 identification).
24 MR. GUBLER: Thank you.
25 HEARING OFFICER: (Indiscernible) so, I

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1 guess I'll just -- you're fine, that's fine.
2 (Indiscernible). Okay. Continue.
3 BY. MR. GUBLER:
4 Q. When any of these visitors or your --
5 whether it was the 8th, the 9th, 17th, 25th, excuse
6 me -- 8th and 9th of January, 17th of January, July
7 17th, February 1st, February the 8th. We've had --
8 we've had testimony about those days already, given
9 some testimony. Did you ever witness anybody
10 performing any tests?
11 **A. None.**
12 Q. Let's go to Exhibit 9. I -- I think we
13 had sort of left off around here last time. Again,
14 this is Exhibit 9. This is -- I believe you
15 testified that this is the -- the yards Stratford?
16 **A. Correct. The property.**
17 Q. The property. And -- and the the guard
18 gravel, what is that?
19 **A. Rotor Mill.**
20 Q. And what is a Rotor Mill?
21 **A. It's the end product of a process where**
22 **they use a cutter head to go through and take up**
23 **asphalt.**
24 Q. And what is the size of this?
25 **A. 3 inch to quarter inch maybe.**

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1 Q. Okay. So it's a pretty good size?
2 **A. It is.**
3 Q. It's -- it's above a quarter of an inch;
4 is that right?
5 **A. That's -- yeah, the cut. 3 inch to a**
6 **quarter inch.**
7 Q. Now, how deep is -- is this Rotor Mill?
8 **A. I think I testified the last time. I put**
9 **about six inches of Rotor Mill.**
10 Q. Okay. So before you put down this Rotor
11 Mill, did you do anything else to the property?
12 **A. We did. And our discussion with Jay Smith**
13 **from Las Vegas (indiscernible) of a product called**
14 **chad.**
15 Q. And what is chad?
16 **A. It's limestone that's mined out of the**
17 **Apex plant. Lime's a very hard -- hard material,**
18 **very dense. And they -- they crush it and gets to a**
19 **3 inch to quarter inch cut, and you put that down,**
20 **it's like gold standard for buildings. Put water on**
21 **it and start to revert back to limestone again.**
22 Q. And did -- did you put chad below this
23 Rotor Mill?
24 **A. We did, so it's native. 6 inches of chad**
25 **and then 6 inches of Rotor Mill.**

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1 Q. So you have a full foot that you -- that
2 was put on this property?
3 **A. Correct.**
4 Q. And what parts of the property does it
5 cover?
6 **A. 95 percent. There's some -- there's some**
7 **concrete, then there's some buildings. Everything**
8 **else is -- has a -- the chad and Rotor Mill.**
9 Q. So everywhere but concrete and -- and the
10 --
11 **A. Buildings.**
12 Q. The buildings.
13 **A. Uh-huh.**
14 Q. Now, do you remember a visit in or about
15 August 24th, 2024, from Ms. Roswell?
16 **A. Was she by herself or with another person?**
17 Q. It would -- it would've been the last time
18 that anybody visited?
19 **A. There were two of them, but the last time**
20 **that they visited they came on property, they**
21 **quickly left and it surprised me.**
22 Q. Why?
23 **A. Because typically they were -- they were**
24 **just so quick.**
25 Q. Okay.

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1 **A. And I asked if everything's okay and she**
2 **said there was no dust here and they left.**
3 Q. I would like you to look at Exhibit 10.
4 Do you recognize this?
5 **A. I do.**
6 Q. How'd you recognize it?
7 **A. It's a declaration by Joel Miller.**
8 Q. Who's Joel Miller?
9 **A. He worked for Ames Construction here in**
10 **Las Vegas. And from Ames he went to Frederick**
11 **Construction.**
12 Q. Do you know Joel Miller?
13 **A. I do.**
14 Q. How do you know him?
15 **A. Met him when he was working at Ames**
16 **Construction, when he did a -- a water line from**
17 **(indiscernible) and then I kept in contact when he**
18 **worked for my uncle over at Frederick Construction.**
19 Q. Okay. Did you consult Mr. Joel Miller?
20 **A. I did.**
21 Q. What did you consult him about?
22 **A. Just ask him his opinion of Rotor Mill.**
23 Q. Okay. What did he tell you?
24 **A. He was okay with it. It does what it's**
25 **supposed to do which is suppress the dust.**

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1 Q. Okay. What -- what about with respect to
2 -- did he have any opinion as Rotor Mill versus
3 Blacktop?
4 **A. With tracked equipment he understood just**
5 **from being in the industry that Blacktop and tracked**
6 **equipment don't -- don't last. One has to go**
7 **because of the tractor equipment will turn the**
8 **asphalt back into Rotor Mill.**
9 Q. Okay. What if you had concrete?
10 **A. Overtime same thing.**
11 Q. And so what did he recommend to you?
12 **A. Well, everybody else uses (indiscernible)**
13 **with tracked equipment Rotor Mill.**
14 Q. Okay. Let's go to Exhibit 11. Do you
15 know Paul Harbor -- Harbor?
16 **A. I do.**
17 Q. Who's Paul Harbor?
18 **A. He owned the Harbor Company.**
19 Q. What type of visits was that?
20 **A. Underground general contracting company.**
21 Q. Okay. And did you consult Mr. Harbor?
22 **A. I did. He owned a yard ---**
23 Q. Go ahead.
24 **A. He owned a yard over there at Creek Road**
25 **and Lamb, and we had a similar situation we have**

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1 **here where he had tracked equipment and they wanted**
2 **him to -- to pay this yard.**
3 Q. Okay.
4 **A. And it was -- it was no point -- it**
5 **wouldn't work with the tracked equipment.**
6 Q. Now what does no bueno mean?
7 **A. It won't work.**
8 Q. And what -- so what did -- so what did Mr.
9 Harbor recommend?
10 **A. A Rotor Mill.**
11 Q. And why is that?
12 **A. It does -- it does suppress it, but it**
13 **also stays together the environment of the tracked**
14 **equipment.**
15 Q. So we -- we talked about tracked equipment
16 before. Do you remember that testimony?
17 **A. Yes, sir.**
18 Q. What -- what -- what part of the property
19 does the tracked equipment go -- your tracked
20 equipment go on -- on the property?
21 **A. When it's needed. If a truck gets stuck,**
22 **we use it all with the property to go through and**
23 **get the truck or trailer unstuck.**
24 Q. Okay. So it's not just to unload and
25 load; is that right?

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1 **A. Correct.**
2 Q. Okay. So ---
3 **A. Acts as a wrecker on site.**
4 Q. And you -- and -- and -- and the reason
5 though, that you keep this tracked equipment is for
6 what purpose?
7 **A. Typically for emergencies if we a**
8 **(indiscernible) for the Railroad (indiscernible.)**
9 Q. Okay.
10 Q. Let's go to Exhibit 12. Do you know David
11 McDonough?
12 **A. We do.**
13 Q. Who's David McDonough?
14 **A. He's the -- the principal in a company**
15 **called Aztech Material Testing and they test**
16 **materials which includes, concrete sand, everything**
17 **to do with underling or -- or base material around**
18 **the valley.**
19 Q. And did you consult Mr. McDonough?
20 **A. I did. I asked him what would be the --**
21 **the -- the best product for our application and he**
22 **came back with Rotor Mill.**
23 Q. And you had him signed declarations; is
24 that right?
25 **A. We did.**

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<p>1 Q. Is this true and accurate copy of that</p> <p>2 declaration?</p> <p>3 A. It is.</p> <p>4 Q. And I don't know if I did that with the</p> <p>5 other ones, but you obtained the declaration from</p> <p>6 Joe Miller as well?</p> <p>7 A. Correct.</p> <p>8 Q. And is that a true and correct copy of the</p> <p>9 declaration?</p> <p>10 A. Correct.</p> <p>11 Q. And -- and from Paul Harbor, is that a</p> <p>12 true and correct -- and accurate copy of a</p> <p>13 declaration?</p> <p>14 A. Correct. That's what they sent back to</p> <p>15 me.</p> <p>16 Q. Okay. Let's go to Exhibit 13. Recognize</p> <p>17 this?</p> <p>18 A. I do.</p> <p>19 Q. What is this?</p> <p>20 A. It's Floyd's declaration.</p> <p>21 Q. Who's Floyd Miller?</p> <p>22 A. He's owned Southern Brother Paving for</p> <p>23 years and years and years.</p> <p>24 Q. Okay.</p> <p>25 A. He's a licensed engineer out of Utah, came</p> <p style="text-align: right;">Page 31</p>	<p>1 used, what was his ultimate opinion to you?</p> <p>2 A. It's not a good solution if you're trying</p> <p>3 to go through and meet greenhouse gas emissions.</p> <p>4 Q. When you say it, we're talking about what?</p> <p>5 A. The virgin asphalt is -- is not beneficial</p> <p>6 to greenhouse gas reduction.</p> <p>7 Q. As environmental aspects aside, did he</p> <p>8 give you his opinion about the -- whether it was a</p> <p>9 good palliative, whether Rotor Mill was a good</p> <p>10 palliative or alternative to flag top or asphalt?</p> <p>11 A. For -- for the use of tracked equipment,</p> <p>12 it's the best in his opinion, based on, I think what</p> <p>13 it says.</p> <p>14 Q. Now, you had mentioned some emissions and</p> <p>15 things like that. Come back here 14. Let's go to</p> <p>16 Exhibit 19. Do you recognize it?</p> <p>17 A. I do.</p> <p>18 Q. What is it?</p> <p>19 A. It's (indiscernible) executive order on</p> <p>20 climate goals and --</p> <p>21 Q. What is it -- what is it saying?</p> <p>22 A. We direct agencies to evaluate policies</p> <p>23 regulatory strategy to achieve the long term goal of</p> <p>24 greenhouse gas emission, reductions as required by</p> <p>25 Senate Bill 254 in accordance with Nevada commitment</p> <p style="text-align: right;">Page 33</p>
<p>1 down and started the business here. Very</p> <p>2 successful.</p> <p>3 Q. And did you consult with Floyd Miller as</p> <p>4 to Rotor Mill or anything else?</p> <p>5 A. I did. I asked what the best product</p> <p>6 would be to -- to put down a for dust suppressor.</p> <p>7 Q. And what did he tell you?</p> <p>8 A. (Indiscernible.) He went on about the just</p> <p>9 the cost of -- environmentally of virgin asphalt</p> <p>10 versus the cost of Rotor Mill, just a sustainability</p> <p>11 issue, disaster (indiscernible) recycling would</p> <p>12 work.</p> <p>13 Q. Okay. Did he go -- you said he -- he told</p> <p>14 you a lot. He went into -- I guess some -- some</p> <p>15 information about making asphalt; is that right?</p> <p>16 A. He did. Just environmental cost of mining</p> <p>17 it, milling it, and then all the other components</p> <p>18 that it takes to go through and heat the asphalt,</p> <p>19 heat the -- heat the rock up, and then coat the rock</p> <p>20 with asphalt oil and transportation and all of --</p> <p>21 all the components, that I never thought about that</p> <p>22 goes into making virgin asphalt.</p> <p>23 Q. And -- and so, you know, with the mining</p> <p>24 of it and the fuel costs and the transportation and</p> <p>25 generator use and I guess all the machinery that's</p> <p style="text-align: right;">Page 32</p>	<p>1 as a member of the US Climate Alliance to achieve</p> <p>2 these reduction targets administration led by DC&R,</p> <p>3 DOE will coordinate statewide efforts including</p> <p>4 facilitation agencies, stakeholder participation.</p> <p>5 So my understanding is that,</p> <p>6 (indiscernible) that the document sort of speaks for</p> <p>7 itself is that the -- the governor to his directive</p> <p>8 takes all public, they're all governmental agencies</p> <p>9 to look at their practices and reevaluate them and</p> <p>10 do things necessary to lower the greenhouse gas</p> <p>11 emission.</p> <p>12 Q. He -- he was concerned about global</p> <p>13 warming, correct?</p> <p>14 A. Probably the Paris -- Paris Accord, Paris</p> <p>15 Treaty, but yes.</p> <p>16 Q. I mean, in it at the beginning, talks</p> <p>17 about as the climate continues to warm, that is 1,</p> <p>18 2, 3, 4, fifth paragraph down from the beginning.</p> <p>19 Do you see that?</p> <p>20 A. Yes.</p> <p>21 Q. And the severity and length of droughts,</p> <p>22 do you see that?</p> <p>23 A. I do.</p> <p>24 Q. So obviously, a public policy concern for</p> <p>25 heat and water use; is that right?</p> <p style="text-align: right;">Page 34</p>



1 **A. Correct.**
2 Q. So let's -- let's jump back now to Exhibit
3 14. Do you recognize this?
4 **A. Oh, I'm there. Yes.**
5 Q. Who is Michael Montandon?
6 **A. He was the former, I think, three term**
7 **mayor of North Las Vegas.**
8 Q. Okay. Did you consult Michael Montandon
9 on Rotor Mill?
10 **A. I did.**
11 Q. Why?
12 **A. He was in the hot seat as the mayor of**
13 **North Las Vegas. They too have inner workings, or**
14 **local agreements with Clark County AQM, find out his**
15 **thought processes as the city owned so much**
16 **property. Particularly Creek Road -- Creek Road**
17 **Ranch comes to mind where they had the large parking**
18 **area that he went through with somebody's**
19 **authorization and they use Rotor Mill to go through,**
20 **use a dust palliative there on Creek Road Ranch**
21 **parking lot.**
22 Q. Why did they do Rotor Mill for that, do
23 you know?
24 **A. Probably the most effective solution for**
25 **the dust palliative.**

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1 Q. So what -- what -- what -- what did he --
2 you -- you consulted him, what did he tell you?
3 **A. For -- for the city standpoint that was**
4 **the best solution for keeping all parties happy,**
5 **global warming, the dust people and keeping the**
6 **water usage down. So it led to everybody's**
7 **consensus in one product.**
8 Q. So the city of North Las Vegas used Rotor
9 Mill less an alternative to asphalt?
10 **A. Guess I've driven around the city**
11 **extensively.**
12 Q. Did -- did any of these people -- by the
13 way, is that declaration a true and correct copy?
14 **A. Yes.**
15 Q. Is -- did any of them have any opinions
16 about the effectiveness of Rotor Mill compared --
17 well, we already talked about pavement, what about
18 water?
19 **A. Mike was -- Mike, sorry, Mayor Mike --**
20 **Mayor Montandon. It's just a big expense for the**
21 **city to -- to water all the time. So that was his**
22 **big objection to that. And the same with Floyd,**
23 **it's just a very expensive way to go through and**
24 **maintain dust palliative.**
25 Q. Was it just as -- was Rotor Mill just as

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1 effective as one?
2 **A. In their minds, yes.**
3 Q. And why is that?
4 **A. I can't testify why they -- they think**
5 **that, but I would surmise or guess.**
6 Q. They didn't tell you?
7 **A. They didn't tell me.**
8 Q. Okay. So going back a little bit, as far
9 as the property goes is there any fencing around the
10 property?
11 **A. There is.**
12 Q. Is there a barrier completely around the
13 property?
14 **A. There is.**
15 Q. How tall is it?
16 **A. Approximately 6 to 8 feet.**
17 Q. With -- with this -- with this Rotor Mill,
18 it's been in the -- in the property. Have you
19 driven across it?
20 **A. I have.**
21 Q. Have you noticed any dust plumes?
22 **A. I have not seen any fugitive dust from my**
23 **driving across or I've not noticed any fugitive dust**
24 **leaving the property.**
25 Q. If you'll look at Exhibit 15. Do you

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1 recognize this?
2 **A. I do.**
3 Q. Have you been there before?
4 **A. I have.**
5 Q. What is this?
6 **A. It's a Boulder City Railroad.**
7 Q. Okay. And that's in Clark County,
8 correct?
9 **A. Yes, it is.**
10 Q. Okay. What did you observe at this firm?
11 **A. From the Railroad and the right of way**
12 **next to the Railroad, and it's -- there's no pallet**
13 **put on it. You can see that the disturbed stuff up**
14 **here towards the -- the right of way is driven over.**
15 **And this area through here has been driven over.**
16 **(Indiscernible) kids, there's -- there's dust coming**
17 **off the property.**
18 Q. And --
19 **A. And that up further by the buildings on**
20 **the other side there's -- there's additional, you**
21 **can see where the trucks been, right there through**
22 **there where they've driven next to the Railroad.**
23 Q. So how about down here? You -- you see
24 the -- the pink line down at the bottom, and then
25 there's some buildings in there. Do you see that?

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<p>1 A. Oh, right there by the round house.</p> <p>2 There's areas here that you can see that they've</p> <p>3 driven over with -- with no dust palliative but also</p> <p>4 altered here. There's state officials or state</p> <p>5 employees or people who go out there and do stuff</p> <p>6 for free (indiscernible).</p> <p>7 Q. So -- so not only the runways, but the --</p> <p>8 the yards as well; is that right?</p> <p>9 A. Correct.</p> <p>10 Q. Go two -- two pages down. How about this</p> <p>11 property, do you recognize this property?</p> <p>12 A. I do.</p> <p>13 Q. Have you been there before?</p> <p>14 A. I have, with the right of way inspector of</p> <p>15 the Railroad.</p> <p>16 Q. Okay. Why were you there?</p> <p>17 A. We were looking at some potential places</p> <p>18 to put a -- a spur on. So this is county-owned</p> <p>19 property and this is the area that the Railroad</p> <p>20 constantly drives up and down on to go through and</p> <p>21 maintain or look at state of the rail that's</p> <p>22 unpaved.</p> <p>23 Q. Does it have any dust palliative at all?</p> <p>24 A. Sure does not.</p> <p>25 Q. Go two -- two pages down. You recognize</p> <p style="text-align: right;">Page 39</p>	<p>1 palliative next to the rail.</p> <p>2 Q. How about down here in New York?</p> <p>3 A. Here?</p> <p>4 Q. There or within -- up -- up in there.</p> <p>5 A. Yeah. There's -- there's containers there</p> <p>6 but there's no dust palliative at all. It's just</p> <p>7 native, maybe type two color.</p> <p>8 Q. Okay. And you've been to this property?</p> <p>9 A. I have.</p> <p>10 Q. Two more pages down. Recognize this</p> <p>11 property?</p> <p>12 A. I do. Railroad goes across it. There's a</p> <p>13 Railroad right of way that they -- right of way</p> <p>14 people drive on all the time it's unimproved native,</p> <p>15 not even type two.</p> <p>16 Q. No -- no dust palliative?</p> <p>17 A. Dust palliative. No, sir.</p> <p>18 Q. And you've been to this property?</p> <p>19 A. I have.</p> <p>20 Q. Go two pages down. You recognize this?</p> <p>21 A. Yes. They call it the Y. This goes out</p> <p>22 to Simplot material. Again, there's the Railroad</p> <p>23 right of way (indiscernible) this is a -- a</p> <p>24 runaround they have -- and this is a whole building</p> <p>25 they have here. They used to do transloading, that</p> <p style="text-align: right;">Page 41</p>
<p>1 it?</p> <p>2 A. I do. County-owned property. Again,</p> <p>3 there is the -- the right of way that the Railroad</p> <p>4 track versus on county property, no dust palliative.</p> <p>5 Q. And how about separate, you see how the --</p> <p>6 the pink line goes out? See that in there?</p> <p>7 A. Out here?</p> <p>8 Q. Yeah.</p> <p>9 A. It's -- there's no dust palliative at all</p> <p>10 on the county property.</p> <p>11 Q. Would you agree that those look like</p> <p>12 tracks there?</p> <p>13 A. It does to me, yes.</p> <p>14 Q. Have you been out to this property?</p> <p>15 A. I have.</p> <p>16 Q. And -- and are those tracks?</p> <p>17 A. They are.</p> <p>18 Q. Any dust palliative on this property?</p> <p>19 A. None that was available to me to see.</p> <p>20 Q. Go two pages. You recognize this?</p> <p>21 A. I do.</p> <p>22 Q. What is it?</p> <p>23 A. It's Creek Road and -- over there by I15.</p> <p>24 Again, this is the (indiscernible), there's a</p> <p>25 Railroad, right of way and there's no dust</p> <p style="text-align: right;">Page 40</p>	<p>1 all native type two.</p> <p>2 Q. Have you been to this property?</p> <p>3 A. I have.</p> <p>4 Q. Now, on some of the notice that there's a</p> <p>5 recorded dock date, dock number, when -- when the</p> <p>6 property was deeded to whoever owns it. Do you see</p> <p>7 that to the left?</p> <p>8 A. Yes.</p> <p>9 Q. And are you able to tell looking at that</p> <p>10 -- what at -- at a minimum when that property's been</p> <p>11 owned?</p> <p>12 A. The first four numbers was a -- a big year</p> <p>13 of recording, so it would've been 2022.</p> <p>14 Q. Okay. And we'll go two -- two more pages</p> <p>15 down. Do you recognize this property?</p> <p>16 A. I do.</p> <p>17 Q. Have you been there?</p> <p>18 A. I have.</p> <p>19 Q. And what is it?</p> <p>20 A. It's Simplot Sand Mine out there in</p> <p>21 Logandale. End of Logandale. This is their</p> <p>22 facility. Again, there's the right of way. This is</p> <p>23 their property here that they coal into, and it's</p> <p>24 all native, no dust -- dust palliative.</p> <p>25 Q. Two more pages down. Recognize this?</p> <p style="text-align: right;">Page 42</p>



1 **A. I do it's apex where they have a line**
2 **plant. The black materials to co-pile. This is --**
3 **old state 91, and this is all the facility here that**
4 **is unpaved. There is the right of way paved, no**
5 **dust palliative in there.**
6 Q. You've been out there?
7 **A. I have.**
8 Q. And that's what you have observed?
9 **A. I have.**
10 Q. Next two pages. Recognize this?
11 **A. I do. It's the (indiscernible) site on**
12 **Arville. Again, there's the right of way that the**
13 **Railroad transverses consistently. (Indiscernible)**
14 **owns it, but there's some sort of easement that the**
15 **Railroad comes across (indiscernible) dust**
16 **palliative.**
17 Q. And you have been out this property?
18 **A. I have.**
19 Q. Two more pages down, please. Do you
20 recommend this property?
21 **A. I do. It's the -- (indiscernible) used to**
22 **be the name of it. Again, this is the Railroad**
23 **right of way and this is where they traverse to go**
24 **ahead and come up on side the rails and if**
25 **necessary, fix it. No -- no dust palliative.** Page 43

1 Q. You've been on this property?
2 **A. I have.**
3 Q. And that's what you observed?
4 **A. Correct.**
5 Q. Go to the next two pages, please. Do you
6 recognize this property?
7 **A. I do. This piece right here was in a**
8 **James Bond movie. But this is their Railroad that**
9 **they have right there, this is their unsupported**
10 **facility, and this is all their right of way**
11 **unpaved. You can see where the tractor is there**
12 **with regard to the quarry, quite dusty.**
13 Q. Is there any dust palliative?
14 **A. No.**
15 Q. And you've been out there?
16 **A. I have.**
17 Q. And so far all these are in Clark County;
18 is that right?
19 **A. Correct.**
20 Q. Next two pages. You recognize this?
21 **A. It's a bigger picture of the**
22 **(indiscernible).**
23 Q. Who we have already seen, huh?
24 **A. Uh-huh.**
25 Q. Two more pages. Do you recognize this? Page 44

1 **A. I do. It's a yard out the old BMI complex**
2 **Anderson.**
3 Q. Okay. What is this? What have you
4 observed?
5 **A. It's the -- it's an old rail yard that is**
6 **unpaved, no dust palliative in there.**
7 Q. How about the other parts?
8 **A. This is all complex, none of then is paved**
9 **or have any dust palliative at all.**
10 Q. Have you been out there?
11 **A. I have.**
12 Q. And that's what you observed?
13 **A. I have.**
14 Q. (Indiscernible.)
15 **A. This is a retention base known by the**
16 **(indiscernible) County, and there's all of the sand**
17 **that comes in there that's a mess with blows,**
18 **there's no dust palliative over where the county**
19 **zone, of water -- water, flood control people.**
20 Q. Next -- next. Do you recognize this, sir?
21 **A. Yes.**
22 Q. What is it?
23 **A. Right there you can see where the property**
24 **owners let the railroad go across there with no dust**
25 **palliative.** Page 45

1 Q. You've been out this property?
2 **A. I have.**
3 Q. And you observed -- this what you
4 observed?
5 **A. Correct.**
6 Q. Two more pages. Do you recognize this?
7 **A. It's right off the freeway by the hidden**
8 **valley exit. They -- they produce -- processed corn**
9 **here. Cars come in. As you can see on the railroad**
10 **property, there's no dust palliative. Again, when**
11 **the wind blows it's (indiscernible.)**
12 Q. And you recognize -- and you've been here?
13 **A. I have.**
14 Q. And that's what you have observed, yeah?
15 **A. Correct.**
16 Q. Let's go to Exhibit 16. Do you recognize
17 this?
18 **A. I do.**
19 Q. What is it?
20 **A. It's the (indiscernible) supports the two**
21 **gold mines up in Elko County.**
22 Q. Have you been there?
23 **A. I have.**
24 Q. And what do you observe in there?
25 **A. It's your atypical rail yard, ballast with** Page 46



1 **no dust palliative of -- of any (indiscernible).**
2 Q. Next -- next two pages. Do you recognize
3 this?
4 **A. I do.**
5 Q. What is it?
6 **A. The train yard for the -- I think the**
7 **state sponsors this.**
8 Q. Okay. Have you been there?
9 **A. I have.**
10 Q. What did you observe?
11 **A. There's the shed that they put their**
12 **mobiles commotors in and there's their yard. Again,**
13 **no -- no dust palliative.**
14 Q. Next two pages. Do you recognize this?
15 **A. I have.**
16 Q. What is it?
17 **A. It's an oil terminal up in -- outside of**
18 **Reno.**
19 Q. Okay. And you've been there?
20 **A. I have.**
21 Q. What have you observed there?
22 **A. Your typical rail yard, no dust**
23 **palliative. Type two down to -- to go ahead and**
24 **keep water from -- everything sinking.**
25 Q. You recognize this?

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1 **A. I do.**
2 Q. What is this?
3 **A. Can I clarify, the last one was a**
4 **(indiscernible), this is the -- the real oil site.**
5 **It's -- they bring hot oil in, they put in the tank**
6 **so they go through and mix it to go through and take**
7 **it to the asphalt plants. There's a rail line and**
8 **there's all the unpaved facility around it. And**
9 **this is not paved at all.**
10 Q. Have you been there?
11 **A. I have.**
12 Q. And that's what you have observed?
13 **A. Correct. There's a -- this is the UP**
14 **right -- right there again is the right of ways next**
15 **it is not paved.**
16 Q. Where is it?
17 **A. This is outside Reno.**
18 Q. The next two pages. What is this?
19 **A. This downtown Reno. My grandfather used**
20 **to work here. It's the old rail yard. Again, it's**
21 **not paved. They call it a switching yard. Multiple**
22 **tracks there to go through and put different cars**
23 **and build different cars together, change**
24 **directions, moving the cars.**
25 Q. You've been there?

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1 **A. I have.**
2 Q. And did you observe any dust palliative?
3 **A. Not at all.**
4 Q. So let's -- let's talk about ETON and
5 Tonopah & Tidewater. I believe you testified
6 earlier that ETON is -- does interstate commerce; is
7 that right?
8 **A. Correct. It has a DOT number and MC**
9 **number.**
10 Q. And -- and then upon Tonopah & Tidewater,
11 they -- they have product that does come through on
12 rail; is that right?
13 **A. Not today. It owns rail, but it does not**
14 **produce that in this county. Produces stuff in**
15 **other counties the -- the Railroad, turns to ETON to**
16 **move for it.**
17 Q. Okay. So -- so it's -- it's product does
18 get moved out outside of -- into interstate commerce
19 as well?
20 **A. Correct.**
21 Q. And -- and so some of the -- the Air
22 Quality control regulations that ETON's been
23 required to observe and find for, as well as Tonopah
24 7 Tidewater, are -- are those burdens on the
25 Railroad company?

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1 **A. And the trucking company, based on the**
2 **other places where we work in that don't have that**
3 **same sort of burden put upon interstate commerce.**
4 Q. Okay. So with -- is it a burden on
5 interstate commerce as well?
6 **A. It is. It's not level playing field.**
7 Q. So tell me -- tell me how it's a burden.
8 **A. It's just a financial burden to -- to put**
9 **it down and then maintain it. So you look up here**
10 **in Reno to get a -- a terminal such as ETON in Reno**
11 **there's no requirement to -- to pay Reno or in Ely**
12 **or an Elko or in (indiscernible.)**
13 Q. Okay. And -- and so, I think you've
14 already testified, I don't think we have to go over
15 them again, but you said that the financial expense,
16 what -- what does that include you? We mentioned
17 asphalt last time. Anything else?
18 **A. Just the continuation of -- of maintaining**
19 **the asphalt or the -- of the product or project or**
20 **the property.**
21 Q. Why would you have to maintain asphalt if
22 you paint it?
23 **A. It works out. It gets wet and it freezes**
24 **and it gets water damage it -- it's not a standalone**
25 **forever product. If you look at the freeways, you**

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1 **see Las Vegas paving all the time out there,**
2 **currently putting -- fixing potholes. It's -- it's**
3 **not a onetime process.**
4 Q. And that's if you don't have tracked
5 equipment; is that right?
6 **A. That is correct. If you have tracked**
7 **equipment, then it becomes a -- a more onerous**
8 **responsibility to maintain it.**
9 Q. We -- we have talked about, you know,
10 people you've consulted and everything, Rotor Mill
11 chad versus (indiscernible) and I guess, let me stop
12 here for just a minute. You -- you said that Jay
13 Smith was the big proponent of chad; is that right?
14 **A. Hugely.**
15 Q. Who's Jay Smith?
16 **A. Oh, he's the president of Las Vegas**
17 **Paving.**
18 Q. Okay. And what -- did he say why he is a
19 proponent of chad?
20 **A. It's the most functional product for dust**
21 **control.**
22 Q. What does chad mean? What is it?
23 **A. Limestone.**
24 Q. Okay. Just -- just a mineral; is that
25 right?

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1 **A. Just limestone, yeah.**
2 Q. And did he expound on that or anything
3 else?
4 **A. He's not politically correct, so I -- I**
5 **won't say what he said.**
6 Q. Okay. So do you believe that the chad and
7 the Rotor Mill are the best practical methods for
8 the Railroad company and ETON?
9 **A. For the people in the industry that I've**
10 **asked that have practical experience over sometimes**
11 **50, 60 years, they're still in business. I believe**
12 **their professional opinion is that that is the best**
13 **solution. As I've looked around and see what the**
14 **county has done with its properties, particularly**
15 **over North West Vegas airport, where it's quite**
16 **visible, the county also must agree with them**
17 **because they have applied Roto rMilling to the**
18 **properties adjacent to either the county air or**
19 **county (indiscernible) who runs the airport. That**
20 **department of the county has extensively over a**
21 **couple hundred -- maybe a hundred acres out there,**
22 **but their prospect is very important.**
23 Q. Similar question. Do you believe, the
24 Rotor Mill chad are reason -- are the reasonable
25 available methods for the Railroad and ETON's

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1 application?
2 **A. I do. Based on what the -- I have seen**
3 **the county do with their own property and the people**
4 **in the industry suggest it is the best method based**
5 **on tracked equipment.**
6 MR. GUBLER: I think I'm about done here,
7 give me just (indiscernible.)
8 HEARING OFFICER: Okay.
9 MR. GUBLER: Can we take a quick break
10 about --
11 HEARING OFFICER: Okay.
12 MR. GUBLER: -- about 10 minutes.
13 HEARING OFFICER: It's 10:14, we'll come
14 back in five minutes.
15 MR. GUBLER: Thank you.
16 (Recess at; 10:14 a.m. to 10:21 a.m.)
17 BY MR. GUBLER:
18 Q. Has the railroad company ever had any
19 other terminals?
20 **A. We -- we have.**
21 Q. Where -- where?
22 **A. We've had one in EV Nevada, Elko, Nevada.**
23 **We've had one in Golconda, Nevada. We've had one in**
24 **Wendover, Nevada, and also Wendover, Utah.**
25 Q. In any of those -- in any of those

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1 terminals, did you have any regulatory people come?
2 **A. We did. We had the county people come out**
3 **in -- in all of them.**
4 Q. And what did they say, if anything?
5 **A. We pre-met them before we actually started**
6 **business and finding out what they wanted for**
7 **regulatory compliance to their respective county,**
8 **and we complied. And all of them wanted some sort**
9 **of dust abatement, coming in as a new facility. And**
10 **they all accepted ROTO-MILL as the dust pallet that**
11 **they accepted as best practical, or most best**
12 **practicable, I think, is the term they used of that**
13 **nature that would suffice them.**
14 Q. Did you have any other issues with them?
15 **A. No. They would come up -- oh, after we**
16 **got commissioned, they would come out and go through**
17 **and check to make sure we're in compliance and they**
18 **would come by every six months or so.**
19 Q. Now, going back, if we had -- we -- we had
20 talked about credentials quite a bit last time. I
21 believe your testimony was -- is that nobody had
22 ever presented credentials to you; is that right,
23 from the county?
24 **A. From the -- from the Air Quality Control?**
25 Q. Correct.

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<p>1 A. Nobody came through and said, my name is 2 so and so, here is my credentials. Nobody came with 3 -- with that (indiscernible). 4 Q. Okay. If they had requested to come on 5 the property and presented their credentials, would 6 you have let them on? 7 A. Yes. That's what the statute or the code 8 that I signed stated. And yes, I would let them on. 9 MR. GUBLER: I'm going to pass the 10 witness. 11 HEARING OFFICER: Okay. Thank you. 12 Counsel, cross. 13 MS. JORGENSEN: Thanks. 14 EXAMINATION 15 BY MS. 16 Q. Could we go to exhibit -- let me make sure 17 I get this right. This is part of Air Quality's 18 reply, Exhibit A, the dust control operating permit. 19 Okay. Mr. Truman, do you recognize what this 20 document is? 21 A. Yeah. 22 Q. And could you go ahead and please scroll 23 through the whole thing. And feel free to, Mr. 24 Truman, have her stop whenever you'd like. Okay. 25 Before you continue on. So, Mr. -- go ahead and</p> <p>Page 55</p>	<p>1 Q. And then who's the responsible official? 2 A. Myself. 3 Q. And when was this issued or when did it 4 become effective, I guess, is a better way to say 5 it? 6 A. Based on the document, it says on August 7 30th. 8 Q. Do you have any reason to believe that it 9 should be something different? 10 A. Not a sheer document. So I -- I don't 11 have any reason to believe. 12 Q. But this is -- isn't this your ETON's dust 13 control operating permit? 14 A. It is, but I -- I just don't know where I 15 signed it, so that's a little bit of a quandary. 16 Q. Okay. So you don't -- you don't recall 17 applying for a dust permit? 18 A. I applied. I know I applied for one, I 19 just don't know if the dates are correct. I mean, 20 there's no -- there's no subject on my end. 21 Q. Okay. So since this isn't signed, you 22 don't -- you don't believe that this is necessarily 23 correct? 24 A. I'm not arguing with you about that, I 25 just don't know that it's -- it's -- the dates are</p> <p>Page 57</p>
<p>1 stop there. Mr. Truman, do you recognize what that 2 document is? 3 A. I -- I've not seen it in that format 4 before. I would imagine it's equal to the one that 5 was electronically on your website. 6 Q. Okay. Could you go to the first page? 7 Okay. So you're saying you haven't seen this actual 8 format yet? 9 A. The one I thought I saw when I was there 10 was when we were on your website and we did 11 everything electronically on the website. 12 Q. So what do you recognize this to be? 13 A. A pulled off version of what was on your 14 website? 15 Q. Of what? 16 A. Of a dust permit? The DCOP. 17 Q. And does the DCOP, is this the one -- is 18 the permit ETON? 19 A. Yes. That's what it says on the document. 20 Q. And is this a permit you applied for on 21 behalf of ETON? 22 A. It is. 23 Q. And who's the designated onsite 24 representative? 25 A. Most probably myself.</p> <p>Page 56</p>	<p>1 right, but I believe it's your document. 2 Q. So what authority did you have to perform 3 any dust or perform any construction on the site 4 under the Air Quality regulations? 5 A. I acknowledge I -- I applied for one, I 6 just don't remember what dates are correct. But if 7 there was a signature that I would've signed and put 8 a date by it, then I would've known for sure that 9 this is the correct document. 10 Q. What dates do you think they could have 11 been if these aren't the correct dates? 12 A. You know, I don't know. 13 Q. Okay. Could you scroll down just a little 14 on this first page? Mr. Truman, could you -- I 15 don't know if this is -- well, do you recall -- 16 actually, could we go to the third page? And I 17 believe you stated that -- or recognized that you're 18 the responsible official; is that correct? 19 A. Correct. 20 Q. Okay. And I believe it's that second 21 paragraph down. 22 A. Can I make a comment? 23 Q. You want to make a comment? 24 A. We -- I ordered, excuse me, I -- I did two 25 dust control permits, one for a property over on</p> <p>Page 58</p>



1 Jones, and for this one. So that's why I am --
2 there was a time frame that we were going to move on
3 to Jones, that property fell through, so that's why
4 I'm -- I'm little bit --
5 Q. Okay. So you applied for them both at the
6 same time or approximately the same time?
7 A. About a month -- month and a half
8 difference between the two of them. So that's why I
9 --
10 Q. Okay.
11 A. -- I hesitate to tell you for sure that
12 this is the date.
13 Q. Okay. That second paragraph says, "By
14 submitting this commitment application
15 electronically, the user responsible official
16 acknowledges the following." And I'm reading B. "In
17 accordance with the DCOP and the AQRs, the applicant
18 and the permittee shall consent to inspection of the
19 site during normal hours of operation, by Division
20 of Air Quality, DAQ, staff without prior notice to
21 determine compliance with the terms and conditions
22 of the DCOP and the AQRs." Do you recall that
23 particular acknowledgement?
24 A. Based on, again, that your requirements
25 would be met firsthand, that your people would show

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1 up, present credentials and ask to go on the site.
2 Q. And --
3 A. Based on your own -- based on your own
4 code, is what I signed that, that you would do that
5 first.
6 Q. So it's your testimony today that you did
7 some research, found that, and then you felt
8 comfortable signing this document?
9 A. We live in the country based on rule of
10 law, yes, ma'am.
11 Q. So does this document -- does it state in
12 that particular section that they would need to
13 request entry and present credentials based on this
14 dust control operating permit provision?
15 MR. GUBLER: Objection. Document speaks
16 for itself.
17 THE WITNESS: Do I respond?
18 HEARING OFFICER: I'll allow.
19 MS. JORGENSEN: Please go ahead.
20 HEARING OFFICER: Yeah. Respond.
21 THE WITNESS: I signed it based on the
22 information that you presented before I signed this.
23 So this is how it would go down.
24 BY MS. JORGENSEN:
25 Q. Well, I didn't present any information.

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1 I'm asking you --
2 A. Your website did.
3 Q. That's what I'm asking. So your --
4 A. Your website presented that the -- there's
5 the -- the code, and the people who would show up
6 would present credentials and ask to come on site.
7 Q. And that it -- your testimony is that you
8 researched that prior to submitting this
9 application?
10 A. Correct.
11 Q. So back in -- sometime in August 2023, you
12 went and reviewed the Clark County Air Quality
13 Regulations --
14 A. It was probably --
15 Q. -- and determined that -- that that would
16 be required?
17 A. Probably in June when we looked at the
18 other piece of property.
19 Q. And when you say, "we," who do you mean?
20 A. Myself. Sorry.
21 Q. Okay. So when -- on -- on January 8th,
22 when Ms. Rowsell, came on site, I believe you had
23 testified that you were notified that there was an
24 intruder on site; is that correct?
25 A. Correct.

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1 Q. And when you -- did you locate her?
2 A. Yes.
3 Q. And where was she?
4 A. She was at the back part of the property,
5 so I have to say the east -- northeast part of the
6 property?
7 Q. Okay. And what did you do?
8 A. I went up to try find out why she was
9 there. Tried to open her door, her door was locked.
10 And then she rolled her door down and -- and then I
11 asked her, what are you doing here?
12 Q. And what did she say?
13 A. She told me that she was with some agency.
14 Q. She didn't mention which agency it was?
15 A. I -- I -- I can't recall what agency she
16 told me --
17 Q. Okay.
18 A. -- at this time.
19 Q. Did she give you a business card?
20 A. Can't remember.
21 Q. Was she in a vehicle with a -- any sort of
22 logo with insignia on it?
23 A. Didn't even look.
24 Q. Okay. And what else -- so she said she's
25 with some agency, and what did you do next?

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1 **A. Asked her to leave -- asked her to sign in**
2 **and then -- hold on, let me rephrase this in my**
3 **mind. Open up the door up there, rolled the window**
4 **down. We had the dialogue of -- we have a hazardous**
5 **material here in the back. And then she tells me**
6 **that she's qualified because her husband has some**
7 **hazardous material training. I said, that doesn't**
8 **work for me or the -- the feds. And I said, you**
9 **know what, you need to sign in, and then dialog goes**
10 **something of that nature, then she leaves.**
11 Q. Did she sign in?
12 **A. No, she didn't.**
13 Q. And did you call the police?
14 **A. I know she left the property.**
15 Q. If she had stayed longer, would you have
16 called the police?
17 **A. Absolutely.**
18 Q. So on January 9th, when you received a
19 call that there were intruders on the property,
20 you've testified that you received that information
21 from, I believe it's Mr. Stickler (phonetic)?
22 **A. Oh, Billy? Yeah.**
23 Q. Why don't you tell me about that
24 encounter?
25 **A. Got a call, Nextel. Went out and we saw a**

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1 **gentleman. I remember seeing him leave his car, go**
2 **to the restroom and came back out the restroom. And**
3 **I approached the three of them. Wanted to know what**
4 **they -- what they were doing.**
5 Q. And what did they tell you?
6 **A. He said he was from the government agency**
7 **and I -- I --**
8 Q. Again, you had no idea what government
9 agency?
10 **A. No. The sustainability, you've changed**
11 **the name. So I -- I probably didn't pay attention**
12 **to what he was, but I got that he was from --**
13 **probably from the county. Want to know why I tried**
14 **to open the door of his employee or somebody has**
15 **oversight of. And I let her know and she was backed**
16 **by some material that was hazardous, that she had no**
17 **business being back there. She didn't check in.**
18 **And then we had the altercation of he had**
19 **any training, and then we go back to -- force open**
20 **of the (indiscernible). And then I said, okay. So**
21 **you're telling me that you can just walk into the**
22 **Nevada test site and just get onsite without having**
23 **to go through the clearance process? And he says,**
24 **yes.**
25 **And then I said, okay. Do you have a Q**

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1 **clearance? And he says, yes. I asked him, could**
2 **you produce that? And then he backtracks on his**
3 **ability to have a Q clearance. And then I remind**
4 **him, I said, by the way, do you know that the test**
5 **site is in Nye County? And Clark County has no**
6 **authority in Nye County? And he just looks stupid**
7 **at me.**
8 Q. So during this entire conversation, you
9 had no idea they are from Air Quality?
10 **A. I knew he was there from the county.**
11 Q. Did you have any idea that they were there
12 based on the dust control operating permit that you
13 had applied for and received?
14 **A. Never presented any credentials to me,**
15 **ma'am.**
16 Q. No. I'm just asking, did you have any
17 idea that they were relayed there for Air Quality?
18 **A. No.**
19 Q. Did you see their vehicle that they were
20 in?
21 **A. All I recall, it was a dual cab Ford.**
22 Q. And do you recall seeing any sort of
23 insignia on the -- on the car itself?
24 **A. Wasn't looking for one, so I did not see**
25 **it.**

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1 Q. Did you happen to see that they had badges
2 around their necks?
3 **A. They -- if I did, they were not**
4 **outstanding enough to call my attention to them.**
5 **Like a -- a police officer is -- no, I did not**
6 **notice that they had badges around their necks.**
7 Q. Okay. And did -- did you recall that Mr.
8 Dean gave you a business card?
9 **A. I do not.**
10 Q. Is that site, the Stratford site, similar
11 to the Nevada test site?
12 **A. Secured facility, yes, ma'am.**
13 Q. So do all of your employees -- what did
14 you call it, a Q?
15 **A. That's not part of our -- our security**
16 **plan, but the --**
17 Q. So then it's different from the Nevada
18 test site then?
19 **A. Everybody has their uniqueness of their**
20 **site.**
21 Q. So what is stored on that site?
22 **A. On our site?**
23 Q. Yeah.
24 **A. From time to time we have ammonium per**
25 **clay, we have ammonium nitrate, we've had chlorine,**

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1 we've had caustic soda, we've had depleted uranium,
2 we've had americium.
3 Q. And who's in charge of that?
4 A. It comes and goes. We're a trucking
5 company on the ETON site, so we're for hire. So if
6 the -- if anybody wants to hire us, well, we hire to
7 them and we hold their products for them.
8 Q. So ETON owns vehicles -- owns trucks?
9 A. Yes. That's what the trucking company
10 does.
11 Q. How many trucks does ETON own?
12 A. Less than 40, maybe.
13 Q. And does ETON have authorization to be on
14 the property, the -- the Stratford property?
15 A. Yes. There's a lease.
16 MS. JORGENSEN: Okay. Could we go to
17 that. Lease?
18 THE CLERK: Five?
19 MS. JORGENSEN: It's under response number
20 -- Exhibit 5.
21 THE CLERK: (Indiscernible) the same.
22 MS. JORGENSEN: No. I'm sorry, it's under
23 response. Under ETON's response. Oh, yeah. Put a
24 written explanation and then scroll down to number
25 5. Yeah. Okay.

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1 BY MS. JORGENSEN:
2 Q. And if you could take a look at this, Mr.
3 Truman. Is this the lease -- a copy of the lease
4 you're referring to?
5 A. No. There would be one that follows up on
6 this one.
7 Q. I'm sorry, say that again?
8 A. There'll be a -- a secondary one that
9 follows up on this one.
10 Q. So there's a lease that -- there's another
11 lease?
12 A. Correct. It wasn't germane to the -- the
13 case, so we didn't present it or I didn't present it
14 to -- to counsel.
15 Q. Oh, okay. So when did that lease become
16 effective?
17 A. It would've gone -- would've gone the next
18 day, but it went from ETON to ETON Transportation
19 Company. So it was -- the name was changed.
20 Q. Okay. Wait. So let me -- so you have
21 another lease with Tonopah and Tidewater or you have
22 another lease or this -- is this lease still in
23 effect?
24 A. No. I think it truncated. Let's go back
25 and look at the --

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1 MS. JORGENSEN: Go ahead and scroll
2 wherever he would like you to go.
3 THE WITNESS: Go down. Let's find out
4 where the -- hold on. So this one truncated on
5 December 31st.
6 BY MS.(inaudible)?
7 Q. Well, it does say, "Should the tenant
8 remain in possession of the premises with the
9 consent of the landlord, after the natural
10 expiration of this lease, a new tenancy for
11 month-to-month will be created between the landlord
12 and tenant."
13 A. Okay.
14 Q. So I'm just -- so is this lease expired?
15 Is that your position?
16 A. Term -- term ends upon 12:00 noon of
17 December 31st --
18 Q. Okay.
19 A. -- of '23. A new one was issued between
20 Tonopah and ETON -- ETON Corporation. There's two
21 different companies. There's ETON, which is
22 Environmental Transportation Nevada, and there's
23 another corporation called ETON Corporation. One's
24 an LLC. The ETON is an LLC and the other one's a
25 corporation.

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1 Q. So which one applied for the dust control
2 operating permit?
3 A. ETON.
4 MS. JORGENSEN: Could you scroll to the
5 top of that lease? Okay.
6 BY MS. JORGENSEN:
7 Q. So which lease -- who's the ETON in this
8 lease?
9 A. The Environmental Transportation ---
10 Environmental Transportation Nevada is the acronym
11 for -- for ETON.
12 Q. Don't they both have a -- I have -- let's
13 see --
14 A. So ETON has a DOT number, ETON or ETON
15 Corporation does not have a DOT number. It's --
16 Q. So Environmental Transportation Nevada
17 LLC. DBA ETON?
18 A. Correct.
19 Q. And then there is Environmental
20 Transportation Nevada. Oh, no. That's the DBA one
21 again.
22 A. And then if you were coming up --
23 Q. Then ETON Transportation Corporation?
24 A. And then there's the -- yes.
25 Q. So there's two or there's three?

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1 **A. There's two different companies.**
2 Q. Okay.
3 **A. This one is ETON, is Environmental**
4 **Transportation Nevada.**
5 Q. And how do you know that?
6 **A. Because I -- I did the -- the -- the thing**
7 **on the website for the dust control.**
8 Q. No. I mean how do you know how -- from
9 the -- from this commercial lease, how do you know
10 which one it is?
11 **A. The other one is the ETON Corp. That's**
12 **how we keep them separate in terms of -- for tax and**
13 **for leases.**
14 Q. Okay. So it's your testimony that this
15 lease is related to --
16 **A. The LLC.**
17 Q. -- the LLC?
18 **A. Uh-huh.**
19 Q. Okay. This is the lease. And then it's
20 your testimony that subsequent to December 31st,
21 2023 --
22 **A. Three.**
23 Q. -- that the Corp --
24 **A. Entered into --**
25 Q. -- entered into a separate lease with --

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1 **A. Tonopah and Tidewater.**
2 Q. -- Tonopah Tidewater. Okay.
3 **A. It was the end of the tax year.**
4 Q. So when you amend or as the responsible
5 official sought to revise the dust control operating
6 permit, was that as the LLC or the corporation?
7 **A. So the LLC pulled the dust permit.**
8 Q. Okay. Pulled the dust permit. And then
9 who revised the permit?
10 **A. The LLC.**
11 Q. So does the LLC -- does the -- so this is
12 the LLC, right, the -- the permit or the lease that
13 expired in December 31st?
14 **A. Okay. Are we talking about this document**
15 **here?**
16 Q. I'm just trying to figure out --
17 **A. So the LLC did the -- did the construction**
18 **work on the Stratford property.**
19 Q. So the LLC -- and the LLC also had this
20 particular lease?
21 **A. Correct.**
22 Q. Okay. And then this lease expired. Did
23 the LLC have authority to be on that property after
24 December 31st, 2023?
25 **A. The LLC had no equipment.**

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1 Q. But didn't the LLC pull -- revise the dust
2 control operating permit?
3 **A. That's correct. But it owns no equipment**
4 **--**
5 Q. No. I'm just saying, did they have
6 authority to be on that property?
7 **A. After the date?**
8 Q. After December 31st, 2023.
9 **A. What I'm trying to tell you is they were**
10 **gone.**
11 Q. So when you revised the dust control
12 operating permit on behalf of the LLC, no one --
13 ETON wasn't -- the LLC wasn't there anymore?
14 **A. Restate the -- the questions again,**
15 **please.**
16 Q. Okay. So let me make sure I understand.
17 So ETON LLC and then ETON Corp. ETON LLC entered
18 into the permit, dust control operating permit, as
19 well as this commercial lease that expired on
20 December 31st, 2023?
21 **A. Correct.**
22 Q. Okay. So that's DCOP and lease with
23 Tonopah Tidewater through 12/31/23.
24 **A. So --**
25 Q. And then it's your testimony that after

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1 12/31/23, ETON Corp entered into a lease with
2 Tonopah and Tidewater effective what, January 1st,
3 2024?
4 **A. Correct.**
5 Q. Okay.
6 **A. But the LLC still had to finish its scope**
7 **of work until the dust permit was done.**
8 Q. Okay. So the LLC has authority to -- had
9 during -- well, does ETON LLC have authority to be
10 on the Tonopah and Tidewater property right now?
11 **A. It -- yes.**
12 Q. Okay. And what is that based on, an oral
13 agreement? Is that based on a written agreement?
14 **A. Just month-to-month rental of -- of yard**
15 **-- of truck spaces, as we call them.**
16 Q. Okay. Month-to-month rental. And is that
17 based on a written document?
18 **A. No. It's just -- well...**
19 Q. And when did it become month-to-month?
20 **A. Through the first of the year '24.**
21 Q. So can you scroll down to that -- let's
22 see. Scroll down again. So keep scrolling. So
23 under term it says, "The term of the lease commences
24 at noon on September 1st, and ends noon on December
25 31st?"

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<p>1 And then under 6 it says, "Should the 2 tenant remain in possession of the premises with the 3 consent of the landlord after the natural expiration 4 of the lease, a new tenancy for month-to-month will 5 be created between the landlord and tenant, which 6 will be subject to all the terms and conditions of 7 this lease, but will be terminable upon either party 8 giving one month's notice to the other party." So is 9 it your testimony that the LLC is not continuing to 10 operate under this lease?</p> <p>11 A. Yes. Just like number 5 says, it ended on 12 noon.</p> <p>13 Q. Right. But didn't -- it says, "The tenant 14 remain in possession of the premises with the 15 consent of the landlord, then a new tenancy for 16 month to month will be created." So you're saying 17 that didn't occur?</p> <p>18 A. It did not occur.</p> <p>19 Q. Did anything change from December 31st, 20 2023 to January 1st, 2024 with respect to how ETON, 21 LLC. Operated?</p> <p>22 A. No. They just went to -- to 23 month-to-month on per truck basis.</p> <p>24 Q. But that is just something that's -- 25 there's nothing in writing about that?</p> <p style="text-align: right;">Page 75</p>	<p>1 into the agreement to -- to do, is go ahead and do 2 the dust permit.</p> <p>3 Q. Okay. Is there another document that 4 talks about agreement for the dust permit? Because 5 I don't believe there's anything in this lease that 6 talks about the dust permit.</p> <p>7 A. No.</p> <p>8 Q. So that was also just an oral agreement?</p> <p>9 A. It was just company -- corporate notes 10 between the two companies. Corporate -- you have 11 your corporate meetings, you have your corporate -- 12 there's a term you use when you go through and 13 somebody writes the notes in the corporate meetings. 14 Corporate --</p> <p>15 Q. Like the minutes.</p> <p>16 A. Thank you.</p> <p>17 Q. Okay. I don't know if you -- if you 18 recall, but in the response that ETON submitted in 19 response to these two notices of violation, it 20 states that ETON did -- had no right to be on the 21 property after December 31st, 2023. Is that a true 22 statement?</p> <p>23 A. In the -- in the position that they -- 24 first position they had, that is correct. That came 25 back in the second position just as month-to-month</p> <p style="text-align: right;">Page 77</p>
<p>1 A. No. Just internal.</p> <p>2 Q. Internal?</p> <p>3 A. Uh-huh.</p> <p>4 Q. What do you mean by internal?</p> <p>5 A. It's -- it's a common ownership between 6 all the companies.</p> <p>7 Q. So between the two different -- the two 8 same owners, they've agreed with themselves that 9 it's going to be month-to-month?</p> <p>10 A. Correct.</p> <p>11 Q. Okay. But nothing changed between this 12 one and -- and the oral agreement?</p> <p>13 A. So this lease was terminated on the set 14 date.</p> <p>15 Q. So where it says, "Rent \$10,000," what is 16 the rent amount now?</p> <p>17 A. Again, it's by the truck that's parked on 18 the property.</p> <p>19 Q. So how much per truck?</p> <p>20 A. It's \$400 per truck, per month.</p> <p>21 Q. And is there -- and there was an agreement 22 to allow ETON, LLC. To hold a dust control 23 operating permit for the Tonopah and Tidewater water 24 property?</p> <p>25 A. Correct. That's what they were entering</p> <p style="text-align: right;">Page 76</p>	<p>1 customer.</p> <p>2 Q. So they did have a right to be there for 3 purposes of the dust control operating permit?</p> <p>4 A. Say that again.</p> <p>5 Q. They did have a right to be there for 6 purposes of the dust control operating permit?</p> <p>7 A. In my mind that is --</p> <p>8 MR. GUBLER: I'm just going to -- I'm 9 going to object as to -- it's the -- the question's 10 vague. What time frame are we talking about?</p> <p>11 BY MS. JORGENSEN:</p> <p>12 Q. Well, let's actually, let's go to the -- 13 the document. Let's go to the response. Sorry, 14 just give me a second (indiscernible). Okay. Could 15 you go to page 4? I'm sorry. Go to the bottom of 16 page 3. Okay. So number 6, it says, "ETON obtained 17 a dust control permit for grubbing effective August 18 31st -- August 30th, 2023. And that's ETON, LLC.; 19 is that correct?</p> <p>20 A. Correct.</p> <p>21 Q. Okay. And then if we go to number 7. 22 During its occupancy, ETON performed services for 23 the railroad company," that's referencing Tonopah 24 and Tidewater, "at the property in the assistance of 25 its business of moving goods across state lines and</p> <p style="text-align: right;">Page 78</p>



1 interstate commerce." Is that a true statement?
2 **A. Yes.**
3 Q. "The lease concluded on December 31st,
4 2023"; is that correct?
5 **A. Yes.**
6 Q. And then since January 1st, 2024, the
7 railroad company has occupied the property, the
8 railroad company never applied for or executed a
9 dust control permit; is that correct?
10 **A. Correct.**
11 Q. And -- but is it also correct that ETON
12 applied for and executed a dust control permit on
13 behalf of, or for the purpose of Tonopah and
14 Tidewater property; is that correct?
15 **A. So there's a -- there was -- in our -- we**
16 **would term it -- there was a commercial transaction**
17 **between Tonopah and Tidewater to the LLC company to**
18 **do a scope of work, which was to go through and get**
19 **the dust permit, get the site ready for the**
20 **transaction, or the sunseting of the dust permit**
21 **was what they were employed to do.**
22 **So there's two transaction. One is the**
23 **lease to the property, two is the -- the**
24 **construction or the transaction that's necessary to**
25 **go ahead and get the site in compliance with**

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1 **respective statewide plan.**
2 Q. Okay. So when did they -- so when did
3 ETON complete its responsibilities under the dust
4 control operating permit for Tonopah and Tidewater?
5 **A. I think when it sunsetted sometime in --**
6 **whatever the -- the gear period would've come around**
7 **from its inception and the material, the ROTO-MILL,**
8 **was put on site.**
9 Q. Okay. So ETON did have authority to be on
10 the property after December 31st, 2023 for purposes
11 of the dust control operating permit?
12 **A. I'm confused how you're -- you're --**
13 **you're co-joining the equipment side and the action**
14 **of the dust permit. Can we break them apart?**
15 Q. I'm trying to figure out what's going on
16 with respect to these.
17 **A. Can we break them apart, because they're**
18 **not aligned, they're broken apart.**
19 Q. Sure. Sure. Go ahead.
20 **A. You have -- the dust control permit is a**
21 **function that has nothing to -- to do -- to -- to --**
22 **to get it, to pay the fine -- to pay the fees to go**
23 **ahead and do that part. And then the**
24 **transportation, you're trying to conjoin it in my**
25 **mind --**

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1 Q. I'm just trying to -- I'm just kind of
2 following along with this. So I just -- let me just
3 -- I'll ask it one more time, see if I -- we can
4 settle on something. So the entire time that -- so
5 ETON has authority to be on the -- on the Tonopah
6 and Tidewater property. I'm just -- just generally,
7 they have authority to be there.
8 **A. So on the -- on -- on the trucking side or**
9 **the -- the dust permit side? Because we need to**
10 **sort of break them apart.**
11 Q. Okay.
12 **A. Does that make sense?**
13 Q. Sure. The trucking side, they have
14 authority to be there?
15 **A. After the 31st, it was month-to-month.**
16 Q. Okay. And then with regard to the dust
17 control operating permit?
18 **A. They could be there wherever they need it**
19 **to be, to go through -- so --**
20 Q. Until it's -- until it's finished up
21 closed out, it is -- they have authority to be on
22 there for purposes of the dust control operating
23 permit?
24 **A. Yes.**
25 Q. Okay.

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1 Q. Does that make sense that we separate the
2 two functions?
3 Q. Sure. Sure.
4 MS. JORGENSEN: Okay. Could we go back to
5 Exhibit A of the reply -- of Air Quality's reply?
6 And if you could scroll to the end of that, there
7 were some emails. Okay. Could you go to the
8 beginning of those emails? Okay. Right there. So
9 could you kind of just scroll through, so Mr. Truman
10 has a chance to look at those?
11 BY MS. JORGENSEN:
12 Q. Mr. Truman, could you -- do the -- do you
13 recognize these emails?
14 **A. Yes. Sort of.**
15 Q. And what do you recognize them to be?
16 **A. Came from me on the 30th. Some questions**
17 **and answer with their specialist. She asked a**
18 **question, I answer.**
19 Q. Okay. And so one of the last questions
20 was, is this parcel going to be developed in the
21 future? And then how did you respond?
22 **A. So that was questioned on 239. I**
23 **responded on 247. There were some trees to be taken**
24 **down. So foundation for a water truck -- water tank**
25 **trash.**

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<p>1 Q. Actually, I'm sorry, I think it goes the</p> <p>2 other direction. Make sure. Can you scroll? Yeah.</p> <p>3 So she asked the question at 237, you responded at</p> <p>4 247.</p> <p>5 A. So do we need to go on?</p> <p>6 Q. Yeah. So it starts ---</p> <p>7 A. Okay. So we're ---</p> <p>8 Q. -- reverse order.</p> <p>9 A. So there's some trees we've taken down.</p> <p>10 The site needs to be cleared to let the survey crew</p> <p>11 to start coming down. We're going (indiscernible)</p> <p>12 plan. And so we're going to go back up.</p> <p>13 Q. Yeah. You need to scroll back up.</p> <p>14 A. Is the partial going to be build in the</p> <p>15 future? Yes.</p> <p>16 Q. Okay. And what was -- on August 30th when</p> <p>17 you responded yes, what was the purpose of -- what</p> <p>18 did you mean by developed in the future? What was</p> <p>19 going to be developed?</p> <p>20 A. Just a rail yard. Just a rail support</p> <p>21 yard.</p> <p>22 Q. And did you ever amend your permit to</p> <p>23 indicate that it was going to become a rail yard or</p> <p>24 rail support yard?</p> <p>25 A. Did she respond back with -- with another</p> <p style="text-align: right;">Page 83</p>	<p>1 with anything the railroad does. Doesn't come out</p> <p>2 and look at their rail specs, doesn't come out and</p> <p>3 find out the -- the rail ties on them --</p> <p>4 Q. Okay. Is there anything on this property</p> <p>5 on -- I keep forgetting the name.</p> <p>6 A. Stratford.</p> <p>7 Q. Thank you. On the Stratford property,</p> <p>8 that is indicative that it's a railroad or are there</p> <p>9 any tracks on that property?</p> <p>10 A. If you look at state statutes --</p> <p>11 Q. No. I'm just asking about the property</p> <p>12 itself. Is there anything on there that ---</p> <p>13 A. Yeah. There's some issues the equipment</p> <p>14 that supports rail, transloading.</p> <p>15 Q. Is there any -- are there any tracks on</p> <p>16 that property that are laid down?</p> <p>17 A. No.</p> <p>18 Q. And I - I want to make sure that I get a</p> <p>19 yes or no answer on this. Is this -- is Tonopah and</p> <p>20 Tidewater a federally recognized railroad?</p> <p>21 A. No.</p> <p>22 Q. Okay.</p> <p>23 A. It's been given an exemption.</p> <p>24 Q. So is ETON -- I'm sorry?</p> <p>25 A. It's been given an exemption from -- from</p> <p style="text-align: right;">Page 85</p>
<p>1 question?</p> <p>2 Q. No. I'm just asking you, when did you</p> <p>3 intend to develop it in the future?</p> <p>4 A. Not that I know of. And the other --</p> <p>5 other facilities we've dealt with, they're</p> <p>6 considered or treated like a utility, and the county</p> <p>7 typically doesn't give the water district or Nevada</p> <p>8 Power or any of the utilities oversight. They --</p> <p>9 they push that back or give that to the utilities to</p> <p>10 maintain their own issues.</p> <p>11 Just like Nevada or Southwest Gas, you</p> <p>12 don't have a -- a crew or people going through and</p> <p>13 look at their -- their workmanship or what they do.</p> <p>14 You treat them as utilities. And --</p> <p>15 Q. So is is ETON a utility?</p> <p>16 A. Tonopah and Tidewater is a railroad.</p> <p>17 Q. Is Tonopah and Tidewater a railroad under</p> <p>18 federal law?</p> <p>19 A. Federal, no. State.</p> <p>20 Q. So it's -- okay. So it's your testimony,</p> <p>21 Tonopah and Tidewater is a state recognized</p> <p>22 railroad?</p> <p>23 A. And just like the -- the county, when the</p> <p>24 railroad brings a -- or builds up a shoo fly or puts</p> <p>25 another bridge over, the county doesn't get involved</p> <p style="text-align: right;">Page 84</p>	<p>1 oversight, but go ahead.</p> <p>2 Q. Oh, wait. So when did that happen?</p> <p>3 A. It's in the federal register. That's</p> <p>4 where we put an issue for exemption. It was a Class</p> <p>5 III railroad.</p> <p>6 Q. Okay. So I believe that exemption -- Can</p> <p>7 we go to exhibit -- let's see. This is back to --</p> <p>8 well, let's look -- it's back to the NRF. The --</p> <p>9 A. No. It -- it'll be the federal register.</p> <p>10 Q. No, I'm sorry. I'm trying to help her</p> <p>11 find where it's located. Let's see. It's back to</p> <p>12 ETON's Response Exhibit 3, I believe. Under written</p> <p>13 explanation?</p> <p>14 A. Yes.</p> <p>15 Q. Oh, thank you. Okay.</p> <p>16 A. The --</p> <p>17 Q. So this is when you're referencing that</p> <p>18 this -- that the Tonopah and Tidewater became a --</p> <p>19 A. No.</p> <p>20 Q. Okay. So which one are you talking about?</p> <p>21 A. This is where we request exemption from</p> <p>22 oversight from the FRA. That's what the -- the --</p> <p>23 the whole exemption is.</p> <p>24 Q. Can you scroll to the top of the second</p> <p>25 column? So it says, "TTRR will become a Class III</p> <p style="text-align: right;">Page 86</p>



1 rail carrier. TTR certifies that it's projected
2 revenues" -- okay. It goes on talks about Class
3 III. So this notice is about becoming a Class III
4 railroad; isn't that correct?
5 **A. No. Again, Class III railroad is --**
6 **Q. Okay. Why don't we scroll down to the**
7 **beginning of this. And why don't you go ahead and**
8 **read that for us.**
9 **A. For the beginning?**
10 **Q. Where it says to Tonopah and Tidewater**
11 **Railroad Company, a non-carrier has filed a verified**
12 **-- go ahead and read that file.**
13 **A. "Valid verified notes of exemption from**
14 **49CFR 1130.31 to lease from Pan Western Corporation,**
15 **parenthesis Pan Western operated approximately 2.6**
16 **miles of private rail lines owned by the Pan**
17 **Western, extending from mile post 0.0 to mile post**
18 **2.66 in Clark County, Nevada Pan Western to lease**
19 **the railroad lines TTR. So the TTR may initiate and**
20 **provide common carrier rail operations on and over**
21 **lines. TTR will become a Class III railroad**
22 **carrier. TTR certifies its projected revenues are**
23 **not expected to exceed those of the Class III**
24 **railroad carrier -- carrier or 5 million annually.**
25 **The transaction was due to consummate on or about**
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1 **September 9th, 2004. The effective date of the**
2 **exemption, seven days after" --**
3 **Q. Okay. You can -- you can go ahead and**
4 **stop there. So isn't this about Tonopah and**
5 **Tidewater becoming Class III rail carrier?**
6 **A. No, ma'am.**
7 **Q. Oh, what is this about then?**
8 **A. It's exemption from oversight by the**
9 **Federal Railroad Administration. The Federal**
10 **Railroad Administration looks at the railroad**
11 **revenue streams and classifies you by a Class II,**
12 **Class I based on your railroad revenues. So this**
13 **has nothing to do with that other than an exemption**
14 **that the oversight from the FRA is truncated.**
15 **Q. So don't you become -- to get that exempt,**
16 **isn't this exemption in order to become a Class III**
17 **rail carrier --**
18 **A. No.**
19 **Q. -- through -- so you're saying that**
20 **beginning part when it says that by entering into**
21 **this lease agreement with Pan Western, then you**
22 **become a Class III rail carrier, and then it says --**
23 **and then seven days -- so isn't this a notice of**
24 **exemption? At the very beginning it says, "A non**
25 **carrier has filed a notice -- a verified notice of**
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1 exemption." So you're saying that's not what it
2 means, it means something different?
3 **A. It means that we asked the -- the STB that**
4 **Tonopah and Tidewater does not have to meet all the**
5 **requirements of 49 CFRs that regulates Class Is and**
6 **Class IIs.**
7 **Q. Right. So you become a Class III?**
8 **A. But -- but they don't tell us that.**
9 **Q. That says exactly right there.**
10 **A. The FRA, by revenue stream, tells you what**
11 **you are.**
12 **Q. It says, "TTRR will become a Class III**
13 **rail carrier. TTRR certifies that its projected**
14 **revenues are not expected to exceed those of a Class**
15 **III rail carrier or 5 million annually."**
16 **A. Okay. The exemption that we requested was**
17 **from oversight of the Federal Railroad**
18 **Administration. You can read what you want, but**
19 **from a --**
20 **Q. No. I'm reading --**
21 **A. -- from a rail -- from a rail guy --**
22 **Q. Believe me I'm not -- I'm just reading**
23 **what it says.**
24 **A. It's ask for exemption from having to do**
25 **with 49 CFRs.**
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1 **Q. And isn't that have to do with a verified**
2 **notice of exemption, so you become a Class III rail**
3 **carrier as opposed to a II or -- a I or a II?**
4 **You're saying that's not what this says?**
5 **A. No. We're asking for exemption from 49**
6 **CFR 1150.31.**
7 **Q. Well, no, it's -- the exemption is**
8 **authorized under 49 CFR 1150.**
9 **A. Well, we're asking to be authorized**
10 **underneath that.**
11 **Q. Right. And this provided said, you enter**
12 **into this lease, then you're authorized?**
13 **A. Yes.**
14 **Q. Okay. Did you ever enter -- did Tonopah**
15 **and Tidewater ever enter a lease with Pan Western?**
16 **A. It did.**
17 **Q. Do you have a copy of that lease?**
18 **A. Not with me. We'll have to go through the**
19 **records and find it.**
20 **Q. So it's your testimony that there actually**
21 **was a lease at one point, but your -- you or -- or**
22 **your counsel did not provide that for this hearing**
23 **today?**
24 **A. We did because that's the only way that**
25 **the State of Nevada PUC did not come regulate us.**
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<p>1 Otherwise State of Nevada PUC --</p> <p>2 Q. No. I'm asking, there is -- so you're</p> <p>3 saying there is a lease. Does that --</p> <p>4 A. For this transaction, yes, there would</p> <p>5 have -- there was ---</p> <p>6 Q. Okay. Well, let's go to the next -- the</p> <p>7 next exhibit, Exhibit 4. Okay. So this is from</p> <p>8 2006. There's a footnote. I'm looking at -- can</p> <p>9 you scroll down just a little bit more. And can you</p> <p>10 make it a little bit bigger? And -- and let's look</p> <p>11 at the footnote. Okay. So that footnote, I'm going</p> <p>12 to go ahead and read it?</p> <p>13 It say's, "The verified notice of</p> <p>14 exemption was originally filed under the name of</p> <p>15 UPL" -- go to -- I'm sorry, Footnote 2. It says,</p> <p>16 "This line was a subject of a notice of exemption</p> <p>17 that according to the current verified notice was</p> <p>18 never consummated." See Tonopah and Tidewater lease</p> <p>19 and operation citing back to that one. So you're</p> <p>20 saying it was consummated that there was a lease?</p> <p>21 A. Yes.</p> <p>22 Q. And when did that lease occur?</p> <p>23 A. Time frame before we actually put the --</p> <p>24 the first notice in.</p> <p>25 Q. What -- what -- I'm sorry.</p> <p>Page 91</p>	<p>1 to begin with for the original one, a lease for them</p> <p>2 to go forward. I don't know if they filed it or</p> <p>3 not.</p> <p>4 Q. So you're saying that the Footnote 2 is</p> <p>5 wrong?</p> <p>6 A. Based on what we provided to Wilson Hines</p> <p>7 in the beginning, correct.</p> <p>8 Q. Okay. Well, I -- all right. So when</p> <p>9 Nevada Pacific Railroad Corporation wanted to lease</p> <p>10 for Pan Western that same rail line, were they going</p> <p>11 to take it over from Tonopah and Tidewater?</p> <p>12 A. The goal was to go through and do a name</p> <p>13 change to go through for marketing reasons. And</p> <p>14 that's where we went with back to Wilson and Hines</p> <p>15 to do that and they squashed that. So they went</p> <p>16 back to the business as usual after the UP filed --</p> <p>17 UP filed the protest.</p> <p>18 Q. What do you mean, business as usual?</p> <p>19 A. Tonopah and Tidewater were still running</p> <p>20 the -- the -- the line.</p> <p>21 Q. Okay. I'm sorry. I still can't get over</p> <p>22 the fact that this says that Tonopah and Tidewater</p> <p>23 never entered into that lease with Pan Western. And</p> <p>24 your testimony is that they did?</p> <p>25 A. Yeah. Because it --</p> <p>Page 93</p>
<p>1 A. If you go back to Exhibit 3 before that</p> <p>2 date, we would've provided that -- that lease to</p> <p>3 counsel out of Thompson Hine.</p> <p>4 Q. Okay. So you're saying that the -- oh,</p> <p>5 let's go back to 2006. So you're saying sometime</p> <p>6 before September 30th, 2004, Tonopah and Tidewater</p> <p>7 entered into agreement with Pan Western to become as</p> <p>8 -- as authorized in that notice?</p> <p>9 A. Yes. To file an exemption, yes.</p> <p>10 Q. Okay. So under -- under the second</p> <p>11 footnote where it says, "This line was the subject</p> <p>12 of notice of exemption. According to the current</p> <p>13 verified notice, was never consummated." So is that</p> <p>14 -- is that wrong?</p> <p>15 A. So we would've provided with Thompson</p> <p>16 Hines, our counsel back in D.C., a copy of the</p> <p>17 lease.</p> <p>18 Q. But I'm telling you, this says right here,</p> <p>19 the line -- that -- it says that line -- that was a</p> <p>20 -- that was subject to the notice of exemption</p> <p>21 according to the current verified. So the one from</p> <p>22 2006. It's saying that one that was referenced in</p> <p>23 2004 was never consummated. There was never a lease</p> <p>24 according to this.</p> <p>25 A. I just know that we provided Wilson Hines</p> <p>Page 92</p>	<p>1 Q. And it's also your testimony that there's</p> <p>2 no copy of that lease in any of the exhibits today?</p> <p>3 A. Correct.</p> <p>4 Q. Okay.</p> <p>5 A. We -- we can bring that forward.</p> <p>6 Q. Okay. All right. So let's go back to</p> <p>7 exhibit -- this is back to Air Quality's reply,</p> <p>8 Exhibit B. Okay. Mr. Truman, what is this document</p> <p>9 of -- can you tell?</p> <p>10 A. Looks like it's where we -- I had to add</p> <p>11 acreage to the original document.</p> <p>12 Q. Okay. And did you make any other changes</p> <p>13 with respect to the project?</p> <p>14 A. No. Somebody brought to -- to my</p> <p>15 attention that I admitted and -- and I thought</p> <p>16 everything was one -- on one APN number when I</p> <p>17 originally did that. And then I found out there was</p> <p>18 two additional APNs penned into that. And then we</p> <p>19 went through in good faith, revised it based on the</p> <p>20 adding the two new APN numbers.</p> <p>21 Q. Okay. Could you scroll to the next page.</p> <p>22 Where it says project description, could you please</p> <p>23 describe what that is or look at it and -- and then</p> <p>24 tell me what the purpose of the revision was?</p> <p>25 A. "M1 equals plus or minus 1.8</p> <p>Page 94</p>



1 (indiscernible) site bring in fill survey, get
2 drainage study, get zoning, bring -- bring in chat
3 on top of base, roll and compact and shoot with AC
4 30 parking lot base.
5 Q. Okay. So the project when you revised it
6 on behalf of ETON was to get it paved?
7 A. Correct.
8 Q. Okay. And could you scroll to the end of
9 the document where there's the emails? Okay. And
10 go ahead and scroll through those and -- and then,
11 Mr. Truman, I have some questions about those
12 emails. So do you recognize these emails?
13 A. It went pretty quickly. I didn't read all
14 of them. But in general, sort of, yes.
15 Q. Okay. And in this email chain, did you
16 confirm that it -- that the area was going to be
17 paved?
18 A. It looks like I did.
19 Q. What changed?
20 A. Got counsel involved and looked at the
21 opportunities of what was available that was done in
22 other facilities, and saw that there was a
23 disconnect of what the county wanted us to do, where
24 we didn't operate necessarily in the county, but we
25 operated more generally as an interstate commerce

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1 carrier. And questioned their ability to go
2 through.
3 And one is that there's a -- a court case
4 down in California of we belong to an associate of
5 the railroad as a associated group in the State of
6 California, and our association clashed over a south
7 coast, I think it's South Coast Air Quality.
8 Q. Let me just stop you real quick. So if I
9 understand correctly, you're -- you're saying that
10 because Tonopah and Tidewater is a railroad, it is
11 on the same par as that railroad that was the
12 subject of that lawsuit in that case in California?
13 A. No. I'm saying because we're engaged in
14 interstate commerce, whether the railroad or the
15 transportation, the STB gathers us the same.
16 Q. Doesn't the STB regulate railroads?
17 A. They do.
18 Q. And just railroads?
19 A. No. Transportation.
20 Q. So we looked at the -- what I think it's
21 the interstate commerce.
22 A. It was changed to STB. There's a couple
23 iterations.
24 Q. Right. And you believe that that is more
25 than just railroads?

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1 A. It's -- yes, I do.
2 Q. Okay.
3 A. It's -- it's all to do with things to deal
4 with the commerce clause. So can I finish my
5 testimony or you're going to --
6 Q. No. I -- I don't think we need to get
7 into that because we have a --
8 A. Oh, I'd like to --
9 Q. -- we have a fundamental -- I mean, your
10 -- your -- your -- attorney can --
11 A. Well, you asked a question, Counsel.
12 HEARING OFFICER: Your attorney can do --
13 Hold on. She ask a question, if you answer it. You
14 can't do commentary. So ask --
15 MS. JORGENSEN: Yeah. I'm -- yeah.
16 THE WITNESS: So let me finish the
17 question she asked me.
18 MS. JORGENSEN: No, there's -- you're not
19 answering my question. You're just going on and on
20 about, and then your attorney --
21 THE WITNESS: Ma'am, you asked me a
22 question.
23 MS. JORGENSEN: Your attorney can do
24 follow up when he does redirect.
25 THE WITNESS: Okay.

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1 HEARING OFFICER: Yeah.
2 BY MS. JORGENSEN:
3 Q. So did you ever have -- after you had
4 indicated to Air Quality that you were going to pave
5 the facility or pave the -- the Stratford site, did
6 you ever have further discussions with Air Quality
7 about, no, I think it should be something different.
8 Here's why?
9 Did you -- did you ever have that
10 conversation with the Air Quality? Look, I've
11 changed my mind. I don't think this is appropriate.
12 I think I should be able to do something different.
13 A. Could I talk now?
14 Q. I'm asking if you had those conversations
15 with Air Quality?
16 A. I said, does it -- can I get to answer
17 now?
18 Q. Yes.
19 A. Not that I know of.
20 Q. The -- you -- as part of those exhibits
21 and your testimony, you testified that you spoke
22 with, I believe it starts with Exhibit 10. We can
23 go back to the response. Not -- not Air Quality's
24 reply. Yeah. Let's scroll down and see if this is
25 the first one?

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<p>1 Okay. Actually could you scroll a little</p> <p>2 bit more? Okay. So we have what, Exhibits 10</p> <p>3 throug, is it 16 or -- let me just look and make</p> <p>4 sure I have that right. No. Yeah. Let's look at</p> <p>5 15. No. Let's go to 14.</p> <p>6 Okay. So Exhibit 10, we go back up to</p> <p>7 that. Joe Miller. Let's go to -- that's Exhibit</p> <p>8 10. Let's look at Exhibit 11. Paul Harbour</p> <p>9 (phonetic), who else do we have for 12? David</p> <p>10 McDonough. 13, it's Floyd Meldrum. And then 14 is</p> <p>11 Michael. How do you say his last name?</p> <p>12 A. Onetendan (phonetic).</p> <p>13 Q. Onetendan. And I believe you also</p> <p>14 testified that you had a conversation with Jay</p> <p>15 Smith; is that correct?</p> <p>16 A. Correct.</p> <p>17 Q. And -- but you don't have an affidavit</p> <p>18 from Jay Smith? I'm just asking.</p> <p>19 A. He's afraid of you guys.</p> <p>20 Q. So you don't have an affidavit from him?</p> <p>21 A. No. It was a personal conversation with</p> <p>22 him.</p> <p>23 Q. Okay. And when did you have these</p> <p>24 conversations with these five individuals plus Mr.</p> <p>25 Smith?</p> <p>Page 99</p>	<p>1 A. With Jay, no. Because Jay's -- had</p> <p>2 ongoing conversations with him from an early --</p> <p>3 early standpoint. So, you know, without going</p> <p>4 through and looking at my exchange and find out when</p> <p>5 the email started, I -- or I'm under oath, I got to</p> <p>6 tell you, I can't tell you right now.</p> <p>7 Q. Okay. Could you go ahead and keep</p> <p>8 scrolling down till we get to pictures? Okay. So</p> <p>9 the Boulder City Railroad, I believe these and the</p> <p>10 -- the subsequent ones are ones that you testified</p> <p>11 you've been to these personally and you see -- and I</p> <p>12 think your testimony was also that there's areas</p> <p>13 that are unpaved roads and unpaved parking area. Is</p> <p>14 that a --</p> <p>15 A. Correct.</p> <p>16 Q. -- a correct statement? Okay. For this</p> <p>17 particular one, the Boulder City one, is this</p> <p>18 located in the Las Vegas Valley?</p> <p>19 A. It's -- it's not the airshed of Las Vegas</p> <p>20 town, it's in Boulder City.</p> <p>21 Q. So do you know the airshed numbers? Do</p> <p>22 you know what --</p> <p>23 A. I don't know.</p> <p>24 Q. Area 212?</p> <p>25 A. I do -- do not know the airshed, but --</p> <p>Page 101</p>
<p>1 A. Probably the first two weeks of September.</p> <p>2 Q. And when did you lay down the rotomilling?</p> <p>3 A. That's a good question. I honestly -- I</p> <p>4 don't -- honestly don't have a date. I'm sorry.</p> <p>5 Q. I believe there's -- well, was the</p> <p>6 rotomilling laid down before you had these</p> <p>7 conversations with these five individuals plus Mr.</p> <p>8 Smith? And I believe there was testimony last time</p> <p>9 from the Air Quality inspectors that they observed</p> <p>10 rotomilling in August.</p> <p>11 A. I don't want to -- I can't honestly --</p> <p>12 Q. So is it possible that you -- it was laid</p> <p>13 down before you had the conversations with these</p> <p>14 individuals plus Mr. Smith?</p> <p>15 A. I'm trying to find a reference number. My</p> <p>16 -- my -- my memory to go through and -- and</p> <p>17 reference with all this. One is, I would have to</p> <p>18 get some skill tickets from Las Vegas Paving and</p> <p>19 when we bought the RotoMill from them. And then</p> <p>20 two, I'd have to go back and -- and look at emails I</p> <p>21 sent out to all the parties, to find out when we had</p> <p>22 this discussions with them.</p> <p>23 Q. Okay. So I'm just asking, is it possible</p> <p>24 that the rotomilling was laid down before you had</p> <p>25 those conversations?</p> <p>Page 100</p>	<p>1 Q. Okay. But you know that this is not in</p> <p>2 the Las Vegas Valley airshed?</p> <p>3 A. Correct. It's in Water Bridge, yes.</p> <p>4 Q. Okay. Do you know if this area's been</p> <p>5 designated as non-attainment for PM10?</p> <p>6 A. I do not.</p> <p>7 Q. Do you know if this area has a stationary</p> <p>8 source prevent?</p> <p>9 A. I do not.</p> <p>10 Q. Do you know what the condition of this</p> <p>11 site was or of this -- of this unpaved road before</p> <p>12 June of 2000?</p> <p>13 A. I did not.</p> <p>14 Q. Okay. Let's go to the next one. And</p> <p>15 which one's this again? Oh, this is the Department</p> <p>16 of Aviation?</p> <p>17 A. Uh-huh.</p> <p>18 Q. So this is in the Clark County. I mean,</p> <p>19 this is the Las Vegas Valley; is that right?</p> <p>20 A. It's in our shed -- the -- the airshed --</p> <p>21 Q. The 212?</p> <p>22 A. Yes.</p> <p>23 Q. Okay. Do you know if Clark County</p> <p>24 Aviation has a stationary source permit?</p> <p>25 A. Not that I found.</p> <p>Page 102</p>



1 Q. Do you know what the condition of this
2 unpaved road was prior to June of 2000?
3 **A. I do not.**
4 Q. Okay. Let's go to the next one. Okay.
5 This is more like public works. And I believe your
6 concerns were, was it a road that's being used? Is
7 that what -- I think you have the clicker so you
8 could --
9 **A. So the railroad always has a road next to**
10 **the railroad. So if something happens then they can**
11 **get it to facilitate itself.**
12 Q. Okay. And so how is this similar to the
13 Stratford property?
14 **A. Well, ours has rotomilling on it.**
15 Q. No. I mean, is there a railroad on the
16 Stratford property?
17 **A. Doesn't matter but --**
18 Q. No. I'm just asking you, is there one?
19 **A. No.**
20 Q. Okay. And do you know what condition of
21 this road was before June of 2000?
22 **A. I do not.**
23 Q. Okay. Let's go to the next one. Okay.
24 And I believe your concerns were, again, was it
25 railroad?

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1 **A. Correct.**
2 Q. Okay. And do you know what the condition
3 of this site was prior to June of 2000?
4 **A. Wasn't there. The -- the railroad was put**
5 **in after that.**
6 Q. When was it put in?
7 **A. Mid 2000, 2005, 2006.**
8 Q. And do you have any knowledge -- did you
9 pull any information about this other than this
10 aerial photo? And I believe you're -- I -- assuming
11 it's your memory of the 2005, 2006?
12 **A. No. We -- we -- we brought in the ballast**
13 **to this facility, so that's how we knew it was new**
14 **construction.**
15 Q. Okay. So your testimony, 2005, 2006, and
16 prior to that it was just desert?
17 **A. It was native.**
18 Q. Okay. Let's go to the next one. And then
19 what are your concerns about this site?
20 **A. Same as we've mentioned, we have a -- a**
21 **unpaved --**
22 Q. Unpaved where? Around the railroad?
23 **A. Next to the railroad.**
24 Q. Okay. Any idea what the site was around
25 the railroad prior to June 2006?

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1 **A. On this one I --**
2 Q. I mean, I'm sorry, 2000?
3 **A. I don't know.**
4 Q. Okay. Let's go to the next one. Hidden
5 Valley, where is this located?
6 **A. Different airshed. It's in the --**
7 Q. So 216. Also there's -- there's 212,
8 which is the Las Vegas Valley. And then 216, 217,
9 that are part of the Apex.
10 **A. So it's further in Apex.**
11 Q. Okay.
12 **A. It's on Nevada Power and --**
13 Q. Oh, Nevada Power. Do you know if this
14 site has a -- a stationary source operating permit?
15 **A. It -- it had when the Apex, both commodity**
16 **had a transfer facility out there that subsequently**
17 **they've -- they've taken down.**
18 Q. And do you know what the condition of this
19 area was before June of 2000?
20 **A. Before, no.**
21 Q. Okay. Let's go to the next one. And
22 where's this? This is within -- no, this is outside
23 of 212, 216, 217. Is that --
24 **A. That's even further. That's Logandale.**
25 Q. Okay. And any idea what the condition of

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1 the site was before June of 2000?
2 **A. It was native because they put the rail**
3 **line in late -- early 2002, 2003.**
4 Q. Okay. Let's go to the next one. Enlost,
5 that's -- that's within it; isn't it?
6 **A. That's Apex.**
7 Q. And do you know if this site has a -- a
8 stationary source operating permit?
9 **A. I do not.**
10 Q. And do you know what the condition of the
11 site was prior to June of 2000?
12 **A. We brought ballast into this late 2010-ish**
13 **when they put some new rail line in.**
14 Q. Okay. And -- but again, you have no idea
15 if this is a -- a site that's covered by a
16 stationary source permit?
17 **A. I do not, but I would assume it does where**
18 **they have baking lime.**
19 Q. Can you just go to the next one? Nevada
20 Ready Mix. Does this site have a stationary source
21 operating permit? Did you know?
22 **A. I do not know.**
23 Q. And what was condition of the site prior
24 to June of 2000?
25 **A. Fly over. I, you know, I don't -- I don't**

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<p>1 know what happened before that time.</p> <p>2 Q. Okay. Let's go to the next one. And</p> <p>3 where's this located?</p> <p>4 A. In our airshed. It's over off from</p> <p>5 Ponderosa and Lake Russell.</p> <p>6 Q. Okay. Over by Jake's Crane Rigging.</p> <p>7 Q. And what is it? It's...</p> <p>8 A. It's an oil terminal.</p> <p>9 Q. Okay. Does this site -- do you know if</p> <p>10 this site has a stationary source permit?</p> <p>11 A. I -- I do not.</p> <p>12 Q. And what -- what about the condition of</p> <p>13 the site prior to June of 2000?</p> <p>14 A. It wasn't there.</p> <p>15 Q. Okay. Go ahead. PABCO, does this have a</p> <p>16 stationary source permit that you know of?</p> <p>17 A. I do not know.</p> <p>18 Q. And the condition of site prior to June</p> <p>19 2000?</p> <p>20 A. I don't know.</p> <p>21 Q. Okay. Let's go to the next one. And is</p> <p>22 -- this is -- this is outside of --</p> <p>23 A. It's -- it's -- it's up -- up at the lake.</p> <p>24 It's paved.</p> <p>25 Q. Okay. So not in 212, 216, or 217?</p> <p>Page 107</p>	<p>1 A. Would've been our -- our airshed.</p> <p>2 Q. In 212, and then what's your concern on</p> <p>3 this one?</p> <p>4 A. Again, the unpaved road.</p> <p>5 Q. Is that -- are those rail lines?</p> <p>6 A. They are.</p> <p>7 Q. So any idea what the condition was prior</p> <p>8 to June of 2000?</p> <p>9 A. Native.</p> <p>10 Q. And how do you know that?</p> <p>11 A. Because it is native dirt that the</p> <p>12 railroad drove across. So did the road exist before</p> <p>13 2000? Is that --</p> <p>14 Q. When -- when were the rail lines put in;</p> <p>15 do you know?</p> <p>16 A. The rail lines would've been -- been put</p> <p>17 in 1908. The --</p> <p>18 Q. Okay. So it's possible that they were</p> <p>19 driving over that prior -- sometime after 1908?</p> <p>20 A. Maybe, but --</p> <p>21 Q. Okay. Let's go to the next one. And</p> <p>22 where's this?</p> <p>23 A. In front of -- it should come down the</p> <p>24 hill going into more upper Valley.</p> <p>25 Q. Okay. So outside is 216 -- outside of Las</p> <p>Page 109</p>
<p>1 A. No.</p> <p>2 Q. Okay. Pioneer Americas?</p> <p>3 A. Henderson, so it's in our airshed.</p> <p>4 Q. Within 212? Okay. Does the site have a</p> <p>5 stationary source permit, if you know?</p> <p>6 A. The -- the site or the APM?</p> <p>7 Q. Well, whatever your concern is.</p> <p>8 A. Not that I know of.</p> <p>9 Q. Okay. And do you know what the condition</p> <p>10 was prior to June of 2000?</p> <p>11 A. There at the bottom was native.</p> <p>12 Q. I'm sorry?</p> <p>13 A. In the bottom it was native.</p> <p>14 Q. The bottom, which part? And is that --</p> <p>15 are there rail lines?</p> <p>16 A. There are.</p> <p>17 Q. Do you know when those rail lines were put</p> <p>18 in?</p> <p>19 A. They did a plan expansion sometime mid --</p> <p>20 mid 2005 again.</p> <p>21 Q. And it's your understanding, so that's</p> <p>22 part of Pioneer America?</p> <p>23 A. It is.</p> <p>24 Q. Okay. Can you scroll? And where's this</p> <p>25 located? This is Clark County.</p> <p>Page 108</p>	<p>1 Vegas Valley and Apex?</p> <p>2 A. Yes.</p> <p>3 Q. Okay. Let's keep going. Elko clearly</p> <p>4 outside of 216, 217 and 212? Outside of Clark</p> <p>5 County?</p> <p>6 A. Yes.</p> <p>7 Q. Okay. Ely, same thing outside of Clark</p> <p>8 County?</p> <p>9 A. Yes.</p> <p>10 Q. Okay. And Fernley, outside of Clark</p> <p>11 County?</p> <p>12 A. Correct.</p> <p>13 Q. Again, Fernley outside of Clark County?</p> <p>14 A. Correct.</p> <p>15 Q. Reno outside of Clark County?</p> <p>16 A. Correct.</p> <p>17 Q. Okay. Do you know if any of those areas</p> <p>18 outside of Clark County have ever been designated as</p> <p>19 non-attainment for PM10?</p> <p>20 A. I do not.</p> <p>21 Q. Okay. Are you aware that Clark County</p> <p>22 area 212 has been designated as non-attainment for</p> <p>23 PM10, and is currently in maintenance for that --</p> <p>24 for that particular standard?</p> <p>25 A. I have heard, but I don't know for sure.</p> <p>Page 110</p>



1 Q. Okay. When you -- so I believe you -- you
2 testified on June 8th, sorry, January 8th and
3 January 9th, when the Air Quality people came, that
4 you didn't know that they were from Air Quality; is
5 that right?
6 **A. Correct. They never presented me with**
7 **their credentials.**
8 Q. So you had no idea why they were on your
9 -- on the -- the Tonopah and Tidewater or the ETON
10 property?
11 **A. Correct.**
12 Q. And did you ever call the police on them?
13 **A. Again, I testified I did not.**
14 Q. On any of those dates that they came?
15 **A. No. I -- I testified --**
16 Q. And -- and why -- why wouldn't you, since
17 you had no idea who they were?
18 **A. They left peaceably.**
19 Q. Okay. And on July 17th, 2000, I'm sorry,
20 2024, at that point, did they -- if you recall, did
21 they come and -- to the office and request to be
22 allowed in? And this would've been Andrew Kirk and
23 Canduella Rowsell?
24 **A. Some folks showed up, but they presented**
25 **no credentials to me and then they requested** Page 111

1 **entrance, so --**
2 Q. Did you let them in?
3 Q. Pardon?
4 Q. Did you let them in on the 17th?
5 **A. One day.**
6 Q. So why did you let them in?
7 **A. I erred.**
8 Q. What do you mean you erred?
9 **A. I -- I again, went against our security**
10 **plan. I was on the phone, I let them in. That was**
11 **an absolute mistake on my side of our security plan.**
12 Q. But why did you let him in?
13 **A. I just told you I made a mistake.**
14 Q. I know you made a mistake, but what --
15 what was the basis of the mistake?
16 MR. GUBLER: Objection. Asked and
17 answered.
18 MS. JORGENSEN: I don't think he has.
19 MR. GUBLER: He didn't answer it how she
20 wanted it.
21 MS. JORGENSEN: No. He just said he
22 erred. I want to know why he let them in.
23 THE WITNESS: I made a mistake.
24 BY MS. JORGENSEN:
25 Q. What was the basis of the mistake? Page 112

1 **A. I was --**
2 MR. GUBLER: It was asked and answered.
3 THE WITNESS: I was busy on the phone. To
4 expedite going back to the phone, I let them on. I
5 made a mistake with our security plan.
6 BY MS. JORGENSEN:
7 Q. Didn't you instruct them to go get their
8 hard hats and vests before you would let them go
9 onto the property?
10 **A. I don't recall that.**
11 Q. And since I think the last date of the --
12 of the second notice violation is August 14th, but
13 there's been testimony that they did come onto the
14 -- that they returned after August 14th; is that
15 correct?
16 **A. I -- I can't -- I can't testify the dates**
17 **that I know that.**
18 Q. Okay. Do you -- so do you -- you don't
19 recall -- well, do you recall whether or not anybody
20 appeared from Air Quality on August 28th?
21 **A. Not that I recall. They would've showed**
22 **credentials that showed they were with your -- that**
23 **department you mentioned.**
24 Q. You mean -- you mean Division of Air
25 Quality? Page 113

1 **A. Yes.**
2 Q. So is it your testimony -- so since -- so
3 on August 20 -- if I submit to you that August 28th,
4 that you allowed them to go onto the property, as
5 long as they put their cameras away and did not
6 bring them onto the property that you allowed them
7 on.
8 **A. When was the date?**
9 Q. August 28th.
10 **A. Was there two of them or three of them?**
11 Q. I believe -- well, I'll submit to you,
12 there was two.
13 **A. At one time three of them came by. Had a**
14 **-- a trainee.**
15 Q. Do you recall having a discussion with
16 them about, as long as they didn't bring their
17 cameras with them, that you would allow them on?
18 **A. Yes.**
19 Q. And why did you allow them on?
20 **A. Well, again, I -- I erred in my security**
21 **plan.**
22 Q. Well, why -- again, what was the basis of
23 that err?
24 **A. If you tripped, you tripped. I erred.**
25 Q. I understand that you're saying that you Page 114



<p>1 made a mistake, but I want to know why did you think</p> <p>2 it was okay at the time?</p> <p>3 MR. GUBLER: Objection. Misstates</p> <p>4 testimony. I don't think he's testified to that.</p> <p>5 HEARING OFFICER: Well, I just -- I want</p> <p>6 to understand. He said before he was on the phone.</p> <p>7 So the claim was that he was busy and not paying</p> <p>8 attention. And this time is another date. So what</p> <p>9 was behind that? What's the difference? If I'm</p> <p>10 understanding that correctly, because that's what I</p> <p>11 --</p> <p>12 MS. JORGENSEN: I'm -- yeah. I'm trying</p> <p>13 to figure out why was it okay on August 28th to</p> <p>14 allow them on to do an inspection as long as they</p> <p>15 put their cameras away.</p> <p>16 HEARING OFFICER: I -- I get you're saying</p> <p>17 you erred. Because earlier in your testimony,</p> <p>18 you're saying if -- if they requested, you would've</p> <p>19 allowed them on the property. I have that in my</p> <p>20 notes, yes.</p> <p>21 THE WITNESS: With credentials. If they</p> <p>22 would've presented credentials, I think I testified.</p> <p>23 MS. JORGENSEN: Okay.</p> <p>24 THE WITNESS: I probably just got tired of</p> <p>25 dealing with them.</p> <p>Page 115</p>	<p>1 Q. So is it your testimony that you -- during</p> <p>2 all those visits that they went there, you had no</p> <p>3 idea where they were from?</p> <p>4 A. Okay. There's two things. There's a</p> <p>5 hunch, and then there was --</p> <p>6 Q. I -- your hunch or belief or whatever,</p> <p>7 just did you have any idea where they were from?</p> <p>8 A. I maybe had a hunch, but again --</p> <p>9 Q. No. A hunch that they were from where?</p> <p>10 A. Can I finish?</p> <p>11 Q. I want you to answer my question.</p> <p>12 A. Hunch they're from where? But I thought</p> <p>13 they might be from the county.</p> <p>14 Q. Anything to do with air quality and the</p> <p>15 dust control operating permit?</p> <p>16 A. Not necessarily, no.</p> <p>17 Q. Okay?</p> <p>18 HEARING OFFICER: I -- I -- yeah. We can</p> <p>19 move along.</p> <p>20 MS. JORGENSEN: Yeah. Okay.</p> <p>21 HEARING OFFICER: I get it.</p> <p>22 BY MS. JORGENSEN:</p> <p>23 Q. If we could go to the reply, not Air</p> <p>24 Quality's, but ETON's -- ETON's. If you go to</p> <p>25 Exhibit 21. And, Mr. Truman, if you could take a</p> <p>Page 117</p>
<p>1 BY MS. JORGENSEN:</p> <p>2 Q. But why would you tell them they had to</p> <p>3 put their cameras away?</p> <p>4 A. Because I got tired of dealing with them.</p> <p>5 They just wore me down.</p> <p>6 Q. And on all these visits that they came,</p> <p>7 you had no idea where they were from?</p> <p>8 A. Again, they never presented any</p> <p>9 credentials.</p> <p>10 Q. I totally understand that that's your</p> <p>11 testimony. I'm asking whether you understood where</p> <p>12 they were from?</p> <p>13 MR. GUBLER: Objection. Asked and</p> <p>14 answered.</p> <p>15 MS. JORGENSEN: That was not answered.</p> <p>16 MR. GUBLER: It was but no arguing.</p> <p>17 HEARING OFFICER: I think it's a different</p> <p>18 question because he's -- the claim is, they didn't</p> <p>19 present proper credentials, but then you let people</p> <p>20 on your property or trespassers on 8/28. So I mean,</p> <p>21 that's the question I would want to know and</p> <p>22 understand. It's -- it's not flowing logically.</p> <p>23 But --</p> <p>24 THE WITNESS: So again, I --</p> <p>25 BY MS. JORGENSEN:</p> <p>Page 116</p>	<p>1 look at this and tell me what it is?</p> <p>2 A. It's a lease agreement between Paving and</p> <p>3 Tonopah and Tidewater.</p> <p>4 Q. And when was it entered into?</p> <p>5 A. Looks like the 6th of March.</p> <p>6 Q. 2008?</p> <p>7 A. Correct.</p> <p>8 Q. And it was to allow Tonopah Tidewater onto</p> <p>9 Las Vegas Pavings land?</p> <p>10 A. Yes. There was rail lines laid on the Pan</p> <p>11 Western piece of property, and there's rail lines</p> <p>12 that were laid on the Las Vegas Paving piece of</p> <p>13 property in a big loop.</p> <p>14 Q. So this was allowing the connection</p> <p>15 between the two?</p> <p>16 A. Access to -- to get on the Las Vegas</p> <p>17 Paving piece to use the rail, yes.</p> <p>18 Q. Okay. And if you can scroll down a bit</p> <p>19 further. The license fee. So the licensee will pay</p> <p>20 the license or a license fee composed of, California</p> <p>21 Portland Cement will pay Las Vegas Paving 50,000</p> <p>22 every month for rent on behalf of Tonopah and</p> <p>23 Tidewater. Did Tonopah and Tidewater have a -- an</p> <p>24 agreement with CalPortland?</p> <p>25 A. Through sister company, Pan Western.</p> <p>Page 118</p>



<p>1 Q. So CalPortland had a -- an agreement with 2 Pan Western, and as part of that agreement, Tonopah 3 and Tidewater would pay Las Vegas Paving 50,000? 4 A. No. 5 Q. Okay. 6 A. California Portland paid -- paid Las Vegas 7 Paving \$50,000. In exchange for that, CalPortland 8 got to use the -- the property for their rail line. 9 Q. Which property? 10 A. The Las Vegas Paving piece. So there are 11 two rail lines that go across Las Vegas Paving 12 piece. One owned by CalPortland and one owned by 13 Pan -- Pan Western/ Tonopah and Tidewater Railroad. 14 So if you look at the pictures, there is four rail 15 lines that go across the Las Vegas Paving piece, and 16 then there's some straight track. CalPortland is -- 17 has rail line too on -- on both -- both pieces of 18 the property. And -- 19 Q. So why would CalPortland pay on behalf of 20 Tonopah Tidewater? 21 A. Because they had free access to a switch 22 off the main line. 23 Q. CalPortland had free access? 24 A. Yeah. That was part of the transaction is 25 the switch was put in by Las Vegas Paving and Pan Page 119 </p>	<p>1 agreement with Las Vegas Paving. 2 Q. And does CalPortland have an agreement 3 with any of the, I guess, sister companies that 4 might be related to Tonopah and Tidewater? 5 A. Not that I know of. 6 Q. So is CalPortland still paying Las Vegas 7 Paving on behalf of Tonopah and Tidewater? 8 A. They are. 9 Q. Based on what? 10 A. Well, they paid it on behalf of 11 themselves. 12 Q. I know. So what -- why -- 13 A. They were beneficiary of that. 14 Q. -- why would they be needing something for 15 Tonopah and Tidewater? 16 A. We're the beneficiary of that payment. 17 Q. So if CalPortland decided to stop paying, 18 could Tonopah Tidewater enforce this agreement? 19 A. No. 20 Q. And I think you mentioned there's an 21 underlying agreement between CalPortland and Pan 22 Western; is that right? 23 A. Yes. 24 Q. And is that agreement still in effect? 25 A. No. Page 121 </p>
<p>1 Western to get off the rail line -- the main line 2 onto the property. 3 Q. Okay. But what -- what was Tonopah and 4 Tidewater providing to CalPortland in order to have 5 CalPortland pay 50,000 for them to be on Las Vegas 6 Pavings property? 7 A. Switching services. 8 Q. Switching services? 9 A. We switched the cars -- the railroad cars. 10 Q. Was there an agreement that said that? 11 I'm sorry, an agreement in writing? 12 A. Yeah. There's -- there's one. Maybe we 13 can go ahead and bring that forward. 14 Q. Does Tonopah and Tidewater -- is this 15 agreement still in place? 16 A. I understand that it is. 17 Q. What does that mean, you understand that 18 it is? 19 A. It's not been revoked by the Las Vegas 20 Paving. 21 Q. I'm sorry, say it again. 22 A. It's not been revoked by Las Vegas Paving. 23 Q. And does CalPortland still have an 24 agreement with Pan Western? 25 A. The -- they do not, but they still have an Page 120 </p>	<p>1 Q. And that was the basis for the 50,000? 2 A. No. The basis was that they got to use 3 the switching services. 4 Q. Is Tonopah and Tidewater still providing 5 those switching services to CalPortland? 6 A. As -- as needed. 7 Q. And how -- how do you access those 8 switching services? 9 A. Just with the switch engine? 10 Q. No. I'm -- could we scroll to the map? I 11 think you keep scrolling, I'm not sure exactly where 12 it is. Go to 23. Okay. 13 A. So here's the terminal in CalPortland. 14 Q. Okay. 15 A. These cars are what needs to get moved. 16 There's 1, 2, 3, there's 4 tracks there, two owned 17 by CalPortland and two owned by Tonopah and 18 Tidewater Railroad. 19 Q. Wait, wait. Tonopah and Tidewater owns 20 tracks? 21 A. They own the track. They bought it from 22 Pan Western. So the track -- 23 Q. But isn't that Las Vegas Pavings property? 24 A. It's a real property. The property here 25 is owned by -- the track is owned by Pan -- by Pan Page 122 </p>



<p>1 Western, sold to Tonopah and Tidewater Railroad.</p> <p>2 That's what the lease is, is to go ahead and give</p> <p>3 Tonopah and Tidewater leasing to -- to run around</p> <p>4 tracks, but we go ahead and see fit that we have</p> <p>5 business for.</p> <p>6 Q. So you -- so Tonopah and Tidewater owns</p> <p>7 tracks on Las Vegas Pavings land?</p> <p>8 A. That's what the lease is.</p> <p>9 Q. No.</p> <p>10 A. It indicates.</p> <p>11 Q. No. That lease is -- it's a license</p> <p>12 agreement to use the tracks.</p> <p>13 A. Sorry. But yes. The track is owned by</p> <p>14 Tonopah and Tidewater Railroad.</p> <p>15 Q. So if we called Las Vegas Paving to</p> <p>16 testify, they would say that track's owned by</p> <p>17 Tonopah and Tidewater?</p> <p>18 A. Okay.</p> <p>19 Q. No. I'm asking.</p> <p>20 A. Say that again.</p> <p>21 Q. So if we called Las Vegas -- someone from</p> <p>22 Las Vegas Paving to testify, they would say that</p> <p>23 Tonopah and Tidewater own that track on their land?</p> <p>24 A. And they said?</p> <p>25 Q. No. I'm asking if that's what they would</p> <p>Page 123</p>	<p>1 land belongs Tonopah and Tidewater?</p> <p>2 A. Not that I know of.</p> <p>3 MS. JORGENSEN: I don't have any further</p> <p>4 questions.</p> <p>5 HEARING OFFICER: Okay. Next witness or</p> <p>6 rebuttal.</p> <p>7 MR. GUBLER: Just a few questions.</p> <p>8 HEARING OFFICER: My apologies. Redirect.</p> <p>9 EXAMINATION</p> <p>10 BY MR. GUBLER:</p> <p>11 Q. Look at Exhibit 1, please. I believe</p> <p>12 there might have been a question whether or not the</p> <p>13 property at Stratford had any indication that any</p> <p>14 connection to the railroad company. Do you remember</p> <p>15 that testimony for those questions?</p> <p>16 A. Yes.</p> <p>17 Q. Going back to this, we looked at this</p> <p>18 before. Who's the owner of -- of this property at</p> <p>19 Stratford?</p> <p>20 A. Tonopah and Tidewater Railroad Company in</p> <p>21 Nevada corporation.</p> <p>22 Q. Okay. So -- and this -- this is -- this</p> <p>23 document is recorded with Clark County?</p> <p>24 A. Could you go down to the ---</p> <p>25 Q. Can you scroll up a little bit.</p> <p>Page 125</p>
<p>1 say?</p> <p>2 A. Yeah.</p> <p>3 Q. And do you have any agreements showing</p> <p>4 that that track that you're saying is -- belongs to</p> <p>5 Tonopah and Tidewater, do you have any agreements</p> <p>6 showing that that -- that this is Tonopah and</p> <p>7 Tidewater's track?</p> <p>8 A. So we have an agreement where Pan Western</p> <p>9 sold their track to Tonopah and Tidewater Railroad.</p> <p>10 Q. Okay. Let's go to that one. Exhibit 22,</p> <p>11 go ahead and look through that, Mr. Truman, tell me</p> <p>12 what this is?</p> <p>13 A. Purchase agreements of 2010.</p> <p>14 Q. Okay. And is this the purchase agreement</p> <p>15 you're talking about between Pan Western and Tonopah</p> <p>16 and Tidewater?</p> <p>17 A. Correct.</p> <p>18 Q. And is there any indication in this</p> <p>19 agreement where that track is located?</p> <p>20 A. Could you scroll down, please? Scroll</p> <p>21 once more. Some more, please. Some more. Some</p> <p>22 more. Some more. It does not, that I see.</p> <p>23 Q. Okay. And are you aware of any agreement</p> <p>24 between Las Vegas Paving and Tonopah and Tidewater</p> <p>25 that indicates that the track on Las Vegas Pavings</p> <p>Page 124</p>	<p>1 A. --- bottom or to -- yes, it's recorded.</p> <p>2 Q. So who owns the -- the property of</p> <p>3 Stratford?</p> <p>4 A. One more time, the Tonopah and Tidewater</p> <p>5 Railroad Company.</p> <p>6 Q. Okay. Go ahead to Exhibit 2. Again, you</p> <p>7 recognize this -- this document, correct?</p> <p>8 A. It looks like it's from the state of</p> <p>9 Nevada's Secretary of State ---</p> <p>10 Q. Okay. And when was Tonopah and Tidewater</p> <p>11 formed?</p> <p>12 A. It shows 2004.</p> <p>13 Q. Okay. Does Tonopah and Tidewater Railroad</p> <p>14 Company hold itself out as a Railroad company?</p> <p>15 A. It does.</p> <p>16 Q. Has it since its formation?</p> <p>17 A. It has.</p> <p>18 Q. And does it operate rail lines?</p> <p>19 A. Not presently.</p> <p>20 Q. Okay. It owns rail lines?</p> <p>21 A. It does.</p> <p>22 Q. And it has access to them?</p> <p>23 A. Correct.</p> <p>24 Q. Does it maintain them?</p> <p>25 A. It does.</p> <p>Page 126</p>



<p>1 Q. So at any time, Tonopah and Tidewater can</p> <p>2 go to these rail lines and use them?</p> <p>3 A. If the business is there, yes.</p> <p>4 Q. Okay. Let's go to Exhibit 4. You were</p> <p>5 asked about this -- this exhibit in Nevada Pacific</p> <p>6 Railroad Corporation. Do you remember those</p> <p>7 questions?</p> <p>8 A. Yes.</p> <p>9 Q. Now, you -- you had -- you had sort of</p> <p>10 mentioned that there was some type of a name change;</p> <p>11 is that right?</p> <p>12 A. We -- we tried to go through and start a</p> <p>13 new corporation, and then take that new corporation</p> <p>14 and go through and put it in position of the Nevada</p> <p>15 -- sorry, this is the Nevada Pacific. So yes, we</p> <p>16 tried to go through and start a new rail line with a</p> <p>17 new name.</p> <p>18 Q. Okay. And what happened?</p> <p>19 A. There was a -- the Union Pacific Railroad</p> <p>20 filed a -- a issue where they contested the -- the</p> <p>21 name is too close to their name.</p> <p>22 Q. Okay. So what did you do?</p> <p>23 A. We -- we dropped a request for a</p> <p>24 exemption.</p> <p>25 Q. And when you say, we, who's we?</p> <p style="text-align: right;">Page 127</p>	<p>1 A. Correct.</p> <p>2 Q. I believe that there was some -- some</p> <p>3 information about -- or some questions about the STB</p> <p>4 and regulating interstate commerce. Do you recall</p> <p>5 that?</p> <p>6 A. I do.</p> <p>7 Q. And do you recall there was a question</p> <p>8 that you felt like you wanted to explain yourself;</p> <p>9 is that right?</p> <p>10 A. Correct.</p> <p>11 Q. What was that question, do you remember?</p> <p>12 A. She asked about STB and its authorization,</p> <p>13 and I was trying to bring up a case -- case law in</p> <p>14 Southern California on the federal side where the</p> <p>15 Association of Railroads sued South Coast Air</p> <p>16 Quality, and it ended up into the federal court</p> <p>17 jurisdiction.</p> <p>18 And the federal court ruled, in my</p> <p>19 language, that STB had the ability to regulate</p> <p>20 Railroads, and the Railroads had the ability to go</p> <p>21 through and have the Commerce Clause of the</p> <p>22 Constitution to go through and have a happy medium</p> <p>23 between state regulatory issues and federal</p> <p>24 regulatory issues.</p> <p>25 And they found out that the surface</p> <p style="text-align: right;">Page 129</p>
<p>1 A. Myself.</p> <p>2 Q. Okay. And so did Nevada Pacific Railroad</p> <p>3 Corporation, did it move forward?</p> <p>4 A. It -- it did not.</p> <p>5 Q. So is it still a business?</p> <p>6 A. No. It's never been in business.</p> <p>7 Q. Okay. So -- so who -- when we talk about</p> <p>8 these -- these rail lines, who uses them?</p> <p>9 A. Tonopah and Tidewater Railroad.</p> <p>10 Q. Okay. So what -- so if I understand your</p> <p>11 -- your testimony, UP, meaning the Union Pacific,</p> <p>12 objected to a certain name change; is that right?</p> <p>13 A. Correct. Not -- not to a name change, but</p> <p>14 to a name to go through and -- and operate as a</p> <p>15 railroad.</p> <p>16 Q. And so there was an objection, and so you</p> <p>17 didn't move forward with that -- that company with</p> <p>18 that name; is that right?</p> <p>19 A. Correct.</p> <p>20 Q. And so instead you went with -- you</p> <p>21 utilized which company as a railroad company?</p> <p>22 A. We fell back to Tonopah and Tidewaters</p> <p>23 operating railroad company.</p> <p>24 Q. And so moving forward you -- you used</p> <p>25 Tonopah and Tidewater Railroad Company?</p> <p style="text-align: right;">Page 128</p>	<p>1 transfer -- the South Coast Air Quality had a higher</p> <p>2 standard of EPA compliance than the State of</p> <p>3 California did. And the federal court found that</p> <p>4 for compliance with the Commerce Clause, that the</p> <p>5 state had to have a statewide plan that any place --</p> <p>6 because any place that Railroad or Railroads worked</p> <p>7 in the State of California, it should have a common</p> <p>8 regulatory set of rules to abide by.</p> <p>9 And where the state of -- or the South</p> <p>10 Coast Air Quality had the ability to regulate the</p> <p>11 citizens who did work within that airshed or that</p> <p>12 quality, it had that ability to go through and</p> <p>13 regulate them. But it was precluded from a stricter</p> <p>14 standard than the state plan for those people</p> <p>15 engaged in interstate commerce.</p> <p>16 MS. JORGENSEN: I object to that</p> <p>17 representation. If -- if they want to actually put</p> <p>18 on and say what the case says, they should present</p> <p>19 the case. It shouldn't be just a recitation by the</p> <p>20 witness.</p> <p>21 HEARING OFFICER: Correct. Because</p> <p>22 there's different interpretations. I mean, that's</p> <p>23 his interpretation of -- and it's not -- it should</p> <p>24 have been presented in this that we could have</p> <p>25 responded. There could have been a response, but</p> <p style="text-align: right;">Page 130</p>



<p>1 ---</p> <p>2 MR. GUBLER: I believe it was. You're</p> <p>3 talking about ---</p> <p>4 MS. JORGENSEN: Factual case --- so</p> <p>5 reference to the case -- the case was not included.</p> <p>6 What I object to is the testimony from the witness</p> <p>7 explaining what the case says.</p> <p>8 HEARING OFFICER: Yeah. Yeah. I mean,</p> <p>9 his interpretation of the case, I mean, that's --</p> <p>10 yeah.</p> <p>11 MS. JORGENSEN: As a witness, he's not</p> <p>12 confident to testify as to what a case is.</p> <p>13 HEARING OFFICER: I -- I agree. Because</p> <p>14 he got a different interpretation of what that is.</p> <p>15 I mean, in terms -- that's the argument so --</p> <p>16 MR. GUBLER: So -- so we'll move on.</p> <p>17 HEARING OFFICER: Okay. Thank you.</p> <p>18 MR. GUBLER: Sure. Yep.</p> <p>19 BY MR. GUBLER:</p> <p>20 Q. Was there anything else that you felt like</p> <p>21 you weren't able to explain that you were asked the</p> <p>22 question for?</p> <p>23 A. Not that I can recall.</p> <p>24 Q. There's a mention of --of something that</p> <p>25 happened on August 28th, do you recall that? A</p> <p style="text-align: right;">Page 131</p>	<p>1 HEARING OFFICER: Back on the record. We</p> <p>2 took a short break. It is now 12:16 and we are</p> <p>3 going back on the record. And, Counsel, you may</p> <p>4 call your next witness.</p> <p>5 MR. GUBLER: We're going to call, Ms.</p> <p>6 Canduella Rowsell.</p> <p>7 HEARING OFFICER: Okay. We're going to</p> <p>8 have you raise your right hand.</p> <p>9 CANDUELLA ROSWSELL</p> <p>10 having been first duly sworn to testify to the</p> <p>11 truth, the whole truth, and nothing but the truth,</p> <p>12 was examined and testified as follows:</p> <p>13 HEARING OFFICER: Okay. Counsel, you want</p> <p>14 to ask questions.</p> <p>15 EXAMINATION</p> <p>16 BY MR. GUBLER:</p> <p>17 Q. Ms. Rowsell, I'll try to keep this brief.</p> <p>18 Thank you. I believe last time we did ask you</p> <p>19 about, you know, specifically what -- what happened</p> <p>20 when you went up to the property. When I say the</p> <p>21 property, I'm referring to the property at</p> <p>22 Stratford. Could you -- how long have you -- you</p> <p>23 worked for Air Quality?</p> <p>24 A. Two years and three months.</p> <p>25 Q. And -- and what is your education</p> <p style="text-align: right;">Page 133</p>
<p>1 visit by you thought that they were county</p> <p>2 officials?</p> <p>3 A. Yes.</p> <p>4 Q. Okay. Inclination, I don't know exactly</p> <p>5 the words you used. To your knowledge, is the 28th</p> <p>6 subject of this hearing today?</p> <p>7 A. Not that I know of.</p> <p>8 MR. GUBLER: I'm -- I'm finished with the</p> <p>9 witness --</p> <p>10 HEARING OFFICER: Okay.</p> <p>11 MR. GUBLER: -- now. So --</p> <p>12 HEARING OFFICER: Any further redirect --</p> <p>13 re-cross?</p> <p>14 MS. JORGENSEN: Just one question.</p> <p>15 Actually, I don't.</p> <p>16 HEARING OFFICER: Okay.</p> <p>17 HEARING OFFICER: Can we take a</p> <p>18 five-minute break and then we will -- you can call</p> <p>19 -- we'll get ready to start calling your next</p> <p>20 witness.</p> <p>21 MR. GUBLER: Yeah. That's fine.</p> <p>22 HEARING OFFICER: Okay. All right. And</p> <p>23 we're going off the record. It's 12:04. We'll come</p> <p>24 back on at 12:10.</p> <p>25 (Recess at; 12:04 p.m. to 12:16 p.m.)</p> <p style="text-align: right;">Page 132</p>	<p>1 background?</p> <p>2 A. I have a bachelor's degree in</p> <p>3 environmental science from UNLV.</p> <p>4 Q. And when did you obtain that?</p> <p>5 A. 2012.</p> <p>6 Q. Before you worked at Air Quality, did you</p> <p>7 work anywhere else?</p> <p>8 A. Yes.</p> <p>9 Q. Where was that?</p> <p>10 A. Albertsons and Mall.</p> <p>11 Q. Had -- I believe that I may have asked</p> <p>12 you, I don't know if it was you or others, but you</p> <p>13 have had some training with Air Quality since you've</p> <p>14 -- you've worked for Air Quality; is that right?</p> <p>15 A. Correct.</p> <p>16 Q. And have you ever had training on</p> <p>17 presenting your credentials?</p> <p>18 A. We show up in with our uniform and our</p> <p>19 badge around our neck. And I don't understand what</p> <p>20 you're saying.</p> <p>21 Q. So have you actually had a class on how to</p> <p>22 present your credentials?</p> <p>23 A. It's not a class, but we're told to</p> <p>24 introduce ourselves, and who we work for and why</p> <p>25 we're there.</p> <p style="text-align: right;">Page 134</p>



1 Q. Okay. Does that -- do you role play in
2 that?
3 **A. No. We're just told, when we go on site,**
4 **if we're asked who we are, we introduce ourselves**
5 **and give them a business card.**
6 Q. Okay. Any other instructions?
7 **A. I don't understand. We had a lot of**
8 **instructions.**
9 Q. As far as your training goes with -- with
10 presenting your credentials, have -- did you have
11 any other instructions?
12 **A. No. But I can get on Creech Air Force**
13 **Base with my credentials I have right now.**
14 Q. Okay. Have you ever had any training as
15 far as -- I mean, let me back up. You -- I mean,
16 you work for a government entity. Would you agree
17 with that?
18 **A. Yes.**
19 Q. And have you had -- had any training on --
20 on Fourth Amendment issues?
21 **A. Specifically the Fourth Amendment, no.**
22 Q. Have you had any training as far as
23 searches and seizures?
24 **A. No.**
25 Q. What -- what is your understanding of the

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1 Fourth Amendment?
2 **A. Of what?**
3 Q. Of the Fourth Amendment.
4 **A. I'd have to read it because I don't have**
5 **it in my mind right now.**
6 Q. So when -- when you go onto a property,
7 and we're going to be specific, to the Stratford
8 property, what authority do you have to -- to go
9 onto the property?
10 **A. Per the permit that he signed and he**
11 **authorized, we have the right to go out there and**
12 **conduct an inspection without asking, unless it's**
13 **specifically noted with a sign which it was not.**
14 Q. So as far as -- have you read the
15 regulations -- the Air Quality regulations before?
16 **A. Yes.**
17 Q. Regulation 94.5. Are you aware of the --
18 of the, now this is entitled permit requirements.
19 Have you read that section before?
20 **A. Yes.**
21 Q. And are you aware in that section, it
22 says, no person shall refuse access if the control
23 officer requests entry for the inspection and
24 presents appropriate credentials. Are you aware of
25 that?

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1 **A. Yes.**
2 Q. And -- and so I think we've already gone
3 over what your credentials look like. I won't go
4 over that again. But I -- so you've also -- have
5 you ever -- do you ever receive what they call
6 personnel directives from Clark County, from the
7 county manager?
8 **A. Regarding?**
9 Q. It's just personal directives. Do you
10 ever get those?
11 **A. We get all kinds of stuff from our**
12 **management team.**
13 Q. Are there documents? Have you ever seen
14 this document before?
15 **A. I believe I have, yes. We review when we**
16 **are hired.**
17 Q. So would you agree that -- that this --
18 one of the purposes is to ensure that employees
19 operate to uphold public trust in the actions of the
20 county, are you aware of that?
21 **A. Yes.**
22 Q. Okay. And -- and that it is expected that
23 all employees shall conduct the operations of the
24 government with loyalty to the law. Is that -- is
25 that your understanding as well?

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1 **A. Yes.**
2 Q. Okay. So -- so based on your trainings
3 and -- and of course the regulation that I read to
4 you, what -- the 94.5, what is the government's
5 protocol of having to present your credentials
6 before you enter the property?
7 **A. We don't have to present our credentials**
8 **unless there's a sign at the front gate stating who**
9 **we are.**
10 Q. And that's from your training; is that
11 right?
12 **A. It's per the permit and the training, and**
13 **the -- the regulations.**
14 Q. So if you can't find anybody to present
15 your credentials to, you can just go on the
16 property; is that your understanding?
17 **A. As long as it's not posted, correct.**
18 Q. Okay.
19 **A. Because you signed the permit allowing**
20 **that access.**
21 Q. So you -- your -- your testimony is that
22 you've never seen -- you never saw any signs to
23 check in at the Stratford property; is that right?
24 HEARING OFFICER: Which dates?
25 BY MR. GUBLER:

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<p>1 Q. Well, we'll start with January 8th.</p> <p>2 A. No.</p> <p>3 Q. How about January 9th?</p> <p>4 A. I wasn't there on the 9th.</p> <p>5 Q. How about any time after January 9th?</p> <p>6 A. Yeah. There was after a while.</p> <p>7 Q. Okay. Is it -- is it possible that it was</p> <p>8 there and you didn't see it or you just didn't see</p> <p>9 it when you went the first time?</p> <p>10 A. I took photos of the entire area. It was</p> <p>11 not there when I went the first time, and I have</p> <p>12 photos that could show.</p> <p>13 Q. So you went -- did you present those</p> <p>14 today?</p> <p>15 A. I did not.</p> <p>16 MR. GUBLER: I'm going to have her look at</p> <p>17 Exhibit 28, which -- let's see. Who did I give</p> <p>18 those to? It's not going to be up there.</p> <p>19 BY MR. GUBLER:</p> <p>20 Q. On January 8th, were you -- did you see</p> <p>21 any of these two signs that say, office?</p> <p>22 A. I did.</p> <p>23 Q. Did you check in?</p> <p>24 A. I did not have to. I knew we were posted</p> <p>25 to check in.</p> <p>Page 139</p>	<p>1 So I went and I turned my camera and my phone into</p> <p>2 my truck, and then I came back with my hard hat and</p> <p>3 my vest and he allowed me on site.</p> <p>4 Q. And -- and did you -- did you show him any</p> <p>5 type of badge?</p> <p>6 A. My badge is always around my neck where he</p> <p>7 can see it clearly.</p> <p>8 Q. Did you discuss that badge with him on</p> <p>9 that day?</p> <p>10 A. No. He didn't ask for it.</p> <p>11 Q. Okay. So you didn't have any conversation</p> <p>12 as to whether that allowed you into the building at</p> <p>13 Clark County?</p> <p>14 A. At Clark County?</p> <p>15 Q. Yeah. Any Clark County building, like</p> <p>16 access?</p> <p>17 A. The date that I was there on site with</p> <p>18 him?</p> <p>19 Q. Yeah. On the 28th.</p> <p>20 A. Why would I discuss my badge?</p> <p>21 Q. I was asking, did you?</p> <p>22 A. No.</p> <p>23 Q. What does the word density mean to you?</p> <p>24 A. I'm sorry, what word?</p> <p>25 Q. The word density. What is density?</p> <p>Page 141</p>
<p>1 Q. So the answer is no?</p> <p>2 A. No.</p> <p>3 Q. Now, did you go out to the property on</p> <p>4 August 28th?</p> <p>5 A. Yes.</p> <p>6 Q. And -- and you -- and you went on --</p> <p>7 actually, went into the -- the property; is that</p> <p>8 right?</p> <p>9 A. After Mr. Eton allowed us on the property,</p> <p>10 yes.</p> <p>11 Q. Mr. Eton?</p> <p>12 A. I'm sorry. Mr. Truman. I'm sorry.</p> <p>13 Q. Yeah. I think we all understood that.</p> <p>14 But that's ---</p> <p>15 A. Yep.</p> <p>16 Q. Yeah. Perfectly understands. Did Mr.</p> <p>17 Truman ask -- ask you to see your credentials up on</p> <p>18 that day?</p> <p>19 A. No. He asked me for my camera and my</p> <p>20 phone. He wanted -- he had a cardboard box that he</p> <p>21 held out to us and he stated he would allow us</p> <p>22 access to the site if we would turn over our cameras</p> <p>23 and our phones, and I stated to him that I will not,</p> <p>24 because it's Clark County property. That I would go</p> <p>25 put it in my county vehicle. And he said, go ahead.</p> <p>Page 140</p>	<p>1 A. Like kind of like volume amount, depending</p> <p>2 upon how it's used.</p> <p>3 Q. Do you know the difference between the</p> <p>4 density of different materials that's used in -- in</p> <p>5 the -- in Clark County?</p> <p>6 A. Well, like what -- what material are you</p> <p>7 talking about?</p> <p>8 Q. I'm just asking you ---</p> <p>9 A. Milk, water?</p> <p>10 Q. --- can you look at material, dirt and</p> <p>11 determine what type of material that is?</p> <p>12 A. Absolutely not. You have to go through</p> <p>13 the scientific.</p> <p>14 Q. Okay. Are you able to tell its density</p> <p>15 just by looking at dirt material?</p> <p>16 A. No. You have to use testing.</p> <p>17 Q. Now, would you agree with me that the</p> <p>18 issue here is -- is fugitive dust?</p> <p>19 A. The issue is unstable soils that could</p> <p>20 cause fugitive dust, and a violation of the permit</p> <p>21 that he signed.</p> <p>22 Q. So if material is denser than, I guess,</p> <p>23 the material that causes fugitive -- fugitive dust,</p> <p>24 would it leave the property?</p> <p>25 A. Can you please repeat that question?</p> <p>Page 142</p>



<p>1 Q. I -- yeah, I'll try. Okay. So fugitive</p> <p>2 dust is -- is a -- would it -- would it be a lighter</p> <p>3 denser material?</p> <p>4 A. It depends on the wind -- the strength of</p> <p>5 the wind.</p> <p>6 Q. Okay.</p> <p>7 A. Any item can go airborne. Look at</p> <p>8 tornadoes, hurricanes.</p> <p>9 Q. And so is that the type of test that</p> <p>10 you're testing when you go out there, is -- is</p> <p>11 tornado strength?</p> <p>12 A. No. I'm testing for unstable soil.</p> <p>13 Q. Okay. So if -- if -- if material is</p> <p>14 unstable, will it cause fugitive dust?</p> <p>15 A. It can.</p> <p>16 Q. Okay. Now, if it's denser, if -- if a</p> <p>17 material is denser, will it -- will it still cause</p> <p>18 fugitive dust based on your testing?</p> <p>19 A. It can with the winds.</p> <p>20 Q. Now -- now, I'm looking at your testing</p> <p>21 not necessarily the wind, right? Or -- or is that</p> <p>22 part of the test, it's the wind?</p> <p>23 A. If the soils are unstable and they're not</p> <p>24 a solid crust, they can cause fugitive dust with the</p> <p>25 wind.</p> <p style="text-align: right;">Page 143</p>	<p>1 next witness.</p> <p>2 MS. JORGENSEN: She can stay here now.</p> <p>3 HEARING OFFICER: Okay.</p> <p>4 THE WITNESS: Can I go get my backpack?</p> <p>5 MS. JORGENSEN: Yeah.</p> <p>6 THE WITNESS: Okay.</p> <p>7 MR. GUBLER: We'll just go with Katrinka</p> <p>8 Byers. We could call somebody else if you would</p> <p>9 like.</p> <p>10 HEARING OFFICER: We said you can call</p> <p>11 somebody else. That's up to you.</p> <p>12 MR. GUBLER: Andrew Kirk? We can do</p> <p>13 Andrew Kirk.</p> <p>14 HEARING OFFICER: Okay. You can raise</p> <p>15 your right hand please, Ms. Byers.</p> <p>16 KATRINKA BYERS</p> <p>17 having been first duly sworn to testify to the</p> <p>18 truth, the whole truth, and nothing but the truth,</p> <p>19 was examined and testified as follows:</p> <p>20 HEARING OFFICER: Go ahead, Counsel.</p> <p>21 EXAMINATION</p> <p>22 BY MR. GUBLER:</p> <p>23 Q. Ms. Byers, thanks for coming. Could you</p> <p>24 just tell us a little bit, do you have any</p> <p>25 educational background, what that is?</p> <p style="text-align: right;">Page 145</p>
<p>1 Q. Okay. And is it more or less likely to</p> <p>2 leave the property if -- if the -- if the material</p> <p>3 is denser?</p> <p>4 A. It just depends on the wind, again. It's</p> <p>5 less likely the lighter the material the more it'll</p> <p>6 blow, correct.</p> <p>7 Q. Okay. Did anybody turn ETON or Arizona or</p> <p>8 Tonopah and Tidewater in for fugitive destinations?</p> <p>9 A. I don't believe. Mine were unstable</p> <p>10 soils. I don't believe so, no. But I'd have to</p> <p>11 look at everyone else's inspections.</p> <p>12 Q. But -- but did any other third parties out</p> <p>13 signed?</p> <p>14 A. Oh, no. It was not a complaint, it was a</p> <p>15 routine inspection.</p> <p>16 Q. Did -- did you or anybody you know report</p> <p>17 my -- my client Eaton to Osha?</p> <p>18 A. Not that I'm aware of.</p> <p>19 Q. So you did not; correct?</p> <p>20 A. I did not.</p> <p>21 MR. GUBLER: I have no other questions.</p> <p>22 HEARING OFFICER: Okay. Any cross?</p> <p>23 MS. JORGENSEN: I don't have any</p> <p>24 questions.</p> <p>25 HEARING OFFICER: Okay. You can call your</p> <p style="text-align: right;">Page 144</p>	<p>1 A. Yes. I have a bachelor degree in</p> <p>2 environmental science.</p> <p>3 Q. Okay. And when did -- where did you</p> <p>4 obtain that?</p> <p>5 A. The University of Oregon.</p> <p>6 Q. When was that?</p> <p>7 A. I graduated, I believe, in 2005.</p> <p>8 Q. And how long have you worked for Air</p> <p>9 Quality?</p> <p>10 A. A little over 11 years now.</p> <p>11 Q. And what is your position now?</p> <p>12 A. I'm a senior air quality specialist.</p> <p>13 Q. Now -- now, Air Quality does some training</p> <p>14 with -- with the employees; is that right?</p> <p>15 A. Yes.</p> <p>16 Q. Could you tell us what training Air</p> <p>17 Quality has done -- what training you have received,</p> <p>18 excuse me, when it comes to presenting credentials?</p> <p>19 A. Sure. So when I was first hired onto</p> <p>20 Clark County Air Quality, the first thing you're</p> <p>21 given is a badge. It allows you to generally access</p> <p>22 the site. It also allows you to access the Kronos</p> <p>23 time clock, and it allows you to get onto job sites</p> <p>24 as an inspector.</p> <p>25 Q. Okay. And -- and so I want to -- you said</p> <p style="text-align: right;">Page 146</p>



1 you were given a badge?
2 **A. Uh-huh.**
3 Q. And so did somebody just tell you this,
4 Hey, this is to get you on sites, this is -- shows
5 you're an inspector. Is that what it -- is that
6 what the training entails?
7 **A. I mean, yes. That it's a credential, not**
8 **only the badge, but also my card, my county logo**
9 **shirt, my county vehicle with the county logo and it**
10 **says Air Quality.**
11 Q. Now -- now, I understand all that. Is
12 there actually training that you receive as to how
13 to present your credentials?
14 **A. I've never had a class that told me how to**
15 **present a credential of a card, no. It's -- it's**
16 **pretty common sense.**
17 Q. Okay. Have you ever had any type of
18 training on the Fourth Amendment?
19 **A. Go ahead and please tell me what the**
20 **Fourth Amendment is.**
21 Q. It's -- so I'm going to say probably not.
22 **A. Well, would you please tell me what the**
23 **Fourth Amendment says.**
24 Q. As far as unlawful searches and seizures?
25 **A. I've never had training on that.**

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1 Q. Okay.
2 **A. I've never had to have training on that.**
3 **I'll rephrase that.**
4 Q. So we're going to -- again, we're going to
5 get specific here. We're going to talk about the
6 Stratford property. Okay. But I guess this is more
7 general, but what is your understanding, what
8 authority do you have to go onto a property?
9 **A. What authority do I have to go on a**
10 **property or to ETON's property?**
11 Q. Well, yeah, let's just stick with ETON.
12 That's fine.
13 **A. So as a -- as an inspector for Clark**
14 **County Air Quality, when a permittee applies for a**
15 **dust control operating permit, it's very clear in**
16 **the permit it says that we have the authority to go**
17 **on and inspect the site without notification, to**
18 **make sure that the site is in compliance with all**
19 **Air Quality regulations.**
20 Q. Okay. So that's -- you're going off based
21 on the permit; is that right?
22 **A. That's correct.**
23 Q. So you -- you've read the Air Quality
24 Regulations; is that right?
25 **A. Yes.**

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1 Q. 94.5 permit requirements. Are you aware
2 of those?
3 **A. Yes.**
4 Q. Okay. Are you -- are you aware that it
5 says that no person shall refuse access if the
6 control officer requests entry for inspection and
7 presents appropriate credentials? Are you aware of
8 that?
9 **A. Yes. I'm looking at that up on the**
10 **monitor now.**
11 Q. Great. And that is part of the permit
12 requirements; is that right?
13 **A. Yes.**
14 Q. So based on the -- so based on the
15 government's protocol, having to present your
16 credentials before you enter the property, if you
17 can't find anybody to present your credentials to,
18 how do you proceed?
19 **A. Again, I --**
20 MS. JORGENSEN: Objection. I have an
21 objection. I think it mischaracterizes the
22 regulation and also mischaracterizes her testimony.
23 HEARING OFFICER: Okay. Restate the --
24 the question, Counsel?
25 BY MR. GUBLER:

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1 Q. So if you go onto a property and nobody is
2 there to present your credentials to, or to request
3 to go onto the property, how do you proceed?
4 **A. Well, the dust control operating permit**
5 **says I don't have to show credentials. If they have**
6 **a dust control operating permit, I can show up**
7 **unannounced or I can show up announced.**
8 Q. The same permit where I just read the
9 regulations saying that you need to present
10 credentials?
11 MS. JORGENSEN: That's not what it says.
12 BY MR. GUBLER:
13 Q. So I -- I -- I want you to point out here
14 or I'll point out that it says, if the control
15 officer requests entry, that's -- that's affirmative
16 on the control officer, and presents, that's
17 affirmative on the control officer, is it not? I'm
18 asking her a question.
19 MS. JORGENSEN: I know you're asking a
20 question. You're asking a question about the law,
21 and we can now have an argument about the law.
22 HEARING OFFICER: Yeah. Let's just --
23 MS. JORGENSEN: It says, no person shall
24 refuse access.
25 MR. GUBLER: If --

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1 MS. JORGENSEN: Right. But you're missing
2 the whole first part of it. This is directed at the
3 permittee.
4 HEARING OFFICER: Let's -- let's move
5 along. I see where you're headed and just let's
6 move along with the questions.
7 BY MR. GUBLER:
8 Q. So what is -- how do you proceed? Did you
9 answer that question?
10 A. I would proceed to the site and I would
11 look for the conditions that I usually look for on
12 all sites. The kind of actual permit boundaries,
13 making sure they're not going outside the permit
14 boundaries. I look for a proper desk sign that it's
15 valid, and upstate and current and public view. I'd
16 make sure the site are also -- or crusted and
17 stable.
18 And I would try to find a site supervisor
19 or someone on the job site to speak with regarding
20 just compliance and mitigation issues with the
21 control measures for water trucks, that kind of
22 thing. Verify desk cards. And again, if nobody's
23 on the site, which I've inspected many sites with
24 nobody on site, I just proceed with my -- going
25 through my checklist and then I -- and then I leave.

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1 I document my findings.
2 Q. So you just go on to the site; is that
3 right?
4 A. Correct.
5 Q. And if there is somebody there, what do
6 you do?
7 A. I just told you. I would speak with them.
8 You're talking about like --
9 Q. Are you -- do you speak to them after you
10 -- you do your inspection or before?
11 A. If I see them, I would definitely let them
12 know who I am, yes. I proceed to follow up with
13 them and let them know I'm with Air Quality. Again,
14 I should present my badge. I usually hand them one
15 of my business cards and let them know why I'm on
16 site.
17 Q. So what -- let me ask you this, if I could
18 have you look at -- there's an Exhibit 28. I
19 believe it should still be there. Yeah. Now, how
20 many times did you go out to the property?
21 A. I've been out to the site, I believe for
22 sure, one time.
23 Q. So -- so probably January 9th and possibly
24 the 17th of January, does that sound about right?
25 A. Yes.

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1 Q. Okay. When you went out there, did you --
2 did you notice -- looking at these two pages, did
3 you notice either of these two office signs?
4 A. I can't remember seeing that office sign,
5 but I know we looked for one because Canduella said
6 that, during her first site, Mr. Eton tried to open
7 her door. He asked us to check in with the office.
8 So I know we had tried to find the office when we
9 pulled in and parked first. I don't remember seeing
10 the sign though. No.
11 Q. And -- and pulled in where?
12 A. The front -- soon as we pulled in, we took
13 a left, and there was several big, large bays where
14 they were doing maintenance work. Maybe a small
15 little -- I honestly don't even know if it was a
16 trailer.
17 Q. So -- and -- and just for clarification
18 for the record, you said Mr. Eton. Who are you
19 referring to?
20 A. Mr. Moe Eton.
21 Q. Mr. Truman?
22 A. I'm sorry. Yes. I apologize. Yes. Mr.
23 Moe -- Moe Truman. I apologize.
24 Q. Did you -- do you know what the word
25 density means?

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1 A. Yes.
2 Q. What is it?
3 A. It refers to dense -- dense particles. It
4 just depends on your perspective of what you're
5 asking me. Density of what?
6 Q. We're talking about dirt here.
7 A. Okay.
8 Q. Okay.
9 A. Yeah.
10 Q. So are you able to tell the difference of
11 the density of different dirt materials?
12 A. So in my profession, we don't look for the
13 density. We look to see if the site soils are moist
14 or crusted 24/7. So I look for dry, loose and
15 pottery site soils. Not so much the density of the
16 soil, no.
17 Q. Okay. So what would the drop ball test
18 tell me?
19 A. The drop ball is a soil crust
20 determination that would tell you if the site soils
21 had an actual crust to -- usually conduct those to
22 show if the site was crusted or not.
23 Q. Okay. So -- so the -- the drop ball test
24 is used to tell whether a material is crusted; is
25 that right? Is that what your testimony is?

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<p>1 A. That -- that's correct, yes.</p> <p>2 Q. Okay. Did -- did anybody outside of Air</p> <p>3 Quality turn my client in for fugitive test, like a</p> <p>4 complaint?</p> <p>5 A. You know, I would have to look at all the</p> <p>6 complaints submitted. I'm sorry, I don't know that.</p> <p>7 Possibly.</p> <p>8 Q. Did -- do you -- did you or anybody, you</p> <p>9 know, turn my client into OSHA?</p> <p>10 A. Did I or anybody I know?</p> <p>11 Q. Correct.</p> <p>12 A. I'm not familiar with that, no. No.</p> <p>13 Q. Just -- just briefly, as far as the office</p> <p>14 signs, did -- did anybody point to you after the</p> <p>15 fact the office signs?</p> <p>16 A. Point to me.</p> <p>17 Q. Yeah. I asked you about -- sorry, I'll</p> <p>18 ask you about that picture, Exhibit 28, just looking</p> <p>19 at that again. You -- you had testified earlier</p> <p>20 that you did not see those signs when you entered</p> <p>21 the property; is that right?</p> <p>22 A. I don't remember seeing the sign, that's</p> <p>23 correct. And I don't remember -- re spoke with</p> <p>24 Eton, I'm sorry, we spoke with Mr. Moe Truman when</p> <p>25 we pulled in, and he may or may not have pointed</p> <p style="text-align: right;">Page 155</p>	<p>1 Q. Okay. And just round?</p> <p>2 A. It's pretty small, yeah.</p> <p>3 Q. And is the drop ball test -- when is the</p> <p>4 drop ball test most useful?</p> <p>5 A. It's most useful when we go to sites that</p> <p>6 want to close out, they're -- they -- we -- we want</p> <p>7 to make sure that they meet BNT 11. So sometimes</p> <p>8 sites will block an area and they will cross it over</p> <p>9 with the water or a dust palliative. And in that</p> <p>10 situation, we can conduct the drop ball test and</p> <p>11 just confirm that it does have a nice sufficient</p> <p>12 crust. It's going to last for long term.</p> <p>13 MS. JORGENSEN: Okay. Thank you. Nothing</p> <p>14 further.</p> <p>15 HEARING OFFICER: Okay. Redirect?</p> <p>16 BY MR. GUBLER:</p> <p>17 Q. Did you perform the drop ball test?</p> <p>18 A. I would have to pull up the inspection, if</p> <p>19 that's okay.</p> <p>20 Q. To your knowledge no, correct?</p> <p>21 A. No, I believe on -- I believe on Mr.</p> <p>22 Eton's site, the drop off test was conducted that</p> <p>23 day. But I can -- I'd have to look at my notes and</p> <p>24 --</p> <p>25 Q. Do you have those here?</p> <p style="text-align: right;">Page 157</p>
<p>1 them to us. It's been almost a year, sir. So I</p> <p>2 don't remember.</p> <p>3 Q. Did you ever remember seeing these signs?</p> <p>4 A. I don't remember, no.</p> <p>5 MR. GUBLER: Okay. I don't have any other</p> <p>6 questions for you.</p> <p>7 HEARING OFFICER: Okay.</p> <p>8 MS. JORGENSEN: One question.</p> <p>9 EXAMINATION</p> <p>10 BY MS. JORGENSEN:</p> <p>11 Q. Ms. Byers, for drop ball or to determine</p> <p>12 whether or not a site has a sufficient crust or is</p> <p>13 dry, loose and powdery, do you have to perform a</p> <p>14 drop ball test?</p> <p>15 A. No. That's not necessary, especially when</p> <p>16 you can visually see that it's dry, loose, and</p> <p>17 powdery. When you go to drop the drop ball and</p> <p>18 conduct a test, if you can visually see that the</p> <p>19 loose, the drop ball will be basically surrounded by</p> <p>20 loose particles. Then the drop ball test is --</p> <p>21 there's no point in dropping the ball because I</p> <p>22 would lose the ball most likely in a dry pottery</p> <p>23 site soils.</p> <p>24 Q. And is it -- how big is the drop ball?</p> <p>25 A. It's 5-8 inch steel ball.</p> <p style="text-align: right;">Page 156</p>	<p>1 A. Yeah.</p> <p>2 MS. JORGENSEN: Are you talking about</p> <p>3 January 9th?</p> <p>4 MR. GUBLER: Yes.</p> <p>5 MS. JORGENSEN: Okay. Let me go to the</p> <p>6 notice of violation 9994, I believe. January 9th</p> <p>7 Exhibit -- the Exhibit -- would it be H. No, that's</p> <p>8 the 17th.</p> <p>9 THE WITNESS: January 9th. That's mine.</p> <p>10 January 9th is mine.</p> <p>11 MS. JORGENSEN: Okay.</p> <p>12 THE WITNESS: Yep. We did a follow up.</p> <p>13 And if you go down to BNP compliance, you can do --</p> <p>14 you can see that the drop ball soil crust</p> <p>15 termination, it did fail. That means it was done</p> <p>16 that day. It does say observed driverless and power</p> <p>17 site soils with no available back.</p> <p>18 We observed several areas on the site that</p> <p>19 day. There was 1.76 acres that was disturbed</p> <p>20 outside the permit boundary. I believe we did it</p> <p>21 out there just to confirm it was crusted or not, and</p> <p>22 it did fail.</p> <p>23 BY MR. GUBLER:</p> <p>24 Q. Where does it say the drop ball test?</p> <p>25 I've not seeing that.</p> <p style="text-align: right;">Page 158</p>



<p>1 A. If you go under BMP compliance, it's 2 highlighted in bold. It'll say, site soils were -- 3 project soils were unstable. There was 4 approximately 1.5 acres, so as size of instability. 5 Track out control device was not needed or sorry, 6 no, it was needed. And however, there was no track 7 out.</p> <p>8 And then it says, mitigation equipment, it 9 was inadequate. There was no water truck on site to 10 -- or anything to mitigate the dry, loose powdery 11 site soils that we observed. And it says soil crust 12 determination fail.</p> <p>13 Q. Sorry, I'm still trying to see where it 14 says you did the drop ball test. And where does 15 that say that?</p> <p>16 A. Fail.</p> <p>17 Q. Where does it say that you used the drop 18 ball test?</p> <p>19 A. It doesn't give a specific location. On 20 the farm it doesn't give a specific location. 21 Within the areas of disturbed soil is where we 22 would've conducted the drop ball stabilization test.</p> <p>23 Q. Do you actually recall performing the drop 24 ball test?</p> <p>25 A. I don't recall it. So I was there with</p> <p style="text-align: right;">Page 159</p>	<p>1 Q. And where did you obtain that?</p> <p>2 A. I was at State University of New York, 3 Plattsburgh.</p> <p>4 Q. And what year was that that you obtained 5 that degree?</p> <p>6 A. Did you say what year?</p> <p>7 Q. Yes.</p> <p>8 A. 1997.</p> <p>9 Q. How long have you worked for Air Quality?</p> <p>10 A. Just over 10 years.</p> <p>11 Q. In -- in that 10 years, have you had any 12 training on presenting credentials?</p> <p>13 A. Yes. During our first year when we're in 14 our original training. When we go onto sites and 15 things, we're told to wear our badges and our shirts 16 and drive the company vehicles.</p> <p>17 Q. And is there any -- any other training on 18 actually presenting your credentials?</p> <p>19 A. I don't remember exactly.</p> <p>20 Q. Have you ever had any training on Fourth 21 Amendment, searches and seizures?</p> <p>22 A. Not that I can recall.</p> <p>23 Q. So what's your understanding -- what -- 24 what authority do you have when you go onto a 25 property? And we're specifically talking about</p> <p style="text-align: right;">Page 161</p>
<p>1 several other coworkers, and I just know that during 2 that time I wrote it up. I believe another coworker 3 did it. I did not do it.</p> <p>4 Q. So you didn't do it?</p> <p>5 A. I did not conduct it. I just know the 6 form says we did.</p> <p>7 MR. GUBLER: Okay. No other questions. 8 Thank you.</p> <p>9 HEARING OFFICER: Thank you. Any further?</p> <p>10 MS. JORGENSEN: No.</p> <p>11 HEARING OFFICER: Okay. You can call your 12 next witness. It was Mr. Kirk, I believe. Okay. 13 Thanks. Yeah. That's fine. Okay. Mr. -- please 14 raise your right hand.</p> <p>15 ANDREW KIRK</p> <p>16 having been first duly sworn to testify to the 17 truth, the whole truth, and nothing but the truth, 18 was examined and testified as follows:</p> <p>19 HEARING OFFICER: Okay. Counsel.</p> <p>20 EXAMINATION</p> <p>21 BY MR. GUBLER:</p> <p>22 Q. Mr. Kirk, thank you for coming. Could you 23 describe your education background, please?</p> <p>24 A. I have a four-year bachelor's degree in 25 environmental science.</p> <p style="text-align: right;">Page 160</p>	<p>1 ETON, the -- the -- the property at Stratford.</p> <p>2 A. The authority that I have by the dust 3 control operating permit.</p> <p>4 Q. Okay. And so if -- if you go into a 5 property and nobody's there, how do you proceed?</p> <p>6 A. I just do our inspection.</p> <p>7 Q. You just go on the property; is that 8 right?</p> <p>9 A. Unless there's signage or something that 10 says not to or to check in.</p> <p>11 Q. If -- if there's anybody there, how do you 12 proceed?</p> <p>13 A. I just do the inspection, and then when 14 I'm done I usually when try and meet with someone to 15 explain what I found. Especially if there's 16 deficiencies, we have to call the responsible 17 official and let them know what was found.</p> <p>18 Q. Now, real quick, what -- let's just review 19 this briefly. What -- what days were you on the 20 Stratford property? Do you recall that?</p> <p>21 A. Not at the top of my head. Pretty much 22 every day in the first interview except the first 23 one.</p> <p>24 Q. So the 9th and 17th?</p> <p>25 A. 9th and 17th, yes.</p> <p style="text-align: right;">Page 162</p>



<p>1 Q. Okay.</p> <p>2 A. And then July 17th and 25th, I believe.</p> <p>3 Q. Any other days that you're aware of?</p> <p>4 A. No. Not that I can recall.</p> <p>5 Q. I'd like you to look at -- I'd like you to</p> <p>6 look at Exhibit 28. There's two pictures that's</p> <p>7 involved with this. Did you ever see these -- these</p> <p>8 signs when you went on the property on any of those</p> <p>9 dates?</p> <p>10 A. Did I receive these signs?</p> <p>11 Q. Did you ever see them?</p> <p>12 A. Oh, see them?</p> <p>13 Q. Yeah.</p> <p>14 A. I don't recall whether I -- I saw that or</p> <p>15 not.</p> <p>16 Q. You don't remember?</p> <p>17 A. I mean, I -- it -- it just -- it looks new</p> <p>18 to me, so no, I did not see them.</p> <p>19 Q. You never did?</p> <p>20 A. No.</p> <p>21 Q. Did you look for them?</p> <p>22 A. I wouldn't know to look for something like</p> <p>23 that if it's -- it's pretty small, no. I was</p> <p>24 looking for signage on the fence specifically where</p> <p>25 you enter -- enter and exit the site, and there was</p> <p style="text-align: right;">Page 163</p>	<p>1 material and determine what the product is and it's</p> <p>2 density?</p> <p>3 A. I don't believe you can figure out the</p> <p>4 density just by looking at it, but sometimes you can</p> <p>5 decide. You can determine what kind of soil it is.</p> <p>6 But that -- I don't know. How is that relevant?</p> <p>7 Q. What is fugitive dust?</p> <p>8 A. It's (indiscernible) of soil particles</p> <p>9 that is usually kicked up from winds or vehicles</p> <p>10 driving over unstable soils, things like that.</p> <p>11 Q. Does density play any part in -- in</p> <p>12 fugitive dust?</p> <p>13 A. I'm not sure.</p> <p>14 Q. When -- you know what the drop ball test</p> <p>15 is?</p> <p>16 A. I do.</p> <p>17 Q. What is that?</p> <p>18 A. It's a way to determine if it's soil</p> <p>19 crust. It's actually called a soil crust</p> <p>20 determination test. It's a way to determine whether</p> <p>21 the soils have a crust that is good enough to</p> <p>22 prevent loose particles from being dislodged.</p> <p>23 Q. At any time did you perform the -- the</p> <p>24 draw ball test?</p> <p>25 A. I did not. I -- I did not. It was not</p> <p style="text-align: right;">Page 165</p>
<p>1 no -- there was no documentation saying to sign in</p> <p>2 or anything like that.</p> <p>3 Q. Did --</p> <p>4 A. Even if I had seen it, which I don't</p> <p>5 recall that I did, it just says office, that doesn't</p> <p>6 -- that wouldn't -- that doesn't tell me anything.</p> <p>7 Q. Because you don't normally proceed, you</p> <p>8 just go into the -- the site first; is that right?</p> <p>9 A. Correct. And then discuss what was found,</p> <p>10 if there's just, you know, discrepancies or things</p> <p>11 wrong with the site, we call the responsible</p> <p>12 official or the superintendent that's on site to</p> <p>13 discuss it.</p> <p>14 Q. Do you know what density means?</p> <p>15 A. Density, the weight or something? Is that</p> <p>16 what you --</p> <p>17 Q. When it comes -- when -- related to dirt,</p> <p>18 the density of a material?</p> <p>19 A. I would just probably say the weight of</p> <p>20 it. So like it's not.</p> <p>21 Q. Are there different densities of different</p> <p>22 materials, dirt?</p> <p>23 A. Between like clays, silts and sands and</p> <p>24 things like that, yes.</p> <p>25 Q. Okay. And are you able to just look at</p> <p style="text-align: right;">Page 164</p>	<p>1 necessary because the pictures that we have and what</p> <p>2 we saw was clear that the soils were loose, which is</p> <p>3 the intent of the test.</p> <p>4 Q. Did anybody that you know of turn, you</p> <p>5 know, outside of Air Quality turn -- turn my client</p> <p>6 in for fugitive dust at all?</p> <p>7 A. I -- I'm not aware of that.</p> <p>8 Q. And do you know if had -- did you or</p> <p>9 anybody you know turn my client in to OSHA?</p> <p>10 A. I did not. I'm not familiar with that.</p> <p>11 MR. GUBLER: I don't have any other</p> <p>12 questions. Thank you.</p> <p>13 HEARING OFFICER: Okay. Cross?</p> <p>14 MS. JORGENSEN: Could we pull up the map?</p> <p>15 Probably a good map is, let's see, under Air</p> <p>16 Quality's reply Exhibit B. Yeah. Could be. And</p> <p>17 then scroll until you find a map. I don't know if</p> <p>18 that's the best one.</p> <p>19 EXAMINATION</p> <p>20 BY MS. JORGENSEN:</p> <p>21 Q. Okay. Mr. Kirk, could you describe what</p> <p>22 this document is?</p> <p>23 A. That is a map covering the property in</p> <p>24 question. The purple triangle I believe is the</p> <p>25 original dust control permit that was pulled. There</p> <p style="text-align: right;">Page 166</p>



<p>1 was two areas at the top that are in green, were not 2 included on the original dust control permit, but 3 were added later. 4 Q. Okay. And do you recall on January 9th 5 how you entered the site? 6 A. I do. 7 Q. Where did you enter from? 8 A. Up here. 9 Q. Okay. 10 A. There's a gate that was open. 11 Q. And I don't know if you can estimate this, 12 but can you describe or can you estimate the length 13 of the frontage of this particular site on 14 Stratford? 15 A. The actual length from here to here? 16 Q. Yes. 17 A. I don't know 500, 600 feet maybe. 18 Q. Okay. And do you have any idea where the 19 office is located? 20 A. I might do now, yes. 21 Q. And where is it located? 22 A. Around here. 23 Q. Okay. 24 A. Inside. 25 MS. JORGENSEN: All right. And I don't</p> <p>Page 167</p>	<p>1 again, what is your position with Air Quality? 2 A. Inspector. 3 Q. And as an inspector, what are your duties? 4 A. We do inspections on complaints that come 5 in. We go to construction job sites, inspect it 6 that they're following the AQ regulations. 7 Q. Did -- did you receive any complaints 8 related to the Stratford property? 9 A. No, sir. 10 Q. In -- in your -- in your job, you -- you 11 received training; is that right? 12 A. Yes. 13 Q. Have you ever been trained in how to 14 present credentials? 15 A. I didn't know there was training. 16 Q. I'm just asking. Have you ever been 17 trained -- 18 A. No. 19 Q. -- how to present credentials? So no role 20 playing, nothing like that? 21 A. No. It's -- 22 Q. Have you ever been trained with respect to 23 Fourth Amendment, searches and seizures? 24 A. No. 25 Q. So when you go and inspect a property,</p> <p>Page 169</p>
<p>1 have anything further. 2 HEARING OFFICER: Any further? 3 MR. GUBLER: No. 4 HEARING OFFICER: Okay. Thank you. And 5 next witness. 6 MR. GUBLER: Noel Crandall. 7 HEARING OFFICER: Mr. Crandall, please 8 raise your right hand. 9 NOEL CRANDALL 10 having been first duly sworn to testify to the 11 truth, the whole truth, and nothing but the truth, 12 was examined and testified as follows: 13 HEARING OFFICER: Okay. 14 EXAMINATION 15 BY MR. GUBLER: 16 Q. Mr. Crandall, thank you. Could you please 17 describe to me your education background? 18 A. High school. 19 Q. Any other type of education? 20 A. No. 21 Q. How long have you worked for Air Quality? 22 A. Nineteen. 23 Q. Nineteen years? 24 A. Yes, sir. 25 Q. In -- in your -- and -- and remind us</p> <p>Page 168</p>	<p>1 tell me what your understanding is and what 2 authority have to come onto the property. 3 A. Well, when the committee permit pulls a 4 permit, it states that they're allowing us, the 5 inspectors, to come in on site unannounced, and they 6 must allow us entry to inspect the site. 7 Q. Okay. And you have -- you've read the 8 regulations, haven't you? 9 A. Yes. 10 Q. And in the regulation of 94.5 permit 11 requirements, you've read that as well then? 12 A. Well, not -- I don't quite remember right 13 now. You could -- if I have to look at it and I can 14 see. 15 Q. You don't read that to go to sleep or 16 anything? 17 A. No, sir. 18 Q. Okay. So in the permit requirements, 19 you're aware that it says no person shall refuse 20 access if the control officer requests entry for 21 inspection and presents appropriate credentials, 22 you're aware of that? 23 A. Which one is that? 24 Q. 94.5 Subsection (f)(1). 25 A. I'm aware of it, yes.</p> <p>Page 170</p>



1 Q. Okay. So tell me what is the protocol,
2 when you go onto a property -- when you go to a
3 property and nobody's there, what do you do?
4 **A. If we have access to it, we go in. If**
5 **there's no sign that states, you know, check in or,**
6 **you know, only authorize, you know, we're --**
7 **according to the permit, we're authorized to enter.**
8 Q. So otherwise you just go on in. So if
9 there's -- there is somebody there, then what do you
10 do?
11 **A. We'll try to make contact with them if,**
12 **you know, find out if they're a super or responsible**
13 **official.**
14 Q. And you do that before you do any testing?
15 **A. Not necessarily, no. Because sometimes**
16 **they don't request us to -- they don't call us over**
17 **or anything, and so we just go ahead and do our**
18 **inspection. And if they request -- if they call us**
19 **over, we'll go talk to them.**
20 Q. I'd like to look at that Exhibit 28.
21 Before I do that, what -- what days were you at the
22 property?
23 **A. In the -- I think maybe the end of June,**
24 **and then the 7th, the 14th, the 21st and 28th, I**
25 **believe.**

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1 Q. So you were there July 25th, 31st, August
2 7th, 14th and 28th?
3 **A. I believe so.**
4 Q. Did -- when you were there, did you ever
5 perform a drop ball test?
6 **A. No. We were denied entry most of the days**
7 **we tried to get in.**
8 Q. So you never -- you never did; is that
9 right?
10 **A. I -- I myself, no.**
11 Q. Do you know if anybody else did?
12 **A. No. Not that I could tell you.**
13 Q. Okay. Looking at that Exhibit 28, at any
14 time while you were out there on any of those days,
15 did you ever see any of these two signs that say,
16 office? And -- and you have to look at the next
17 page as well.
18 **A. I can't recall. I just knew that prior to**
19 **my first day going there, they were refused, so we**
20 **-- I was told that we had to go check-in at the**
21 **front office.**
22 Q. Do you know what the word density is?
23 **A. How is it used though? I mean, the**
24 **density could be the density of a material, density**
25 **of this, you know.**

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1 Q. So let's -- let's talk about dirt, right?
2 **A. Okay.**
3 Q. Density of material, dirt. What -- what
4 is density, when you hear that?
5 **A. Thickness. Hardness.**
6 Q. It -- it -- is density important in -- in
7 what you do?
8 **A. In?**
9 Q. In your job?
10 **A. It depends, you know.**
11 Q. Okay. What does it depend on?
12 **A. What we're talking about, you know, what**
13 **are we talking about, density of?**
14 Q. Density of material, dirt.
15 **A. It, you know, it depends if, you know, if**
16 **certain regulations got to be a -- a thickness of**
17 **material to be approved by us or, you know, a**
18 **density of how much material needs to be applied to**
19 **meet our AQ regulations.**
20 Q. Okay. Can you -- can you look at material
21 and determine what the product is and its density?
22 **A. By looking at it, you can -- I can**
23 **somewhat tell, you know. If I don't go up there and**
24 **see it itself, you know, touch it, I can just**
25 **assume, you know, what it is, and I don't think**

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1 **there's anybody out that can just look at something**
2 **just -- and see the density by looking at it.**
3 Q. Do you know if -- if anybody turned my
4 client in into OSHA, you or anybody that you know
5 of?
6 **A. Oh, I inquired.**
7 Q. What's that?
8 **A. I -- I inquired.**
9 Q. To what?
10 **A. OSHA.**
11 Q. You inquire to OSHA?
12 **A. Yes, sir.**
13 Q. What did you inquire about?
14 **A. Well, you know, we -- we work with other**
15 **agencies and, you know, we -- and we've talked to**
16 **other agencies when we, you know, we come across a,**
17 **you know, a hazard or -- or some type where we got**
18 **to find out some information from other entities.**
19 **We work with NDEP, EPA, you know, so...**
20 MR. GUBLER: I don't have any other
21 questions.
22 HEARING OFFICER: Okay. Cross?
23 EXAMINATION
24 BY MS. JORGENSEN:
25 Q. Just follow. Mr. Crandall, were you at

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<p>1 the site -- so the notice of violation, the second</p> <p>2 one, the last site inspection date where you</p> <p>3 attempted to perform inspection was August 14th.</p> <p>4 Since that time, did you go to the site on August</p> <p>5 28th?</p> <p>6 A. I believe so.</p> <p>7 Q. And do you recall whether you went with</p> <p>8 anybody?</p> <p>9 A. I went with Canduella.</p> <p>10 Q. Okay. And when you went with her, do you</p> <p>11 remember if you were able to get onto the site?</p> <p>12 A. I believe that day we did, but there was a</p> <p>13 -- a certain condition we had to meet --</p> <p>14 Q. And what was that condition?</p> <p>15 A. That we weren't allowed to bring any</p> <p>16 cameras, like recording devices, that we had to</p> <p>17 leave our phones. He wanted -- he had a box and he</p> <p>18 wanted us to put our personal phones and work phones</p> <p>19 inside there, and Canduella stated that, you know,</p> <p>20 she wasn't giving it up because it was her</p> <p>21 responsibility for the county phones. And so we</p> <p>22 said we'll put in our trucks if that's okay, and Mr.</p> <p>23 Truman agreed.</p> <p>24 MS. JORGENSEN: Okay. And I don't have</p> <p>25 anything further.</p> <p>Page 175</p>	<p>1 As you -- you've heard testimony that</p> <p>2 there was a dust control operating permit. Mr.</p> <p>3 Truman is the responsible official, he had -- and</p> <p>4 also he's the one who applied for the permit. He</p> <p>5 indicated that there would be grubbing and some</p> <p>6 demolition, and that the site would be developed</p> <p>7 further. When they got on site, it looked like it</p> <p>8 was a full-blown unpaved trucking yard.</p> <p>9 In addition to that, they found that there</p> <p>10 were additional areas that were not permitted that</p> <p>11 were also being used. There's photographs, there's</p> <p>12 site inspections, and I submit to you that based on</p> <p>13 the testimony that these sites were all -- all</p> <p>14 included some level of unstable soil.</p> <p>15 With regard to the second Notice of</p> <p>16 Violation 10078, there are two types of violations.</p> <p>17 One was a failure to implement dust control</p> <p>18 measures, and that's for the date of July 17th. And</p> <p>19 then the other -- on the other -- on three other</p> <p>20 dates, there was a -- a failure to allow access to</p> <p>21 the control officer for purposes of inspection, and</p> <p>22 that's July 31st, August 7th, and August 14th.</p> <p>23 On July 17th, Mr. Truman did allow them on</p> <p>24 the property. I believe at that point there's some</p> <p>25 testimony that they could no longer just enter,</p> <p>Page 177</p>
<p>1 HEARING OFFICER: Okay. Anything further?</p> <p>2 MR. GUBLER: No.</p> <p>3 HEARING OFFICER: All right. Next</p> <p>4 witness.</p> <p>5 MR. GUBLER: That is it.</p> <p>6 HEARING OFFICER: Okay.</p> <p>7 MR. GUBLER: No other witness.</p> <p>8 HEARING OFFICER: Closing arguments?</p> <p>9 MS. JORGENSEN: Sure.</p> <p>10 HEARING OFFICER: Okay.</p> <p>11 MS. JORGENSEN: Thanks. Ms. Hearing</p> <p>12 Officer, the -- there's two notes of violations that</p> <p>13 have been issued by Air Quality. One involves --</p> <p>14 well, they both involve the same site, the one</p> <p>15 that's on the picture today around the screen right</p> <p>16 now. The first one involves -- and if I may, this</p> <p>17 is closing argument to determine whether or not a</p> <p>18 violation occurred.</p> <p>19 HEARING OFFICER: Right.</p> <p>20 MS. JORGENSEN: Okay. So the first one</p> <p>21 has dates of violation of August -- January 8th,</p> <p>22 9th, and 17th, all involving failure to implement</p> <p>23 best available control measures, and comply with</p> <p>24 soil stabilization standards at the site on -- on</p> <p>25 those three dates.</p> <p>Page 176</p>	<p>1 those areas were blocked off where they had entered</p> <p>2 previously back earlier in the year. So they did</p> <p>3 speak with Mr. Truman and were granted access, did</p> <p>4 an inspection and determined that there was failure</p> <p>5 to implement dust control measures on the 17th.</p> <p>6 On the 25th, that's not a date that's in</p> <p>7 the -- that's one of the alleged violations. But on</p> <p>8 the 25th, Mr. Kirk appeared, and that's the first</p> <p>9 time Mr. Truman said, no, you can't enter. And Air</p> <p>10 Quality didn't cite -- include that as a violation</p> <p>11 because essentially, they're treating as sort of a</p> <p>12 one-off.</p> <p>13 And -- but then beginning on July 31st, he</p> <p>14 refused. August 7th, he refused. And again, on</p> <p>15 August 14th, he refused. There's been allegations</p> <p>16 that they didn't present appropriate credentials,</p> <p>17 but there's also been plenty of testimony that there</p> <p>18 was sufficient indicia that these individuals were</p> <p>19 from Clark County.</p> <p>20 They all had their badges. They all were</p> <p>21 in vehicles that either one or I don't know if</p> <p>22 there's more than one at a time, but vehicles with</p> <p>23 the county logo. They all had their Air Quality</p> <p>24 T-shirts, and at -- at different points in time,</p> <p>25 they provided business cards to Mr. Truman.</p> <p>Page 178</p>



<p>1 And we've also heard testimony that</p> <p>2 subsequent on August 28th, he also let them on the</p> <p>3 property again. So it just seems to be sort of a</p> <p>4 hit and miss, and at no time did Mr. Truman ever</p> <p>5 allege or ever state to them, to the inspectors who</p> <p>6 were there, I'm not letting you on the property</p> <p>7 because you don't have proper credentials.</p> <p>8 The excuses were, I need -- my -- my -- my</p> <p>9 attorney won't let me, or my attorney is working</p> <p>10 something out with Air Quality's attorney. It was</p> <p>11 never that there was any -- that he had any doubts</p> <p>12 that these were people from Air Quality.</p> <p>13 And so I would submit that there's</p> <p>14 sufficient evidence that -- demonstrating that Mr.</p> <p>15 Truman on behalf of ETON, which the -- the holder of</p> <p>16 dust control permit, had refused entry sufficient</p> <p>17 for finding a violation. Thank you?</p> <p>18 HEARING OFFICER: Thank you. Counsel?</p> <p>19 MR. GUBLER: Thank you. There's been some</p> <p>20 -- thank you. There's been some talk about this --</p> <p>21 this railroad company. In -- we show in Exhibit 2</p> <p>22 since 2004 Tonopah and Tidewater is -- is organized</p> <p>23 with the state of Nevada as the Tonopah and</p> <p>24 Tidewater Railroad Company.</p> <p>25 It's a domestic corporation under chapter</p> <p>Page 179</p>	<p>1 testified that was still current. That is the same.</p> <p>2 "This is an agreement to convey easement."</p> <p>3 And this is -- this is recorded with Clark County</p> <p>4 recorder. It's between Pan Western and Las Vegas</p> <p>5 Paving and gives them an easement right to access</p> <p>6 over the property that was owned by Pan Western.</p> <p>7 And -- and so that is all related.</p> <p>8 Tonopah and Tidewater has access to that. And then</p> <p>9 in Exhibit 21, we see that Tonopah and Tidewater has</p> <p>10 exclusive license to -- to a railroad to operate</p> <p>11 those rails. It says there in grant of lease</p> <p>12 exclusive license, and that Mr. Truman testified</p> <p>13 that that has not been revoked.</p> <p>14 And then as to Exhibit 22, we have the</p> <p>15 purchase agreement of the rails. Those are the same</p> <p>16 rails that are in Exhibit 23 as far as the -- that</p> <p>17 -- that are pictured in -- on that property. And</p> <p>18 they do connect to the main railroad line and able</p> <p>19 to transport in interstate commerce uses ETON to --</p> <p>20 to do so. And it's still there all to date.</p> <p>21 And in Exhibit 1, we also have the deed as</p> <p>22 far as the yard goes. That -- that is owned by</p> <p>23 Tonopah and Tidewater Railroad Company. It's --</p> <p>24 again, it's -- it's recorded with the county and</p> <p>25 Tonopah and Tidewater is -- it is related to a</p> <p>Page 181</p>
<p>1 -- NRS Chapter 78, formation dated, July 9th, 2004.</p> <p>2 It's -- it's held itself out as a railroad company,</p> <p>3 and -- and going to the -- the case, it's a 2019</p> <p>4 case in Bombardier Transport Holdings USA vs.</p> <p>5 Nevada Labor Commissioner.</p> <p>6 The Supreme Court looked at what the</p> <p>7 definition of a railroad company was and -- and</p> <p>8 actually determined that a statute did not actually</p> <p>9 say that even though Chapter 78 says that if the</p> <p>10 railroad company is -- is formed under this -- this</p> <p>11 chapter, then there -- there's certain rights.</p> <p>12 But the Supreme Court of Nevada looked up</p> <p>13 the definition in Black's Law dictionary, instead of</p> <p>14 corporation organized to construct, maintain and</p> <p>15 operate railroads. That -- that Tonopah and</p> <p>16 Tidewater Railroad Company does meet that. It -- it</p> <p>17 -- it -- it does -- it did construct, maintain, and</p> <p>18 operate and has those railroads.</p> <p>19 Now there's been some testimony as -- as</p> <p>20 to whether it operates it right now, it still has</p> <p>21 access and it's when as -- as needed, and so that is</p> <p>22 still current. As far as -- as far as the other</p> <p>23 information as to whether it even has rails, we --</p> <p>24 we point to Exhibit 20, and that there is an</p> <p>25 agreement to convey an easement that Mr. Truman</p> <p>Page 180</p>	<p>1 railroad company, and it's -- and it's held out as</p> <p>2 such. And that was in 2023 that that was recorded.</p> <p>3 Talking a little bit about the -- the SDB on the</p> <p>4 federal register, Tonopah and Tidewater did get an</p> <p>5 exemption under 49 CFR 1150.31.</p> <p>6 That is a grant of -- that grant of</p> <p>7 authority and -- and this is -- it's attached to the</p> <p>8 Air Quality's reply as Exhibit D. There's some --</p> <p>9 it -- it -- where it is said that the grant of</p> <p>10 authority is permissive. And so then after that,</p> <p>11 it's just between the -- the parties opportunity to</p> <p>12 go forward with any type of an agreement.</p> <p>13 Pan Western, Mr. Truman testified that --</p> <p>14 that they did -- Tonopah and Tidewater did enter</p> <p>15 into that agreement with -- with Pan Western. And</p> <p>16 then, you know, later they had -- they had tried a</p> <p>17 different business deal and -- but -- and -- and</p> <p>18 there was an objection from the Union Pacific.</p> <p>19 And that Union -- and the Union Pacific,</p> <p>20 because of their objection, Mr. Truman and -- and --</p> <p>21 and the owners of Tonopah and Tidewater decided to</p> <p>22 move forward with Tonopah and Tidewater. And -- and</p> <p>23 that's where you get those exhibits related to the</p> <p>24 easement with Las Vegas Paving with -- with the</p> <p>25 rails -- the purchase of the rails and everything,</p> <p>Page 182</p>



<p>1 which -- which occurred after the fact.</p> <p>2 And so it is a railroad company, and this</p> <p>3 -- it is allowed as a -- it is allowed as a yard.</p> <p>4 We heard some testimony or we looked at -- at a</p> <p>5 document talking about the purpose of the Clark --</p> <p>6 of -- of Clark County to establish ethical standards</p> <p>7 for appropriate and transparent behavior of all</p> <p>8 employees of the county, ensuring that the employees</p> <p>9 operate to uphold the public trust in the actions of</p> <p>10 the county.</p> <p>11 Its fiduciary responsibilities to the</p> <p>12 taxpayer citizens, and the manner by which the</p> <p>13 operations of county business are conducted. They</p> <p>14 expected that all employees, including elected</p> <p>15 officials, shall conduct the operations of the</p> <p>16 government with loyalty to the law -- loyalty to the</p> <p>17 law, and with integrity and impartiality.</p> <p>18 So we understand that -- that there are</p> <p>19 some regulations that -- to enforce, however that</p> <p>20 applies both ways. And -- and that comes to this --</p> <p>21 this 94.5 permit requirements. We heard testimony</p> <p>22 multiple times by the county employees that their</p> <p>23 authority to go on the property was -- was because</p> <p>24 of the signed permit.</p> <p>25 Now, conditions of that permit</p> <p>Page 183</p>	<p>1 After the first visit, it was well aware</p> <p>2 that my clients, the respondents, required that, and</p> <p>3 -- but that still wasn't followed. If there's -- if</p> <p>4 there were any, you know, looking at Exhibit 8, this</p> <p>5 is just downloaded from the EPA website. Because I</p> <p>6 mean, we are talking about the clean air act really,</p> <p>7 and -- and -- and the county's authority. The --</p> <p>8 the permit requirements say -- presents appropriate</p> <p>9 credentials.</p> <p>10 We submit that they're not appropriate</p> <p>11 credentials. And looking at this as the standard</p> <p>12 set by the EPA, there's -- there's no</p> <p>13 (indiscernible) seal, there's no chip. There's no</p> <p>14 -- there's no credential number to -- to call.</p> <p>15 There's no expiration date. There's no statement of</p> <p>16 authority. There's no signature on these -- on</p> <p>17 these -- these cards that -- that were around their</p> <p>18 neck, which were -- the testimony was -- is, they</p> <p>19 did not raise them to -- to show Mr. Truman.</p> <p>20 As -- as we go into the January 8th and</p> <p>21 9th, and even later, except for the 17th -- 17th of</p> <p>22 July, I believe that there were -- there was no</p> <p>23 request to enter was what the testimony was. And so</p> <p>24 the first prong -- the permit -- of the permit</p> <p>25 requirements that's on the government was not met.</p> <p>Page 185</p>
<p>1 requirements under 94.5 (f) does put affirmatively</p> <p>2 that on the county. That is -- that is very common</p> <p>3 with search and seizures. It's very common that the</p> <p>4 -- the -- well, the Fourth Amendment is -- is an</p> <p>5 outlier in looking at these because it's -- it's</p> <p>6 government oversight, and so the government is the</p> <p>7 one that is concerned to be careful about whether</p> <p>8 they follow certain procedures.</p> <p>9 And so these procedures are in there,</p> <p>10 which they haven't been trained on properly. And it</p> <p>11 says, "The person shall -- no person shall refuse</p> <p>12 access if the control officer requests entry for</p> <p>13 inspection and presents appropriate credentials".</p> <p>14 That puts the affirmative -- affirmative action on</p> <p>15 the county official.</p> <p>16 Whether it's -- it's under the Air</p> <p>17 Quality, I believe it's 4.1, or whether it's under</p> <p>18 the NRS 444 -- 445B. The requirement is the same,</p> <p>19 the language is very similar, it's the same. As far</p> <p>20 as -- one -- one comment on this was that everybody</p> <p>21 claims that they didn't see a check-in sign. Mr.</p> <p>22 Truman testified that it's been there for -- since</p> <p>23 before any of this started happening in January of</p> <p>24 2024. And it says, no trespassing and to check into</p> <p>25 the office.</p> <p>Page 184</p>	<p>1 Now, I -- I believe that what I'm, you</p> <p>2 know, what I'm -- what we're hearing is -- and well</p> <p>3 -- and then there was no presentation of credentials</p> <p>4 either. I believe what we're hearing here is -- is</p> <p>5 we're, you know, we're saying that, you know, I</p> <p>6 think the government's arguing substantial</p> <p>7 compliance.</p> <p>8 Normally with -- with credentials, every</p> <p>9 time it's almost like a script is what Mr. Truman's</p> <p>10 testimony was, is that they -- they show him their</p> <p>11 badge every time, whether they've been there or not.</p> <p>12 And -- and they -- they -- they say, this is who I</p> <p>13 am and this is what I'm here for. May I come to</p> <p>14 your property? May I ask you some questions?" And</p> <p>15 they state their purpose and they show them their</p> <p>16 credentials, and that was not done here. Now, why</p> <p>17 is that important here is -- is there -- there is --</p> <p>18 there are hazardous materials that come in and off</p> <p>19 the property. It's been the testimony.</p> <p>20 And so it is important to check-in. And</p> <p>21 that is federally mandated, which has a -- there is</p> <p>22 a -- in the supremacy clause that -- that the</p> <p>23 federal government -- federal law is superior to any</p> <p>24 state or local laws.</p> <p>25 Just -- just very briefly, Mr. Truman gave</p> <p>Page 186</p>



<p>1 testimony of different people that carry credentials 2 over the -- over the years. FEMA, the FBI, Nevada 3 Department of Taxation, the Clark County Coroner's 4 Office, the DEA, the fire department, OSHA, 5 Department of Energy, the dog catcher, FMSA, all of 6 them? 7 They've presented their credentials and -- 8 and that has not occurred. When -- when we -- last 9 time that we were here, what's -- what's kind of 10 interesting about this is that, when I first started 11 asking, and -- and that's why I had asked for the 12 witnesses to be separated. 13 But to me, I believe that it was pretty 14 obvious that they were listening to the answers, I 15 was asking very similar questions to the employees. 16 And at the beginning, we -- we -- we hear that, you 17 know, did you -- did you present any credentials? 18 And -- and didn't really know what that was. 19 You know, and then somebody started 20 saying, well, I -- I have a -- a -- a cut around my 21 neck. But -- but then -- by then there, you know, 22 when I asked the question, it was, yes, I presented 23 these. And according to how you stated it, I 24 presented these. 25 And clearly has not had proper</p> <p>Page 187</p>	<p>1 credentials, then no person shall approve. It's -- 2 it is a strict compliance because of the language, 3 also because of the subject matter. This is about 4 searches and seizures, it's about trespass, it's 5 about Fourth Amendment violations. 6 These are the things that we hold dear. 7 And, you know, that -- that life, liberty, pursuit 8 of happiness, all of that originally put in the 9 declaration of independence. And -- and that's why 10 those were -- were -- those amendments were added. 11 Trespass, I mentioned that. NRS 207.200, 12 trespassing is entering someone else's property 13 without permission or remaining on their property 14 after being instructed to leave. Carries a fine of 15 a \$1000 and six months in jail. 16 That corresponds to Exhibit 17 and 18 as 17 well. As far as trespasses -- trespassing on -- on 18 railroad property, on -- on -- in state -- in 19 general private property. I think the argument is, 20 well, we had -- we had permission based on the -- on 21 the permit. But that does not alleviate the dust -- 22 the permit requirements that are still in that 94.5. 23 Nowhere have I seen -- have they presented 24 anything that says that that is alleviated. Talked 25 about trespass, talk a little bit about Fourth</p> <p>Page 189</p>
<p>1 instruction. The government has not had proper 2 instruction from Clark County, as far as presenting 3 their credentials and that did not happen. And then 4 even if they did, they don't even have proper 5 credentials according to these -- this EPA standard. 6 Now, as far as this, I -- I did touch on 7 it for a minute and then I went off of it. But 8 substantial compliance statutes and rules require 9 strict compliance in this situation. Saticoy Bay 10 LLC vs. Nevada Association Services, 135 Nevada 180 11 2019 case says, "To determine whether a statute and 12 rule requires strict compliance or substantial 13 requirement or compliance, this court looks at the 14 language used in policy and equity considerations." 15 And -- and so doing this, court examines 16 whether the purpose of the statute or rule can be 17 adequately served in a manner other than by 18 technical compliance with the statutory rule 19 language. This court has recognized as a general 20 tenant, the time and manner requirements are 21 strictly construed, where substantial compliance may 22 be sufficient performed and content requirements. 23 Here, this is a manner requirement. The 24 -- the rule says, if the control officer requests 25 entry for inspection and presents appropriate</p> <p>Page 188</p>	<p>1 Amendment issues here. Requires having a suitable 2 warrant procedure to -- to effect unconsented 3 administrative entry and inspection of private 4 commercial premises that applies State of Seattle, 5 387 US 541 1967 case. 6 There's -- any tests that are conducted on 7 a premises would be considered unreasonable search 8 and seizure, if you don't have permission. If you 9 don't have -- even if the -- even if the owner -- it 10 was in the daylight knowledge consent, they had to 11 check in. There were signs there. 12 I know that that is disputed, but there 13 are signs there. We -- Mr. Truman brought in the 14 signs that had -- had dust on the signs, has been 15 there for a very long time, and he testified that 16 they were there way before January of 2024. And -- 17 as well as to the office the neon lights, they -- it 18 all -- it all corresponds, purchased those, those 19 were -- those were hung well before. 20 As far as -- again, going back to the -- 21 the county mandate purpose, these employees have a 22 duty to uphold the regulation both ways. And so we 23 -- we submit that any finding of violation because 24 either was it requested, wasn't presented properly, 25 is considered the fruit of the poisonous tree, and</p> <p>Page 190</p>



<p>1 should be extended to this as -- as a government 2 actor, Clark County.</p> <p>3 Talking a little bit about -- even if that 4 wasn't the case, so if -- if Mr. Truman let them on 5 ETON, let them on the property, there is nobody that 6 has recollection of performing the proper test. And 7 they say, oh, it can be -- I can see it. But that's 8 not what the regulation says. The regulation 94.12 9 talks about -- talks about the different types of 10 methods that can be implemented to maintain dust 11 control, this is subsection B.</p> <p>12 And it -- and it says, "On all disturbed 13 soils on construction sites and staging areas, to 14 the extent necessary, to pass the drop ball test 15 described in section 94.15.5." When I ask Ms. -- I 16 want to show her name. We can do that before -- Mr. 17 -- Ms. Russel. She -- she testified that she didn't 18 perform any tests.</p> <p>19 There was one testimony that said that she 20 didn't perform the test, but that there were some -- 21 some tests performed. I asked the others here 22 whether they had performed a test, a drop ball test, 23 and the answer was no. Again, that does not meet 24 the standard in order to find my client responsible 25 under these regulations?</p> <p>Page 191</p>	<p>1 promulgate EPA approved statewide plans under 2 federal environmental laws, such as a statewide 3 implementation plans, that's under the Clean Air 4 Act, that's how it defined the Clean Air Act. The 5 state -- if -- if it's -- if -- if state implemented 6 plans are not approved by the EPA, then they do not 7 have the force and effect of federal law. And 8 that's why different rules apply.</p> <p>9 You know, why our state implemented plan 10 is so vital in a case like this, it's because we 11 have carriers that engage in interstate commerce. 12 And so, a -- even if the -- it was a 13 county-implemented plan that would affect interstate 14 commerce, and that's why it's so important. And so 15 that it doesn't unreasonably burden railroad 16 activity and the -- or -- or interstate commerce.</p> <p>17 The EPA bypassed this whole requirement by 18 implementing -- not approving that statewide 19 program, the AQR -- when the AQR was approved. 20 That's section 52.1490, subsection 61 of Title 40 of 21 the CFR, shows that the plan that was approved by 22 the EPA, is with the Clark County board of 23 commissioners, it's not with the Nevada State 24 legislature.</p> <p>25 And that's what's being affected here, and</p> <p>Page 193</p>
<p>1 If you're not going to perform the test, 2 if you're too lazy to get out of the truck and 3 perform the test, then this is, again, a government 4 actor. You need to -- we need to be careful with 5 that and -- and they need to meet their obligations. 6 And I -- let me draw back on that. I apologize for 7 any -- for that comment, lazy.</p> <p>8 But either way, it still applies, and the 9 government has a -- has a duty to perform. Talking 10 about the supremacy clause a little bit with -- when 11 it comes to Interstate Commission Termination Act of 12 1995, applies to the railroad. We -- we established 13 that Tonopah and Tidewater is railroad and -- and 14 uses ETON for carrying materials interstate.</p> <p>15 And that also under 49 USC 10501, applies 16 to services and facilities of carriers, warehouses, 17 yards and property. Now, there was some discussion 18 about the Association of American Railroads v. The 19 South Coast Air Quality Management District case 622 20 F.3d 1094, Ninth Circuit, 2010 case?</p> <p>21 Where the -- the Ninth Circuit said, if an 22 apparent conflict exists between ICCTA and a state 23 or local law, usually what happens is general rules 24 apply -- different rules apply. The -- it -- that 25 case required, where that state and local agencies</p> <p>Page 192</p>	<p>1 -- and that of course is affecting interstate 2 commerce. It's not a state -- the AQR is not a 3 state implemented plan, it's a -- it's a county 4 implemented plan. And there's -- and there's 5 clearly differences. The 94.13 talks about 6 employing BAC and BACM, Best Available Control 7 Measures.</p> <p>8 And it -- and those mean control measures 9 that are best available with current technology for 10 reducing or eliminating the release of a particulate 11 matter in the atmosphere. Now, in contrast, in 12 Nevada, the state implemented plan would be -- it 13 has different language. It -- it's to require the 14 use of reasonably available methods, which is a lot 15 difference -- different than the best available 16 methods.</p> <p>17 Another -- another use of language in the 18 NAC against state regulations would be best 19 practical methods. And that includes things such as 20 chemical stabilization. We spent some time 21 presented evidence as -- as far as rotor milling, 22 Mr. Truman consulted with some professionals in the 23 -- in the area.</p> <p>24 HEARING OFFICER: No I -- and I -- I hate 25 to do this in your closing argument, but just to</p> <p>Page 194</p>



<p>1 shortcut the time. The testimony and evidence that</p> <p>2 I'm hearing and that was a big issue for me, is when</p> <p>3 was the rotor milling done? And that picture was</p> <p>4 not dated. And it seems to me that the rotor</p> <p>5 milling was done after all of these dates, if that's</p> <p>6 what I'm hearing from the testimony.</p> <p>7 So just -- just to let you know, going</p> <p>8 through this. And the -- the evidence that you were</p> <p>9 presenting, that rotor milling, you've gotten all</p> <p>10 these affidavits and, you know, that this is -- this</p> <p>11 is a, you know, that you shouldn't have had to pay,</p> <p>12 and you should have put the rotor milling down.</p> <p>13 What I was looking for is who made -- who made the</p> <p>14 requirements paid?</p> <p>15 And then I see the evidence is that, you</p> <p>16 listed that as a reason. And I'm hearing it and you</p> <p>17 said from your own testimony, you didn't contact</p> <p>18 them to -- so to me, the whole rotor milling now is</p> <p>19 a total distraction and took up a great deal of our</p> <p>20 time, because I was under the impression somehow air</p> <p>21 quality, the way the evidence was presented, is that</p> <p>22 rotor milling, you know, you would've done this,</p> <p>23 this would've taken care of this.</p> <p>24 And -- but that happened after the fact.</p> <p>25 And so, if you would've done that in the beginning</p> <p style="text-align: right;">Page 195</p>	<p>1 that's where I'm at with that.</p> <p>2 MR. GUBLER: So the rotor milling -- so</p> <p>3 the paving was required by them. That's -- that's</p> <p>4 what was -- was originally emailed to the</p> <p>5 respondents, but -- but that paving didn't work.</p> <p>6 And -- and so, yes, they -- they said that, but then</p> <p>7 that just doesn't work under these conditions. And</p> <p>8 --</p> <p>9 HEARING OFFICER: Okay. But he testified</p> <p>10 too that he didn't reach out to try and work</p> <p>11 something out differently. But the -- the thing is</p> <p>12 that, I just didn't want to spend a lot of time on</p> <p>13 that, because I think that is a way to do -- to take</p> <p>14 care of these issues, but it happened after the</p> <p>15 fact. It didn't -- I -- there's no dated picture.</p> <p>16 Like the dry, loose, powdery soil that I'm seeing</p> <p>17 from air qualities, I can see it, I -- I can see it.</p> <p>18 They've got well documented, they've got dated</p> <p>19 pictures.</p> <p>20 The rotor milling, there was -- it was not</p> <p>21 a dated picture. And what I'm hearing in the</p> <p>22 testimony presented that it happened either in</p> <p>23 August or September of this year. So I was waiting</p> <p>24 to hear what the date of that picture was, the</p> <p>25 Exhibit 9 and that was not presented. And that's</p> <p style="text-align: right;">Page 197</p>
<p>1 or worked with air quality, but the way it was</p> <p>2 presented, is that you were going to do paving, and</p> <p>3 that was what they followed along with.</p> <p>4 And reading the arguments, because I did</p> <p>5 go through all of this, Air quality did not require</p> <p>6 you to do that. That was something that you came up</p> <p>7 with. The rotor milling, great, everybody put up</p> <p>8 all these affidavits. Great. That's -- but that</p> <p>9 was done after the fact. And the pictures I see</p> <p>10 presented, there's loose powdery dry soils.</p> <p>11 So if you're going to spend time and that</p> <p>12 granted, you can do the closing argument, but we've</p> <p>13 been here for now half an hour, 45 minutes listening</p> <p>14 to that. I'm going to shortcut you right there,</p> <p>15 because to me, that was a big issue for me that</p> <p>16 wasn't dated. That -- it seems to me that that was</p> <p>17 done after these dates that happened, and which you</p> <p>18 would've done in the beginning, because then might</p> <p>19 not have been here to do this.</p> <p>20 So that's what I didn't understand from</p> <p>21 the whole argument, that you were presenting rotor</p> <p>22 miller, and to me, I was like, are they preventing</p> <p>23 you from doing that? No. It -- it was a way to do</p> <p>24 stuff, but it was because the plan and the project</p> <p>25 started from you, from the paving. So that's --</p> <p style="text-align: right;">Page 196</p>	<p>1 passing dates on like January. This is July, this</p> <p>2 is August. So I -- I mean, but I just didn't want</p> <p>3 to spend a lot of time because I -- I get that, but</p> <p>4 I mean, go ahead, continue.</p> <p>5 MR. GUBLER: So the -- the importance of</p> <p>6 it is -- is that it -- it doesn't matter because</p> <p>7 these other dates, there was no presentment, there</p> <p>8 was no request to be on there. And so you have --</p> <p>9 you have -- whether it was in August or September,</p> <p>10 it really doesn't matter because they don't meet</p> <p>11 their burden. You -- you mentioned the drop ball</p> <p>12 test, but that wasn't for -- or that -- they had</p> <p>13 pictures, but that wasn't performed. And that's</p> <p>14 what's in the regulation.</p> <p>15 HEARING OFFICER: Okay. I understand that</p> <p>16 and that's your argument. I just don't want to -- I</p> <p>17 -- I -- rotor milling was a way to address these</p> <p>18 issues. I just -- to me, it was done after the</p> <p>19 fact, so I just don't want to spend a lot of time on</p> <p>20 that. So I -- and I -- I got -- I read everything,</p> <p>21 I read all the affidavits saying that's the best way</p> <p>22 to do it, which is fine. But it's after these</p> <p>23 dates, is what I'm understanding that was done, if</p> <p>24 I'm correct, right? It was done after these dates.</p> <p>25 Am I -- am I correct? That the -- I was looking for</p> <p style="text-align: right;">Page 198</p>



<p>1 the date of that picture. The Exhibit 9.</p> <p>2 MS. JORGENSEN: Right. And I could</p> <p>3 clarify that yes, paving actually is required,</p> <p>4 unless there are reasons for it not to be paved.</p> <p>5 HEARING OFFICER: Okay.</p> <p>6 MS. JORGENSEN: And one of those reasons</p> <p>7 could be the tracked equipment and where does that</p> <p>8 tracked equipment go, but there's never been an</p> <p>9 opportunity for air quality to go on site and make</p> <p>10 that evaluation.</p> <p>11 HEARING OFFICER: Okay. Okay.</p> <p>12 MR. GUBLER: As far as -- as -- as far as</p> <p>13 the tracked equipment, Mr. Truman's testimony is</p> <p>14 that it -- it does go all over this -- this</p> <p>15 property. And -- and there's -- I appreciate that</p> <p>16 -- that you have read all the declarations. And so,</p> <p>17 it's -- we submit that it's not feasible for -- to</p> <p>18 have the paving that is -- is the requirement. And</p> <p>19 -- and that it is the -- that it does burden</p> <p>20 interstate commerce.</p> <p>21 HEARING OFFICER: Okay.</p> <p>22 MR. GUBLER: We submitted this at the</p> <p>23 beginning. I'll briefly touch on this. But again,</p> <p>24 we do not believe that this is the forum to have</p> <p>25 these decisions made. And the reason why is because</p> <p style="text-align: right;">Page 199</p>	<p>1 evidence, as to, you know, state mandate about water</p> <p>2 being a precious resource.</p> <p>3 And again, with track equipment, the best</p> <p>4 available control measure does -- is not</p> <p>5 appropriate, and as the track equipment goes all</p> <p>6 over that property. Talking about the -- the</p> <p>7 difficulties of -- of asphalt and making it, that's</p> <p>8 again, in Floyd Meldrum's Exhibit 13 declaration on</p> <p>9 the process of making that. Contributes to a lot of</p> <p>10 waste of resources, a lot of -- well, to water, to a</p> <p>11 lot of -- well, even as to global warming.</p> <p>12 The -- the product that was put down, the</p> <p>13 rotor milling, the -- the chart is -- and -- and if</p> <p>14 -- if -- if there is some consideration as far as</p> <p>15 mitigating, we would ask that -- that that be taken</p> <p>16 into consideration as well. That here, this rotor</p> <p>17 mill, the chart, is over a quarter of an inch,</p> <p>18 somewhere between quarter inch to 3 inches, which</p> <p>19 would meet the requirements.</p> <p>20 There -- there was testimony that there</p> <p>21 was no dust emissions, no plumes, clean the -- it</p> <p>22 would -- it would qualify as clean gravel dust</p> <p>23 suppressant, and that for this application, it works</p> <p>24 better. And it's sufficient for long-term</p> <p>25 stabilization. As far as anything else we -- we</p> <p style="text-align: right;">Page 201</p>
<p>1 of the Supreme Court cases in -- in Loper and Corner</p> <p>2 post that were issued earlier this year.</p> <p>3 Talk about whether agencies decide</p> <p>4 questions relevant to -- of law and interpret</p> <p>5 statutory provisions. There's many statutory</p> <p>6 provisions. Specifically, we had talked about the</p> <p>7 associated railroads, the -- the case that was cited</p> <p>8 earlier and, you know, the railroad issue and under</p> <p>9 the Clean Air Act, whether -- whether this was</p> <p>10 properly approved and related to interstate</p> <p>11 commerce.</p> <p>12 In those cases, the court reinforced that</p> <p>13 the courts, not agencies, will decide all relevant</p> <p>14 questions of law arising on review of agency action</p> <p>15 and -- and prescribed no deferential standards for</p> <p>16 courts to employ in answering those legal questions.</p> <p>17 It is a federal issue as it relates to the Clean Air</p> <p>18 Act under that -- under that Association of American</p> <p>19 Railroads, and it has to be a statewide plan.</p> <p>20 Again, the -- the burden on the interstate</p> <p>21 commerce, it -- the pavement, the asphalt's</p> <p>22 expensive. I believe that Mr. Truman had testified</p> <p>23 that it was expensive, causing burdens on the</p> <p>24 business, and that it wasn't responsible, was -- was</p> <p>25 also the response. We -- we've seen some -- some</p> <p style="text-align: right;">Page 200</p>	<p>1 also submit on Exhibit 15, talking about the</p> <p>2 different rail track or yards, whether they're paved</p> <p>3 or not, and again, that that would go to</p> <p>4 discrimination under the 14th amendment. We -- we</p> <p>5 ask the -- the Hearing Officer to reject the -- the</p> <p>6 -- the violations. And thank you.</p> <p>7 HEARING OFFICER: Okay. Thank you.</p> <p>8 MS. JORGENSEN: If I -- I'd like to adjust</p> <p>9 a couple of things.</p> <p>10 HEARING OFFICER: Okay.</p> <p>11 Thank you. ETON has submitted that the</p> <p>12 owner of the property, Tonopah and Tidewater is a</p> <p>13 railroad company. I think they're arguing that it's</p> <p>14 recognized under federal laws, railroad company.</p> <p>15 The testimony was they showed Exhibit 3, which is</p> <p>16 that first federal register notice from 2004, where</p> <p>17 it said they enter into the contract with Pan</p> <p>18 Western, they've become a Class III. And that is</p> <p>19 one of the ways -- the exemption under that</p> <p>20 particular CFR.</p> <p>21 Then you look at Exhibit 4, which is the</p> <p>22 2006 federal register. And it clearly states that</p> <p>23 that -- that that contract was never entered into --</p> <p>24 that -- that relationship was never consummated</p> <p>25 between Pan Western and Tonopah and Tidewater. The</p> <p style="text-align: right;">Page 202</p>



<p>1 testimony from Mr. Truman is, oh, no, no, that</p> <p>2 happened sometime before the 2006.</p> <p>3 Well, it clearly states in the federal</p> <p>4 register, based on the application that was provided</p> <p>5 by another company related to the Truman's, is that</p> <p>6 no, that didn't occur. So this whole idea that is a</p> <p>7 federally recognized, governed by the STB, and</p> <p>8 subject to ICCTA, the federal law is -- is</p> <p>9 unsupported and in my view, completely bogus.</p> <p>10 And all of the language or all of the --</p> <p>11 the case law that's referenced in that first</p> <p>12 document submitted by ETON, is all based on the idea</p> <p>13 that Tonopah and Tidewater is a federally recognized</p> <p>14 railroad. They are not. And so this idea that the</p> <p>15 SIP is important is not important in this case,</p> <p>16 because there is no case law that has been provided</p> <p>17 to indicate that even if they are somehow a state</p> <p>18 recognized railroad, that they can ignore local</p> <p>19 regulations.</p> <p>20 Setting that aside, just real briefly with</p> <p>21 the SIP. The way the SIP works in Nevada, is there</p> <p>22 are three entities. There's -- there's the NDEP,</p> <p>23 the state, there's Washoe and there's Clark County.</p> <p>24 And when Washoe and Clark County put together the</p> <p>25 requirements that are necessary for their areas of</p> <p>Page 203</p>	<p>1 The exhibits -- there's an agreement to</p> <p>2 convey an easement. Can you pull up -- actually if</p> <p>3 you can go to the open web and pull up APN</p> <p>4 123-31-402-006. It can pull -- make it a little bit</p> <p>5 bigger. Okay. And you might recognize that loop at</p> <p>6 the top as one of the exhibits, I think it's Exhibit</p> <p>7 23.</p> <p>8 That property right there is owned by Las</p> <p>9 Vegas Paving. And the agreement from -- that's</p> <p>10 referenced in Exhibit 20 was at the time -- well,</p> <p>11 actually not at the time. And this was subject to a</p> <p>12 -- a case back in 2015 when Las Vegas sued the</p> <p>13 subsequent owners of the properties underneath.</p> <p>14 So if you click on one of them underneath</p> <p>15 that loop, I believe those properties used to be --</p> <p>16 belonged to Pan Western and the ETON family limited</p> <p>17 partnership. And then I believe in 2012 they were</p> <p>18 taken over by a completely separate entity, Rail</p> <p>19 Acres.</p> <p>20 And the -- the agreement that they entered</p> <p>21 into in 1997, that's the subject of Exhibit 20, was</p> <p>22 entered into by Pan Western. And Pan Western was</p> <p>23 not an owner of either of those properties at the</p> <p>24 time. So there was a 2015 lawsuit where that all</p> <p>25 came out, that made it clear that that -- those</p> <p>Page 205</p>
<p>1 responsibility, is submitted to the state, and then</p> <p>2 the state submits that to EPA for submission into</p> <p>3 the SIP.</p> <p>4 So this idea that somehow Clark County's</p> <p>5 just working directly with EPA is completely</p> <p>6 incorrect. And also, I think what they mean by</p> <p>7 statewide is, what they mean is that the same rules</p> <p>8 have to apply everywhere for it to be a valid sip.</p> <p>9 And if that's what they mean, that's completely</p> <p>10 incorrect.</p> <p>11 Because when a standard is established</p> <p>12 related to the five criteria pollutants, one of</p> <p>13 which is PM10, one of the things the state does is</p> <p>14 they make a determinations, where is the -- where is</p> <p>15 that standard being exceeded? And what we try to do</p> <p>16 collectively is just try to narrow it down to those</p> <p>17 areas where it's been exceeded. So that's where the</p> <p>18 additional requirements need to be put in place.</p> <p>19 And unfortunately for Clark County, we had</p> <p>20 a really bad PM10 problem for a while. We've been</p> <p>21 able to tamp it down, but that's based on these</p> <p>22 rules that we have, and that have been put in place</p> <p>23 to comply with the -- the Clean Air Act. I know --</p> <p>24 and then if I -- I could real briefly, this whole</p> <p>25 idea that these -- right here.</p> <p>Page 204</p>	<p>1 easement had no -- it was -- it was -- it was</p> <p>2 invalid.</p> <p>3 Regardless, the easement was for Las Vegas</p> <p>4 Paving to go onto Pan Western's property, which at</p> <p>5 the time wasn't Pan Western's property. It had</p> <p>6 nothing to do with Tonopah and Tidewater having</p> <p>7 access to Las Vegas Paving.</p> <p>8 So all of this -- this -- this -- these</p> <p>9 documentation, it's just smoke and mirrors. It --</p> <p>10 it doesn't get back to the -- to the issue that at</p> <p>11 the site where Eton had taken out a dust control</p> <p>12 operating permit, they failed to comply with best</p> <p>13 available control measures and keep the site in a</p> <p>14 stable condition. And that's the first -- the --</p> <p>15 the first NOV.</p> <p>16 Can you pull up Section 94? Go to Section</p> <p>17 94.5. I'm sorry, 94.12. The 94.12 does not require</p> <p>18 that a dust -- that a drop ball test be done. What</p> <p>19 it says, if you read through it says, the</p> <p>20 responsible official, meaning the permittee, shall</p> <p>21 ensure that all contractors, operators, and other</p> <p>22 persons involved in construction employ effective</p> <p>23 control measures.</p> <p>24 B, one of the more -- "One or more of the</p> <p>25 following methods shall be implemented to maintain</p> <p>Page 206</p>



<p>1 dust control." This is on the responsible official 2 and -- and then all the control -- all their 3 operators and contractors. And here's how they can 4 determine themselves whether or not the dust -- 5 whether not the soil is sufficiently crusted. 6 That's the way 94.12 is written. Now, the 7 inspectors do perform drop ball tests, but they 8 don't have to, and that does not require them to. 9 Could you go to 94.5? Similar with 94.5 10 Subsection f, which ETON has relied on quite a bit, 11 says, "No person shall refuse access if the control 12 officer request entry for inspection and presents 13 appropriate credentials." And the first notice of 14 violation, there was no need to request access. 15 They could get on. And that's how normally dust 16 control -- dust sites work, which this ostensibly 17 was. 18 Then in July -- on July 17th, which is the 19 beginning of the second notice of violation, Mr. 20 Truman allowed them on, even though he's been -- 21 he's been claiming that he had no idea who they 22 were. And he -- and they didn't show credentials. 23 He allowed them -- he allowed two, I believe it was 24 Mr. Kirk and Mr. -- and Ms. Rowsell on. They did an 25 inspection, and then after that it was shut down. Page 207</p>	<p>1 any sense. And it certainly doesn't make any sense 2 for the -- the dust control permit that was agreed 3 to. 4 And then with regard to Exhibit 17 and 18, 5 which are referenced that deal with trespass, when 6 you read through them, it's all to do with sites 7 that have tracks -- railroad tracks. And we all -- 8 we all can agree that that Stratford site does not 9 have any railroad tracks laid down that people 10 potentially would be trespassing on. 11 And again, Air Quality, they weren't 12 trespassing. They were there to perform a function 13 based on the dust control permit that was pulled. 14 Thank you. 15 HEARING OFFICER: Anything further? 16 MR. GUBLER: Yeah. I -- I think this 17 comes -- this comes down to whether they follow 18 their own regulations. The answer is no. They did 19 not -- that there is an affirmative duty on the 20 county employee under that 94.5. Under -- under -- 21 there was comments that, you know, this was smoke 22 and mirrors as far as the railroad company. 23 The testimony that's in evidence that -- 24 that's been presented is that Tonopah and Tidewater 25 access to that and they're able to access the rail Page 209</p>
<p>1 He wouldn't allow people on until August 28th when 2 he allowed them on again, although with conditions. 3 Now, August 28th isn't the subject of this 4 particular notice of violation, but it just seems 5 like Eton wanted the dust permit, but then they 6 didn't want to comply with the dust permit. They 7 didn't want to follow the rules of the dust permit. 8 The other testimony has been and I believe 9 it's from the last hearing, Mr. Truman brought in a 10 look, potentially a two or three foot wide sign and 11 said, here it says that they needed to check in. 12 But we also heard testimony that that length along 13 Stratford was probably 500 or 600 feet. 14 I recall the testimony on the previous one 15 is there was one sign, we've heard today that there 16 was three signs, so I'm not sure which is accurate. 17 But you've heard plenty of testimony that -- from 18 the inspectors that if they saw a sign, they would 19 stop, check in and then move on. 20 And -- but I believe from the previous, 21 when we were here last week, that this idea of a 22 construction site being all closed off is completely 23 foreign to the way dust sites normally function. 24 And so this idea that everything's going to be 25 closed off of the dust permits doesn't really make Page 208</p>	<p>1 lines. Tonopah and Tidewater, there was testimony 2 of -- of many -- much oversight of federal agencies. 3 And that has to do with it being a railroad company 4 and also it putting product in interstate commerce. 5 As far as 94.12 goes, that is related to 6 on the drop ball test. The drop ball test is a 7 standard. It says that it -- that the property will 8 be maintained with one of these conditions so that 9 it -- to the extent necessary to pass the drop ball 10 test. That -- that does put the -- that does put a 11 requirement that that is the test to be performed. 12 I have nothing further? 13 HEARING OFFICER: Okay. Okay. With that 14 being said, I appreciate I did extensively review 15 these, I reviewed these a second time. As a matter 16 of fact, before today's continued hearing. I have 17 took extensive notes. I have -- I appreciate, I 18 have all the law that was presented. Appreciate 19 closing arguments. And based on everything I 20 reviewed and the evidence and testimony presented to 21 me as it pertains to this dust permit, I am going to 22 find that the violations did occur. 23 I understand that we can -- we can discuss 24 mitigation when we -- when we move into that phase. 25 I am, however -- so I'm going to find that the Page 210</p>



1 violations did occur on NOV 9994 18, 19, 117,
2 because what was important to me was that it was
3 brought into compliance on February 1st.
4 So there -- you know, the test permit was
5 requested. It was supposed to be followed. It's --
6 it states what needs to be there. The evidence
7 shows this -- the loose soils. It -- I don't think
8 that the drop ball is required, especially when the
9 pictures and the evidence show me.
10 I -- I do appreciate that there there was
11 -- we didn't see fugitive dust or plumes, but it was
12 definitely unstable soil. I mean, it met the
13 definition and it's -- and, you know, the -- the air
14 quality did say what, you know, that it was there
15 and there it was 18, 19 and 117. So I'm going to
16 find that it occurred as to NOV 9994, and then we
17 move into the violation.
18 As to NOV 10078, I'm going to find that
19 violation one did occur on 7/17. As to refusing
20 entry or access I'm going to find that occurred that
21 on 8/7 and 8/14, I'm going to dismiss 7/31. I do
22 realize, and I went back and looked that there was a
23 date for 7/25 that was said as a one off. I went
24 back and looked at that there was an issue about
25 certification. There was a lot of evidence

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1 presented. I'm going to give even the benefit of
2 the doubt on that one, even though the same people
3 had been there.
4 I mean that -- that I took into
5 consideration that these faces should have been
6 familiar by then, that the vehicle is says Air
7 Quality, they wear shirts, they were badges. That's
8 within my realm of doing this. This is the way
9 they've been doing it.
10 That's the first I've heard an argument
11 with the credentials. And the thing is, he did
12 allow them onto the property previous times, but I
13 am going to give the benefit of doubt and I'm going
14 to dismiss and or deny the 7/31. But I am going --
15 so as the violation number two on the 10078 I'm
16 going to find that it did occur as 8/7, 8/14 by
17 those dates. And then we can move into the penalty
18 phase and discuss. And I understand you said for
19 mitigation purposes, and we can go into put the
20 testimony onto that. Thank you.
21 HEARING OFFICER: Would you prefer that we
22 go through, just deal with both of them at the same
23 time?
24 MS. JORGENSEN: Yes. For purposes of time
25 since we've been here.

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1 HEARING OFFICER: Okay.
2 MS. JORGENSEN: And because I -- I've
3 pretty much, I've got a good understanding and notes
4 of where I'm headed, so yes.
5 HEARING OFFICER: Okay.
6 MS. JORGENSEN: I'd like to call Ms.
7 Sotoska (ph).
8 HEARING OFFICER: Okay.
9 SOTOSKA
10 having been first duly sworn to testify to the
11 truth, the whole truth, and nothing but the truth,
12 was examined and testified as follows:
13 EXAMINATION
14 BY MS. JORGENSEN:
15 Q. Ms. Sotoska, are you familiar with notice
16 of violation 9994?
17 A. I am.
18 Q. And what is your responsibility with
19 regard to the penalty of this notice of violation?
20 A. I'm an Air Quality supervisor in the
21 enforcement section. I review and approve the
22 penalties that are recommended.
23 Q. Okay. And when you say recommended, does
24 Air Quality establish the penalty?
25 A. No.

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1 Q. Who ultimately has responsibility to
2 determine or who -- who actually has the authority
3 to assess a penalty?
4 A. The hearing officer or the hearing board
5 upon appeal.
6 Q. Okay. And in this case what is the
7 recommended penalty?
8 A. For notice of violation 9994, it's
9 \$4,687.50.
10 Q. And can you -- there's an Exhibit A on the
11 screen. Could you describe what this depicts?
12 A. Sure. This is the penalty calculation
13 table and it shows how we arrived at -- well, it
14 shows the dates of violation as Air Quality observed
15 and the base penalty amounts and aggravating
16 factors.
17 Q. Okay. And then what is the maximum that
18 could be charged per day per violation?
19 A. The regulatory maximum that can be
20 assessed is \$10,000 per day per violation.
21 Q. And that's based on language and NRS for
22 5B?
23 A. It is as well as Air Quality Regulation
24 Section 9.
25 Q. Okay. And then if you could just go

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<p>1 through and describe just take us to that final 2 number.</p> <p>3 A. Sure. So in the matter of notice of 4 violation 9994 issued to Eton Transportation 5 Corporation, we have one documented violation that 6 occurred on January 8th, January 9th and January 7 17th, 2024, for failing to fully implement best 8 developable control measures and comply with sole 9 stabilization standards as documented in the 10 compliance officer's testimonies. The base penalty 11 that the department applies for violations of 12 unstable site soils is based on the size of unstable 13 strolls observed during that day. For --</p> <p>14 Q. So if I could, just real quickly, so the 15 first, sorry. The first two days, it was a larger 16 amount?</p> <p>17 A. That's correct.</p> <p>18 Q. And then the -- the last day was a smaller 19 amount, so -- so there wasn't as many -- there 20 wasn't as much that was unstable?</p> <p>21 A. That's correct.</p> <p>22 Q. Okay.</p> <p>23 A. So for January 8th and ninth it was 24 greater than or equal to one acre and less than, or 25 equal to five acres. On January 17th, it was less</p> <p style="text-align: right;">Page 215</p>	<p>1 did occur within a thousand feet of a residential 2 area for a total penalty amount for violation, one 3 of \$1,562.50.</p> <p>4 Violation two occurred on three separate 5 days since Madam Hearing Officer dismissed July 6 31st. I'll go on to August 7th and the 14th, August 7 7th and 14th were for failing to allow access to the 8 control officer for the purposes of inspection.</p> <p>9 A violation of section Air Quality 10 Regulation 4.1 D1 as documented in the compliance 11 officer's testimon. The penalty that air quality 12 applies for failing to allow access is \$10,000 per 13 day per violation for August 7th and August 14th, 14 \$10,000 was applied for each day for a total penalty 15 amount for violation number two of \$20,000, 16 excluding July 31st for a total penalty amount for 17 NOV 10078 of \$21,562.50.</p> <p>18 Q. And this -- what you've described about 19 aggravating factors and base penalty amounts how is 20 there a policy or some sort of guidance that Air 21 Quality uses internally to come up with these 22 numbers?</p> <p>23 A. Yes. We have a penalty procedure for 24 Section 94 violations. And it does point out base 25 penalty amounts for various things like unstable</p> <p style="text-align: right;">Page 217</p>
<p>1 than or equal to one acre. So for January 17th, a 2 base penalty of a thousand dollars was applied for 3 January 8th and ninth a base penalty of \$1,250 was 4 applied.</p> <p>5 There were aggravating factors added to 6 each of the days. For the first day -- while all 7 three days, the violations occurred within a 8 thousand feet of a residential area. So 25 percent 9 aggravation factor was added for each day. For 10 January 9th an additional 25 percent aggravation 11 factor was added for a second consecutive day of 12 violation. For a total penalty amount for January 13 8th of \$1562.50. For January 9th, \$1875. And for 14 January 17th, \$1250 for a total penalty amount for 15 violation 9994 of \$4,687.50.</p> <p>16 Q. Okay. And then if we could go to Exhibit 17 A of notice violation 10078.</p> <p>18 A. So similarly in this case well, there were 19 two days, two violations observed for this notice of 20 violation. Violation number one occurred on -- on 21 July 17th, four unstable site soils. The observed 22 unstable site soils were greater than an acre, but 23 less than or equal to five acres. Therefore, base 24 penalty of \$1,250 was applied. An aggravation 25 factor of 25 percent was added because the violation</p> <p style="text-align: right;">Page 216</p>	<p>1 site soils or track out or fugitive dust emissions. 2 And then it also goes into the aggravating factors 3 that can be applied.</p> <p>4 Q. And why does air quality use something 5 like that to come up with a recommended penalty?</p> <p>6 A. Well, the maximum -- the maximum penalty 7 is \$10,000 per day per violation. We understand 8 that that's not appropriate. Therefore, the 9 procedure is to ensure that we are consistent with 10 how we apply the penalties to all construction sites 11 in the valley.</p> <p>12 Q. And when you say not appropriate, that Air 13 Quality does consider it to be appropriate for 14 refusal to allow access?</p> <p>15 A. Yes, we do. We always assign \$10,000 for 16 that.</p> <p>17 Q. And is there any other situation where Air 18 Wuality would set a base penalty of 10,000 that 19 you're aware of or would -- would request?</p> <p>20 A. That is the only one that we always 21 recommend \$10,000 because we cannot assess what kind 22 of violations will be found on site because we do 23 not have access to the site.</p> <p>24 Q. Okay. But ultimately, again, this isn't 25 Air Quality's decision to make?</p> <p style="text-align: right;">Page 218</p>



<p>1 A. That's correct.</p> <p>2 Q. Okay. Nothing further?</p> <p>3 HEARING OFFICER: Okay. Counsel?</p> <p>4 MR. GUBLER: No question.</p> <p>5 HEARING OFFICER: Okay. So did we,</p> <p>6 obviously we've heard extensive, this is a second</p> <p>7 day. And at the end of closing arguments for Eton</p> <p>8 it was asked that if I would consider mitigating.</p> <p>9 Because I do appreciate the rota milling that was</p> <p>10 done as to NOV 9994 18, 91, 117 by 21, the site was</p> <p>11 in compliance.</p> <p>12 Looking at the pictures we did not see a</p> <p>13 fugitive dust. I understand it still was unstable</p> <p>14 soils, but I'm going to give the benefit of the</p> <p>15 doubt. We're just going to assign the base penalty</p> <p>16 of 1250 and thousand. So for NOV 9994, I'm going to</p> <p>17 put it out at \$2,250.</p> <p>18 MS. JORGENSEN: Madam Hearing Officer, so</p> <p>19 that \$1250 each day was assigned to that amount. I</p> <p>20 -- I didn't know whether you --</p> <p>21 HEARING OFFICER: So yes. Okay. And that</p> <p>22 way -- okay, so then it's going to be through today,</p> <p>23 so 1250, 1250 and the thousand. Okay, so it will be</p> <p>24 4,500, my math, right? I believe 3,505. My math</p> <p>25 wasn't right.</p> <p>Page 219</p>	<p>1 some mitigating factor needs to be determined as far</p> <p>2 as needing time to determine what was in my client's</p> <p>3 rights as far as search and seizures.</p> <p>4 And we -- we ask that the hearing officer</p> <p>5 do consider that as well as the -- the maximum for</p> <p>6 the two days. You know, since my -- my client did</p> <p>7 not have -- again, the maximum amount before was</p> <p>8 just 1250. So we -- we ask that at most that those</p> <p>9 penalties be 1250 a day.</p> <p>10 HEARING OFFICER: Okay. You know, and I</p> <p>11 -- I'm going to reconsider just, I remember the --</p> <p>12 the August 28th date, they came after the fact, and</p> <p>13 I just, with the road of milling after that I'm</p> <p>14 willing to give -- I mean, I just, the refusing</p> <p>15 access is a concern because this had been going on</p> <p>16 since January.</p> <p>17 There was testimony too about other sites</p> <p>18 coming out every six months. I mean, they weren't</p> <p>19 coming out every day other than to make sure in</p> <p>20 January they were in compliance. And then we come</p> <p>21 back six months later in July.</p> <p>22 So it wasn't like they were kept coming</p> <p>23 out. And the concern is, is that, I mean, that</p> <p>24 whether the credentialing or not it was done in</p> <p>25 January too, and the permit was there. I'm willing</p> <p>Page 221</p>
<p>1 MS. JORGENSEN: Yes.</p> <p>2 HEARING OFFICER: Is that right? 4,500.</p> <p>3 My calculator 2250 plus the 1250, is that what we're</p> <p>4 saying? Yeah. Okay. So yeah, the total penalty is</p> <p>5 3,500. So I'm keeping that at the base. Okay. As</p> <p>6 to NOV 178, I going keep 717 as to the 1250 as well.</p> <p>7 And then no entry for the two days, there was no</p> <p>8 entry on 7/31, but I see there was issues about</p> <p>9 certification, so I can dismiss that. So I'm going</p> <p>10 to hold the penalties for the refused access at the</p> <p>11 10,000 for the two. So it's going to be 20,000, so</p> <p>12 it'll be 21,250.</p> <p>13 MR. GUBLER: May I make a comment on that?</p> <p>14 HEARING OFFICER: Sure.</p> <p>15 MR. GUBLER: So the testimony given was</p> <p>16 that they you know -- they don't, they don't know</p> <p>17 the -- the -- what they're looking at. So they --</p> <p>18 they assessed the -- the full maximum amount. They</p> <p>19 -- there was testimony that they went before and</p> <p>20 after August 28th. And -- and nothing -- nothing</p> <p>21 had basically the -- the max amount that they had</p> <p>22 had any time before was the 1250 is what was just</p> <p>23 assessed.</p> <p>24 Also, you know, whether Madam Hearing</p> <p>25 Officer believes my client or not I believe that</p> <p>Page 220</p>	



1 to give a 20 percent discount on that 20,000. So
2 what would that bring?

3 Because I do appreciate the fact, and this
4 testimony was, it happened to August or September
5 where the affidavits and we're talking to people in
6 the road, rota milling. So it was -- there was some
7 stuff done to -- to mitigate that. So I'm going to
8 do that. So it'll be the 1250 plus, I'll give a 20
9 percent discount off the 20,000. And 4,000. Am I
10 saying that right? So it's going to be, yeah,
11 16,000.

12 So 16,000 for violation number two and
13 1250. And so that brings us to the grand total and
14 17250, because I've already knocked the -- the --
15 the 10,000 off. Actually there was a one off for
16 the 725 and the 731, but it is serious to have
17 refused entry in 878, 14 definitely by those times.

18 And but I do know that the role of milling
19 was done after the fact. And -- and I see that. So
20 that's -- that's what I'm -- that's the penalty
21 then. The total being 17250. Okay. And we are
22 adjourned. Thank you. And it's 2:31. Thank you
23 everybody for your testimony and all the evidence
24 presented.

25 (Proceedings adjourned at 2:31 p.m.)



CERTIFICATE OF TRANSCRIPTION

I, MICHAEL KALDOR, do hereby certify that the provided audio recording media was transcribed by me or reduced to typewriting under my supervision, that said transcript is a true transcription of the audio recording; that I am neither counsel for, related to, nor employed by any of the parties to the action involved in these proceedings; and, further, that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.

MICHAEL KALDOR



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EXHIBIT 32

1 BEFORE THE AIR POLLUTION CONTROL HEARING BOARD
2 CLARK COUNTY, NEVADA

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4
5 IN THE MATTER OF NOTICE OF)
6 VIOLATION #10078 ISSUED TO)
7 ETON TRANSPORTATION CORP.,) #10078
8 ENVIRONMENTAL TRANSPORTATION)
9 OF NEVADA, LLC D/B/A ETON,)
10 AND MOE TRUMAN,)
11)
12 Appellants,)
13)
14 _____
15)
16)

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25
26 DATE: April 8, 2025

1 APPEARANCES :

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Nevada, LLC d/b/a ETON, and Moe

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In Re: Violation #10078 Issued to Eton Transportation Corp., et al.
Transcription - April 8, 2025

<p>1 PROCEEDINGS</p> <p>2 ***</p> <p>3 THE CLERK: This is a recording of the Air</p> <p>4 Pollution Control Hearing Board April 8th, 2025 at 10:00</p> <p>5 a.m. Chairperson Danny Sanders presiding.</p> <p>6 CHAIR SANDERS: If everyone will take a seat,</p> <p>7 we'll get started here.</p> <p>8 Okay. I'd like to call this meeting to order.</p> <p>9 First item on the agenda is a public comment. Is there</p> <p>10 anyone present that would like to address the board</p> <p>11 prior to first things here in the meeting? If so, I'll</p> <p>12 open the public comment. Seeing no one, I'll close the</p> <p>13 public comment. The minutes for our last meeting from</p> <p>14 January 28th, do I have a motion to approve those</p> <p>15 minutes?</p> <p>16 MR. BARTLETT: I have motion to approve.</p> <p>17 CHAIR SANDERS: We have a motion. Is there a</p> <p>18 second?</p> <p>19 MS. LAHAV: Second.</p> <p>20 CHAIR SANDERS: Okay. We have a motion and a</p> <p>21 second. All in favor say aye.</p> <p>22 BOARD MEMBERS: Aye. Aye.</p> <p>23 CHAIR SANDERS: Any opposed say no. Okay. The</p> <p>24 next item on the agenda is to review competing hearing</p> <p>25 board orders from hearings conducted on January 28th,</p> <p style="text-align: right;">Page 3</p>	<p>1 CHAIR SANDERS: Any opposed, say no. Okay.</p> <p>2 Okay. Now we're on to -- okay. We're on to Item number</p> <p>3 5. Appeal of a hearing officer's decision for ETON</p> <p>4 Transportation Corp. NOV 9994. Any comments from the</p> <p>5 board?</p> <p>6 MR. DENNETT: This -- this -- this matter for</p> <p>7 myself obviously, and I have a conflict based on</p> <p>8 representation of parties in my capacity as an attorney.</p> <p>9 And so I'm going to recuse myself from the hearing board</p> <p>10 and from this matter, these series of matters.</p> <p>11 CHAIR SANDERS: All right.</p> <p>12 MS. LAHAV: (Indiscernible.)</p> <p>13 MR. DENNETT: So I'll be recusing on item</p> <p>14 notice of violation 9994, notice of violation 10078.</p> <p>15 That appears to be the only two that I'll be recusing</p> <p>16 on.</p> <p>17 CHAIR SANDERS: Okay. Anybody else with any</p> <p>18 conflicts or -- or clarifications? Okay. Seeing no one</p> <p>19 else, Mr. Dennett is excused. Appreciate him coming out</p> <p>20 to get us a quorum here to start. As we're going to be</p> <p>21 hearing this case de novo, can we hear them both</p> <p>22 together or do we need to hear them separately? Well,</p> <p>23 state your name for the record, please. You don't need</p> <p>24 to stand up.</p> <p>25 MR. GUBLER: I'm Russ Gubler. I'm -- I'm the</p> <p style="text-align: right;">Page 5</p>
<p>1 NOV 9907, 9946, 9979, and 10008. Shared Development</p> <p>2 Holding and Joseph Yakubik individually. Is there</p> <p>3 anybody here representing any of those entities.</p> <p>4 Okay. Just so the board knows, Mr. Yakubik did</p> <p>5 not submit a competing order to date or by March 25th,</p> <p>6 which was the deadline. So I'll open up for any comment</p> <p>7 or just to approve the orders as they -- as -- as we</p> <p>8 dictated in the last meeting.</p> <p>9 MR. BARTLETT: It's just my understanding from</p> <p>10 the board's counsel that Mr. Yakubik disagrees with the</p> <p>11 board's orders or the proposed orders that are submitted</p> <p>12 by Catherine Jorgensen, prior -- prior counsel, and that</p> <p>13 he indicated that he would either be submitting a</p> <p>14 competing order or appear here today to object to the</p> <p>15 orders submitted by Ms. Jorgensen. But having not seen</p> <p>16 him, I certainly -- pending other comments from the</p> <p>17 board, I'm certainly make a motion to approve the orders</p> <p>18 as submitted by Ms. Jorgensen.</p> <p>19 CHAIR SANDERS: If there's no other comments,</p> <p>20 we have a -- a motion. Do we have a -- a second?</p> <p>21 MS. LAHAV: Second the motion.</p> <p>22 CHAIR SANDERS: Okay. We have a motion and</p> <p>23 second to approve the orders as presented by Ms.</p> <p>24 Jorgensen. All in favor say aye.</p> <p>25 BOARD MEMBERS: Aye. Aye.</p> <p style="text-align: right;">Page 4</p>	<p>1 attorney for the respondent.</p> <p>2 CHAIR SANDERS: Okay. Mr. Gubler, you said?</p> <p>3 MR. GUBLER: Yes.</p> <p>4 CHAIR SANDERS: Okay. Is there any objection</p> <p>5 to Air Quality and/or you guys if we heard them both</p> <p>6 together, or is that something that couldn't happen?</p> <p>7 MR. ALLEN: Well, I -- I'm Timothy Allen on</p> <p>8 behalf of Clark County. And Mr. Gubler and I spoke</p> <p>9 briefly before the hearing, and we had discussed whether</p> <p>10 or not it would be amenable to the board to just submit</p> <p>11 the transcripts from the prior hearing and not have to</p> <p>12 represent all that new evidence de novo, or all that old</p> <p>13 evidence de novo, and then have some new testimony</p> <p>14 presented that's different from those transcripts. And</p> <p>15 if that's amenable to the board, I think it could save</p> <p>16 everybody some time. But --</p> <p>17 CHAIR SANDERS: Well, I think it did save us a</p> <p>18 lot of time. I read through -- has everybody else</p> <p>19 reviewed that? I don't want to put something on if</p> <p>20 we're not fully comfortable with what -- that transcript</p> <p>21 from the hearing officer. Are you okay with it too? Is</p> <p>22 that Daniel?</p> <p>23 THE CLERK: Donald.</p> <p>24 CHAIR SANDERS: Donald. Donald, you all right</p> <p>25 with that?</p> <p style="text-align: right;">Page 6</p>



In Re: Violation #10078 Issued to Eton Transportation Corp., et al.
Transcription - April 8, 2025

<p>1 MR. BORDELOVE: Yeah. No objection on my part.</p> <p>2 CHAIR SANDERS: Great. All right. Let's --</p> <p>3 let's -- then we'll -- we'll submit the records of that,</p> <p>4 the hearing officer -- the transcript as -- as evidence.</p> <p>5 We've all reviewed it and look forward to hearing any</p> <p>6 new information that may come out here today. I'll turn</p> <p>7 the time over to Mr. Allen, I guess, to -- to do a short</p> <p>8 presentation on whatever -- however you want to do it,</p> <p>9 then we'll go to the defense.</p> <p>10 MR. ALLEN: Yeah. Because we have those</p> <p>11 transcripts, I think we'll just save our time for</p> <p>12 rebuttal for the new evidence that's being presented by</p> <p>13 opposing counsel.</p> <p>14 CHAIR SANDERS: Are you planning on calling any</p> <p>15 additional witnesses?</p> <p>16 MR. ALLEN: I'm not calling any additional</p> <p>17 witnesses that weren't previously called, and the</p> <p>18 previous witnesses will just be used to rebut the new</p> <p>19 evidence presented today.</p> <p>20 CHAIR SANDERS: Okay. Great. Mr. Gubler.</p> <p>21 MR. GUBLER: Yes. Your -- before we begin, I</p> <p>22 would like to ask -- at least I -- I'm not sure what</p> <p>23 will be on rebuttal. I don't know that I intend to</p> <p>24 question any of the Clark County employees. If -- if</p> <p>25 that's the case, then we'll submit it on what's been</p> <p style="text-align: right;">Page 7</p>	<p>1 That's fine. For all the inspectors here, if they are,</p> <p>2 can we just ask them to go play cards in the other room</p> <p>3 or something? Okay. Mr. Gubler, do you want to --</p> <p>4 let's move forward and present whatever you're going to</p> <p>5 present.</p> <p>6 MR. GUBLER: Yes. I --</p> <p>7 CHAIR SANDERS: If -- if Mr. Truman's going to</p> <p>8 be talking, I'll need swear him in, just so you know if</p> <p>9 that -- I don't know if he is or not.</p> <p>10 MR. GUBLER: He is, but there -- there's a</p> <p>11 couple preliminary matters that I'd like to present to</p> <p>12 the board before I begin.</p> <p>13 CHAIR SANDERS: Very well.</p> <p>14 MR. GUBLER: With -- I thank -- I thank the</p> <p>15 board for being here today and for the sequestering the</p> <p>16 witnesses. Also I do appreciate Mr. Dennett recusing</p> <p>17 himself. I -- I mean, that was a topic that probably</p> <p>18 would -- would -- would've come up, to avoid any type of</p> <p>19 impropriety.</p> <p>20 As far as with Mr. Dennett, my understanding,</p> <p>21 just reviewing the information that's on the Clark</p> <p>22 County website, Mr. Dennett is the -- the one attorney</p> <p>23 that is on the board. And given the -- the nature of</p> <p>24 this -- this matter, we're -- we're asking for certain</p> <p>25 -- we're asking the court, forgive me, the board to</p> <p style="text-align: right;">Page 9</p>
<p>1 presented before. But in the event that there is any</p> <p>2 rebuttal by -- with the witnesses from Clark County, I</p> <p>3 would ask that the witnesses be sequestered. I</p> <p>4 understand that this is an open meeting, but as far as</p> <p>5 the witnesses go, I would ask that they be sequestered.</p> <p>6 CHAIR SANDERS: All right. The board have any</p> <p>7 or Mr. Allen, any objections to that?</p> <p>8 MR. ALLEN: We don't have any objection to</p> <p>9 that.</p> <p>10 CHAIR SANDERS: Okay. Does the board have any</p> <p>11 objections? All right. Then that's fine. Let's</p> <p>12 sequester all the previous witnesses that were involved.</p> <p>13 MR. ALLEN: Oh, there -- there is one thing. I</p> <p>14 -- previously -- in -- in the previous hearing, we</p> <p>15 sequestered all the inspectors, but Anna Sutowska,</p> <p>16 represents the department at the -- at the meetings, and</p> <p>17 she testifies as to the -- the fine and penalties, and</p> <p>18 so if she could remain in the room. I don't know if</p> <p>19 there's an -- an objection to that.</p> <p>20 MR. GUBLER: No objection.</p> <p>21 CHAIR SANDERS: All right. What about Mr.</p> <p>22 Truman?</p> <p>23 MR. GUBLER: Mr. Truman is a -- is in a -- a</p> <p>24 respondent and also represent --</p> <p>25 CHAIR SANDERS: Okay. And also a witness.</p> <p style="text-align: right;">Page 8</p>	<p>1 consider certain constitutional rights, certain</p> <p>2 statutes, some unrelated statutes.</p> <p>3 And I believe that if this goes forward, that I</p> <p>4 would prefer somebody to hear -- that -- that -- that's</p> <p>5 in Mr. Dennett's place to hear those legal arguments. I</p> <p>6 believe that that would be -- I believe that would be in</p> <p>7 my client's favor, frankly.</p> <p>8 As far as the -- the other issue that's --</p> <p>9 that's very related, is, again, according to you know,</p> <p>10 the website, I -- we previously had this matter heard by</p> <p>11 a hearing officer and who considers cases and determines</p> <p>12 one, if a violation of the air quality regulations</p> <p>13 exists and the extent of penalties, if any.</p> <p>14 Now, in -- there -- there's some -- some</p> <p>15 federal question issues here, and as far as this matter</p> <p>16 goes, the board, you know, this is de novo, and the --</p> <p>17 the board is going to hear the same issues that was --</p> <p>18 that was heard by the hearing officer. The hearing</p> <p>19 officer had refused -- I -- this is -- and this is</p> <p>20 basically what I had requested, that under the -- the</p> <p>21 recent Supreme -- United States Supreme Court rulings in</p> <p>22 Loper Bright Enterprises v. Raimondo, and also Corner</p> <p>23 Post Inc. V. Board of Governors of the Federal Reserve</p> <p>24 System.</p> <p>25 That -- those two cases ended the Chevron</p> <p style="text-align: right;">Page 10</p>



<p>1 doctrine that gave preferences to agencies to interpret</p> <p>2 statutes. The court said that courts, not agencies, are</p> <p>3 to, "decide" all relevant questions of law, and,</p> <p>4 "interpret" statutory provisions.</p> <p>5 And as far as back as 1803 in Marbury vs</p> <p>6 Madison. It's the power of the court to declare</p> <p>7 legislature executive act in violation of the</p> <p>8 constitution. There is also, and this is presented in</p> <p>9 our briefs, but the court -- the Ninth Circuit Court and</p> <p>10 Association of American Railroads, that's 622 F.3d 1098,</p> <p>11 states that the Clean Air Act requires statewide plans</p> <p>12 and statewide implementation plans.</p> <p>13 We know that the AQR is not a statewide</p> <p>14 program. We -- we recognize that that is even approved</p> <p>15 by the EPA, but it is a countywide program. And the AQR</p> <p>16 code is not the same as the statewide program. We do</p> <p>17 not disagree that the EPA again, approve the countywide</p> <p>18 plans, but to have the force and effect of federal law,</p> <p>19 what Association of American Railroad says is the EPA</p> <p>20 must approve state implemented plans.</p> <p>21 And so to avoid, you know, wasting resources,</p> <p>22 we are asking the appropriate board to make a</p> <p>23 determination of whether the EPA approved those</p> <p>24 statewide plans under Clean Air Act, as well as the</p> <p>25 constitutional issues that we -- that we present in our</p> <p style="text-align: right;">Page 11</p>	<p>1 Court.</p> <p>2 CHAIR SANDERS: No. I appreciate you doing</p> <p>3 that, and all that was in your brief as I recall. I</p> <p>4 don't know that this board has jurisdiction over</p> <p>5 deciding if -- if the federal law or if -- if it</p> <p>6 supersedes any county rules, which, you know, I -- that,</p> <p>7 you know, really our purview is decide whether or not</p> <p>8 there's a air quality violation and what the appropriate</p> <p>9 penalty should be, if there is one.</p> <p>10 You know, I'm -- I'm sure you'd have to move</p> <p>11 this forward to another court that would have -- and I</p> <p>12 -- I'm not an attorney, so I -- I, you know, I -- I</p> <p>13 don't know how exactly it work, but, you know, I know</p> <p>14 for us, we're only looking at whether or not there was a</p> <p>15 violation and if there was, the appropriate penalties.</p> <p>16 It's clear out of our -- at least I feel that</p> <p>17 it is, and somebody correct me if I'm wrong, but -- but</p> <p>18 it's out of our hands whether or not there's some</p> <p>19 federal law or some railroad law or something else that</p> <p>20 may apply to this in -- in our decision making.</p> <p>21 I -- I -- I can't connect the dots here with</p> <p>22 that. And -- and so, you know, I -- I -- I appreciate</p> <p>23 what you've said, and -- and it's -- may or may not be a</p> <p>24 legitimate argument moving forward. It's just not in</p> <p>25 this board's ability to decide whether the federal laws</p> <p style="text-align: right;">Page 13</p>
<p>1 briefs, namely, Fourth Amendment, unreasonable searches</p> <p>2 and seizures. A security plan required by the federal</p> <p>3 DOT or -- and/or FMCSA -- FMCSA separation of powers.</p> <p>4 And then also -- and then there's due process related</p> <p>5 issues as well, but procedural due process.</p> <p>6 And then there's unrelated issues of whether</p> <p>7 the owner of the property is -- is Tonopah and</p> <p>8 Tidewater, a railroad company. And -- and there was a</p> <p>9 question -- there was argument by the county that it is</p> <p>10 not a railroad company. But -- and so there's --</p> <p>11 there's unrelated issues of that looking at those</p> <p>12 statutes.</p> <p>13 And even if it isn't, the Surface</p> <p>14 Transportation Board, STB still regulates the railroads</p> <p>15 and trucking companies and as well as the commerce</p> <p>16 clause. And -- and then there's also the statutes --</p> <p>17 the state statute that -- that, as I had alluded to</p> <p>18 before, that talks about the -- the state requirement,</p> <p>19 reasonable available methods versus best available</p> <p>20 methods -- best available count control measures by --</p> <p>21 that's in the AQR.</p> <p>22 And so -- and so that -- we request that that</p> <p>23 be heard by a jurisdiction to determine all these issues</p> <p>24 to avoid that. Again, the resources and -- and based on</p> <p>25 the more recent rulings of the United States Supreme</p> <p style="text-align: right;">Page 12</p>	<p>1 apply or if they restrict the county agencies from doing</p> <p>2 whatever they're supposed to be doing, ach agency.</p> <p>3 I'm reluctant to let the board actually go into</p> <p>4 this situation to discuss the potential conflicts with</p> <p>5 -- with the federal laws and -- and the railroad stuff.</p> <p>6 You know, I would like to focus on the actual violations</p> <p>7 or that -- that you are written up for the notices of</p> <p>8 violations and the -- and -- and move from there. Do</p> <p>9 you have any new evidence on any -- on -- on the actual</p> <p>10 violations?</p> <p>11 MR. GUBLER: Yes. There -- there is a few</p> <p>12 questions that I -- I mean, a few, but -- that I need to</p> <p>13 ask Mr. Truman. So I think he would need to be sworn.</p> <p>14 CHAIR SANDERS: Oh, I'm sorry. What? I'm</p> <p>15 sorry, go ahead.</p> <p>16 MR. GUBLER: No. Sorry. I was -- there are a</p> <p>17 few questions that I will need to ask Mr. Truman that we</p> <p>18 want to make sure are -- are on the record.</p> <p>19 CHAIR SANDERS: All right.</p> <p>20 MR. GUBLER: And -- and so yes, he would need</p> <p>21 to be sworn.</p> <p>22 CHAIR SANDERS: Okay. Let me swear him in.</p> <p>23 Mr. Truman, raise your right hand. Please,</p> <p>24 state your name for the record.</p> <p>25 MR. TRUMAN: Mitchell Wade Truman.</p> <p style="text-align: right;">Page 14</p>



<p>1 MITCHELL TRUMAN</p> <p>2 having been first duly sworn to testify to the truth,</p> <p>3 the whole truth, and nothing but the truth, was examined</p> <p>4 and testified as follows:</p> <p>5</p> <p>6 CHAIR SANDERS: Okay. Thank you.</p> <p>7 MR. GUBLER: I think given indulgence to the</p> <p>8 board, but I think it -- there may be a little bit -- it</p> <p>9 may be a little bit of -- be choppy because of, you</p> <p>10 know, we're -- were just hitting on a few -- few</p> <p>11 different areas --</p> <p>12 CHAIR SANDERS: No. I understand.</p> <p>13 MR. GUBLER: -- but again applying what --</p> <p>14 what's testified to before, and I think we're -- we're</p> <p>15 good with submitting on -- on that.</p> <p>16 EXAMINATION</p> <p>17 BY MR. GUBLER:</p> <p>18 Q. Mr. Truman, last time there were some questions</p> <p>19 related to having a -- signing a permit. Do you recall</p> <p>20 that testimony?</p> <p>21 A. I do.</p> <p>22 Q. It was for a desk permit; is that right?</p> <p>23 A. Correct.</p> <p>24 Q. And when -- when you signed the desk permit,</p> <p>25 tell me what you did before -- before signing it?</p> <p style="text-align: right;">Page 15</p>	<p>1 go through and rectify their over zealotness on getting</p> <p>2 on private property and then defacing property that was</p> <p>3 owned by me because I was transporting it.</p> <p>4 So I was familiar with the Fourth Amendment</p> <p>5 there. And then we had an additional issue with a</p> <p>6 government agency called the Bureau of Land Management</p> <p>7 who did a similar type issue on my property. We</p> <p>8 appeared in front of a Judge Roger Hunt on that one.</p> <p>9 And again, the Fourth Amendment prevailed that I have</p> <p>10 rights as a property owner, and they had no business</p> <p>11 being there without a warrant.</p> <p>12 The next one was a government agency called the</p> <p>13 United States Air Force or Department of Defense. We</p> <p>14 had some property that we owned on Range Road, and the</p> <p>15 military came across that because it was easier for</p> <p>16 them. And again, Stan Perry was our attorney with that</p> <p>17 when we had issues with the Department of Defense, and</p> <p>18 again, Fourth Amendment prevailed. We had our -- our</p> <p>19 rights of our property that we -- if they want to come</p> <p>20 on, they need to ask so if we say no, that they need to</p> <p>21 get a -- a court order to come on property.</p> <p>22 The other one was with the City of North Las</p> <p>23 Vegas. We had some renters on our property on Donovan</p> <p>24 Way called Renew Oil, and they had some boxes that the</p> <p>25 local jurisdiction thought that they had control over.</p> <p style="text-align: right;">Page 17</p>
<p>1 A. I looked at the terms and conditions of the</p> <p>2 permit to understand what I was getting into.</p> <p>3 Q. Okay. And -- and what did you find when you --</p> <p>4 when you looked into this?</p> <p>5 A. I found that it was amenable to me of -- of</p> <p>6 their right to entry, one is they would show</p> <p>7 credentials, and then they'd asked to come on the</p> <p>8 property to fulfill their inspection requirements.</p> <p>9 Q. Okay. Anywhere before signing that -- and I</p> <p>10 guess for clarification, on behalf -- did you sign that</p> <p>11 on your -- on behalf of yourself?</p> <p>12 A. I did not.</p> <p>13 Q. Who did you sign it on behalf of?</p> <p>14 A. Either ETON or Environmental Transportation,</p> <p>15 the other one's an acronym, but one of the two.</p> <p>16 Q. Okay. And at any time, did -- did you see a</p> <p>17 waiver of any type of constitutional rights, Fourth</p> <p>18 Amendment or anything like that?</p> <p>19 A. No. I've been in several situations with the</p> <p>20 Fourth Amendment with the following agencies. One's the</p> <p>21 water district. They come in my property and inspector</p> <p>22 did on my property, and had some pipe that was in</p> <p>23 transit. So it was a care custody and control of my</p> <p>24 company, and they wrote reject on it. And then we ended</p> <p>25 up in litigation with Stan Perry, was our attorney, to</p> <p style="text-align: right;">Page 16</p>	<p>1 So we went to -- to task with the district attorney of</p> <p>2 the Pacific North Las Vegas.</p> <p>3 It was again in transit, and so it was covered</p> <p>4 by the commerce clause. And so they finally got a new</p> <p>5 DA out of Chicago, very familiar with trash laws, and</p> <p>6 they stood down on -- on that one. The next one was</p> <p>7 with a Clark County waste. Like I think the acronym</p> <p>8 that goes for them, but they're the people that charge</p> <p>9 Health Department. They were after the same company for</p> <p>10 New Oil. Jumped our fence, looked in the material and</p> <p>11 the containers on site to make sure there was no solid</p> <p>12 waste there that they had in their mind control over.</p> <p>13 Again, Stan Perry, we went down and -- and</p> <p>14 fought them that they had no right to come on my</p> <p>15 property. They breached every constitutional *line of</p> <p>16 the Fourth Amendment I had. That material was in -- in</p> <p>17 transit to California, and they had no jurisdictional</p> <p>18 claim on that material.</p> <p>19 The last one we had was with a federal agency</p> <p>20 called the FRA, Federal Railroad Administration, that</p> <p>21 had an overzealous Inspector of Salt Lake. Lunchtime,</p> <p>22 he went out on property. The code's quite clear on the</p> <p>23 federal side of -- that we have a window to respond to</p> <p>24 their needs.</p> <p>25 One of our people was high glycemic and needed</p> <p style="text-align: right;">Page 18</p>



<p>1 to eat lunch, and he storms on with his gun and his</p> <p>2 badge and jumps on the property. That went all the way</p> <p>3 up to Roseville, California Regional and then ended up</p> <p>4 in Washington DC with ombudsman of the Federal Railroad</p> <p>5 Administration.</p> <p>6 We eventually got him cease and -- not a cease</p> <p>7 and desist order. We went to the North Las Vegas court</p> <p>8 and had a injunction put out against, they can't come on</p> <p>9 the property. So those are my historical issues with</p> <p>10 different government agencies with the Fourth Amendment.</p> <p>11 So I was well versed in that when I signed the document</p> <p>12 with the Clark County AQ about presenting credentials</p> <p>13 and asking to get on property.</p> <p>14 Q. Okay. I appreciate that. Last, just kind of</p> <p>15 skipping gears on a different topic, but last time the</p> <p>16 hearing officer had said at the end that she waited for</p> <p>17 a very long time to hear when roto mill was put down on</p> <p>18 the property located at 2596 Stratford Avenue, Las</p> <p>19 Vegas, Nevada. Do you recall that?</p> <p>20 A. I do.</p> <p>21 Q. And you -- you testified at the time that you</p> <p>22 did not recall the exact time when that had occurred.</p> <p>23 Did you -- did you look that up?</p> <p>24 A. I did. August 2nd is when we started pulling</p> <p>25 roto mill out of Las Vegas (indiscernible) *North Fifth</p> <p style="text-align: right;">Page 19</p>	<p>1 Smith said the best thing to do was to use the chats.</p> <p>2 We brought chat in first. There was a little bit of</p> <p>3 dusting, and then we went through and looked at paving</p> <p>4 options, and then we settled on rotor milling basically</p> <p>5 stabilizing the underlying soil to go through and get</p> <p>6 compaction. Took some time.</p> <p>7 Q. And -- and -- and that was after consulting</p> <p>8 with some of these people, correct? That we -- we have</p> <p>9 their declarations attached as Exhibits?</p> <p>10 A. Correct. Dave McDonough of -- of -- was pretty</p> <p>11 important to go through and do a soil sample, find out</p> <p>12 how to get the compaction on the underlayment to help us</p> <p>13 get there.</p> <p>14 Q. Other people were Paul Harbor, Joe Miller,</p> <p>15 Floyd Meldrum, Michael Montana; is that right?</p> <p>16 A. Correct.</p> <p>17 Q. And then you also mentioned Jay Smith with Las</p> <p>18 Vegas Bay?</p> <p>19 A. Yeah. He would not sign a testimony. He's --</p> <p>20 he would sign up personally or corporate. They're quite</p> <p>21 concerned of -- of pushback from the AQM people. But</p> <p>22 the verbal conversations was with Jay, but again, he</p> <p>23 would not sign a declaration.</p> <p>24 Q. Okay. Okay. The -- we -- we had -- we had</p> <p>25 presented some different yards throughout Clark County.</p> <p style="text-align: right;">Page 21</p>
<p>1 Plant and placing it.</p> <p>2 Q. And you -- and you placed roto mill because,</p> <p>3 why?</p> <p>4 A. Talking to Floyd Meldrum, Jay Smith, Bill and</p> <p>5 Ladder over BT Construction, Dave McDonough, I'm trying</p> <p>6 to think. Joe Miller, he used to be with Freiner, the</p> <p>7 name's Construction here. I think two other people.</p> <p>8 Paul Harbor. And those people, what -- what they used</p> <p>9 in their yards where they have tracked equipment and</p> <p>10 they all said that roto mill was the thing to go through</p> <p>11 and be in compliance. So that's what we did with what</p> <p>12 the industry has found to be practical and cost</p> <p>13 effective.</p> <p>14 CHAIR SANDERS: I don't think there's any</p> <p>15 argument on whether or not roto mill is appropriate. I</p> <p>16 think it was just a matter of when it got put down in</p> <p>17 relation to the citations.</p> <p>18 BY MR. GUBLER:</p> <p>19 Q. So August 2nd there -- there was a, I believe</p> <p>20 the first person that showed up at the property. When I</p> <p>21 say the property, I'm just going to refer to it as the</p> <p>22 property, the Stratford Avenue property. It was around</p> <p>23 January 8th, and then you said that you started pulling</p> <p>24 roto mill on August 2nd. Why did it take you so long?</p> <p>25 A. We had to go through stabilizing the soil. Jay</p> <p style="text-align: right;">Page 20</p>	<p>1 Some were argued that it wasn't in the air shed, I</p> <p>2 believe was -- was the statement in the Las Vegas area.</p> <p>3 Do you recall that -- those questions?</p> <p>4 A. I do.</p> <p>5 Q. Okay. Now, have you -- have you dealt with a</p> <p>6 -- a Formula 1 property?</p> <p>7 A. We are the transportation provider for a</p> <p>8 company called, All 5 division of PENTA. And they had</p> <p>9 all the material brought in from Florida by us and</p> <p>10 others to a staging yard across from the executive</p> <p>11 airport on Tropicana. Property is owned by the Clark</p> <p>12 County, or -- excuse me, by UNLV. So we brought</p> <p>13 material in and then we actually did the setup along the</p> <p>14 raceway. Nice piece of property, but it has the same</p> <p>15 dust palliative that we have roto mill.</p> <p>16 Q. And do you know what they do on that property?</p> <p>17 A. They -- it's terminal. They -- they bring</p> <p>18 material in, put it on the ground, put it back on</p> <p>19 trucks, deliver it. They do the same scope of work as</p> <p>20 we do. Transportation.</p> <p>21 Q. Okay. And that's -- that's interstate; is that</p> <p>22 right?</p> <p>23 A. Material comes out of Florida for the -- for</p> <p>24 the -- the -- the race, and then it goes back to the</p> <p>25 Florida for the next Grand Prix.</p> <p style="text-align: right;">Page 22</p>



In Re: Violation #10078 Issued to Eton Transportation Corp., et al.
Transcription - April 8, 2025

1 Q. So did you bring some pictures of her?
2 **A. I did.**
3 MR. GUBLER: I -- I -- I realize this is --
4 there -- there's a couple different items where we would
5 request to -- just so that the board has an
6 understanding. And we'd like to submit them into the
7 record just following the exhibits that we have. Yeah.
8 We -- we would ask that they be -- admitted as an
9 exhibit. It's not in our record.
10 CHAIR SANDERS: That's fine.
11 MR. GUBLER: I would like to ask --
12 CHAIR SANDERS: Is it -- is it relevant, I
13 think we've already agreed that roto mills' acceptable
14 -- dust pallet. Is this still on that argument?
15 MR. GUBLER: It -- it's -- it is on the -- it's
16 in part, but it's on the argument of equal protection
17 under the United States Constitution. May approach.
18 CHAIR SANDERS: Does opposing counsel have any
19 -- any issues with this exhibit?
20 MR. ALLEN: Yeah. I'll just like to -- I'll
21 just like to review them.
22 BY MR. ALLEN:
23 Q. Thank you. Do you know what date these were
24 taken?
25 **A. Pardon?**

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1 Q. Do you know what date these photos were taken?
2 **A. Yesterday, sir.**
3 Q. Yesterday?
4 **A. Uh-huh.**
5 Q. Do you know what -- is this the location of the
6 NOV's or is this a different location?
7 **A. No. This is different location. I -- it's --**
8 Q. Oh, this is for the F1?
9 **A. Yeah.**
10 MR. ALLEN: Okay. Thank you. Yeah. I have no
11 objection to them being submitted.
12 CHAIR SANDERS: Okay. Go ahead and bring them.
13 MS. LAHAV: Did she give 15 copies first.
14 MR. GUBLER: I apologize. I don't have 15
15 copies.
16 MS. LAHAV: Do you have one set copy from the
17 copies we have?
18 MR. GUBLER: Sure, of course.
19 CHAIR SANDERS: Every of your copies?
20 MR. GUBLER: There's -- there's two over there.
21 There's one here and one over here.
22 CHAIR SANDERS: She'll need some. I'll give
23 her the copy for the record. Do you have some that are
24 in color?
25 MR. GUBLER: I think just that --

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1 CHAIR SANDERS: Just one I ran out of color
2 ink. I'm sorry.
3 MR. GUBLER: This one.
4 CHAIR SANDERS: Uh-huh. We're going to need to
5 get copies of these. Is there --
6 MS. LAHAV: Yeah. And all the digital copies
7 sent to me as well.
8 THE WITNESS: So we've been in that yard since
9 2023.
10 CHAIR SANDERS: Pardon me.
11 THE WITNESS: So we've been in that yard since
12 2023 working for the F1.
13 CHAIR SANDERS: Oh.
14 THE WITNESS: So we started October of 2023.
15 Before that, a company called Freeman Transportation had
16 that yard for staging trailers for the CONEXPO and
17 rolled the concrete.
18 CHAIR SANDERS: I noticed PENTA is the one that
19 pulled the dust permit on the -- on the property?
20 THE WITNESS: They did.
21 CHAIR SANDERS: So were they using it too? Was
22 PENTA using it as well?
23 THE WITNESS: Pardon.
24 CHAIR SANDERS: Was PENTA using it as well, the
25 yard?

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1 THE WITNESS: PENTA is the parent company for
2 all five, so yes.
3 CHAIR SANDERS: Okay.
4 THE WITNESS: So there was a service provider
5 for the F1 Corporation. And we were a subcontractor for
6 All 5. All 5 is a subsidiary of PENTA.
7 CHAIR SANDERS: Okay.
8 THE WITNESS: And then the owner is again, the
9 university system of UNLV.
10 CHAIR SANDERS: Okay. Do you have questions,
11 Mr. Gubler.
12 BY MR. GUBLER:
13 Q. Yes. So just tell -- tell us what you observed
14 when you went to the property yesterday?
15 **A. Gates were open. Nevada high or Nevada Power**
16 **pickup was to the west -- east -- excuse me. When it**
17 **came in, there was no water truck. The road was not**
18 **paved. It was type two or excuse me, roto mill. Just**
19 **like in the yard here, they were questioned. There was**
20 **a paved part over further that was not being used by**
21 **PENTA.**
22 Q. All right. Some of this -- we're -- we're
23 again waiting for some exhibits. I -- I gave them to
24 the --
25 MS. LAHAV: KIM. What we call --

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<p>1 BY MR. GUBLER:</p> <p>2 Q. KIM. But, let's -- let's switch gears a little</p> <p>3 bit, I -- I think, while we're waiting on this. But the</p> <p>4 -- there was questions about whether Tonopah and</p> <p>5 Tidewater was a railroad company, and you had brought a</p> <p>6 bill of lading; is that right.</p> <p>7 A. Yes. It's part of our offering. We work for a</p> <p>8 company called Union Pacific Railroad. We brought those</p> <p>9 issues where we provided services as a railroad to</p> <p>10 railroad to move rails from Meadow Valley Wash to -- to</p> <p>11 SA Recycling as a offering of what we do of rail</p> <p>12 services.</p> <p>13 Q. And -- and so why is that any different? Why</p> <p>14 --why does that even matter? I mean, just because they</p> <p>15 haul rails, does that make them a railroad company?</p> <p>16 A. Ask that question a different way so I can</p> <p>17 comprehend.</p> <p>18 Q. So -- so why -- why did -- why was it important</p> <p>19 that Tonopah and Tidewater haul these rails?</p> <p>20 A. Oh, because we had to load ourselves. I mean,</p> <p>21 that was what -- what we had to do as -- as Tonopah and</p> <p>22 Tidewater. We went out and loaded the -- the material</p> <p>23 off the right-of-way. And to get on the right-of-way,</p> <p>24 you have to be certified under the Federal Railroad</p> <p>25 Administration, with our safety protocols. So Joe Blow</p> <p style="text-align: right;">Page 27</p>	<p>1 MR. GUBLER: For the -- for the Formula 1</p> <p>2 property, yes. And so we would ask -- so a couple</p> <p>3 things. So just keep the transcript clear. We'd ask</p> <p>4 that these photographs submitted for Formula 1, that</p> <p>5 just be marked as Exhibit 32.</p> <p>6 CHAIR SANDERS: All right.</p> <p>7 (Exhibit 32 marked for identification.)</p> <p>8 MR. GUBLER: Okay. And then as far as the --</p> <p>9 this -- the bills of lading, that he had just mentioned,</p> <p>10 we'd ask that -- that the board allow those as Exhibit</p> <p>11 33.</p> <p>12 CHAIR SANDERS: Go ahead.</p> <p>13 MR. ALLEN: Just a second to review on, if</p> <p>14 that's okay.</p> <p>15 CHAIR SANDERS: Sure. I guess while he's</p> <p>16 reviewing that, I do -- I do have a -- a question. So</p> <p>17 you transfer stuff from the yard out of I15, the</p> <p>18 railroad spur there, to other areas. All those trucks</p> <p>19 that were parked in the yard, do you -- do you haul</p> <p>20 anything else independently from railroad stuff?</p> <p>21 THE WITNESS: Oh, no. We -- we're -- we're a</p> <p>22 common carrier. So the -- the railroad doesn't, but</p> <p>23 ETON does. So we need to -- I guess we need to separate</p> <p>24 the two of them. Is -- ETON is for hire across the</p> <p>25 state lines with an MCC number and the Tonopah and</p> <p style="text-align: right;">Page 29</p>
<p>1 off the street can't go on an FRA site without the</p> <p>2 appropriate Federal Railroad Administration training.</p> <p>3 One of you guys is -- is -- blows stuff up.</p> <p>4 And so when you go to a MSHA facility that the guy who</p> <p>5 shows up has to have an MSHA card. I mean, that's just</p> <p>6 how the industry is. And so when you go -- other</p> <p>7 agencies that are regulated by the Department of</p> <p>8 Transportation, they want industry-specific training to</p> <p>9 get on the site. And our drivers have that particular</p> <p>10 training.</p> <p>11 Q. Okay. And -- and -- and so that -- that's just</p> <p>12 in addition to everything else that was presented</p> <p>13 before, that -- that Tonopah and Tidewater has rails,</p> <p>14 that it maintains rails and that --</p> <p>15 A. Our employees have the training to go ahead and</p> <p>16 work around rails, yes.</p> <p>17 Q. And currently Tonopah and Tidewater has a -- a</p> <p>18 license to access rails; is that right?</p> <p>19 A. Correct.</p> <p>20 MR. GUBLER: (Indiscernible.)</p> <p>21 MS. LAHAV: We do have black and white photos</p> <p>22 that you just distributed.</p> <p>23 MR. GUBLER: I'm sorry.</p> <p>24 MS. LAHAV: We do have the black and white</p> <p>25 photos up that you just distributed.</p> <p style="text-align: right;">Page 28</p>	<p>1 Tidewater works for itself.</p> <p>2 CHAIR SANDERS: So --</p> <p>3 THE WITNESS: It's not for hire.</p> <p>4 CHAIR SANDERS: The yard that's in question</p> <p>5 now, the -- where you were parking a bunch of trucks,</p> <p>6 not all those trucks were just exclusively for the</p> <p>7 railroad, correct?</p> <p>8 THE WITNESS: The other parts of them, the --</p> <p>9 the ETON trucks, Environmental Transportation Nevada,</p> <p>10 they're engaged in interstate commerce.</p> <p>11 CHAIR SANDERS: Okay.</p> <p>12 MR. ALLEN: No objections.</p> <p>13 CHAIR SANDERS: Okay. Go ahead. And do we</p> <p>14 need to make copies of this too.</p> <p>15 (Exhibit 33 marked for identification.)</p> <p>16 MR. GUBLER: I gave them to him before to -- to</p> <p>17 make copies just --</p> <p>18 CHAIR SANDERS: Why don't you just put it up on</p> <p>19 the big screen for us if they want to ask questions</p> <p>20 about it.</p> <p>21 MS. LAHAV: Yeah. I haven't received them yet.</p> <p>22 This is everything that she received copies of, was the</p> <p>23 photos.</p> <p>24 CHAIR SANDERS: Oh, that's a different one.</p> <p>25 MR. GUBLER: That's different there. How many</p> <p style="text-align: right;">Page 30</p>



<p>1 are -- can you go to the next tab. Possible? What's</p> <p>2 that one?</p> <p>3 MS. LAHAV: This is the -- the color photo.</p> <p>4 CHAIR SANDERS: So that's the entrance into the</p> <p>5 site right off the Tropicana.</p> <p>6 THE WITNESS: That is a air quality control guy</p> <p>7 in a walkway. I think it's the -- I can't think if it's</p> <p>8 Flamingo pathway, not supposed to be there. It's a</p> <p>9 misdemeanor taking pictures of our facility.</p> <p>10 BY MR. GUBLER:</p> <p>11 Q. I -- I -- I do want -- I'm not there yet?</p> <p>12 A. Oh.</p> <p>13 MR. GUBLER: Sorry. I do Want to get there,</p> <p>14 but I -- I want to make sure that we -- we found this</p> <p>15 one. I did hand that to her. And maybe it's -- how</p> <p>16 many pages do you have on that one?</p> <p>17 MS. LAHAV: There's --</p> <p>18 MR. GUBLER: On the next tab.</p> <p>19 MS. LAHAV: There's four.</p> <p>20 MR. GUBLER: There's just four?</p> <p>21 MS. LAHAV: Yeah. She's still upstairs copying</p> <p>22 everything, so...</p> <p>23 MR. GUBLER: Okay.</p> <p>24 CHAIR SANDERS: So those are the -- the four?</p> <p>25 MS. LAHAV: Yeah. And then the color one.</p> <p style="text-align: right;">Page 31</p>	<p>1 would go through and check in as the signs presented on</p> <p>2 the property shows notice all visitors request</p> <p>3 *registered office. The testimony we heard before is</p> <p>4 that they will abide by that, and that's on the front of</p> <p>5 facilities. This U sign may be hard to see for him.</p> <p>6 What it mean is that there's no trespassing. So he's</p> <p>7 been in the hearing before, back in January when we met,</p> <p>8 saw the same signs, agreed that their protocol is to</p> <p>9 share their credentials and ask to come on site.</p> <p>10 Q. When -- when was this picture taken?</p> <p>11 A. I apologize. I don't know that.</p> <p>12 Q. Do you have something that --</p> <p>13 A. I have a -- a text from one of our employees</p> <p>14 letting us know, March 19th, approximately 2:34. This</p> <p>15 is taken from our video footage on site. So he drives</p> <p>16 in, backs up, takes a picture.</p> <p>17 Q. And -- and did he request entrance?</p> <p>18 A. No. When you look at the video feed, he's --</p> <p>19 he's been lurking around that for almost two hours. And</p> <p>20 then somebody leaves, comes down, jumps in and jumps out</p> <p>21 again.</p> <p>22 Q. And -- and I -- just so that I make sure -- do</p> <p>23 we have a pointer here? Can you show us where in the</p> <p>24 picture that you're talking about with the -- with the</p> <p>25 truck and where the entrance is?</p> <p style="text-align: right;">Page 33</p>
<p>1 MR. GUBLER: And that's just one, the colored</p> <p>2 one; is that right?</p> <p>3 MS. LAHAV: Yes.</p> <p>4 MR. GUBLER: Okay. We'll, I guess, wait for --</p> <p>5 for that to come back then. So since we have this --</p> <p>6 this other one, could you click on the other tab. And</p> <p>7 there's just the one picture; is that right?</p> <p>8 MS. LAHAV: Yes.</p> <p>9 MR. GUBLER: Should be another one.</p> <p>10 MS. LAHAV: You said you only had one colored</p> <p>11 photo?</p> <p>12 MR. GUBLER: Oh, it's 17 on there.</p> <p>13 MS. LAHAV: It's our numbering for when it</p> <p>14 comes to the scanner.</p> <p>15 MR. GUBLER: Where it says one of 17. Are you</p> <p>16 able to put down (indiscernible)?</p> <p>17 MS. LAHAV: Oh, I'm sorry.</p> <p>18 THE WITNESS: There we go. Can you rotate</p> <p>19 that?</p> <p>20 MS. LAHAV: Yes. Just one moment.</p> <p>21 BY MR. GUBLER:</p> <p>22 Q. What is this?</p> <p>23 A. So that is inside the property in question, the</p> <p>24 Tonopah and Tidewater *owns. That is a county employee</p> <p>25 who has stipulated in his testimony someplace that he</p> <p style="text-align: right;">Page 32</p>	<p>1 A. Is there a special way to -- so this is his</p> <p>2 pickup. Our property line is right there on the other</p> <p>3 side of Stratford, it's where our property line begins.</p> <p>4 So he's clearly inside my property. Again, after</p> <p>5 multiple times of meeting with him, agreeing in settings</p> <p>6 such as this, that they comply with their own</p> <p>7 regulations of presenting credentials, asking to get on</p> <p>8 property.</p> <p>9 Q. Okay. Can we go to the -- the picture just</p> <p>10 before, one of 17?</p> <p>11 A. So this is our property line here. This is --</p> <p>12 I think it's Flamingo Trails. It's owned by the -- the</p> <p>13 county. Looking under state statutes, this is a</p> <p>14 misdemeanor. The only people that can be here are law</p> <p>15 enforcement and duly appointed safety -- excuse me,</p> <p>16 security guards that have appropriate training. There</p> <p>17 is people who live up inside down here, and across the</p> <p>18 freeway, there's probably a count of 10 people who live</p> <p>19 against this that he had to -- to pass.</p> <p>20 Q. And when was this picture taken?</p> <p>21 A. We're informed by one of our employees on March</p> <p>22 27th. Texted me at 2:01. Video feed shows about 1:50.</p> <p>23 Q. And -- and did you actually speak with this ---</p> <p>24 this person?</p> <p>25 A. No. When he saw Bill see him, he quickly</p> <p style="text-align: right;">Page 34</p>



<p>1 departed the facility.</p> <p>2 Q. Okay. Let's see. Could we look at page 3?</p> <p>3 Okay. So these are -- these are the --</p> <p>4 MS. LAHAV: Yeah. I just realized.</p> <p>5 MR. GUBLER: Yeah. Sorry. So I think 3</p> <p>6 through 17, if you could just quickly run. Yeah. These</p> <p>7 are all (indiscernible).</p> <p>8 BY MR. GUBLER:</p> <p>9 Q. Are all these the bills of lading 3 through 17?</p> <p>10 A. Correct.</p> <p>11 Q. Okay. So these bills of lading, who -- who</p> <p>12 were these for?</p> <p>13 A. The non-union part of union for Pacific</p> <p>14 Railroad would be Omaha Track. And then they contracted</p> <p>15 us to go through and get on the right-of-way and load</p> <p>16 rail at the rail gang. Had replaced there in the Meadow</p> <p>17 Valley Wash outside of Elgin up towards Caliente. And</p> <p>18 then we took it for shredding at SA Recycling. Then it</p> <p>19 got sent up to a -- a steel mill in Mesa, Arizona.</p> <p>20 Q. So the --</p> <p>21 CHAIR SANDERS: Which company is this under?</p> <p>22 THE WITNESS: Pardon?</p> <p>23 CHAIR SANDERS: Which company is this under of</p> <p>24 yours? Is this ETON or is this --</p> <p>25 THE WITNESS: We have a sister company called</p> <p style="text-align: right;">Page 35</p>	<p>1 MR. GUBLER: So the -- the F1 site -- so those</p> <p>2 --</p> <p>3 CHAIR SANDERS: I'm just trying to tie together</p> <p>4 what the heck the tie is there.</p> <p>5 MR. GUBLER: I appreciate that. Thank you.</p> <p>6 The Formula 1 site was for purposes to be included with</p> <p>7 exhibit -- really Exhibit 15, although it's, you know,</p> <p>8 it's -- it's coming here after. So -- of course we gave</p> <p>9 a different number. But that -- there -- there are</p> <p>10 areas in Clark County that -- that have the roto mill</p> <p>11 that before it was required by my client at the</p> <p>12 beginning in January to have the pavement on the</p> <p>13 property. Alternatively to have water 24/7. And -- and</p> <p>14 so with some of the photographs on Exhibit 15, we are</p> <p>15 submitting that my client is not treated equally or</p> <p>16 fairly with others in the same -- similar position.</p> <p>17 CHAIR SANDERS: That's your -- your clip?</p> <p>18 Yeah.</p> <p>19 MR. GUBLER: That's equal protection argument,</p> <p>20 yes. Okay. As --</p> <p>21 CHAIR SANDERS: Well, so while we're talking</p> <p>22 about this penalties, I mean, they had the roto mill</p> <p>23 down before they allowed anyone to put stuff in there,</p> <p>24 correct?</p> <p>25 MR. GUBLER: On which property are we talking</p> <p style="text-align: right;">Page 37</p>
<p>1 Expedite Las Vegas. Same common ownership.</p> <p>2 BY MR. GUBLER:</p> <p>3 Q. And Tonopah and Tidewater, how are they related</p> <p>4 to this?</p> <p>5 A. We -- they brought the labor in, so we took</p> <p>6 equipment up there. Tonopah and Tidewater brought the</p> <p>7 equipment up to actually work on the right-of-way. And</p> <p>8 then this company hauled it from where we loaded it on</p> <p>9 ourselves to sister companies, and then moved it for</p> <p>10 disposal.</p> <p>11 MR. GUBLER: So -- so -- so that we have a</p> <p>12 clear record, I guess what I'm asking is the -- the four</p> <p>13 pages related to the Formula 1 property that's -- it</p> <p>14 would be Exhibit 32. The -- the documents that are</p> <p>15 these bills of lading which would be, I think, pages 3</p> <p>16 to 17 on the screen here. That would be Exhibit 33.</p> <p>17 And then the -- the -- the photographs -- the two-page</p> <p>18 photographs, that would be -- we're asking to be 34.</p> <p>19 MS. LAHAV: Okay.</p> <p>20 CHAIR SANDERS: Any objections?</p> <p>21 MR. ALLEN: No objection.</p> <p>22 CHAIR SANDERS: Okay. What was your point in</p> <p>23 showing us the photographs from Tropicana? The F1 site,</p> <p>24 PENTA site?</p> <p>25 (Exhibit 34 marked for identification.)</p> <p style="text-align: right;">Page 36</p>	<p>1 about?</p> <p>2 CHAIR SANDERS: On the -- the one you just put</p> <p>3 in there. The one on Tropicana for the F1.</p> <p>4 MR. GUBLER: Do you know that?</p> <p>5 THE WITNESS: I do not know.</p> <p>6 CHAIR SANDERS: Well, it was there when you</p> <p>7 showed up, right?</p> <p>8 THE WITNESS: It was. I don't know --</p> <p>9 CHAIR SANDERS: Yeah.</p> <p>10 THE WITNESS: -- if it was there before.</p> <p>11 CHAIR SANDERS: Okay. Well, I --</p> <p>12 MS. LAHAV: Did you -- did you -- did you</p> <p>13 witness any emissions? Did you witness any emissions?</p> <p>14 THE WITNESS: Did I do what?</p> <p>15 MS. LAHAV: Any emissions? Did you see dust?</p> <p>16 THE WITNESS: Yeah. I mean, when you move -- I</p> <p>17 mean, there's -- it wasn't a huge plume. I -- I</p> <p>18 (indiscernible) so not -- I don't have a -- I don't have</p> <p>19 a meter to qualify that. So I -- I take that back. I</p> <p>20 -- I -- I was driving a car, didn't look.</p> <p>21 CHAIR SANDERS: Well, like I said earlier, I --</p> <p>22 I don't think the argument here is whether or not the</p> <p>23 roto mill is acceptable. I hope it's acceptable because</p> <p>24 -- well, I use the same thing. Everybody that I know</p> <p>25 does and has tracked equipment. And it -- and it is a</p> <p style="text-align: right;">Page 38</p>



<p>1 -- a good palliative and -- and it, you know, and you</p> <p>2 can smooth it back out if your tracks mess it up at all</p> <p>3 moving around.</p> <p>4 MR. GUBLER: It works.</p> <p>5 CHAIR SANDERS: And -- and it -- it -- it does.</p> <p>6 It -- it -- it does what it's supposed to. So I don't</p> <p>7 think that's the argument. So I'm not sure --</p> <p>8 MR. GUBLER: So -- so again --</p> <p>9 CHAIR SANDERS: -- the relevance here of --</p> <p>10 MR. GUBLER: So the -- the reason why we've --</p> <p>11 we've presented this is again, it was -- it was required</p> <p>12 that there was pavement the whole time. Now -- now</p> <p>13 there's -- you have to --</p> <p>14 CHAIR SANDERS: Well, I -- I saw the -- I saw</p> <p>15 the email that said, you know, and I saw the -- the</p> <p>16 application and -- and where he agreed that he was going</p> <p>17 to pave portions of it. And was even asking an email</p> <p>18 and he said it was going to be three inch overlay. You</p> <p>19 know, I -- I did see that. So he agreed at one time</p> <p>20 that he was going to pave a portion of it. And, you</p> <p>21 know, I think it would've just been a matter of -- of --</p> <p>22 of -- of talking to him with the -- with -- with the air</p> <p>23 quality representatives and say, Hey, look, I'm just</p> <p>24 going to put some roto mill down. I don't think that</p> <p>25 had been an issue.</p> <p style="text-align: right;">Page 39</p>	<p>1 work, I deal with a lot of regulatory agencies. I push</p> <p>2 you back. And so it's -- it -- it became -- we're here</p> <p>3 because of belly bump between me and them. I'll -- I'll</p> <p>4 -- I'll -- I have no problem telling you guys that the</p> <p>5 belly bump had started. It's still ongoing as you see</p> <p>6 the people flagrantly violating my -- my property and my</p> <p>7 rights. I mean -- I have civil rights.</p> <p>8 CHAIR SANDERS: Well --</p> <p>9 THE WITNESS: You should respect that.</p> <p>10 CHAIR SANDERS: No. No, we all do. But I -- I</p> <p>11 -- I guess I'm getting back to what I said initially,</p> <p>12 you know. I appreciate presenting all this stuff, I</p> <p>13 really do. And -- and -- and your -- and your comments.</p> <p>14 Nevertheless, we're going to deal with the actual</p> <p>15 violations whether or not they actually occurred. And</p> <p>16 -- and I would like to try to focus on that unless</p> <p>17 there's stuff that you're putting into the record so</p> <p>18 that you'll have it in your next phase, whenever that is</p> <p>19 or whatever it is.</p> <p>20 MR. GUBLER: Sure understood. Part of the --</p> <p>21 part of the process what we're -- that is part of it,</p> <p>22 yes. To make sure it's in the record, because it --</p> <p>23 it's not allowed if it's not here. And so we do have to</p> <p>24 present it here. But, I mean, what -- what we're trying</p> <p>25 to explain to the board is -- is look, our -- my client</p> <p style="text-align: right;">Page 41</p>
<p>1 BY MR. GUBLER:</p> <p>2 Q. Did you talk with them about putting roto mill</p> <p>3 down?</p> <p>4 A. They were so -- so nasty to deal with. That</p> <p>5 was -- I -- I got to deal with the water -- state water</p> <p>6 people first *sip. Completely different people. How</p> <p>7 can I help you? And these guys were vigilantes, in my</p> <p>8 opinion, of -- of going unchecked. It was not a nice</p> <p>9 experience compared to the other governmental agencies I</p> <p>10 deal with. And I can see why Jay's -- Jay's afraid of</p> <p>11 these people.</p> <p>12 They're like vigilantes. And if they would've</p> <p>13 been nice in their presentation, I guess I would've not</p> <p>14 pushed back as hard. But it was -- it was unpleasant.</p> <p>15 Well, you know, I, you know, I wasn't there. I don't</p> <p>16 know. I've -- obviously, in my line of business, I deal</p> <p>17 with a lot of government agencies as well, from</p> <p>18 regulatory agencies here in the county as well as</p> <p>19 federal agencies. And, you know, I'm not making</p> <p>20 excuses. You know. I -- I go into any one of those</p> <p>21 meetings or any one of those inspections trying to be as</p> <p>22 cooperative as I can. But --</p> <p>23 CHAIR SANDERS: Guilty?</p> <p>24 THE WITNESS: Well, you know, it -- it, you</p> <p>25 know what I mean? I -- I deal -- in -- in my line of</p> <p style="text-align: right;">Page 40</p>	<p>1 doesn't have a -- have a problem with -- is not trying</p> <p>2 to be environmentally irresponsible. Okay. My client</p> <p>3 does -- I -- I mean, clearly they put down six inches of</p> <p>4 **Chad and six inches of the roto mill because that's</p> <p>5 what -- what was recommended.</p> <p>6 And then -- but then there is a process. Yes.</p> <p>7 We have to -- we have to -- and this is what we want to</p> <p>8 convey to the board is there is a process, yes. Okay.</p> <p>9 We'll put -- we'll put down the -- the asphalt, but then</p> <p>10 you start thinking about it, well -- well, look, I -- I</p> <p>11 have this -- this track equipment that I've got on this</p> <p>12 property, and that's going to rip it up the first time</p> <p>13 that I -- that I load this. This is only what, about</p> <p>14 four -- four acres. Approximately four acres where --</p> <p>15 CHAIR SANDERS: No. I know all about it.</p> <p>16 You're preaching to the choir here on that stuff. On</p> <p>17 the -- the roto mill versus --</p> <p>18 MR. GUBLER: And so my client was fined, you</p> <p>19 know, from -- from the get go. And in January and --</p> <p>20 and then I -- I believe in February. And then it -- it</p> <p>21 comes -- it resurfaces again in July. And, you know,</p> <p>22 there -- I guess there's -- there's still some testimony</p> <p>23 about -- about my client feeling coerced even let them</p> <p>24 in when he -- when he did let them in, but regardless, I</p> <p>25 guess what we're trying to convey is there -- there is</p> <p style="text-align: right;">Page 42</p>



In Re: Violation #10078 Issued to Eton Transportation Corp., et al.
Transcription - April 8, 2025

1 still a process where, okay, I've got the track and then
2 I -- I -- there should be a reasonable amount of time at
3 least to -- to figure that out and then to order that
4 and get that in instead of saying, no, if you're done,
5 you're fine. You -- and that's what we're trying to --
6 CHAIR SANDERS: Well, we were looking at
7 basically nine -- eight or nine months that --
8 MR. GUBLER: Yes. Yes.
9 CHAIR SANDERS: Are -- are you guys disagreeing
10 that there wasn't a violation?
11 MR. GUBLER: So there isn't if you look at the
12 rule with presentment. I don't -- I don't think there
13 is a violation because if you don't present correctly,
14 then you can't find them and violate them. That's --
15 that's the whole point under, is it 94.5? With -- it --
16 it's B1. The one -- the very violation that under both
17 9994 and 10078, where you're -- you're fining them, my
18 clients, because -- because they, you know, they -- they
19 violated -- I mean, the hefty ones are -- are for not
20 allowing them in the property, right.
21 But each time -- what's in that D subsection
22 B1, it says -- it says, if -- It's -- the -- the -- the
23 control officer may enter and inspect any property. You
24 know, that's D. But then it says, "No person shall
25 refuse access if the control officer requests entry." So

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1 in the -- in the record, in January and February, they
2 did not request entry that's -- that's in the record
3 they just -- they just drove in. So -- no shall refuse
4 access if the control officer requests entry for
5 inspection and presents appropriate credentials.
6 And so what -- I -- I mean, if we -- if we look
7 at the, you know, this is the federal EPA, if we, you
8 know, what's Exhibit 8, what -- what is appropriate
9 credentials. Well, that -- that's what my clients used
10 to, that's what he testified to last time at the -- in
11 front of the hearing officer. And there's certain
12 things -- there's even a certificate that says, this
13 person can inspect and -- and then there's a number and
14 everything. And that -- and that's just not on the
15 cards. And so do they get to that point of a -- of a
16 violation? The answer is no, you don't, because you
17 don't -- you have to meet the -- the Fourth Amendment
18 requirements. That's -- that's in the -- in the AQR.
19 CHAIR SANDERS: Well, I know. I appreciate
20 what you're saying. I -- I can tell you've probably
21 never had an (indiscernible) inspection, but it sounds
22 like you admit that there is a violation, you just don't
23 want the inspector to come on -- on property to see it.
24 MR. GUBLER: Well, I'm not admitting that,
25 because again, you have to come to the D1 requirement

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1 first. Will my client let them on the property? Yeah.
2 You -- you do exactly what -- what he expected to do,
3 what's in the rule, and -- and just follow the rule.
4 And then -- and then does it -- would it turn into a --
5 a -- a violation? I don't know. I'm not the one to
6 make that determination.
7 What else didn't they do? Well, they didn't go
8 on there and they didn't do the ball test. None of them
9 -- they -- they all said they didn't do the ball test.
10 And so that's the -- that's the method to do the -- the
11 inspection. They just drove on there. Okay. So the
12 requirement is the ball test.
13 CHAIR SANDERS: Well, it's -- it's optional
14 actually. But nevertheless -- okay. What else do you
15 have to present.
16 BY MR. GUBLER:
17 Q. So why did you let -- in around July 31st, I
18 believe and maybe one other time, maybe two other times,
19 you let them in. The last time, late August, you're not
20 being fined for, but you let employees in; is that
21 right?
22 **A. So do you want the -- the whole chronological**
23 **or just --**
24 **CHAIR SANDERS: Well, not -- unless it's**
25 **changed from what we --**

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1 MR. GUBLER: No.
2 CHAIR SANDERS: -- read in your -- in the
3 original documentation.
4 THE WITNESS: Not changed. They -- they came
5 on -- we willingly let them come on three times. Two
6 times I felt coercion. Sat down with a -- a former
7 court judge to see if -- if I was reading the
8 regulations correctly. And in his -- now his civilian
9 life, he said, you are, that they need to provide
10 credentials. And then the -- the -- the third one, they
11 provided credentials in a normal procedural, I'm so and
12 so. I'm here to inspect this, here's my credentials and
13 then we let them -- I think there's two of them we let
14 on.
15 MR. GUBLER: And then as far as any other
16 evidence, we don't have anything else to present.
17 CHAIR SANDERS: Mr. Allen, do you want to have
18 any questions for the appellant?
19 MR. ALLEN: Yeah. I have a few questions if
20 that's okay, Mr. Truman.
21 EXAMINATION
22 BY MR. ALLEN:
23 Q. So for just to try to simplify things, are you
24 -- is it your understanding that you weren't in
25 violation of the soil stabilization standards on the

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1 days of the inspections?
2 **A. I'm not professional to answer that question.**
3 Q. So you don't know if you were in violation or
4 if you weren't in violation?
5 **A. Again, I -- I'm not a qualified person to**
6 **answer that question.**
7 Q. Okay. So on the permit you signed, it doesn't
8 say anything about having to show a badge before the
9 inspection, does it?
10 **A. No. But your website does and that's what I**
11 **read.**
12 Q. Okay?
13 **A. And there's no disclaimer on the permit that**
14 **this was different than what I read on your website.**
15 Q. Okay. Thank you. So ETON was fined in this
16 case, right? That's the organization that received the
17 fine?
18 **A. Should have been Environmental Transportation**
19 **of Nevada, I think is -- or ETON, they're an acronym, so**
20 **yes.**
21 Q. Okay. And when you saw the officers come to
22 your property, they had the -- their badges around their
23 neck?
24 **A. That's incorrect.**
25 Q. Okay?

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1 **A. Some of them had them on their waist, some of**
2 **them had them on a belt loop. There was no consistency**
3 **like with a -- with a -- policeman who comes by regular**
4 **because of our *homeless, badge is always in the same**
5 **place.**
6 Q. Okay?
7 **A. And they do the same greeting.**
8 Q. Okay. Thank you?
9 **A. I'm officer so and so with Metropolitan Police**
10 **Department. Here is my badge number. Can I come on**
11 **site?**
12 Q. Okay. Perfect. Thank you. And their vehicles
13 had Clark County Air Quality on them?
14 **A. I didn't note it to look. I didn't think that**
15 **was credentials.**
16 Q. Did their shirts have air quality on them?
17 **A. I would've not looked for such as credential,**
18 **sir. It could have been something you bought off of**
19 **eBay. So I looked for credentials and that's not what I**
20 **would consider credential.**
21 Q. Yeah. I didn't ask -- ask you what you
22 considered credentials. I'm asking if it said Air
23 Quality on their shirts?
24 **A. I cannot recall.**
25 Q. Okay. Do you remember them handing you

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1 business cards?
2 **A. On maybe one or two occasions, but not all**
3 **occasions.**
4 Q. Do you remember them holding up their badges
5 like this to the camera at your security office?
6 **A. Towards the end, yes.**
7 Q. Okay?
8 **A. In the beginning, absolutely not.**
9 Q. And you knew who they were, even if they didn't
10 show you right?
11 **A. I'm not -- *Kreskin. I -- I can't tell you who**
12 **they're. I don't know their names, I -- I -- I can't**
13 **tell you who they're.**
14 Q. You didn't recognize their faces?
15 **A. Towards the -- the end may be one of them.**
16 Q. Okay. And your property that received the
17 citations, you can see it from outside the property,
18 right?
19 **A. If that's the case, why do they have to come**
20 **onto my property?**
21 Q. I'm sorry, I'm asking the questions?
22 **A. I -- I -- you can see it through the gate.**
23 **That's -- I guess.**
24 Q. Okay. Do you agree that producing dust can be
25 a hazardous for health of people that breathe it in?

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1 **A. Pardon?**
2 Q. Kicking up dust can be hazardous to the health
3 of people who breathe it in?
4 **A. I'm not a scientist nor a health physicist, so**
5 **I decline to answer that question. But growing up here**
6 **as a kid, we always had dust. I think I'm okay. So I**
7 **don't -- if I'm proof of that, I guess not.**
8 Q. Okay. Are you aware of the community caretaker
9 exception to the Fourth Amendment?
10 **A. Say it again?**
11 Q. Are you aware of the community caretaker
12 exception to the Fourth Amendment?
13 **A. I'm not a lawyer.**
14 Q. Okay. So at the times when the violations took
15 place as you were cited for in the notices of
16 violations, you didn't have roto mill on the ground at
17 those times, correct?
18 **A. So I can tell you from August backwards, you**
19 **are correct.**
20 Q. Okay. And so for here today, your
21 understanding is that we're only here for two notices of
22 violations that took place before the roto mills were
23 placed, correct?
24 **A. Yes.**
25 Q. Okay. And you pulled an air quality permit; is

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<p>1 that correct?</p> <p>2 A. Yes.</p> <p>3 Q. Why did you do that?</p> <p>4 A. It's what I've done before on other</p> <p>5 development.</p> <p>6 Q. Okay. So is it your understanding that you</p> <p>7 needed to do that.</p> <p>8 A. For the whole litmus of -- yes.</p> <p>9 Q. Okay. And then at what point did you decide</p> <p>10 that the Air Quality regulations didn't apply?</p> <p>11 A. I disagree with that question.</p> <p>12 Q. Okay?</p> <p>13 A. At what time did I determine that the state</p> <p>14 plan superseded the local plan? So maybe August as we</p> <p>15 -- as we got into the thick of things.</p> <p>16 Q. Are you aware if the EPA can enforce air</p> <p>17 quality regulations against your company?</p> <p>18 A. There's multiple EPAs, so you need to go ahead</p> <p>19 and refine your question better. There's federal EPA,</p> <p>20 there's State Nevada Department of Environmental</p> <p>21 Protection Agency. So -- and then there's AQM. So if</p> <p>22 you would tell me which one of those three you're</p> <p>23 talking about.</p> <p>24 Q. Is it your understanding that there's a federal</p> <p>25 law that prohibits unpaved parking lots?</p> <p style="text-align: right;">Page 51</p>	<p>1 her what the heck she was doing on here. We had</p> <p>2 security on site where we didn't have a gate set to do</p> <p>3 controlled access, and then the next day, four of them I</p> <p>4 think showed up with the same issue. So, yes, we have a</p> <p>5 very strict security plan to go through and make sure</p> <p>6 the material we have in transit under PHMSA is secured</p> <p>7 from homeless people, terrorists and anybody of that</p> <p>8 nature, while we have it under control, care and</p> <p>9 custody. So, yes, to come on site, it's -- it's a deal.</p> <p>10 BY MR. ALLEN:</p> <p>11 Q. That inspector you're referring to, did she</p> <p>12 show credentials and make it through security to come on</p> <p>13 site?</p> <p>14 A. Pardon?</p> <p>15 Q. The girl -- the -- the inspector that you're</p> <p>16 talking about, did she show credentials and come on site</p> <p>17 through your security?</p> <p>18 A. She didn't. She blew past two safety people in</p> <p>19 -- in little white car out there in the midst of we're</p> <p>20 bringing material in. So we got trucks coming in, you</p> <p>21 got a dozer, a -- a blade, water truck, and she's at the</p> <p>22 midst of everything. And then we have a trailer</p> <p>23 off-gassing and that's where we -- that's where I went</p> <p>24 out and asked her what the heck she was doing out there</p> <p>25 in -- in the material with -- with no access. So the</p> <p style="text-align: right;">Page 53</p>
<p>1 A. Then the whole State of Nevada outside Clark</p> <p>2 County is in violation. I did not know that.</p> <p>3 MR. ALLEN: Okay. That's all the questions I</p> <p>4 have.</p> <p>5 CHAIR SANDERS: Any follow up?</p> <p>6 MR. GUBLER: No. I don't.</p> <p>7 CHAIR SANDERS: Any questions from board</p> <p>8 members? Don't ever want to talk at once?</p> <p>9 MS. LAHAV: When entering and accessing your</p> <p>10 site -- accessing your site, is there a -- accessing</p> <p>11 your site. Thank you. Is it restricted such that</p> <p>12 regular people can't get onto the site easily? Can you</p> <p>13 kind of describe that a little bit better for me?</p> <p>14 THE WITNESS: Great question. Thank you for</p> <p>15 asking that. We are required under a federal mandate to</p> <p>16 have a -- a security plan for our site. In that we</p> <p>17 handle hazardous material not on site but in transit.</p> <p>18 We are required to have a government approved safety</p> <p>19 plan. And part of the safety plan is controlled access.</p> <p>20 So that is why when the first lady came on site with no</p> <p>21 notice or not asking, we had some chlorine in the back</p> <p>22 that was off gassing, and she's driving around like it's</p> <p>23 nobody's business and we're panicking that we are having</p> <p>24 a disc rupture in a chlorine tank in transit.</p> <p>25 And so that's where we went out there and asked</p> <p style="text-align: right;">Page 52</p>	<p>1 people, again, did not leave their post, called on the</p> <p>2 radio let them know we had an intruder. And I went out</p> <p>3 there to -- to find out what she was doing.</p> <p>4 Q. Does that inspector's testimony corroborate</p> <p>5 with that -- that explanation. Anyone know?</p> <p>6 SPEAKER 1: I -- I -- I think the testimony</p> <p>7 shows is that there's multiple entrances to this</p> <p>8 property and that none of them were closed. They were</p> <p>9 always open and all the pictures that are submitted by</p> <p>10 the code enforcement or the Air Quality enforcement</p> <p>11 officers, the gates are open. There's no -- there's no</p> <p>12 people wearing PPE, like it's some sort of hazardous</p> <p>13 chemical site. And so I would disagree, but obviously</p> <p>14 you guys have the pictures and -- and the testimony, and</p> <p>15 you can decide for yourself what the -- what the facts</p> <p>16 are. So I don't want to tell you that this is for sure</p> <p>17 the facts, but that's my interpretation.</p> <p>18 MR. ALLEN: That was a simple question I hope</p> <p>19 you're not trying to --</p> <p>20 THE WITNESS: Can I clarify?</p> <p>21 MR. ALLEN: Sure.</p> <p>22 THE WITNESS: There's a difference between</p> <p>23 hazardous material that's stored on site, and hazardous</p> <p>24 material that's in transit. So if I had some prill or</p> <p>25 ammonia or -- ammonia prill, ammonia nitrate in transit,</p> <p style="text-align: right;">Page 54</p>



<p>1 the trailer is placarded. Not the site, because that</p> <p>2 material is in transit. So you've got two different</p> <p>3 layers of -- of regulatory issues. One, Department of</p> <p>4 Transportation were obligated to the PHMSA department</p> <p>5 for everything in transit, whether it's be a railroad, a</p> <p>6 truck -- a tanker, barge, the airlines, everything of</p> <p>7 that nature (indiscernible) the vehicle it's in. Not</p> <p>8 the place that it's stored at the terminal.</p> <p>9 So the Air Quality people thinking it's a -- we</p> <p>10 have facilities -- hazard materials stored on site.</p> <p>11 That's not the case. It's in transit and it's</p> <p>12 placarded. And so there's a big disconnect -- the one</p> <p>13 lady, when I talked to her, she said, I know all about</p> <p>14 hazardous material because my husband has it. And I</p> <p>15 asked her, if your husband has it, how does that</p> <p>16 information knowledge transfer to you? And found out in</p> <p>17 testimony, he's a radiological person and is familiar</p> <p>18 with stuff of a fixed nature. It's apples and oranges.</p> <p>19 There's two -- so -- two ways to get into the</p> <p>20 property, a south gate and north gate. Both gates were</p> <p>21 manned at the time that they came in. Quick response</p> <p>22 radios, we went out and looked at the intruder. Our job</p> <p>23 -- let me just explain it. One tanker of -- of -- of</p> <p>24 chlorine (indiscernible) fields about four square miles.</p> <p>25 That's our responsibility as -- as a transportation guy.</p> <p style="text-align: right;">Page 55</p>	<p>1 CHAIR SANDERS: Well, we're hearing that there</p> <p>2 were badges shown, there weren't badges shown.</p> <p>3 THE WITNESS: I -- I got to tell you, the lady</p> <p>4 never showed me her badge. The next day that the four</p> <p>5 of them came over, none of them showed me their badges.</p> <p>6 CHAIR SANDERS: I hope that this all isn't just</p> <p>7 smoking mirrors and you're getting fired up because you</p> <p>8 know there's a violation, but you're trying to hide</p> <p>9 behind it.</p> <p>10 THE WITNESS: I am because they came in -- you</p> <p>11 -- you feel like the English coming into an American</p> <p>12 issue in the colonial war, they just show up. I have --</p> <p>13 I have rights, don't I?</p> <p>14 CHAIR SANDERS: My question is, is there a</p> <p>15 violation or not? That's what we're --</p> <p>16 THE WITNESS: Well, it depends on how they got</p> <p>17 the evidence. I don't know if there was a violation of</p> <p>18 that time. I don't know if there was dust on the day.</p> <p>19 But it's interesting that -- that I've never received a</p> <p>20 dust violation from them. The only violation is that</p> <p>21 there's nothing on the ground. We had chad. Chad is</p> <p>22 hard once you put water on it and it controls the dust</p> <p>23 pretty good. Roto mill is better.</p> <p>24 CHAIR SANDERS: Does it meet the requirement</p> <p>25 though?</p> <p style="text-align: right;">Page 57</p>
<p>1 Air Quality Control doesn't seem to understand the --</p> <p>2 the -- the gravity of the product and why we take</p> <p>3 security seriously. Do you remember Pepcon when it blew</p> <p>4 up? It's a mini Pepcon.</p> <p>5 CHAIR SANDERS: So going back to the -- the --</p> <p>6 the questions that the county attorney was asking about,</p> <p>7 the two violations that we're talking about. You're</p> <p>8 talking about, you know, the -- the severity and the --</p> <p>9 the -- the importance of -- of following security plans</p> <p>10 and all that. I -- I recall a question about the two</p> <p>11 violations knowing that you had signed -- pulled a dust</p> <p>12 permit and that there were requirements for dust</p> <p>13 control, yet those -- those provisions were not put in</p> <p>14 place so violations were -- were -- were issued.</p> <p>15 THE WITNESS: But if they got the information</p> <p>16 fraudulently, that's to be the bigger question. Did</p> <p>17 they trespass on my property to get that information?</p> <p>18 And -- and -- and I got to share with you, there's</p> <p>19 enough information where law enforcement has done</p> <p>20 something wrong, it gets tossed. So if they came on</p> <p>21 site without showing their badges, asking for -- for</p> <p>22 entrance, that -- to me, that's what -- what's -- we go</p> <p>23 to the district court -- federal district court to go</p> <p>24 through and have them decide. Was the evidence received</p> <p>25 fraudulently?</p> <p style="text-align: right;">Page 56</p>	<p>1 THE WITNESS: Whose requirement? State of</p> <p>2 Nevada's it does?</p> <p>3 CHAIR SANDERS: Clark County Air Quality?</p> <p>4 THE WITNESS: Okay. Is -- again, based on the</p> <p>5 information down on the -- the Air Quality down in</p> <p>6 Southern California, next circuit struck that down, sir.</p> <p>7 It needs to be --</p> <p>8 CHAIR SANDERS: I'll take that as a -- I'll</p> <p>9 take that as a no, doesn't meet the requirements of</p> <p>10 Clark County Air Quality.</p> <p>11 THE WITNESS: Then -- then you've -- you've --</p> <p>12 you've put words in my mouth.</p> <p>13 MR. GUBLER: So what -- what I would like to --</p> <p>14 I'd like to interject a little bit here. Again, my</p> <p>15 client's not looking to avoid being environmentally</p> <p>16 responsible. But this goes to the commerce clause</p> <p>17 argument, that my -- my client's involved in interstate</p> <p>18 commerce. And so when they come to -- when they go</p> <p>19 everywhere else, there's one set of rules, when they</p> <p>20 come to Clark County there's a second set of rules.</p> <p>21 And that is the issue now with -- with respect</p> <p>22 to the state of Nevada's requirements, well, those are</p> <p>23 less stringent but seems to require allow roto mill.</p> <p>24 And in this case, it is the -- what's the phrase for it?</p> <p>25 In this case, it's the best practical method or</p> <p style="text-align: right;">Page 58</p>



<p>1 reasonably available method that's allowed in the 2 statute. I mean, just by the question given by the 3 civil DA here, the -- the pavement was required. And so 4 -- and -- and that for this application doesn't -- it 5 doesn't work for -- for water, it's just not the 6 responsible thing either.</p> <p>7 I don't want to -- I don't want to get heated 8 here, frankly. I -- I -- we just want to present that 9 argument that -- that it's -- that it is different under 10 -- and -- and for the commerce clause, as soon as -- as 11 soon as trucks are coming in and out of -- out of the 12 county, then -- then we would -- we would request that 13 that's what -- that's the role that our client be held 14 to -- to be allowed to -- with -- because my client goes 15 into multiple counties, goes into multiple states and we 16 just want the one set of rules where -- and -- and you 17 come here and it's less stringent. And it's a burden on 18 interstate commerce.</p> <p>19 CHAIR SANDERS: Would you say that it's your 20 client's responsibility given that you have different 21 rules and different jurisdictions throughout the country 22 with interstate commerce to know the rules and that's -- 23 that's your client's responsibility?</p> <p>24 MR. GUBLER: That -- that -- that's not allowed 25 for interstate commerce. That's -- that's -- because</p> <p style="text-align: right;">Page 59</p>	<p>1 will do. And -- and so, I mean the -- the end does not 2 justify the means.</p> <p>3 MS. LAHAV: Question.</p> <p>4 THE WITNESS: Can I tell you something? So in 5 California, it's very difficult to do business, 6 particularly as a transportation guy. So if you -- if 7 you live in California, you play by the rules; is that 8 fair? And California lets us come into their state 9 running different types of EPA equipment that they would 10 outlaw, but it's still legal in 49 states of the union. 11 So my advocacy is that the AQM should go through and 12 maybe look at that and say, there's probably a carve out 13 for a certain type of business that we don't regulate, 14 that just is not in Clark County.</p> <p>15 That if their -- their business model is such 16 that the particular transportation, it goes across state 17 lines. We -- we go through and go back to the state 18 level. That's what the solid waste people have done. 19 Solid waste has already had this battle and lost, and 20 they go through -- and if it's in transit, particularly 21 Illinois was the biggest one that set the big precedent, 22 there's two sets of rules.</p> <p>23 If the garbage was generated in Chicago, 24 Illinois and stays in Illinois -- Illinois, there's one 25 set of rules. But the minute it goes across state</p> <p style="text-align: right;">Page 61</p>
<p>1 that -- that's a burden on interstate commerce. That -- 2 that affects our country's -- it affects the money, 3 really. And that's a big deal for our country, is -- is 4 to allow the free flow of -- of commerce. And so that 5 -- that burdens the commerce. So --</p> <p>6 CHAIR SANDERS: I -- I don't disagree, but I 7 don't think that that's our responsibility to set the 8 laws. If there's a rule in place and it's a Clark 9 County Air Quality rule, our job is to enforce that 10 rule. So...</p> <p>11 MR. GUBLER: And -- and -- and so that's where 12 -- that's where I'm going to get on -- on the -- on a 13 little bit on the -- on -- on the argument. If you're 14 going to enforce the rule, then enforce the rule 15 properly. Because -- because there is no -- there was 16 no drop ball test. The way I read it, it requires a 17 drop ball test, and -- and it requires presenting 18 credentials.</p> <p>19 And -- and under these circumstances, there -- 20 there is leeway allowed for -- for the -- the roto mill 21 and the -- and the chad. And -- and -- and so we've -- 22 we've got the track equipment. And so that's -- that's 23 what we're asking is -- I -- I mean, I -- I get 24 enforcing the rule of law, I mean, that's -- that's what 25 -- that's what the -- I think that's what the courts</p> <p style="text-align: right;">Page 60</p>	<p>1 lines, we have no claim on that.</p> <p>2 The commerce clause comes to effect and we 3 stay off of it. To me that's -- that's how other states 4 split the baby. Is, we understand that if -- if a 5 business is just here making widgets or a construction 6 company or whoever, that we have 100 percent 7 jurisdiction over them.</p> <p>8 But the minute they go through and engaged in 9 a interstate commerce activity, we need to go through 10 and stand down and -- and just go back to the state 11 level. To me that's -- that's how other states split 12 the baby.</p> <p>13 MS. LAHAV: I have a question for you. The 14 permit that you --</p> <p>15 CHAIR SANDERS: Hit your button.</p> <p>16 MS. LAHAV: The permit that you applied for and 17 received was a dust control operating permit for 18 construction activities on a stationary source; is that 19 correct?</p> <p>20 THE WITNESS: I'd say yes.</p> <p>21 MS. LAHAV: Stationary source. What in your 22 opinion is a stationary source? What is a stationary 23 source?</p> <p>24 THE WITNESS: In my mind, a -- a crushing 25 plant, a cement plant, something that doesn't move.</p> <p style="text-align: right;">Page 62</p>



In Re: Violation #10078 Issued to Eton Transportation Corp., et al.
Transcription - April 8, 2025

<p>1 It's always going to be there.</p> <p>2 MS. LAHAV: Does your permit actually call out</p> <p>3 a parking area as a stationary source or transfer area?</p> <p>4 THE WITNESS: I -- I would not call it a</p> <p>5 stationary source, but I -- again, I'm not that --</p> <p>6 MS. LAHAV: So I -- I'm kind of asking what was</p> <p>7 the point of the permit that you applied for and</p> <p>8 received if not -- but for the property and the</p> <p>9 activities happening on the property, the stationary</p> <p>10 source that has the potential to emit emissions not</p> <p>11 necessarily the transport of goods and services or</p> <p>12 goods, I guess?</p> <p>13 THE WITNESS: Let me articulate if I can. It</p> <p>14 was done because that's what we've done before. To go</p> <p>15 ahead and be compliant with the EPA rules and do the</p> <p>16 best available process to go through and be in</p> <p>17 compliance with the -- what -- as we learned later that</p> <p>18 the -- the county plan changed from the last time I used</p> <p>19 it, in all honesty, from a roto mill would be very --</p> <p>20 very -- an optimal solution to paving. So there was --</p> <p>21 relied on prior information.</p> <p>22 MS. LAHAV: Has Clark County -- Clark County</p> <p>23 Air Quality accepted roto mill for that site for now</p> <p>24 moving forward? Has that been a mutually agreed upon</p> <p>25 dust palliative -- dust control measure for that site?</p> <p style="text-align: right;">Page 63</p>	<p>1 wise, and they all have credentials. And they know what</p> <p>2 that means. And they respect the Fourth Amendment</p> <p>3 because they've been spanked before about violating</p> <p>4 Fourth Amendment. And these people seem not to have any</p> <p>5 training about the rights of a -- of a person. Which it</p> <p>6 does irritate me.</p> <p>7 MS. LAHAV: Are you suggesting that their badge</p> <p>8 isn't a form of credential?</p> <p>9 THE WITNESS: Well, first off they have to</p> <p>10 present it to me. My job is not to look for it on their</p> <p>11 hip. I mean, that's pretty tacky. Can I look on your</p> <p>12 body parts to find out where your -- your credentials</p> <p>13 are? Present means just like the adjective means,</p> <p>14 here's my badge.</p> <p>15 MS. LAHAV: So I'll go back to the question.</p> <p>16 Is their badge a form of credentials that you would see</p> <p>17 as valid credentials?</p> <p>18 THE WITNESS: It doesn't have an ID number that</p> <p>19 I can call to check if -- see if they work there. It</p> <p>20 doesn't have the scope of work that they're limited to.</p> <p>21 Doesn't have their signature. A badge -- a credential</p> <p>22 badge has issues, from a security standpoint, that you</p> <p>23 can look at to call in the 1-800 AQM hotline.</p> <p>24 Does this person really belong to you or did</p> <p>25 you get this as a swap *mine? Or your -- your Kronos</p> <p style="text-align: right;">Page 65</p>
<p>1 THE WITNESS: I -- I don't know.</p> <p>2 MR. GUBLER: Well, they did close out the --</p> <p>3 the permit after when it was in compliance. After that</p> <p>4 roto mill was down. Sorry.</p> <p>5 THE WITNESS: So we -- I -- we closed out the</p> <p>6 permit, so I guess they did.</p> <p>7 MS. LAHAV: So they agree with you that roto</p> <p>8 mill is acceptable dust palliative?</p> <p>9 THE WITNESS: Yes.</p> <p>10 MS. LAHAV: And now you are generally in</p> <p>11 compliant?</p> <p>12 THE WITNESS: Not to be too cavalier, but I --</p> <p>13 I agree with all the fines except the -- the -- the ones</p> <p>14 for non-entry. I mean, I believe those are probably</p> <p>15 prudent, but the non-entry ones absolutely not. I mean,</p> <p>16 they didn't follow their -- if we're playing a</p> <p>17 basketball game, they set the rules. The county did.</p> <p>18 And -- and they need to follow their -- their rules.</p> <p>19 It's their game and their game is to go through and</p> <p>20 provide real credentials.</p> <p>21 The one lady told me, oh, this is my colonel's</p> <p>22 badge. This is how I get into the county building, when</p> <p>23 I asked her -- her -- for her credentials. And I say to</p> <p>24 myself, they're asking for credentials. I've dealt with</p> <p>25 FBIs -- I've dealt with all these agencies enforcement</p> <p style="text-align: right;">Page 64</p>	<p>1 timecard. Kronos timecard is for one function. A badge</p> <p>2 for their job, enforcement particularly, would be --</p> <p>3 like when people come and do audits for my house from a</p> <p>4 building department, they won't come into my house to</p> <p>5 look at the TI's. They present their credentials and</p> <p>6 it's always seems to be in the same place, name, number.</p> <p>7 What their responsibility, electrical inspector.</p> <p>8 MR. ALLEN: You mentioned a lot of details that</p> <p>9 should be on the badge. How do you know they're not on</p> <p>10 the badge?</p> <p>11 THE WITNESS: Because I've looked at them, sir.</p> <p>12 MR. ALLEN: So you looked at the -- the fine</p> <p>13 print on a badge, but you just mentioned that you</p> <p>14 couldn't see their badge on their hip.</p> <p>15 MR. GUBLER: May -- may I insert here. It was</p> <p>16 testified. It's in the transcript. What -- what's on</p> <p>17 their badge. I -- I asked them what's -- what is and</p> <p>18 what is not on their badge. It's -- it's in the</p> <p>19 transcript --</p> <p>20 MR. ALLEN: I just find it curious that you can</p> <p>21 look at the fingerprint, but you can't see the badge on</p> <p>22 their body.</p> <p>23 THE WITNESS: Okay. Had a retina detach 10</p> <p>24 weeks ago, okay?</p> <p>25 MR. ALLEN: Fair enough.</p> <p style="text-align: right;">Page 66</p>



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<p>1 THE WITNESS: I still got the bubble.</p> <p>2 CHAIR SANDERS: Any other questions? Donald,</p> <p>3 do you have any questions?</p> <p>4 MR. BORDELOVE: No. I don't have any</p> <p>5 questions.</p> <p>6 CHAIR SANDERS: Okay. Do you have anything</p> <p>7 else to present. Mr. Gubler?</p> <p>8 MR. GUBLER: No.</p> <p>9 CHAIR SANDERS: Mr. Allen, do you have anything</p> <p>10 you want to present?</p> <p>11 MR. ALLEN: I just want to briefly -- I just</p> <p>12 want to briefly call Anna Sutowska.</p> <p>13</p> <p>14 ANNA SUTOWSKA</p> <p>15 having been first duly sworn to testify to the truth,</p> <p>16 the whole truth, and nothing but the truth, was examined</p> <p>17 and testified as follows:</p> <p>18</p> <p>19 CHAIR SANDERS: Okay. Hold. State your name</p> <p>20 for the record.</p> <p>21 THE WITNESS: Anna Sutowska. Air Quality</p> <p>22 Supervisor, Clark County, Department of Environment and</p> <p>23 Sustainability, division of Air Quality.</p> <p>24</p> <p>25</p> <p style="text-align: right;">Page 67</p>	<p>1 truck yard. A truck parking lot with rubber tired</p> <p>2 semi-truck and trailers.</p> <p>3 Q. And if -- if somebody has a tracked vehicle</p> <p>4 that operates in portions of this parcel, would it be</p> <p>5 appropriate to apply roto mill for only those sections?</p> <p>6 A. Yes. That is correct. However, Air Quality</p> <p>7 would go -- so when we have a customer come and tell us</p> <p>8 that they want to have a yard of some sort, and they</p> <p>9 tell us they have heavy tracked equipment. We'll come</p> <p>10 to their site and we'll evaluate how much equipment they</p> <p>11 have, what they're doing with it, are they using it on</p> <p>12 site? Are they using it offsite? And then we determine</p> <p>13 how much area they actually need. Mr. Truman had five</p> <p>14 acres of really truck parking and a small area where he</p> <p>15 parked his one piece of track equipment.</p> <p>16 MR. ALLEN: Okay. That's all the questions I</p> <p>17 have.</p> <p>18 CHAIR SANDERS: Do you have any questions for</p> <p>19 Ms. -- I can't say her last name, for Ann.</p> <p>20 MR. GUBLER: No.</p> <p>21 CHAIR SANDERS: Okay.</p> <p>22 MR. GUBLER: No. I don't.</p> <p>23 CHAIR SANDERS: Does the board have any</p> <p>24 questions for Ann? Okay. So there's -- I guess we're</p> <p>25 at a point then when we decide what we're going to do</p> <p style="text-align: right;">Page 69</p>
<p>1 EXAMINATION</p> <p>2 BY MR. ALLEN:</p> <p>3 Q. So I believe a lot of -- a lot of this is</p> <p>4 already in the record. But just to make it clear and --</p> <p>5 and if -- if the hearing board has any questions for</p> <p>6 you, can you describe for me what kind of permit was</p> <p>7 issued in this case?</p> <p>8 A. So this was a dust control operating permit for</p> <p>9 construction activities. In 2023, this parcel was raw</p> <p>10 desert. Mr. Truman then applied for the permit for</p> <p>11 grubbing the site and grading it. In 2024, he revised</p> <p>12 the permit adding additional areas after the inspection,</p> <p>13 and told us that he was going to be paving the lot</p> <p>14 because unpaved parking lots are not allowed in Clark</p> <p>15 County after January of 2003.</p> <p>16 Q. And there's a lot of discussion of roto milling</p> <p>17 and when it's appropriate and when it's -- when it's</p> <p>18 not. Can you --and -- and -- and it's your</p> <p>19 understanding that no roto mill was in place at the time</p> <p>20 that the violations were issued in this case, correct?</p> <p>21 A. That is correct.</p> <p>22 Q. And I -- I guess it might matter to some people</p> <p>23 but going forward, is roto mill appropriate for this</p> <p>24 property?</p> <p>25 A. Roto mill is not appropriate for an unpaved</p> <p style="text-align: right;">Page 68</p>	<p>1 with this. You know, I -- I can appreciate the fact</p> <p>2 that you don't want people coming onto the site</p> <p>3 randomly. You know, I'm familiar with the security</p> <p>4 requirements and other issues that are related to that.</p> <p>5 Nevertheless, I -- I, you know, I do agree with</p> <p>6 the hearing officer's assessment that the violations</p> <p>7 actually occurred. And it's clear from the timeline</p> <p>8 that, you know, we had an unstable -- potentially</p> <p>9 unstable piece of ground up until -- in August when they</p> <p>10 closed it out and said it was in compliance after the</p> <p>11 roto mill had been put down.</p> <p>12 You know, I'm not going to get in the -- or</p> <p>13 argue the point that -- of -- in my mind and maybe this</p> <p>14 isn't county regulation. So I -- I don't know if we'll</p> <p>15 get in trouble here. But, you know, I don't have a</p> <p>16 problem with the roto mill. And I think that that's an</p> <p>17 adequate dust palliative when you have a lot of traffic</p> <p>18 on -- on something and -- and it's moving around and</p> <p>19 turning and -- and unloading different things. And it's</p> <p>20 pretty hard to keep the asphalt.</p> <p>21 As a matter of fact, it's pretty hard to keep</p> <p>22 it clean let alone keep it from getting damaged with --</p> <p>23 with that kind of activity. Especially with the D9</p> <p>24 Dozer that, you know, weighs like a hundred tons,</p> <p>25 spinning around in there. So -- and I don't -- I don't</p> <p style="text-align: right;">Page 70</p>



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<p>1 even know why the dozer is there. But nevertheless, you</p> <p>2 know, in my mind the -- the -- the rot mill is not an</p> <p>3 issue.</p> <p>4 And -- and obviously they -- they accepted it.</p> <p>5 Showing that you were in compliance after you put it</p> <p>6 down. So I think the question is, the violations that</p> <p>7 -- that you're cited for I think they're relevant and I</p> <p>8 think that they're -- even when they were allowed on</p> <p>9 site by somebody, you or somebody else, you know, the</p> <p>10 citation was there.</p> <p>11 And -- and I don't think -- when you see the</p> <p>12 pictures that show the material that was there and the</p> <p>13 tracks now from equipment and -- and trucks and other</p> <p>14 things going over it, you can tell it's -- it's loose</p> <p>15 soil. I don't believe that when you can see that it's</p> <p>16 loose like that, you don't actually have to do a drop</p> <p>17 ball test on. So I -- I'm -- my position is, at least</p> <p>18 on the first citation -- I'm trying to get the number</p> <p>19 here --</p> <p>20 THE CLERK: 9994.</p> <p>21 CHAIR SANDERS: -- 9994, that I would uphold</p> <p>22 the hearing officer's decision that there were</p> <p>23 violations on the site. And that's based on actually</p> <p>24 even testimony we heard today, that he -- he agrees with</p> <p>25 that, that there was probably violations there. So I --</p> <p style="text-align: right;">Page 71</p>	<p>1 action. All right. Okay. On the issue -- the second</p> <p>2 violation is for not allowing them onto the site; is</p> <p>3 that correct? Am I getting that right, Mr. Gubler?</p> <p>4 MR. GUBLER: A portion of it is for inspections</p> <p>5 that were done where loose soil was still present. So</p> <p>6 you can see that 94, it's for the loose soil, and then</p> <p>7 there's three dates for the refused inspections.</p> <p>8 CHAIR SANDERS: Okay. Nevertheless, this -- we</p> <p>9 -- we know that the -- the roto mill wasn't put down</p> <p>10 until after those dates. Well after the July 31st and</p> <p>11 August 7th, right? Am I reading that right?</p> <p>12 MS. LAHAV: Yeah. That's my understanding.</p> <p>13 CHAIR SANDERS: I don't know what the -- is</p> <p>14 there any discussion with the board or any comments that</p> <p>15 Mr. Gubler you'd like to make or Mr. Allen in regards to</p> <p>16 the second violation other than the fact you don't like</p> <p>17 it?</p> <p>18 MR. GUBLER: I appreciate that. As far as the</p> <p>19 second violation. I guess it goes back to my client's</p> <p>20 position. No. We don't like it. It's -- it's the</p> <p>21 arguments made in our brief. I -- I -- I think that</p> <p>22 there -- there is a -- a Fourth Amendment issue on the</p> <p>23 Violation 2. And -- and -- and frankly those are the</p> <p>24 heftier fines.</p> <p>25 And -- and so we would ask that the board limit</p> <p style="text-align: right;">Page 73</p>
<p>1 I would move, if anybody -- if no one else has any</p> <p>2 comment, that we uphold the hearing officer's decision</p> <p>3 on NOV 9994. Is there any comments or a second?</p> <p>4 MS. LAHAV: I second that motion.</p> <p>5 CHAIR SANDERS: Okay. We have a motion and a</p> <p>6 second. All in favor say aye.</p> <p>7 BOARD MEMBERS: Aye. Aye.</p> <p>8 CHAIR SANDERS: Okay. Any opposed, say no.</p> <p>9 Nobody here. The -- as far as the --</p> <p>10 THE CLERK: Do you want to define on that</p> <p>11 (Indiscernible).</p> <p>12 CHAIR SANDERS: Yeah. Yeah. I was. That's</p> <p>13 what I was getting to. I was just looking for it. I</p> <p>14 don't see it here.</p> <p>15 THE CLERK: (Indiscernible.)</p> <p>16 CHAIR SANDERS: Where is it?</p> <p>17 THE CLERK: (Indiscernible.)</p> <p>18 CHAIR SANDERS: Okay. And I'll move that the</p> <p>19 fine be levied for \$3,500 as recommended by the hearing</p> <p>20 officer. Any comments or discussion or?</p> <p>21 MS. LAHAV: I second that motion.</p> <p>22 CHAIR SANDERS: Okay. We have a motion and</p> <p>23 second. All in favor say aye.</p> <p>24 BOARD MEMBERS: Aye.</p> <p>25 CHAIR SANDERS: Any opposed? Okay. Delayed</p> <p style="text-align: right;">Page 72</p>	<p>1 that. I -- I think it seems clear the board -- what --</p> <p>2 board's position. But again, that the board limit that</p> <p>3 -- those Violation 2. They set it aside and that the</p> <p>4 roto mill was -- I believe the testimony was August 2nd</p> <p>5 if -- if you are looking for that. That's it. That's</p> <p>6 all I have to --</p> <p>7 CHAIR SANDERS: Okay. Thanks. Mr. Allen, do</p> <p>8 you have anything to say?</p> <p>9 MR. ALLEN: Yeah. Just -- just shortly. I</p> <p>10 didn't get to make much argument about the</p> <p>11 constitutional issues and the presentment of the ID</p> <p>12 issues. And so just from the county's perspective, I</p> <p>13 want to give you our opinion. First of all, this --</p> <p>14 this site is a highly regulated industry, I believe.</p> <p>15 And so that exception to the Fourth Amendment</p> <p>16 would apply as -- as well as the community caretaker</p> <p>17 exceptions because it's a safety issue. And so I</p> <p>18 believe that multiple courts have found when there's</p> <p>19 safety issues and it's not involving criminal matters,</p> <p>20 like in this case, a simple administrative inspection</p> <p>21 can be done without a warrant.</p> <p>22 And -- and that's even if he hadn't signed --</p> <p>23 Mr. Truman hadn't signed a permit that said, you know,</p> <p>24 I'm going to allow inspections without notice. And so</p> <p>25 -- and -- and I think the permit says, you don't have to</p> <p style="text-align: right;">Page 74</p>



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<p>1 present any sort of ID or anything like that or there's</p> <p>2 no formal procedure, but Air Quality Regulations do</p> <p>3 specify presentment of credentials. And it doesn't</p> <p>4 specify what presentment or appropriate credentials is.</p> <p>5 And so I think it's whatever the common</p> <p>6 definition of those words is. I think if you wear</p> <p>7 something on your hip, like Mr. Truman said they were</p> <p>8 wearing their badges on their hip or from different --</p> <p>9 different means, that is appropriate to consider that</p> <p>10 presentment of credentials.</p> <p>11 And so I don't believe there's any testimony</p> <p>12 that, Mr. Truman didn't know who they were and that he</p> <p>13 refused them because he thought they were just random</p> <p>14 people. And I believe in the prior testimony at the --</p> <p>15 at the administrative hearing, Mr. Truman -- there's</p> <p>16 testimony as to Mr. Truman telling the officers that he</p> <p>17 was denying them access because he hadn't heard back</p> <p>18 from his attorney yet. And so if he's now saying that</p> <p>19 they didn't properly present credentials, it sounds like</p> <p>20 it's a -- it's an excuse made up after the fact, and I</p> <p>21 don't think it's appropriate to lessen the fines because</p> <p>22 he refused entry. And so I would ask you to uphold the</p> <p>23 \$30,000 penalty. Thank you.</p> <p>24 CHAIR SANDERS: Comments?</p> <p>25 MS. LAHAV: Recognizing that the violation is</p> <p style="text-align: right;">Page 75</p>	<p>1 second to, well, deny the appeal and -- and find -- find</p> <p>2 them on the NOV 10078. All in favor say aye. Aye.</p> <p>3 MR. DENNETT: Aye.</p> <p>4 MR. BORDELOVE: Aye.</p> <p>5 CHAIR SANDERS: Any opposed? Okay. Motion</p> <p>6 carries. The -- now let's talk about the penalty. I</p> <p>7 noticed that the hearing officer disqualified one of</p> <p>8 those visits somehow. I don't remember the exact</p> <p>9 circumstances, and made it a \$20,000 fine for that, less</p> <p>10 another 20 percent or some deal. I don't know what that</p> <p>11 was all about exactly, but -- so what the hearing</p> <p>12 officer recommended was a total fine on this of NOV</p> <p>13 17250. What's the board's position on this? Do -- do</p> <p>14 they -- do you feel like it -- it needs to be the</p> <p>15 original proposed penalty or the one that the hearing</p> <p>16 officer came up with?</p> <p>17 MS. LAHAV: I would recommend the original</p> <p>18 proposed penalty due to the fact that this is, once</p> <p>19 again, refusal of entry.</p> <p>20 MR. BARTLETT: Do we know the reasoning behind</p> <p>21 the hearing officer's reduction in fee and penalty?</p> <p>22 CHAIR SANDERS: Well, it was in there. We can</p> <p>23 review that if you -- if you'd like. I don't know where</p> <p>24 it's at in this thing. It's towards the end of it.</p> <p>25 MS. LAHAV: Counsel, do you recall the reason</p> <p style="text-align: right;">Page 77</p>
<p>1 for refusing entry to an inspector explicitly asking</p> <p>2 permission to go onsite to do those inspections.</p> <p>3 Recognizing, in my experience, that air quality</p> <p>4 inspectors do have some form of ID. Recognizing that</p> <p>5 these violations happened during normal business hours</p> <p>6 and a simple call to the Department of Air quality</p> <p>7 would've confirmed identification and employments, I</p> <p>8 move that we uphold the violations and the fines for</p> <p>9 failure to -- failure to allow inspection of a site.</p> <p>10 MR. BORDELOVE: I second.</p> <p>11 CHAIR SANDERS: Any comments before we vote on</p> <p>12 this? I think we should do them separately though.</p> <p>13 Let's -- let's -- let's do the -- the violation first</p> <p>14 and then we'll talk about the penalty in a second</p> <p>15 motion.</p> <p>16 MS. LAHAV: It's fine. I move to uphold the</p> <p>17 violation for NOV 10078.</p> <p>18 CHAIR SANDERS: Okay.</p> <p>19 MS. LAHAV: Failure to apply (indiscernible)</p> <p>20 control technology and refusing entry to an officer for</p> <p>21 the purpose of inspection.</p> <p>22 CHAIR SANDERS: Okay. We have a motion</p> <p>23 discussion or a second?</p> <p>24 MR. DENNETT: Second.</p> <p>25 CHAIR SANDERS: Okay. We have a motion and a</p> <p style="text-align: right;">Page 76</p>	<p>1 the hearing officer?</p> <p>2 MR. DENNETT: I wasn't present at that meeting.</p> <p>3 MS. LAHAV: That's fine.</p> <p>4 MR. DENNETT: So, I apologize. I did read it</p> <p>5 and I do remember it being lowered. I wasn't sure if it</p> <p>6 was just a -- a mercy sort of a decision, maybe.</p> <p>7 MS. SUTOWSKA: I was at the hearing. The first</p> <p>8 day she said Mr. Truman had told them they didn't have</p> <p>9 some OSHA certifications. And so that is why she took</p> <p>10 the first day off. However, we did make clear that we</p> <p>11 had gone on there on July 25th and we did not assess a</p> <p>12 penalty for July 25th giving Mr. Truman the opportunity</p> <p>13 to actually allow us access on the next upcoming</p> <p>14 inspection.</p> <p>15 CHAIR SANDERS: Why did she -- why did she</p> <p>16 lower the fine or why did she --</p> <p>17 MR. GUBLER: Hold on just a moment. Well, I --</p> <p>18 I had asked the hearing officer -- sorry. I had asked</p> <p>19 the hearing officer for the reduction. If you look at</p> <p>20 Exhibit 31 on -- it's page -- it's right at the end page</p> <p>21 220 and 221.</p> <p>22 MS. LAHAV: You're talking about the</p> <p>23 transcription?</p> <p>24 MR. GUBLER: Yeah, it's Exhibit 31.</p> <p>25 CHAIR SANDERS: Okay. That's a transcript.</p> <p style="text-align: right;">Page 78</p>



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1 We'd have to get down to the end of it where she was --
2 I -- I -- I just want to look at this before we do
3 anything.
4 MS. LAHAV: What was the page number of this?
5 MR. GUBLER: It's 220 and 221.
6 MS. SUTOWSKA: Page number. Not PDF number.
7 MS. LAHAV: Yeah. I'm getting there. I got to
8 read it. Okay.
9 CHAIR SANDERS: There you go. Sorted.
10 MS. SUTOWSKA: (Indiscernible) 220. It was 20.
11 Let me know when I'm -- I'll go away.
12 MR. ALLEN: And so if you look at that right
13 there where it says, Mr. Gubler, hearing officer. Sure.
14 Mr. Gubler. So the testimony given was -- right there.
15 I think it's too far off. There you go.
16 CHAIR SANDERS: Okay. After reading that, does
17 anyone have any comments or -- or recommendations or do
18 you still want to go with the motion that you originally
19 presented?
20 MS. LAHAV: Do we have clarity on whether or
21 not OSHA certification's required to access your site?
22 MR. TRUMAN: No, they're not. Well, I don't --
23 MR. GUBLER: Can you repeat that? You're
24 asking him?
25 MS. LAHAV: Yes.

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1 MR. GUBLER: What's your question again?
2 MS. LAHAV: Do we have clarity on whether or
3 not OSHA certification is required to access your site
4 for inspection?
5 MR. TRUMAN: It is. If you look at the state
6 of state -- if you call the -- the feds, anybody who
7 works on the site has to have OSHA trainin.
8 (Indiscernible) the state of Texas mandates all public
9 employees are OSHA trained.
10 MS. LAHAV: Does that include inspectors?
11 MR. TRUMAN: Do they come on site? If they
12 come on site, yes, they need to be OSHA certified. They
13 don't even have hazardous communication, ma'am. So when
14 they look up material, they're a danger to themselves
15 and others. The only people OSHA disqualifies are
16 people that are a hundred percent in the office,
17 secretaries, things of that nature. But if you go
18 outside, you need to have OSHA training.
19 MR. ALLEN: I'm not certain about that. I
20 think we need to look into that a little further. As an
21 engineer, I can go on a job site without OSHA
22 certification.
23 MS. LAHAV: That hasn't been my experience
24 working on a quarry manufacturing site in Clark County.
25 But I will grant that my experience was several years

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1 ago.
2 MR. TRUMAN: We're the -- we're the primary
3 employer on site? So our job is to make sure secure
4 everybody who's on the site has OSHA training. Again, I
5 can't say enough about hazardous communication.
6 MS. LAHAV: And so the one inspection that was
7 allowed without certification was just a fall through
8 the cracks?
9 MR. TRUMAN: We had somebody with them. So
10 that qualifies as the escort.
11 MS. LAHAV: I'm sorry, repeat that.
12 MR. TRUMAN: If you have an escort, if you go
13 out to time -- time it we'll go through and have an
14 escort to go through and just take you through the
15 facility. So it's -- escort will qualify to meet that
16 requirement.
17 MS. LAHAV: So inspectors don't have to have
18 OSHA requirement, they could be escorted.
19 MR. TRUMAN: If they have OSHA -- if they have
20 OSHA training, they provide that. Yes. But when we
21 talk to the people at site, they'll come back to me as,
22 we don't need to have that. We're county inspectors.
23 But reading the -- the law and looking at what Texas has
24 done, Texas has required to meet OSHA. All inspectors
25 have to have OSHA training.

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1 CHAIR SANDERS: Well, I don't think it's
2 necessarily the requirement here, but they can be
3 escorted onto the site and that covers it.
4 MR. TRUMAN: Uh-huh.
5 MS. SUTOWSKA: Yeah. From the Department's
6 perspective, I just want to make sure that the record is
7 clear that we're not conceding to an argument that we
8 have to have OSHA certification in order to get on a
9 site. And that part of the refusal is refusing to
10 escort us onto the site.
11 CHAIR SANDERS: Okay. Well, what do you want
12 to -- what do you want to do here? You want to go with
13 your original motion or modify it?
14 MS. LAHAV: I would move that we would apply
15 the original motion. The fact that inspectors are not
16 required to have OSHA training, can be escorted by
17 somebody with OSHA training to mean safety. And the
18 fact that verification of identification and authority
19 could be made during normal business hours when the
20 inspections were proposed. I move that we uphold the
21 original violation and fines \$30,000 for -- I'm sorry,
22 \$31,562.50 for NOV 10078 violation for failure to
23 implement best available control measures and refusal of
24 entry.
25 CHAIR SANDERS: And we have a motion. Is -- is

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<p>1 there any comments or a second?</p> <p>2 MR. BARTLETT: I second.</p> <p>3 CHAIR SANDERS: Okay. I'm, you know, I'm just</p> <p>4 going to say that, you know, I -- maybe it's a soft part</p> <p>5 of me speaking, but that I would -- I would more go to</p> <p>6 what the hearing officer recommended, but I'll call for</p> <p>7 the vote. All in favor say aye? Aye.</p> <p>8 BOARD MEMBERS: Aye.</p> <p>9 CHAIR SANDERS: I meant not to say aye. I just</p> <p>10 said say, aye, and it came out. So -- so I'll say no on</p> <p>11 it. Jeez. I'm sorry. But the other three said aye,</p> <p>12 didn't they?</p> <p>13 THE CLERK: Yes, they did.</p> <p>14 CHAIR SANDERS: Okay. So the -- the motion</p> <p>15 carries. Appreciate your effort in coming in here</p> <p>16 today, and I hope that you got everything in the record</p> <p>17 that you wanted. Next item on the agenda is,</p> <p>18 identifying emerging issues to be discussed by the board</p> <p>19 at a future meeting. Does anyone have any items that</p> <p>20 they'd like to put on the agenda for a future meeting?</p> <p>21 Seeing no, I'll close this portion. Then we have a</p> <p>22 public comment. I'd like to open the meeting to anyone</p> <p>23 that would like to make a public comment to the board.</p> <p>24 MR. TRUMAN: Hey, can I -- can I ask a</p> <p>25 question?</p> <p style="text-align: right;">Page 83</p>	<p>1 MS. LAHAV: My experience is a properly fenced</p> <p>2 and monitored perimeter --</p> <p>3 MR. TRUMAN: Okay.</p> <p>4 MS. LAHAV: -- doesn't allow for multiple</p> <p>5 unauthorized access events.</p> <p>6 MR. TRUMAN: So that you're -- you're condoning</p> <p>7 trespassing.</p> <p>8 MS. LAHAV: I am not condoning trespassing.</p> <p>9 MR. ALLEN: I'd be happy to speak with Mr.</p> <p>10 Truman and his counsel about access to his site going</p> <p>11 forward so we can resolve any issues.</p> <p>12 MS. LAHAV: Thank you.</p> <p>13 MR. GUBLER: I appreciate it.</p> <p>14 CHAIR SANDERS: Honestly, in all the years I've</p> <p>15 been on this board, this is the first time this has ever</p> <p>16 been an issue of whether or not the -- an inspector was</p> <p>17 allowed access onto a site. I don't remember that ever,</p> <p>18 ever coming up. And -- but I do appreciate the fact</p> <p>19 that, you know, I -- and I don't know what the</p> <p>20 guidelines are that air quality has established for</p> <p>21 inspectors going on a site, you know, but I know they --</p> <p>22 they just show up sometimes. And -- and that could be</p> <p>23 something that internally you guys can discuss maybe</p> <p>24 laying out some procedures that would be appropriate for</p> <p>25 -- for entering a -- a site one way or another. Because</p> <p style="text-align: right;">Page 85</p>
<p>1 CHAIR SANDERS: Well, I guess this is the time.</p> <p>2 Do it.</p> <p>3 MR. TRUMAN: It's about this. How is the</p> <p>4 county going to respect my property rights? I know</p> <p>5 you're -- you're not -- you're -- you're not the county,</p> <p>6 but you're going to fine me yet these guys, the -- were</p> <p>7 in compliance and yet they're still trespassing on my</p> <p>8 property.</p> <p>9 CHAIR SANDERS: You know, I -- like -- like I</p> <p>10 said before, I really feel that's an issue that --</p> <p>11 MR. TRUMAN: Do I arrest them and -- and go</p> <p>12 through and -- and wait for the police department to</p> <p>13 come pick them up? I mean, that doesn't show well for</p> <p>14 the county employee to get arrested by the -- by a</p> <p>15 citizen. But I do have property rights. They should</p> <p>16 either through training or policy respect people's</p> <p>17 property.</p> <p>18 MS. LAHAV: Mr. Truman, if I may. My</p> <p>19 experience working on a hazardous site and experiencing</p> <p>20 Clark County Air Quality inspections, with a properly</p> <p>21 fenced gated perimeter and access, they're not going to</p> <p>22 get on site unless you let them.</p> <p>23 MR. TRUMAN: Ma'am, we have a gate that closes</p> <p>24 after the truck leaves. He snuck in after the truck</p> <p>25 left.</p> <p style="text-align: right;">Page 84</p>	<p>1 I'm sympathetic to what your argument is there,</p> <p>2 somewhat.</p> <p>3 MR. TRUMAN: Thank you.</p> <p>4 CHAIR SANDERS: Is there any other public</p> <p>5 comment that we would have at this -- this time?</p> <p>6 MS. SUTOWSKA: Mr. Chair, a couple items. One</p> <p>7 is I was glad to hear Mr. Truman recognized that he's</p> <p>8 had building officials on his site and he recognizes</p> <p>9 their right of entry. I confirmed with the building</p> <p>10 official during this meeting who sits right down the</p> <p>11 hallway that they have the exact same badges that we do.</p> <p>12 They're county employee badge. They don't show or</p> <p>13 provide anything different. So I don't think we'll be</p> <p>14 addressing the badging issue, but what we will do is go</p> <p>15 back and talk about it as staff. And this is one of the</p> <p>16 things we can report back to the board at your next</p> <p>17 meeting as to what we've talked about.</p> <p>18 CHAIR SANDERS: I appreciate it. I think it</p> <p>19 would be relevant.</p> <p>20 MR. GUBLER: I'm going to object to that</p> <p>21 because that's not -- that's not testimony, that's not</p> <p>22 firsthand knowledge.</p> <p>23 CHAIR SANDERS: Well, this is -- this is the</p> <p>24 public comment portion of the meeting. So she can say</p> <p>25 whatever she wants to here.</p> <p style="text-align: right;">Page 86</p>



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1 MR. GUBLER: As it relates to my client. I
2 don't want --
3 CHAIR SANDERS: Well, that's fine. I don't --
4 we're not talking about him specifically. Now we're
5 looking at an overall procedure. Anything else? Public
6 comment.
7 Okay. I'll close this portion of the meeting.
8 If there's nothing else from anybody, I appreciate you
9 getting on board there, Donald. I'll -- okay. The
10 meeting's adjourned. Thank you.
11 (Board hearing adjourned)

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CERTIFICATE OF TRANSCRIPTION

I, Michael Kaldor, do hereby certify that the provided audio recording media was transcribed by me or reduced to typewriting under my supervision, that said transcript is a true transcription of the audio recording; that I am neither counsel for, related to, nor employed by any of the parties to the action involved in these proceedings; and, further, that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.

Michael Kaldor



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Exhibit 33



Pacific Southwest, Region 9

Serving: Arizona, California, Hawaii, Nevada, Pacific Islands, Tribal Nations

Federal Rule Requirements for Unpaved Parking Lots, Unpaved Roads, and Vacant Lots in Maricopa County

These requirements apply to:

- Owners/operators of unpaved parking lots
- Owners/operators of unpaved roads
- Owners/operators of disturbed vacant lots
- Responsible parties for weed abatement on vacant lots
- Does not apply to any of the above who are already covered under a Dust Control Plan in a permit issued by Maricopa County Environmental Services Department

General requirements

Unpaved Parking Lots

Pave, apply chemical/organic stabilizers or gravel by May 2, 1999. For lots used no more than 35 days a year, stabilize the surface on any days when over 100 vehicles are parked in the lot. Lots that are less than 5000 square feet or are low-usage (10 or fewer cars per day) are exempt.

Unpaved Roads

Pave, apply chemical/organic stabilizers or gravel unpaved roads which receive 250 or more vehicle trips per day, by June 10, 2000.

Vacant lots: Weed Removal

Stabilize the surface with a dust suppressant before or during weed removal. Prevent or eliminate the tracking of dust onto paved surfaces. Stabilize the disturbed surface immediately after the weed removal by compacting the ground or applying gravel or dust suppressants. Weed removal operations that disturb less than 0.5 acres are exempt.

Vacant lots: Disturbed Surfaces

Revegetate, apply water or chemical/organic stabilizers, restore to a natural state or gravel by May 2, 1999 or within 60 days following a disturbance, whichever is later. Vacant lots with less than 0.5 acres of disturbed surface are exempt.

Vacant Lots: Motor Vehicle Trespass

Place fencing, trees, or other barriers to prevent vehicle access, or apply gravel or chemical/organic stabilizers by May 2, 1999 or within 60 days following a disturbance, whichever is later. Vacant lots with less than 5,000 square feet of disturbed surface are exempt.

Alternative Control Measures

Owners/operators may use other control measures as long as the surface is stabilized.

Stabilizers or Gravel

Chemical stabilizers or gravel must be periodically maintained to stabilize the surface in accordance with the rule's test methods.

For more information:

Please contact colleen McKaughan, Associate Director, air Division, U.S. EPA Region 9 at (520) 498-0118. Send questions and comments to r9.phoenixdust@epa.gov.



Pacific Southwest, Region 9

Serving: Arizona, California, Hawaii, Nevada, Pacific Islands, Tribal Nations

The FIP Dust Rule- What It Is Intended to Do

The FIP dust rule aims to control dust to a reasonable extent on unpaved roads, unpaved parking lots and vacant lots.

- Owners/operators should be aware that more stringent requirements may apply under local jurisdictions.

FIP rule requirements replace but do not go beyond existing Maricopa County requirements to control dust.

- The FIP rule replaces broad coverage of unpaved roads, unpaved parking lots and vacant lots under Maricopa County Environmental Services Division's Rule 310.

FIP Rule Flexibility...

At least three or more ways to control dust are available for any sources covered under the rule.

- As long as the control used gets the job done according to the standards in the rule, owners/operators can choose whichever control method(s) they prefer.

Only heavily trafficked unpaved roads need to be paved or otherwise stabilized.

- EPA is not requiring the control of dust from every unpaved road. In fact, unpaved roads do not need to be stabilized unless vehicles drive on them 250 times a day or more. This equals about 3 cars every 5 minutes over a 7-hour period or 2 cars every 5 minutes over a 10 and 1/2-hour workday.

Unpaved parking lots with a total of 10 or fewer cars parked on them on any given day are exempt.

- If, throughout the day, no more than 10 cars enter and park on the lot, nothing is required.

Unpaved parking lots used 35 days a year or less only need to be stabilized on days when over 100 vehicles park on the lot.

This more flexible provision also applies to lots that have 10 or fewer cars parked on them daily but occasionally (35 days a year or less) have larger numbers of vehicles parked on the lot.

FIP Rule Test Methods...

Test methods are needed for owners/operators, EPA or other interested parties to make objective and consistent determinations about a source.

- A minimum standard and a corresponding test method are used to indicate whether a source poses a dust problem that needs to be controlled. A test method can also be used to determine whether a specific control applied to the source has successfully stabilized the surface as intended.

Individuals who gain experience with FIP rule test methods may soon be able to visually recognize whether a surface is stable without doing the applicable test method.

- While test methods are available to determine and document FIP rule compliance, it may not always be necessary that they be conducted. As an individual's familiarity with a test method grows over time, it may be apparent based on a visual inspection whether a source needs to be controlled. The test methods may be most important in "borderline" cases or when non-compliance needs to be documented.

More test methods for vacant lots means more chances for sources to comply.

- While having more than one test method for vacant lots seems complex, EPA is acknowledging that a disturbed vacant lot need not be trusted over in all cases to be considered stable. A lot may have enough vegetation, rocks or large grains/clumps of soil to sufficiently control dust. Recognizing more than one way for vacant lots to be stable helps avoid unnecessary controls on many lots.

The variety of vacant lot test methods merely addresses different surface conditions.

- On any given vacant lot, only one or two methods may apply. For example, if no vegetation is present, then the vegetation test methods do not apply. And if one test method demonstrates compliance, no other test method needs to be done.

Owners/operators can take steps to simplify FIP rule compliance.

- If an owner/operator of a disturbed vacant lot does not wish to do anything other than test for a visible crust, he/she may apply water or a chemical dust suppressant to the extent that a sufficient visible crust forms to stabilize the lot. Or, if an owner/operator paves an unpaved parking lot or unpaved road, no test method is necessary to demonstrate compliance.

Vacant lot test method standards control dust to a reasonable extent.

- Because vacant lots can be sufficiently stable under a variety of conditions, a vacant lot is considered stable under the FIP rule if it meets any one of the following criteria,

- Sufficient crust;
- 10% or more rocks or hard-packed dirt clumps covering disturbed areas;
- 30% coverage by standing (i.e. upright) vegetation;
- 50% coverage by flat-lying vegetation;
- The greatest volume of dirt particles in the disturbed soil are 2 millimeters or larger in size;
- The combined volume of dirt particles and rocks > 1 cm in diameter are large enough for the surface to be stable;
- 10% coverage by standing vegetation AND the greatest volume of dirt particles in the disturbed soil are 0.25 millimeters or larger in size.

More Information

Please contact [Colleen McKaughan](#), Associate Director, air Division, U.S. EPA Region 9 at (520) 498-0118. Send questions and comments to r9.phoenixdust@epa.gov.

Exhibit 34

34



Exhibit 35

COMMERCIAL LEASE AGREEMENT

THIS LEASE (this "Lease") dated this 10th day of May, 2018

BETWEEN:

Pabco Gypsum of 8000 E Lake Mead Blvd, Las Vegas, NV 89191, USA

Telephone: (702) 407-3700

(the "Landlord")

OF THE FIRST PART

- AND -

**Tonopah & Tidewater Railroad of 3426 Losee Rd, North Las Vegas, NV 89030,
USA**

Telephone: (702) 348-6370

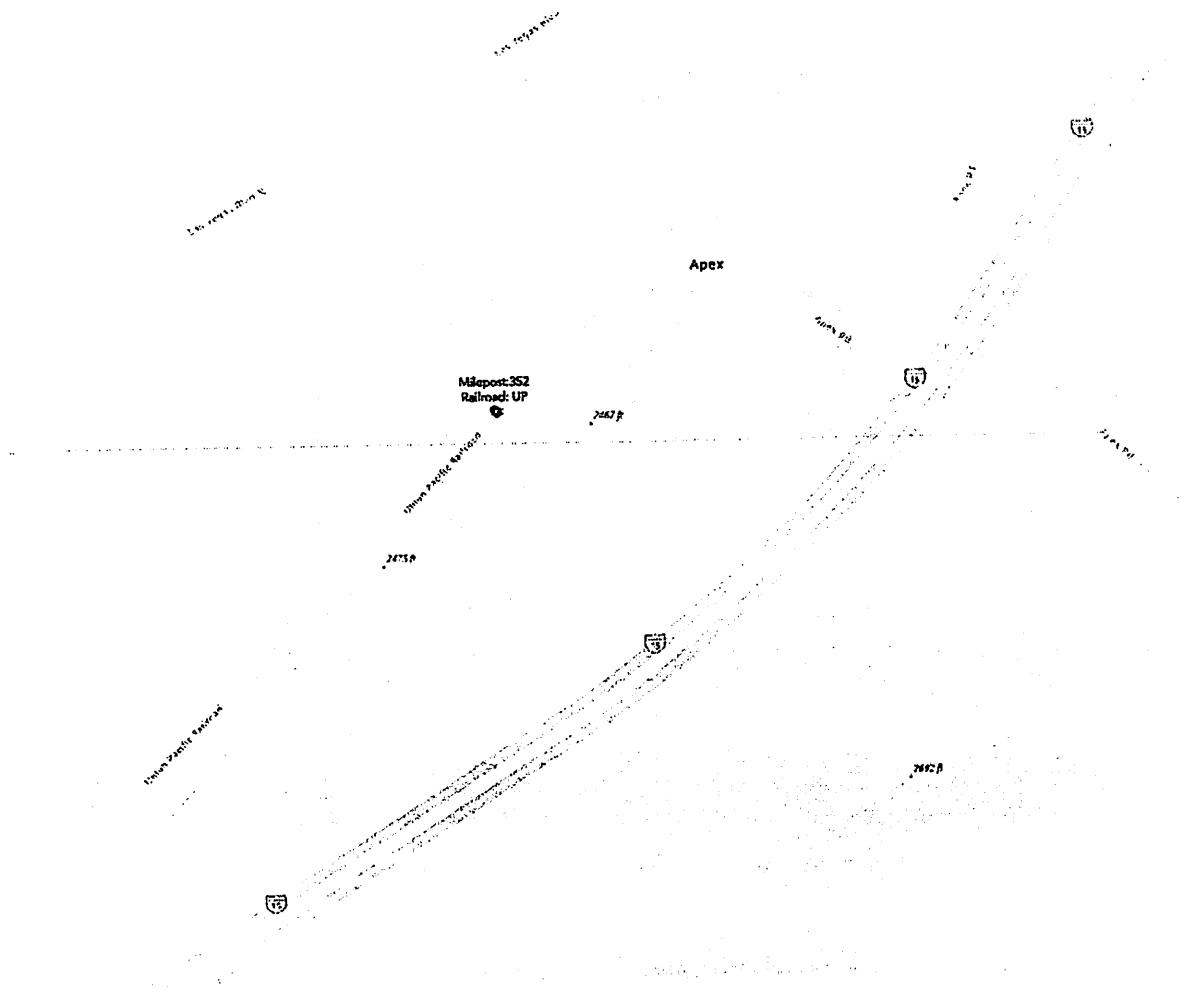
(the "Tenant")

OF THE SECOND PART

IN CONSIDERATION OF the Landlord leasing certain premises to the Tenant, the Tenant leasing those premises from the Landlord and the mutual benefits and obligations set forth in this Lease, the receipt and sufficiency of which consideration is hereby acknowledged, the Parties to this Lease (the "Parties") agree as follows:

Definitions

1. When used in this Lease, the following expressions will have the meanings indicated:
 - a. "Additional Rent" means all amounts payable by the Tenant under this Lease except Base Rent, whether or not specifically designated as Additional Rent elsewhere in this Lease;
 - b. "Rail Road rail track" from time to time located at Union Pacific Rail Mile Post 352 on the former Fiberboard spur, as from time to time altered, expanded or reduced by the Landlord in its sole discretion;
2. Site plan of rail line



Intent of Lease

2. It is the intent of this Lease and agreed to by the Parties to this Lease that rent for this Lease will be on a gross rent basis meaning the Tenant will pay the Base Rent and any Additional Rent and the Landlord will be responsible for all other service charges related to the Premises and the operation of the Building save as specifically provided in this Lease to the contrary.

Leased Premises

3. The Landlord agrees to rent to the Tenant the commercial premises municipally described as Union Pacific Rail Mile Post 352 (the "Premises").
4. The Landlord agrees to rent to the Tenant the Premises for only the permitted use (the "Permitted Use") of: Moving railcars and load and unloading rail cars.

Term

5. The term of the Lease is a periodic tenancy commencing at 12:00 noon on May 10, 2018 and continuing on a year-to-year basis until the Landlord or the Tenant terminates the tenancy (the "Term").
6. Upon 30 days' notice, the Landlord may terminate the tenancy under this Lease if the Tenant has defaulted in the payment of any portion of the Rent when due.
7. Upon 180 days' notice, the Landlord may terminate the tenancy under this Lease if the Tenant fails to observe, perform and keep each and every of the covenants, agreements, stipulations, obligations, conditions and other provisions of this Lease to be observed, performed and kept by the Tenant and the Tenant persists in such default beyond the said 180 days' notice.

Rent

8. The provisions of this Lease, the Tenant will pay a base rent of \$200.00, per rail car that is unload or loaded the Premises (the "Base Rent"), without setoff, abatement or deduction. In addition to the Base Rent, the Tenant will pay for any fees or taxes arising from the Tenant's business.
9. The Tenant will pay the Base Rent on or before the first of each and every month of the Term to the Landlord.
10. No acceptance by the Landlord of any amount less than the full amount owed will be taken to operate as a waiver by the Landlord for the full amount or in any way to defeat or affect the rights and remedies of the Landlord to pursue the full amount.

Use and Occupation

11. The Tenant will open the whole of the Premises for business to the public fully fixtured, stocked and staffed on the date of commencement of the Term and throughout the Term, and will continuously occupy and utilize the entire Premises in the active conduct of its business in a reputable manner on such days and during such hours of business as may be determined from time to time by the Landlord.
12. The Tenant covenants that the Tenant will carry on and conduct its business from time to time carried on upon the Premises in such manner as to comply with all statutes, bylaws, rules and regulations of any federal, state, municipal or other competent authority and will not do anything on or in the Premises in contravention of any of them.
13. The Tenant covenants that the Tenant will carry on and conduct its business from time to time carried on upon the Premises in such manner as to comply with any statute, including any subordinate

legislation, which is in force now or in the future and taking into account any amendment or re-enactment, or any government department, local authority, other public or competent authority or court of competent jurisdiction and of the insurers in relation to the use, occupation and enjoyment of the Building (including in relation to health and safety compliance with the proper practice recommended by all appropriate authorities).

Quiet Enjoyment

14. The Landlord covenants that on paying the Rent and performing the covenants contained in this Lease, the Tenant will peacefully and quietly have, hold, and enjoy the Premises for the agreed term.

Distress

15. If and whenever the Tenant is in default in payment of any money, whether hereby expressly reserved or deemed as Rent, or any part of the Rent, the Landlord may, without notice or any form of legal process, enter upon the Premises and seize, remove and sell the Tenant's goods, chattels and equipment from the Premises or seize, remove and sell any goods, chattels and equipment at any place to which the Tenant or any other person may have removed them, in the same manner as if they had remained and been distrained upon the Premises, all notwithstanding any rule of law or equity to the contrary, and the Tenant hereby waives and renounces the benefit of any present or future statute or law limiting or eliminating the Landlord's right of distress.

Overholding

16. If the Tenant continues to occupy the Premises without the written consent of the Landlord at the expiration or other termination of the Term, then the Tenant will be a tenant at will and will pay to the Landlord, as liquidated damages and not as rent, an amount equal to twice the Base Rent plus any Additional Rent during the period of such occupancy, accruing from day to day and adjusted pro rata accordingly, and subject always to all the other provisions of this Lease insofar as they are applicable to a tenancy at will and a tenancy from month to month or from year to year will not be created by implication of law; provided that nothing in this clause contained will preclude the Landlord from taking action for recovery of possession of the Premises.

Inspections and Landlord's Right to Enter

17. During the Term and any renewal of this Lease, the Landlord and its agents may enter the Premises to make inspections or repairs. Except where the Landlord or its agents consider it an emergency, the

Landlord will provide the Tenant with written notice 24 hours prior to entering.

Insurance

18. The Tenant is hereby advised and understands that the personal property of the Tenant is not insured by the Landlord for either damage or loss, and the Landlord assumes no liability for any such loss. The Tenant is advised that, if insurance coverage is desired by the Tenant, the Tenant should inquire of Tenant's insurance agent regarding a Tenant's policy of insurance.
19. The Tenant is responsible for insuring the Landlord's contents and furnishings in or about the Premises for either damage and loss for the benefit of the Landlord.
20. The Tenant is responsible for insuring any structural components of the Building (including walls, roof, foundations, mechanical systems or other improvements) incorporated into the Premises for the joint benefit of the Tenant and the Landlord. Such coverage shall include, at a minimum, fire, theft, vandalism, flood and other casualty perils.
21. The Tenant is responsible for insuring the Premises for liability insurance for the benefit of the Tenant and the Landlord.

Abandonment

22. If at any time during the Term, the Tenant abandons the Premises or any part of the Premises, the Landlord may, at its option, enter the Premises by any means without being liable for any prosecution for such entering, and without becoming liable to the Tenant for damages or for any payment of any kind whatever, and may, at the Landlord's discretion, as agent for the Tenant, relet the Premises, or any part of the Premises, for the whole or any part of the then unexpired Term, and may receive and collect all rent payable by virtue of such reletting, and, at the Landlord's option, hold the Tenant liable for any difference between the Rent that would have been payable under this Lease during the balance of the unexpired Term, if this Lease had continued in force, and the net rent for such period realized by the Landlord by means of the reletting. If the Landlord's right of reentry is exercised following abandonment of the premises by the Tenant, then the Landlord may consider any personal property belonging to the Tenant and left on the Premises to also have been abandoned, in which case the Landlord may dispose of all such personal property in any manner the Landlord will deem proper and is relieved of all liability for doing so.

Attorney Fees

23. In the event that any action is filed in relation to this Lease, the unsuccessful party in the action will

pay to the successful party, in addition to all the sums that either party may be called on to pay, a reasonable sum for the successful party's attorney fees.

Governing Law

24. It is the intention of the Parties to this Lease that the tenancy created by this Lease and the performance under this Lease, and all suits and special proceedings under this Lease, be construed in accordance with and governed, to the exclusion of the law of any other forum, by the laws of the State of Nevada, without regard to the jurisdiction in which any action or special proceeding may be instituted.

Severability

25. If there is a conflict between any provision of this Lease and the applicable legislation of the State of Nevada (the 'Act'), the Act will prevail and such provisions of the Lease will be amended or deleted as necessary in order to comply with the Act. Further, any provisions that are required by the Act are incorporated into this Lease.

Assignment and Subletting

26. The Tenant will not assign this Lease in whole or in part, nor sublet all or any part of the Premises, nor grant any license or part with possession of the Premises or transfer to any other person in whole or in part or any other right or interest under this Lease (except to a parent, subsidiary or affiliate of the Tenant), without the prior written consent of the Landlord in each instance, which consent will not be unreasonably withheld so long as the proposed assignment or sublease complies with the provisions of this Lease.
27. Notwithstanding any assignment or sublease, the Tenant will remain fully liable on this Lease and will not be released from performing any of the terms, covenants and conditions of this Lease.
28. If the Lease is assigned or if the Premises or any part of the Premises are sublet or occupied by anyone other than the Tenant, the Landlord may collect rent directly from the assignee, subtenant or occupant, and apply the net amount collected, or the necessary portion of that amount, to the rent owing under this Lease.
29. The prohibition against assigning or subletting without the consent required by this Lease will be constructed to include a prohibition against any assignment or sublease by operation of law.
30. The consent by the Landlord to any assignment or sublease will not constitute a waiver of the necessity of such consent to any subsequent assignment or sublease.

Bulk Sale

31. No bulk sale of goods and assets of the Tenant may take place without first obtaining the written consent of the Landlord, which consent will not be unreasonably withheld so long as the Tenant and the Purchaser are able to provide the Landlord with assurances, in a form satisfactory to the Landlord, that the Tenant's obligations in this Lease will continue to be performed and respected, in the manner satisfactory to the Landlord, after completion of the said bulk sale.

Care and Use of Premises

32. The Tenant will promptly notify the Landlord of any damage, or of any situation that may significantly interfere with the normal use of the Premises.
33. The Tenant will not make (or allow to be made) any noise or nuisance which, in the reasonable opinion of the Landlord, disturbs the comfort or convenience of other tenants.
34. The Tenant will not engage in any illegal trade or activity on or about the Premises.
35. The Landlord and Tenant will comply with standards of health, sanitation, fire, housing and safety as required by law.

Surrender of Premises

36. At the expiration of the lease term, the Tenant will quit and surrender the Premises in as good a state and condition as they were at the commencement of this Lease, reasonable use and wear and damages by the elements excepted.

Hazardous Materials

37. The Tenant will not keep or have on the Premises any article or thing of a dangerous, flammable, or explosive character that might unreasonably increase the danger of fire on the Premises or that might be considered hazardous by any responsible insurance company.

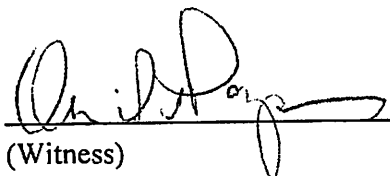
Rules and Regulations

38. The Tenant will obey all rules and regulations posted by the Landlord regarding the use and care of the Building, parking lot and other common facilities that are provided for the use of the Tenant in and around the Premises and Building.


General Provisions

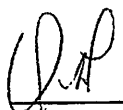
39. Any waiver by the Landlord of any failure by the Tenant to perform or observe the provisions of this Lease will not operate as a waiver of the Landlord's rights under this Lease in respect of any subsequent defaults, breaches or nonperformance and will not defeat or affect in any way the Landlord's rights in respect of any subsequent default or breach.
40. This Lease will extend to and be binding upon and inure to the benefit of the respective heirs, executors, administrators, successors and assigns, as the case may be, of each party to this Lease. All covenants are to be construed as conditions of this Lease.
41. All sums payable by the Tenant to the Landlord pursuant to any provision of this Lease will be deemed to be Additional Rent and will be recoverable by the Landlord as rental arrears.
42. Where there is more than one Tenant executing this Lease, all Tenants are jointly and severally liable for each other's acts, omissions and liabilities pursuant to this Lease.
43. Time is of the essence in this Lease.
44. This Lease will constitute the entire agreement between the Landlord and the Tenant. Any prior understanding or representation of any kind preceding the date of this Lease will not be binding on either party to this Lease except to the extent incorporated in this Lease. In particular, no warranties of the Landlord not expressed in this Lease are to be implied.

IN WITNESS WHEREOF the Parties to this Lease have duly affixed their signatures under hand and seal, or by a duly authorized officer under seal, on this 10th day of May, 2018.


(Witness)

Pabco Gypsum (Landlord)

Per:  (SEAL)


(Witness)

Tonopah & Tidewater Railroad (Tenant)

Per:  (SEAL)

Exhibit 36

30



Exhibit 37

Wednesday, September 17, 2025

ETON Transportation Corp.
3426 Losee Road
North Las Vegas, NV 89030

RE: **Engineering Opinion – Dust Control and
Surface Solution for Stratford-1 (DCOP #57148)**



Purpose and Context

This letter provides my professional engineering opinion to the Clark County Division of Air Quality (DAQ) on the most appropriate dust-control and surface solution for the heavy-equipment yard located at **2596 Stratford Avenue** (commonly referred to in permit documents as Stratford-1). The objective is to select a surface treatment that both controls fugitive dust and withstands the extreme wheel loads and turning stresses generated by the site's equipment.

Site Use and Loading Conditions

The yard functions as a storage and operations area for **very heavy machinery**. Equipment observed on site includes forklifts weighing up to **110,000 pounds**, a **120,000-pound crane**, and a **Caterpillar D9 bulldozer** weighing approximately **150,000 pounds**. Numerous spread-axle trailers and tracked machinery also operate on the site. Such equipment imposes **concentrated wheel loads**, **scrubbing forces** from tight turns and **side-to-side stresses** when maneuvering in confined space. Under these conditions, **conventional asphalt pavement fails quickly**: forklift steering axles shear the asphalt binder from the aggregate, cranes leave deep indentations where outriggers bear down, trailers scrub the surface and separate the aggregate, and bulldozer grousers create regular indentations. Ultimately, these forces grind the pavement back into loose material, so starting with conventional asphalt would only delay—not avoid—the need for a more robust solution.

Regulatory Requirements

The Clark County Division of Environment and Sustainability (DES) recognizes several options for controlling dust and stabilizing unpaved yards. **Alternative asphalt paving using reclaimed asphalt pavement (RAP) and SS-1H binder is specifically approved by DES for storage yards**, provided that owners obtain **written approval**, prepare the subgrade correctly and maintain the surface according to the guidance. Other methods include conventional asphalt or concrete and topical dust palliatives such as polymer emulsions. The following sections evaluate these alternatives in the context of Stratford-1's heavy loading conditions.

Evaluation of Surface Options

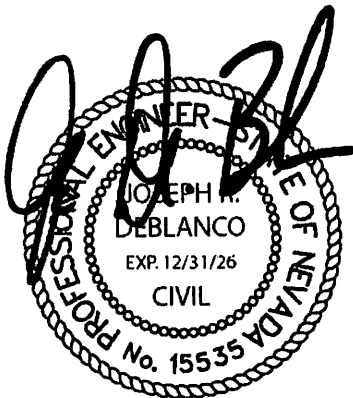
1. **Traditional Asphalt or Concrete Pavement** – Conventional hot-mix asphalt can initially provide a smooth surface, but it is **vulnerable to heavy point loads and turning stresses**. Stationary forklift steering shears the asphalt oil from the aggregate; crane outriggers concentrate loads that exceed asphalt bearing capacity; trailers and tracked equipment scrub and tear the surface. These mechanisms reduce asphalt to reground within a short period, causing repeated failures and dust production. Concrete pavement would offer greater compressive strength but at substantial cost and may still crack under differential settlement and heavy trailer turning.
2. **Formulated Soil Binder (FSB-1000)** – This polymer-emulsion dust palliative reduces PM10 and PM2.5 emissions, is environmentally safe, and increases load-bearing capacity. Clark County and other agencies have approved its use for dust control. However, **FSB-1000 is a topical treatment**. It does not build a structural base capable of resisting rutting and shear under concentrated loads from 110,000 to 150,000-pound equipment. On its own, it is insufficient for Stratford-1's heavy industrial traffic.

3. **Reclaimed Asphalt Pavement (RAP) with SS-1H Binder** – DES guidance describes the process for alternative asphalt paving using rotomill chips or reclaimed asphalt pavement. Key steps include grading the subgrade for drainage, processing the RAP at or above optimum moisture content, laying the material to an uncompacted thickness, and compacting with a steel-wheel vibratory compactor. After the surface dries for **3–5 days**, a **50/50 mix of SS-1H asphalt binder and hot water** is sprayed at 0.6 gallons per square yard (or two coats of 0.3 gallons per square yard) and allowed to cure for **2–4 weeks**. It is this combination of materials and these processes that make it ideal for Stratford-1. Therefore, I recommend a **compacted thickness be designed** to distribute wheel loads from forklifts, cranes and bulldozers. This engineered base will resist shear, prevent rutting and provide a durable, dust-free driving surface.

Recommendation

Given the loading conditions and DES guidance, **the optimal solution for Stratford-1 is to install compacted reclaimed asphalt pavement base**. This approach is explicitly approved by DES for storage yards and provides the structural capacity needed for 150, 000-pound machinery. Topical palliatives such as FSB-1000 may supplement stockpiles or non-traffic areas but should not be relied upon for primary traffic zones.

Warmest Regards,
Joey DeBlanco
Las Vegas Civil Engineering



9/17/25

BEFORE THE AIR POLLUTION CONTROL HEARING OFFICER
CLARK COUNTY, NEVADA

In the Matter of the Notice of Violation #10161) ORDER
Issued to)
TONOPAH & TIDEWATER RAILROAD)
CO., ENVIRONMENTAL)
TRANSPORTATION OF NEVADA, LLC,)
D/B/A ETON, and MITCHELL TRUMAN,)
Respondents.)
_____)

The above-entitled matter was heard on September 18, 2025, before Hearing Officer Douglas Brooks on the Contested Docket. Representatives of both the Clark County Department of Environment and Sustainability, Division of Air Quality (**Air Quality**) and TONOPAH & TIDEWATER RAILROAD CO. (**TONOPAH & TIDEWATER**), ENVIRONMENTAL TRANSPORTATION OF NEVADA, LLC D/B/A ETON (**ETON**), and MITCHELL TRUMAN (**TRUMAN**) appeared, testified and submitted evidence for consideration by the Hearing Officer. Having considered the evidence presented at the hearing, the Hearing Officer hereby finds and orders as follows:

1. Notice of Violation (**NOV**) #10161 was issued by Air Quality to Respondents TONOPAH & TIDEWATER, ETON, and TRUMAN on June 18, 2025, for alleged violation(s) of the Clark County Air Quality Regulations (**AQRs**) on Parcel Numbers 161-07-103-014, 161-07-103-015, and 161-07-103-016 located at 2596 Stratford Avenue, in Clark County, Nevada. The violation(s) alleged in the NOV include:

(a) Violation of AQR Section 92.3.1 for constructing and operating an unpaved parking lot/storage yard.

2. The penalty recommended by Air Quality in NOV #10161 was \$15,000.00.

3. The Hearing Officer finds that the violation(s) alleged in NOV #10161 occurred in that TONOPAH & TIDEWATER, ETON, and TRUMAN violated AQR Section 92.3.1

1 from January 4, 2025, through and including February 2, 2025.

2 4. **IT IS HEREBY ORDERED** that TONOPAH & TIDEWATER, ETON, and
3 TRUMAN pay a penalty of Fifteen Thousand and no/100 Dollars (\$15,000.00) within 30 days
4 of the date of this ORDER.

5 5. TONOPAH & TIDEWATER, ETON, and TRUMAN have the right to appeal
6 this ORDER to the Clark County Air Pollution Control Hearing Board. Any appeal of this
7 ORDER shall be: (1) on a form provided by Air Quality specifying the reason(s) for the appeal,
8 (2) accompanied by a filing fee of One Hundred Forty and no/100 Dollars (\$140.00), and (3)
9 received by Air Quality within ten (10) days of TONOPAH & TIDEWATER, ETON, and
10 TRUMAN's receipt of this ORDER.

11 DATED this 24th day of September, 2025.

12
13 
14 Douglas Brooks Sep 24, 2025 07:32:38 PDT

15 Douglas Brooks
16 Hearing Officer
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**DES****DEPARTMENT OF ENVIRONMENT
AND SUSTAINABILITY**

Received via email on Thu 7/3/2025 1:53 PM
From: Russell G. Gubler
pt

4701 W. Russell Road 2nd Floor
Las Vegas, NV 89118-2231
Phone: (702) 455-5942 • Fax: (702) 383-9994
Marci Henson, Director

Notice of Violation Response Form

Issued to: Tonopah & Tidewater, ETON, and Mitchell Truman

NOV #: 10161

Return form by: 7/3/2025

Items below are to be completed by the Respondent

Responsible

Official: Mitchell Truman, c/o Johnson & Gubler, P.C.

Title: manager

Phone Number: 702-471-0065

Email Address: rgubler@mjohansonlaw.com

Mailing Address: 8831 W. Sahara Ave, Las Vegas, NV 89117

Please check applicable boxes below

☐

We do not contest the Notice of Violation (Attendance is not required)

We accept responsibility for this violation. Instructions for payment of the recommended penalty will be provided after the Hearing Officer meeting.

☒

We are contesting the Notice of Violation and request to appear before the Hearing Officer (Attendance by the Responsible Official or a representative of the company is strongly recommended to contest the violation)

Please attach a written explanation, including supporting documentation, of why you are contesting the NOV. This information will be provided to the Hearing Officer prior to the Hearing.

We will be contesting the:

☐

Facts

☐

Penalty

☒

Both

Russell Gubler, attorney
Signature of Authorized Person

Date: 7/3/25

Completed forms can be submitted to Pam Thompson via mail at Clark County Department of Environment and Sustainability, Division of Air Quality, 4701 West Russell Road, Suite 200, Las Vegas, NV 89118-2231, fax at (702) 383-9994, or via email at aqenforcement@clarkcountynv.gov.

Matthew L. Johnson (6004)
Russell G. Gubler (10889)
JOHNSON & GUBLER, P.C.
Lakes Business Park
8831 West Sahara Avenue
Las Vegas, Nevada 89117
Phone: (702) 471-0065
Fax: (702) 471-0075
mjohnson@mjohnsonlaw.com
rgubler@mjohnsonlaw.com
Attorneys for Respondent

AIR POLLUTION CONTROL HEARING OFFICER MEETING

In the matter of: ETON TRANSPORTATION CORP., Respondent.	NOV #10161 RESPONSE TO NOTICE OF VIOLATION #10161
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NOW COME Tonopah & Tidewater Railroad Co. (“Railroad Co.”), ETON Transportation Corp. (“ETON”), and Moe Truman (collectively, the “Respondents”), by and through their attorneys of the law firm of JOHNSON & GUBLER, P.C., and hereby respond to Clark County’s Notice of Violation #10161.

For the reasons stated herein, Respondents request that the hearing officer reject the violations and the fines.

Violations Alleged:

By constructing and operating an unpaved parking lot/storage yard on the Property from January 4, 2025, through May 28, 2025, Tonopah & Tidewater, ETON, and Truman violated AQR Section 92.3.1

Facts:

1. Tonopah & Tidewater Railroad Co. is a railroad company owning property located at located at 2596 Stratford Ave, Las Vegas, NV 89121 (the “Property”). Exhibit 1, Deed.¹
2. The Railroad Co. was organized in the State of Nevada on July 9, 2004. Exhibit 2, Entity information.
3. On September 30, 2004, the Railroad Co. filed a verified notice of exemption under 49 CFR 1150.31 to lease and operate a private rail line owned in Clark County, NV. The Railroad company may initiate and provide common carrier rail operations on and over the line. Accordingly, the Railroad Co. became a Class III rail carrier. Exhibit 3, Federal Register Docket No. 34547.
4. Las Vegas Paving Corporation obtained an easement on certain property from Pan Western, which is on the same property mentioned in the Federal Register. *See* Exhibit 20.
5. This easement was recorded and runs with the land. *Id.*
6. In 2008, the Railroad Co. obtained a Licensing Agreement with Las Vegas Paving Corporation that allows the Railroad Co. to “***Operate [an] industrial railroad on the property.***” Exhibit 21, Licensing Agreement (emphasis added).
7. In 2010, the Railroad Co. purchased the physical steel rails from Pan Western that are held on the property. Exhibit 22, Purchase Agreement.
8. These rails are stationary on the Property. Exhibit 23, photograph of rails.
9. Further, cars are able to switch lanes, which requires an operator. *Id.*
10. The Railroad Co. entered into a lease with ETON. Exhibit 5, Lease.

¹ Some Exhibits have been kept as an abundance of caution to preserve rights and arguments.

11. ETON obtained a dust control permit for grubbing, effective August 30, 2023.
12. During its occupancy, ETON performed services for the Railroad Co. at the Property in the assistance of its business of moving goods across state lines, in interstate commerce.
13. Since January 1, 2024, the Railroad Co. has occupied the Property. The Railroad Co. never applied for or executed a dust control permit.
14. In addition to the Property, the Railroad Co. is the owner of rails, but uses the Property as one of its facilities and yards, in the assistance of its business of moving goods across state lines, in interstate commerce.
15. The Railroad Co. engages in interstate commerce and works with other railroads in the shipment of items across state lines. Exhibit 6, News 8 report.
16. In the furtherance of Railroad Co.'s federally assigned duties to maintain safe railroad service, the Railroad Co. bought a Caterpillar D9L with a serial # of 7G426. Exhibit A of Exhibit 7, Declaration of Mitchell Truman.
17. This tracked bulldozer is kept in the ready mode for immediate deployment at the Property, 24 hours a day, 7 days a week, in the event of a rail derailment, to open up rail service. Exhibit B of Exhibit 7, Declaration of Mitchell Truman.
18. The Railroad Co. engages in interstate commerce and works with other railroads in the shipment of items across state lines. Exhibit 6, News 8 report.
19. The Property is covered with six inches of roto milling, which is at least ¼ inch in thickness. Exhibit 9, photographs of Property. ²

² Below the roto mill is six additional inches of Chat gravel.

20. It is impractical to pave the Property as the bulldozer would destroy the paving, turning it to an equivalent roto-milling state, now on the Property. Exhibit 7, Declaration of Mitchell Truman.

21. Six inches of roto milling is more than an adequate dust palliative to meet the fugitive dust requirement of the EPA clean air act. Exhibit 10, Declaration of Miller.

22. For companies that use tracked equipment such as bulldozers, trenches, rail equipment, and back hoes in their businesses, black top is not a viable palliative, and roto milling is the only viable dust palliative. Exhibit 10, Declaration of Miller; Exhibit 11, Declaration of Harber.

23. Roto milling meets the requirement as a comparable palliative for dust abatement, particularly when there is track equipment operated on the property. Exhibit 11, Declaration of Harber; *see also* Exhibit 12, Declaration of McDonough; Exhibit 13, Meldrum.

24. Professionally, the roto milling on the Property is more than an adequate dust palliative to meet the fugitive dust requirement of the EPA clean air act. Exhibit 10, Declaration of Miller; Exhibit 13, Declaration of Meldrum.

25. Similarly, there is no difference in the fugitive dust emission leaving a property from a lot paved with asphalt compared to a property covered in roto milling. Exhibit 12, Declaration of McDonough.

26. The bulldozer weighs approximately 114,656 lbs, and covers the entire Property.

27. In addition to the bulldozer, the Railroad maintains the following equipment at the Property:

- a. 1- 80,000 lb forklift;
- b. 1 - 200 ton crane;

- c. 1- 36,000 lb forklift;
 - d. 2- 25,000 lb forklifts;
 - e. 1- 18,000 lb forklift;
 - f. 1- 10,000 lb forklift;
 - g. 3- 6,000 lb forklifts;
 - h. Other heavy equipment/trucks weighing approximately 129,000 lbs, when loaded.³
28. These heavy pieces of equipment also cover and maneuver over the entire yard.
29. By requiring the Property to be paved with asphalt, as opposed to roto milling, Clark County will create more air pollution from its activities. The following required items are needed to make virgin asphalt (all of which are activities that release CO₂ into the atmosphere, require additional water to stop dust, and/or wash the material to have it prepared to make asphalt):
- a. Mining the rock;
 - b. Fuel manufacturing to prepare fuel for the quarry equipment;
 - c. Transportation of the fuel to the paving yard;
 - d. Power generation to move the fuel from the refinery to the local fuel terminal;
 - e. Transportation of the rock by haul trucks from the quarry site to the crusher;
 - f. Generator to power the crushing equipment.

³ Given the size and shape of the yard, when these pieces of heavy equipment turn or maneuver, they cause damage to asphalt, as acknowledged by the Board. *See* Exhibit 32, pp. 69-71

- g. Fuel usage to move the material by a loader to and around the plant;
- h. Fuel usage to transport the asphalt oil to the hot plant;
- i. Fuel usage to transfer the asphalt oil from the refiner to the local terminal;
- j. Fuel usage to heat the plant to heat the rock to allow the asphalt oil to adhere to the rock;
- k. Fuel usage for the hot asphalt to be delivered to the site.
- l. Fuel usage for the laydown machine to lay the asphalt.

Exhibit 13, Declaration of Meldrum.

30. Paving instead of roto milling is not the best practice in this application on the Property (as used by other political entities). Exhibit 13, Declaration of Meldrum; Exhibit 14, Declaration of Montandon.

31. Further, DES' actions are discriminatory in nature, as DES fails to enforce its policies against other rail roads. Exhibit 15, photographs of rails by other owners in Clark County.

32. Further, AQR is invalid, as it is not a state-wide program. Exhibit 16, photographs of rails in other Nevada counties.

33. Prior to this hearing, Respondents have responded to two other violations, NOV 9994 and 10078, heard simultaneously. *See* Exhibit 30; Exhibit 31.

34. The matter was appealed. *See* Exhibit 32.

35. During the appeal hearing, it was known that the Respondents had roto mill on the Property. Board Chair Sanders stated the following:

14 CHAIR SANDERS: I don't think there's any
15 argument on whether or not roto mill is appropriate. I
16 think it was just a matter of when it got put down in
17 relation to the citations.

Exhibit 32, p. 20

12 CHAIR SANDERS: Is it -- is it relevant, I
13 think *we've already agreed that roto mills' acceptable*
14 -- *dust pallet*. Is this still on that argument?

Exhibit 32, p. 23 (emphasis added).

21 CHAIR SANDERS: Well, like I said earlier, I --
22 *I don't think the argument here is whether or not the*
23 *roto mill is acceptable. I hope it's acceptable because*
24 -- *well, I use the same thing. Everybody that I know*
25 *does and has tracked equipment. And it -- and it is a*
1 -- a good palliative and -- and it, you know, and you
2 can smooth it back out if your tracks mess it up at all
3 moving around.

Exhibit 32, pp. 38-39 (emphasis added).

14 CHAIR SANDERS: Well, I -- I saw the -- I saw
15 the email that said, you know, and I saw the -- the
16 application and -- and where he agreed that he was going
17 to pave portions of it. And was even asking an email
18 and he said it was going to be three inch overlay. You
19 know, I -- I did see that. So he agreed at one time
20 that he was going to pave a portion of it. And, you
21 know, *I think it would've just been a matter of -- of --*
22 *of -- of talking to him with the -- with -- with the air*
23 *quality representatives and say, Hey, look, I'm just*
24 *going to put some roto mill down. I don't think that*
25 *had been an issue.*

Exhibit 32, p. 39 (emphasis added).

15 CHAIR SANDERS: No. I know all about it.
16 *You're preaching to the choir here on that stuff. On*
17 *the -- the roto mill versus --*

Exhibit 32, p. 42 (emphasis added).

23 CHAIR SANDERS: Does the board have any
24 questions for Ann? Okay. So there's -- I guess we're
25 at a point then when we decide what we're going to do
1 with this. You know, I -- I can appreciate the fact
2 that you don't want people coming onto the site

3 randomly. You know, I'm familiar with the security
4 requirements and other issues that are related to that.
5 Nevertheless, I -- I, you know, I do agree with
6 the hearing officer's assessment that the violations
7 actually occurred. And it's clear from the timeline
8 that, you know, we had an unstable -- *potentially*
9 *unstable piece of ground up until -- in August when they*
10 *closed it out and said it was in compliance after the*
11 *roto mill had been put down.*

12 You know, I'm not going to get in the -- or
13 argue the point that -- of -- in my mind and maybe this
14 isn't county regulation. So I -- I don't know if we'll
15 get in trouble here. *But, you know, I don't have a*
16 *problem with the roto mill. And I think that that's an*
17 *adequate dust palliative when you have a lot of traffic*
18 *on -- on something and -- and it's moving around and*
19 *turning and -- and unloading different things. And it's*
20 *pretty hard to keep the asphalt.*

21 *As a matter of fact, it's pretty hard to keep*
22 *it clean let alone keep it from getting damaged with --*
23 *with that kind of activity. Especially with the D9*
24 *Dozer that, you know, weighs like a hundred tons,*
25 *spinning around in there. So -- and I don't -- I don't*
I even know why the dozer is there. But nevertheless, you
2 know, in my mind the -- the -- the rot mill is not an
3 issue.

4 And -- and *obviously they -- they accepted it.*
5 *Showing that you were in compliance after you put it*
6 *down.* So I think the question is, the violations that
7 -- that you're cited for I think they're relevant and I
8 think that they're -- even when they were allowed on
9 site by somebody, you or somebody else, you know, the
10 citation was there.

Exhibit 32, pp. 69-71 (emphasis added).

36. In addition, based on the testimony that was given, without objection or opposing testimony, the parties understood that the permit was closed and the Property was in compliance:

5 Nevertheless, I -- I, you know, I do agree with
6 the hearing officer's assessment that the violations
7 actually occurred. And it's clear from the timeline
8 that, you know, we had an unstable -- potentially

9 unstable piece of ground *up until -- in August when they 10 closed it out* and said it *was in compliance* after the 11 roto mill had been put down.

Exhibit 32, p. 70 (emphasis added).

37. Some of the Respondents were found to have violated the AQR, up until the roto mill was placed. *Id.*

38. After the Roto Mill was placed, and upon reviewing the evidence, the Board repeatedly commented that the roto mill was acceptable. However, now, DES is arguing that Respondents should still be fined.

Argument:

A. An exemption to paving exists for the Property.

DES cites AQR Section 92.3.1, as applicable law, which states:

92.3.1 New Parking Lots or Storage Areas

- (a) New parking lots constructed after January 1, 2003, or constructed with public access after December 31, 2024, at a stationary source, as applicable, in Hydrographic Areas 212, 216, or 217; in any other hydrographic area upon its being designated as nonattainment for PM10; or in any other hydrographic area that becomes subject to a PM10 maintenance plan, as defined under 42 U.S.C. 7505a, must be paved.
- (b) New storage areas constructed after January 1, 2003, or constructed with public access after December 31, 2024, at a stationary source, as applicable, in Hydrographic Areas 212, 216, or 217; in any other hydrographic area upon its being designated as nonattainment for PM10; or in any other hydrographic area that becomes subject to a PM10 maintenance plan, as defined under 42 U.S.C. 7505a, must comply with the control measures described in Sections 92.3.4 (a), (b) or (d).

However, exemptions exist under AQR Section 92.3.3.

92.3.3 Exempt New and Existing Unpaved Parking Lot(s) or Storage Area(s)

The following activities shall be exempt from the paving requirement in Section 92.3.1(a), but must comply with one or more of the control measures in Section 92.3.4.

- (b) An area used for storing and handling of landscaping, aggregate, and other similar bulk materials, provided that all access, parking, and loading areas used by on-road vehicles are paved.

(c) An area used primarily for storage of ***non-rubber tired vehicles or tracked or heavy equipment*** that the Control Officer has determined to be of such weight as to damage or destroy pavement (e.g., heavy equipment), provided that all access, parking, and loading areas primarily used by rubber-tired vehicles are paved.

The control measures under 92.3.4 are as follows:

92.3.4 Control Measures

For the purpose of this regulation, the control measures set forth below shall be considered effectively implemented when the Unpaved Parking Lot or storage area meets the stabilization standards described in Section 92.4.

- (a) Pave, as defined in Section 0.
- (b) Apply alternative asphalt paving.***
- (c) Uniformly apply and maintain clean gravel to a depth of two inches.***
- (d) Apply and maintain an alternative control measure with prior written approval from the Control Officer.

Here, the Property is covered with six inches of roto milling, which is at least ¼ inch in thickness. Similarly, below the roto milling, the Property is covered with another six inches of chat gravel, which is at least ¼ inch in thickness. Exhibit 9. The roto milling is necessary for Respondents, as Respondents maintain a D9L dozer on the property, which is tracked equipment, weighing approximately 114,656 lbs. Exhibit 7. This equipment covers the entire Property. In addition to the bulldozer, the Railroad maintains the following heavy equipment:

- a. 1- 80,000 lb forklift;
- b. 1 - 200 ton crane;
- c. 1- 36,000 lb forklift;
- d. 2- 25,000 lb forklifts;
- e. 1- 18,000 lb forklift;
- f. 1- 10,000 lb forklift;
- g. 3- 6,000 lb forklifts;

h. Other heavy equipment/trucks weighing approximately 129,000 lbs, when loaded.

These heavy pieces of equipment also cover, turn, and maneuver over the entire Property.

As acknowledged by the Board Chair, the roto mill is an acceptable exception when heavy equipment spins on the asphalt. *See* Exhibit 32, pp. 69-71. This even includes equipment with rubber tires. Therefore, Respondents request that the Hearing Officer accept the exception, allowed under the AQR.

B. DES is precluded or estopped from rearguing this issue.

Issue preclusion is a legal doctrine that prevents a party from relitigating an issue that has already been decided in a previous lawsuit. For the application of the issue preclusion doctrine, the Supreme Court has outlined a four-part test, as follows:

(1) the issue decided in the prior litigation must be identical to the issue presented in the current action; (2) the initial ruling must have been on the merits and have become final; . . . (3) the party against whom the judgment is asserted must have been a party or in privity with a party to the prior litigation'; and (4) the issue was actually and necessarily litigated.

See Five Star Capital Corp. v. Ruby, 124 Nev. 1048, 1054-55 (2008).

Here, the Control Board heard and decided the issue of whether the roto mill on the Property was an adequate dust palliative. Chair Sanders stated:

15 get in trouble here. *But, you know, I don't have a*
16 *problem with the roto mill. And I think that that's an*
17 *adequate dust palliative when you have a lot of traffic*
18 *on -- on something and -- and it's moving around and*
19 *turning and -- and unloading different things. And it's*
20 *pretty hard to keep the asphalt.*
21 *As a matter of fact, it's pretty hard to keep*
22 *it clean let alone keep it from getting damaged with --*
23 *with that kind of activity. Especially with the D9*
24 *Dozer that, you know, weighs like a hundred tons,*
25 *spinning around in there. So -- and I don't -- I don't*
I even know why the dozer is there. But nevertheless, you
2 know, in my mind the -- the -- the rot mill is not an
3 issue.

4 And -- and *obviously they -- they accepted it.*

5 Showing that you were in compliance after you put it
6 down. So I think the question is, the violations that

Exhibit 32, pp. 70-72 (emphasis added). Thus, the Control Board already considered the issue of whether the roto mill on this very Property was sufficient, and considered the application of the heavy equipment on the Property after hearing the evidence, on the merits. The Respondents were involved in the previous hearings. Therefore, DES should be precluded or estopped from bringing the current violation.

C. The Railroad Co. is a railroad company under Nevada law.

A railroad company may be formed by organizing a corporation under NRS Chapter 78. *See* NRS 78.075. Tonopah & Tidewater Railroad Co. is such a corporation that was organized under NRS Chapter 78, with the designation of the words, "Railroad Co." *See* Exhibit 2.

Further, the Nevada legislature has never otherwise defined the term, "railroad company". As a result, the Supreme Court of Nevada looked to the Black's Law Dictionary to define the term. *Bombardier Transp. (Holdings) USA, Inc. v. Nev. Labor Comm'r*, 135 Nev. 15, 26, 433 P.3d 248, 258 (2019). The term is defined by Black's Law Dictionary as "[a] corporation organized to construct, maintain, and operate railroads." Railroad Corporation, Black's Law Dictionary (10th ed. 2014). This is consistent with the common meaning of railroads and other statutes wherein the Legislature has defined railroads as operating on railways. *See, e.g.*, NRS 484A.200 (defining "railroad" as one that operates on "stationary rails"); NRS 484B.050 (same); NRS 710.300 (requiring a "railway" or "railway lines" for railroad utilities). *Bombardier Transp. (Holdings) USA, Inc. v. Nev. Labor Comm'r*, 135 Nev. 15, 26, 433 P.3d 248, 258 (2019).

Here, Las Vegas Paving Corporation obtained an easement on certain property from Pan Western, which is on the same property mentioned in the Federal Register. *See* Exhibit 20. This easement was recorded and runs with the land. *Id.* Thereafter, in 2008, the Railroad Co. obtained

a Licensing Agreement with Las Vegas Paving Corporation that allows the Railroad Co. to “*Operate [an] industrial railroad on the property.*” Exhibit 21, Licensing Agreement (emphasis added). In 2010, the Railroad Co. purchased the physical steel rails from Pan Western that are held on the property. Exhibit 22, Purchase Agreement. These rails are stationary on the Property. Exhibit 23, photograph of rails. Further, cars are able to switch lanes, which requires an operator. *Id.* These are all features common to rails and trains. Thus, the Railroad Co. is a railroad company under Nevada law as it maintains and operates a railroad, and holds itself out as a railroad company. *See Bombardier Transp. (Holdings) USA, Inc. v. Nev. Labor Comm’r*, 135 Nev. 15, 26, 433 P.3d 248, 258 (2019).⁴

D. AQR is preempted by Federal law.

AQR is preempted by Federal Law. Commerce Clause Art. I, §8, Cl. 3, states, in part, Congress shall have the power to . . . regulate commerce . . . among the several states” The Supremacy Clause Art. VI, Cl. 2, also states, “This Constitution, and the laws of the United States which shall be made in pursuance thereof . . . , shall be the supreme law of the land” The Interstate Commerce Act, established in 1887, and then the Interstate Commission Termination Act (“ICCTA”) of 1995 grants the Surface Transportation Board (“STB”) authority over rail service.⁵ That authority includes the ability to regulate items such as rates,

⁴ Further, the Railroad Co. is a railroad company, as the Public Utilities Commission regulates it.

⁵ The Act abolished the Interstate Commerce Commission (ICC) and established the STB under the U.S. Department of Transportation. It is now an independent agency.

ICCTA Statutory Preemption language (49 USC §10501):

(b) The jurisdiction of the Board over-

(1) transportation by rail carriers, and the remedies provided in this part with respect to rates, classifications, rules (including car service, interchange, and other operating rules), practices, routes, ***services, and facilities of such carriers***; and

(2) the construction, acquisition, operation, abandonment, or discontinuance of spur, industrial, team, switching, or side tracks, or facilities, even if the tracks are located, or intended to be located, entirely in one State, is exclusive. Except as otherwise provided in this part, the

classifications rules, practices, routes, *services, and facilities, among others*, even if the tracks are located entirely within one state. The definition of “transportation” included within the STB’s purview is broad, including a locomotive, car, *vehicle, vessel, warehouse, yard, property, facility, instrumentality, or equipment* of any kind related to the movement of passengers and/or property by rail. This preemption applies to rail carriers, operating in interstate commerce, and those operating on their behalf, including transloaders.

In *Chicago and North Western Transportation Company v. Kalo Brick and Tile Co.*, 450 U.S. 311 (1991), the Supreme Court held, “The ICA is among the most pervasive and comprehensive of federal regulatory schemes Since the turn of the century, we have frequently invalidated attempts by the States to impose on common carriers obligations that are plainly inconsistent with the plenary authority of the ICC] . . .” The Court further said, “[There] can be no divided authority over interstate commerce, and . . . the acts of Congress on that subject are supreme and exclusive. Consequently, state efforts to regulate commerce must fall when they conflict with or interfere with federal authority over the same activity.” *Id.* at 318-9.

Attempts by states and municipalities to exert their authority over rail-related service or structures usually fail. The city of Auburn in Washington State tried to require a full environmental impact statement of a proposed rail line reopening, but was denied. *City of Auburn v. US Government*, 154 F. 3d 1025, 29 Env’tl. L. Rep. 20,096 (9th Cir. 1998). The City of Auburn argued that there was no express preemption of local regulation in ICCTA, and that Congress meant to preempt economic regulation, not “essential local police power required to protect the health or safety of citizens.” However, the court rejected the City’s position, noting

remedies provided under this part with respect to regulation of rail transportation are exclusive and *preempt the remedies provided under Federal or State law*. [Emphasis added.]

the long history of judicial recognition that rail operations need to be regulated at the federal, not local level.

The STB denied the request of Winchester, Mass. to regulate use of a freight yard which residents claimed was too noisy at night. Winchester claimed that its zoning regulations prohibited the use, but the STB ruled that federal law preempted the town's regulations. *Boston & Maine Corporation & Springfield Terminal Railroad Company* – Petition for Declaratory Order, 2013 WL 5869470, October 30, 2013.

The reason federal control of rail transportation is important is clear – if every city, town, county, and state could put its own restrictions on rail service, it would cripple it and destroy any semblance of a unified national system. The smooth operation of the rail system is protected by prohibiting states and municipalities from any requirements that would inhibit that system. Although very limited local or state regulation is allowed if the regulation is directly related to public health and safety, such as compliance with building and fire codes, rail lines cannot be required to apply for environmental permits governed by local or state law. *See Green Mountain Railroad Corp. v. Vermont*, 404 F.3d 638 (2005).

Even restrictions on activities somewhat removed from actual rail service are also prohibited because they would have an effect on the provision of rail service. In *Norfolk Southern Railway Co. v. City of Alexandria*, 608 F.3d 150 (2010), the City's ordinance regulating when trucks could enter and leave the rail facility was struck down because that restriction would cause a back-up in unloading the rail cars and have a limiting effect on rail service.

Thus, when state or local laws are an obstacle to the accomplishment and execution of an interstate carrier in the furtherance of its duty to move good between states a railroad's services, the laws are preempted. *See* 49 CFR 655.6; *Pike v. Bruce Church Inc.*, 397 U.S. 137 (1970).

E. AQR is not consistent with a state-wide program

The AQR code is not consistent with a state-wide program. If an apparent conflict exists between ICCTA ***and a federal law***, then the courts must strive to harmonize the two laws, giving effect to both laws if possible. *Association of American Railroads v. South Coast Air Quality Manag. Dist.*, 622 F.3d 1094, 1097 (9th Cir. 2010). If an apparent conflict exists between ICCTA and a state or local law, however, different rules apply. *Association of American Railroads*, 622 F.3d at 1097 (emphasis added).

The STB has explained that this system preserves a role for state and local agencies in the environmental regulation of railroads in at least two ways. First, to the extent that state and local agencies promulgate EPA-approved **statewide plans** under federal environmental laws (such as “**statewide implementation plans**” under the Clean Air Act), ICCTA generally does not preempt those regulations because it is possible to harmonize ICCTA with those federally recognized regulations. *Association of American Railroads*, 622 F.3d at 1098 (emphasis added).

The corollary to that rule is that, until approved by the EPA, **state implementation plans** do not have the force and effect of federal law. *Association of American Railroads*, 622 F.3d at 1098 (emphasis added).⁶

⁶ In *Association of American Railroads*, the court found that the South Coast Air Quality Management District's rules did not have the force and effect of federal law. Although the District promised to, the District had not submitted the rules to the ***state agency***, CARB, for its approval. Thus, in turn, if CARB approved, CARB would submit the rules to the federal EPA as part of California's **state implementation plan**. Once approved by EPA, **state implementation plans** have “the force and effect of federal law.”

Second, to the extent that state and local agencies enforce their generally applicable regulations in a way that does *not unreasonably burden railroad activity*, ICCTA does not preempt such regulation, despite the fact that the regulation does not have the force and effect of federal law. *Association of American Railroads*, 622 F.3d at 1098 (emphasis added). ICCTA preempts those rules unless they are rules of general applicability *that do not unreasonably burden railroad activity*. *Association of American Railroads*, 622 F.3d at 1097-98 (Noting that the STB has recognized that ICCTA likely would not preempt local laws that prohibit the dumping of *harmful substances or wastes*, because such a generally applicable regulation would not constitute an unreasonable burden on interstate commerce).

The EPA bypassed the whole requirement to implement a state-wide program when the AQR was approved. The AQR is not a *state* implemented plan; it is a *county* implemented plan as required in *Association of American Railroads*.

Section 52.1490(61) of Title 40 of the CFR shows that the plan that was approved by the EPA is not a state-wide plan.

(61) The following plan revision was submitted on March 26, 2003, by the Governor's designee.

(i) Incorporation by reference.

(A) Clark County Department of Air Quality and Environmental Management.

(1) Section 93, adopted on June 22, 2000 by the Clark County Board of Commissioners and amended on March 4, 2003; Section 94, ***adopted on June 22, 2000 by the Clark County Board of Commissioners*** and amended on March 18, 2003; and, the "Construction Activities Dust Control Handbook", adopted June 22, 2000 by the Clark County Board of Commissioners and amended on March 18, 2003.

(emphasis added). Thus, the AQR was adopted by the Clark County Board of Commissioners, not the legislature and governor of Nevada.

The Nevada state-implemented plan allows for officials to use common sense and to be reasonable. NRS 445B.100 states as follows:

1. It is the public policy of the State of Nevada and the purpose of NRS 445B.100 to 445B.640, inclusive, to achieve and maintain levels of air quality which will protect human health and safety, prevent injury to plant and animal life, prevent damage to property, and preserve visibility and scenic, esthetic and historic values of the State.

2. It is the intent of NRS 445B.100 to 445B.640, inclusive, to:

- (a) Require the use of **reasonably available methods** to prevent, reduce or control air pollution throughout the State of Nevada;

(emphasis added). Similarly, NAC 445B.22037, states,

1. No person may cause or permit the handling, transporting or storing of any material in a manner which allows or may allow controllable particulate matter to become airborne.

2. Except as otherwise provided in subsection 4, no person may cause or permit the construction, repair, demolition, or use of unpaved or untreated areas without first putting into effect an ongoing program using the best practical methods to prevent particulate matter from becoming airborne. As used in this subsection, **“best practical methods”** includes, but is not limited to, paving, ***chemical stabilization***, watering, phased construction and revegetation.

(emphasis added). Thus, paving compared to best practical or reasonably available methods

(State) are not the same. They are quite different, and the AQR is not part of a state-wide implemented plan.

Similarly, the method in which the State of Nevada implements a program is quite different from the way that DES is attempting to enforce its program against Respondents. *See* Exhibit 16, railroad yards in other counties in the State of Nevada.

F. The end of the Chevron doctrine and Chevron preference.

The EPA was not authorized to bypass the State of Nevada when it approved the AQR, as it was required to approve a state-wide implemented plan. The United States Supreme Court’s recent rulings in *Loper Bright Enterprises v. Raimondo*, 603 U.S. ____ (2024) and *Corner Post, Inc. v. Board of Governors of the Federal Reserve System*, 603 U.S. ____ (2024), both ended the

Chevron doctrine that gave preferences to agencies in interpreting statutes. Accordingly, this forum further does have jurisdiction to determine whether the AQR has the force and effect of federal law.

In *Loper* and *Corner Post*, the Supreme Court has created a new framework for challenges to existing and developing regulatory landscape. First, in the 6-3 *Loper* decision, the Court overruled its decision in *Chevron U.S.A. Inc. v. Natural Resources Defense Council Inc.* Previously, under the *Chevron* doctrine, when a reviewing court determined that a statute was ambiguous or that Congress had not directly addressed the precise question at issue, the Court, rather than imposing its own interpretation of the statute, would defer to the agency's interpretation as long as the agency's interpretation was based on a permissible construction of the statute. In *Loper*, the Court concluded that *Chevron* deference conflicts with separation of powers principles and the command of the APA that courts, not agencies, are to "decide all relevant questions of law" and "interpret statutory provisions." Stated another way, the Court made clear that it "remains the responsibility of the court to decide whether the law means what the agency says." The Court reinforced that "courts, not agencies, will decide 'all relevant questions of law' arising on review of agency action" and prescribed "no deferential standard for courts to employ in answering those legal questions." Therefore, the Court concluded, the APA "makes clear that agency interpretations of statutes – like agency interpretations of the Constitution – are not entitled to deference." In so holding, the Court specifically rejected arguments that federal agencies, rather than courts, are better suited to determine what ambiguities in a federal law might mean, including when those ambiguities involve technical or scientific questions that fall within an agency's area of expertise. Finally, the Court noted that "to the extent that Congress and the Executive Branch may disagree with how the courts have

performed that job in a particular case, they are of course always free to act by revising the statute."

Going forward, *Loper* means that: (1) "Courts must exercise their independent judgment in deciding whether an agency has acted within its statutory authority" and "may not defer to an agency interpretation of the law simply because a statute is ambiguous." (2) Courts still can consider the "interpretations and opinions" of the relevant agency and should accord "due respect" for the specialized expertise and informed judgment of the agency. However, the weight of those interpretations and opinions will "depend upon the thoroughness evident in its consideration, the validity of its reasoning, its consistency with earlier and later pronouncements, and all those factors which give it power to persuade, if lacking power to control."

Following *Loper Bright*, courts must now exercise their independent judgment in deciding whether an agency acted within its statutory authority, even when a statute is ambiguous. To accomplish that, federal courts will use their traditional statutory interpretation tools to resolve statutory ambiguities.

Thus, here, the EPA overstepped its authority by approving a non-state-wide implemented program, known as the AQR. As a result, the AQR does not have the force and effect of federal law. Moreover, Respondents object to the jurisdiction of this forum, as a court must interpret whether the EPA has overstepped its authority by approving the AQR, and whether the AQR has the force and effect of federal law, as well as any of the other constitutional issues raised in this response.

G. The AQR unreasonably burdens railroad activity by interfering with Interstate Commerce.

Again, ICCTA preempts those rules that unreasonably burden railroad activity. *Association of American Railroads*, 622 F.3d at 1097-98.

Here, Respondents, the Railroad Co. and ETON, are both a railroad and an interstate trucking company. Truman is an employee. The Railroad Co has a federal docket number and is a public utility. ETON has a DOT number. Respondents move goods from one state to another. Respondents are required to adhere to Federal laws and regulations as it is engaging in fulfilling its federal obligations to move goods across state lines.

Currently, the Property has six inches of roto milling, which is more than an adequate dust palliative to meet the fugitive dust requirement of the EPA clean air act. This is in addition to the six-inch chat materials underneath the roto milling.

Further, the Railroad Co., does work for other railroads. In addition, the Railroad Co. has track equipment, which is necessary to conduct business. For companies that use tracked equipment such as bulldozers, trenches, rail equipment, and back hoes in their businesses, black top is not a viable palliative, and roto milling is the only viable dust palliative. It is impractical to pave the Property as the bulldozer and other heavy equipment would destroy the paving, turning it to an equivalent roto-milling state, now on the Property. The AQR is a direct obstacle to the Railroad Co.'s services and to interstate commerce.

Further, there is no difference in the fugitive dust emission leaving a property from a lot paved with asphalt compared to a property covered in roto milling. On August 28, 2024, DES employees Rowsell and Crandall confirmed that there were no dust emissions from the Property. On the other hand, asphalt is much more expensive, causing a burden to businesses, including Respondents. This restricts trade, and is an unreasonably burden on railroad activity and interstate commerce.

Therefore, Respondents have not committed any of the violations and request that the hearing officer reject the violations and fines.

H. Pavement is not the best available control measures.

DES insists that the Railroad Co. place asphalt on the Property. However, because the Railroad Co. owns and/or utilizes track equipment, pavement is not the best available control source either. For companies that use tracked equipment such as bulldozers, trenches, rail equipment, and back hoes in their businesses, black top is not a viable palliative, and roto milling is the only viable dust palliative. It is impractical to pave the Property as the bulldozer would destroy the paving, turning it to an equivalent roto-milling state, now on the Property. For a property to be used for parking trucks, there is no difference in the fugitive dust emission leaving a property from a lot paved with asphalt compared to a property covered in roto milling. On August 28, 2024, DES employees Rowsell and Crandall confirmed that there were no dust emissions. On the other hand, asphalt is much more expensive, causing a burden to businesses, including Respondents.

Further, AQR violates an executive order to reduce greenhouse gas emissions, as well as the Paris Agreement. *See* Exhibit 19, executive order. By requiring the Property to be paved with asphalt, as opposed to roto milling, DES will create more air pollution from its activities. The following items are needed to make virgin asphalt (all of which are activities that release CO₂ into the atmosphere, require additional water to stop dust, and/or wash the material to have it prepared to make asphalt):

- a. Mining the rock;
- b. Fuel manufacturing to prepare fuel for the quarry equipment;
- c. Transportation of the fuel to the paving yard;
- d. Power generation to move the fuel from the refinery to the local fuel terminal;
- e. Transportation of the rock by haul trucks from the quarry site to the crusher;
- f. Generator to power the crushing equipment.

- g. Fuel usage to move the material by a loader to and around the plant;
- h. Fuel usage to transport the asphalt oil to the hot plant;
- i. Fuel usage to transfer the asphalt oil from the refiner to the local terminal;
- j. Fuel usage to heat the plant to heat the rock to allow the asphalt oil to adhere to the rock;
- k. Fuel usage for the hot asphalt to be delivered to the site.
- l. Fuel usage for the laydown machine to lay the asphalt.

Exhibit 13, Declaration of Meldrum. In addition, asphalt contributes to global warming. *See* <https://www.smithsonianmag.com/smart-news/hot-days-asphalt-may-release-much-air-pollution-cars-180975756/>. This is contrary to a Nevada executive order. Exhibit 19, EO.

Therefore, again, water and asphalt in this application are not the best available control measures.

Further, the Property is covered with Roto Milling, which is in the size of at least .25 inches, processed, and less than 6% silt. Exhibit 9, photo. In addition, the Property is covered with chat material. It is an effective dust suppressant and does not allow for a dust plume. On August 28, 2024, Rowsell and Crandall visited the Property and stated that there were no dust emissions from the Property. Therefore, no fine should be assessed against Respondents.

Similarly, the roto milling is sufficient for long-term stabilization, under BMP 11. Roto milling is a dust palliative that works just as effectively as asphalt, and works better, considering the track equipment on the Property. It qualifies as a clean gravel and a dust suppressant, as confirmed by Rowsell and Crandall on August 28, 2024. Further, the Property is surrounded by fencing. Therefore, no violations or fine should be assessed against Respondents.

I. DES conducted an unlawful search and seizure.

The Fourth Amendment of the United States Constitution protects individuals from unreasonable searches and seizures by the government, requiring warrants based on probable cause and describing the place to be searched and the items to be seized. Evidence obtained unlawfully cannot be used in court against the Respondents, under the Exclusionary Rule, and as extended under the Fruit of the Poisonous Tree doctrine.

In December 2024, January 2025, and May 2025, DES admits in the NOV that it entered the Property. DES obtained evidence through unlawful searches and seizures. Although this is considered a civil matter, the Fruit of the Poisonous Tree doctrine should be applied here, as DES is a government entity, enforcing a regulation, and seeking to fine companies and individuals. Thus, any evidence taken for an inspection should not be considered, as it is fruit of the poisonous tree, and the violation should be rejected and dismissed.

J. DES has discriminated against Respondents by not enforcing the AOR unevenly.

Further, the Equal Protection Clause of the Fourteenth Amendment requires that Defendants treat the Railroad Co. in the same manner as other similarly situated persons and/or entities. Equal protection forces a state to govern impartially-not draw distinctions between individuals solely on differences that are irrelevant to a legitimate governmental objective. The equal protection clause is crucial to the protection of civil rights.

Based on the type of discrimination alleged, the individual will first need to prove that the governing body actually discriminated against the individual. The individual will need to prove that the governing body's action resulted in actual harm to them. After proving this, the court will typically scrutinize the governmental action in one of several three ways to determine whether the governmental body's action is permissible: these three methods are referred to as strict scrutiny, intermediate scrutiny, and rational basis scrutiny. The court will determine which

scrutiny the individual will be subject to, relying on legal precedent to determine which level of scrutiny to use.

Here, DES is discriminating against the Railroad Co. In comparison, DES does not regulate other railroad companies, and require them to pave around their rails, as it does with the Railroad Co. *See* Exhibit 15, photographs of rails by other owners in Clark County. None of the roads adjacent to or in the rail track or yards are paved, nor does DES mandate their coal cars have no tarping over them, and fugitive coal dust protrudes from their cars as they travel through the Las Vegas Valley and the length of Clark County. There can be no rational basis for this conduct.

Therefore, the hearing officer should reject the violations and the fine.

K. The Hearing Officer should not impose a fine, or alternatively, limit the fine.

DES cites AQR Section 9.1.a, for imposing a fine, which states:

Penalties for Violation of Regulation

(a) Any person who is determined to be in violation of an applicable Nevada Revised Statute or any provision of these Regulations, shall pay a civil penalty levied by the Hearing Officer, or the Hearing Board upon appeal, of not more than \$10,000 per day, per violation. These violations include, but are not limited to any of the following:

- (1) Failure to comply with requirements to obtain a permit.
- (2) Failure to comply with a permit condition.
- (3) Failure to pay an applicable fee or to meet a filing requirement.
- (4) Failure to grant entry, to allow or perform inspection, or perform monitoring activities.

Here, the alleged violation is as follows: “By constructing and operating an unpaved parking lot/storage yard on the Property from January 4, 2025, through May 28, 2025, Tonopah & Tidewater, ETON, and Truman violated AQR Section 92.3.1.” However, nothing here states that the Respondents failed to comply with the requirements to obtain a permit, failed to comply

with a permit condition, failed to pay a fee, or failed to grant entry, perform an inspection, or perform monitoring activities. Therefore, AQR 9.1(a) does not apply, and there should be no fine assessed.

Alternaterntively, the fine should be limited. During the inspection on December 5, 2024, the Report says that “Soils had recently been watered prior to my inspection.” *See* Exhibit H, NOV. During the inspection on January 9, 2205, the Report says that there was “Recycled Asphalt Throughout”. *See* Exhibit K, NOV. Again, the Control Board accepted the roto mill as a viable alternative, and prior agents in August 2024 found no dust plume. Therefore, if a fine is assessed, the fine should be limited in the alterative to less than \$1,000.

DATED this 3rd day of July, 2025.

JOHNSON & GUBLER, P.C.

/s/ Russell G. Gubler

Matthew L. Johnson (6004)
Russell G. Gubler (10889)
Lakes Business Park
8831 West Sahara Avenue
Las Vegas, Nevada 89117
Phone: (702) 471-0065
Fax: (702) 471-0075
mjohnson@mjohnsonlaw.com
rgubler@mjohnsonlaw.com
Attorneys for Respondents

CERTIFICATE OF SERVICE

I hereby certify that on July 3, 2025, I caused to be sent a true and correct copy of the foregoing RESPONSE TO NOTICE OF VIOLATION #10161 via electronic mail, as indicated, to the following parties:

Pam Thompson
agenforcement@clarkcountynv.gov

Timothy Allen
timothy.allen@clarkcountyda.com

/s/ Russell G. Gubler

An Employee of Johnson & Gubler, P.C.

EXHIBITS

	<u>DESCRIPTION</u>
1.	Grant, Bargain, Sale Deed
2.	NV Secretary of State Entity Information
3.	Federal Register, 58594
4.	Federal Register, 75293
5.	Commercial Lease Agreement
6.	Local News 8 Report
7.	Declaration of Mitchell Truman
7A.	Invoice
7B.	Photograph of Dozer at Property
8.	Information on EPA Inspector Credentials
9.	Photographs of Property
10.	Declaration of Joe Miller
11.	Declaration of Paul Harber
12.	Declaration of David M McDonough
13.	Declaration of Floyd Meldrum
14.	Declaration of Michael Montandon
15.	Rails/rail yards in Clark County, Nevada
16.	Rails/rail yards outside of Clark County, Nevada
17.	US Trespass Information
18.	NV Trespass Information
19.	Executive Order
20.	Agreement to Convey Easement
21.	Licensing Agreement
22.	Purchase Agreement.
23.	Photo of rails
24.	Hazardous Materials Transportation Security Requirements
25.	TTRR Security Plan
26.	Declarations of Willard Strickler
27.	Declarations of Crystal Thorne
28.	Office Sign
29.	Declaration of Frankie Nevarez
30.	Hearing Officer Meeting Transcript (October)
31.	Hearing Officer Meeting Transcript (November)
32.	Hearing Transcript before Control Board (April)

Exhibits 1 through 32 that were submitted with the
NOV Response Form are the same exhibits 1 through
32 that were submitted with the appeal.
See Bates #10161_0593 through #10161_1037



4701 W. Russell Road 2nd Floor
Las Vegas, NV 89118-2231
Phone: (702) 455-5942 • Fax: (702) 383-9994
Marci Henson, Director

June 18, 2025

FEDERAL EXPRESS TRK #8821 3700 2690

Jake Truman, President
Tonopah & Tidewater Railroad Co.
4680 North Cimarron Road
Las Vegas, NV 89129

FEDERAL EXPRESS TRK #8821 3724 0218

Katherine Truman, Manager
Environmental Transportation of Nevada, LLC d/b/a ETON
4680 Cimarron Road
Las Vegas, NV 89129

FEDERAL EXPRESS TRK #8821 3740 8482

Mitchell Truman
E-mail: moe@eton.me
Environmental Transportation of Nevada, LLC d/b/a ETON
2596 Stratford Avenue
Las Vegas, NV 89121

FEDERAL EXPRESS TRK #8821 3752 6760

Russell G. Gubler, Attorney
E-mail: RGubler@mjohnsonlaw.com
Johnson & Gubler, P.C.
Lakes Business Park
8831 West Sahara Avenue
Las Vegas, Nevada 89117

NOTICE OF VIOLATION #10161

Clark County Department of Environment and Sustainability, Division of Air Quality (**Air Quality**) provides this notice to Tonopah & Tidewater Railroad Co. (**Tonopah & Tidewater**), Environmental Transportation of Nevada, LLC d/b/a ETON (**ETON**), and Mitchell Truman (**Truman**), individually, for the violation of the Clark County Air Quality Regulations (**AQRs**) as alleged below and recommends a civil penalty of Fifteen Thousand and no/100 Dollars (\$15,000.00) be assessed as shown in the penalty calculation table attached hereto as **Exhibit A** and incorporated herein.

I. FACTS

- A. Tonopah & Tidewater owns approximately 4.11 acres of unpaved parcels of vacant land located at 2596 Stratford Avenue, in Clark County, Nevada (Assessor's Parcel Numbers 161-07-103-014, 161-07-103-015, and 161-07-103-016) (**Property**) in Hydrographic Area 212.
- B. On August 28, 2023, Truman submitted an application for a Dust Control Operating Permit (**DCOP**) for the purpose of grubbing the site. DCOP #57148 was issued on August 30, 2023. On January 25, 2024, Truman submitted an application revising the DCOP to add acreage and "bring [in] fill, survey, get drainage study, get zoning approved[,] bring in chat on top of base[,] roll and compact and shoot with AC 30 then pave with parking lot mix." On February 8, 2024, during the review process, Truman confirmed to Air Quality Supervisor Anna Sutowska that the site would be paved with three inches of permanent asphalt pavement. The email correspondence is attached hereto as **Exhibit B** and incorporated herein. Prior to the issuance of the DCOP, the Property was vacant land as shown in an aerial of the Property from June 1, 2023, attached hereto as **Exhibit C** and incorporated herein. The Property is currently being utilized as an unpaved parking lot/storage yard by ETON and Truman.
- C. On August 29, 2024, Truman submitted a request to close DCOP #57148.
- D. On December 5, 2024, at approximately 9:55 a.m., Senior Air Quality Specialist Andrew Kirk (**Kirk**) arrived at the Property to conduct an inspection to determine whether the DCOP can be closed. The inspection report is attached hereto as **Exhibit D** and incorporated herein. During the inspection, Kirk observed that the site was not paved, as required by Best Management Practice (**BMP**) 11 Long-Term Stabilization requirements under AQR Section 94. Kirk observed an active unpaved parking lot/storage yard containing dozens of trucks, heavy equipment, three mechanical maintenance bays, multiple conex boxes, and miscellaneous materials stored throughout the 4.11 acres, as shown in Photographs 1 through 4, and Map 1, attached hereto as **Exhibits E** and **F**, respectively, and incorporated herein. In addition, Kirk observed multiple people working within the maintenance bays and portable offices, and vehicles entering and exiting the Property. Kirk disapproved the permit closure request and issued a Section 94 Notice of Noncompliance (**NON**) to ETON for failing to meet BMP 11 Long-Term Stabilization requirements. The Section 94 NON is attached hereto as **Exhibit G** and incorporated herein.

Constructing and operating an unpaved parking lot/storage yard after January 1, 2003, is a violation of AQR Section 92. While onsite, Kirk also performed a Section 92 inspection and issued a Section 92 NON to Tonopah & Tidewater and Truman to pave the entire site or remove all vehicles, equipment, and materials stored onsite within 30 days of the receipt of the notice. The inspection report is attached hereto as **Exhibit H** and incorporated herein. The Section 92 NON is attached hereto as **Exhibit I** and incorporated herein. While on site, Kirk was unable to speak with Truman to discuss the results of the inspection since he was escorted off the Property immediately after. Both NONs were emailed to Truman and Russell Gubler (**Gubler**), attorney representing Truman, ETON, and Tonopah & Tidewater on December 9, 2024. The NONs were mailed through FedEx and delivered to Tonopah & Tidewater on December 10, 2024. FedEx confirmation of delivery is attached hereto as **Exhibit J** and incorporated herein. Kirk concluded the inspection at approximately 10:30 a.m.

- E. On January 9, 2025, at approximately 8:55 a.m., Kirk arrived at the Property to conduct a follow up inspection. The inspection report is attached hereto as **Exhibit K** and incorporated herein. During the inspection, Kirk observed an unpaved parking lot/storage yard greater than 5,000 square feet that contained long-haul trucks, cars, heavy equipment and construction materials, as shown in Photographs 5 and 6 (**Exh. E**), and Map 2, attached hereto as **Exhibit L** and incorporated herein. Kirk determined that all necessary control measures to comply with AQRs had not been implemented since the NON was delivered to Tonopah & Tidewater on December 10, 2024. Kirk concluded the inspection at approximately 9:30 a.m.
- F. Kirk visited the Property on January 16, 23, and 30, February 11, 19, and 26, and March 6, and 13, 2025 and observed an unpaved parking lot/storage yard greater than 5,000 square feet that contained long-haul trucks, cars, heavy equipment and construction materials, as shown in Photographs 7 through 14 (**Exh. E**).
- G. On May 28, 2025, at approximately 11:15 a.m., Kirk arrived at the Property to conduct a follow up inspection. The inspection report is attached hereto as **Exhibit M** and incorporated herein. During the inspection, Kirk observed an unpaved storage yard greater than 5,000 square feet that contained long-haul trucks, cars, heavy equipment, and construction materials, as shown in Photographs 15 through 17 (**Exh. E**). Kirk determined that all necessary control measures to comply with AQRs had not been implemented since the NON was delivered to Tonopah & Tidewater on December 10, 2024. Kirk concluded the inspection at approximately 11:45 a.m.
- H. As of May 28, 2025, Tonopah & Tidewater, ETON, and Truman have not met the requirements of the NON issued on December 5, 2024, and the Property is out of compliance with AQRs. This enforcement action includes 30 days of noncompliance from January 4, 2025, through and including February 2, 2025. Documented noncompliance after February 2, 2025, may be considered in a future NOV.

II. APPLICABLE LAW

AQR Section 8.1 states:

“All PERSONS owning, operating, or in control of any equipment or property who shall cause, permit, or participate in, any violation of these Regulations shall be individually and collectively liable to any penalty or punishment imposed by and under these Regulations.”

AQR Section 92.3.1 states:

“New Parking Lots or Storage Areas

- (a) New parking lots constructed after January 1, 2003, or constructed with public access after December 31, 2024, at a stationary source, as applicable, in Hydrographic Areas 212, 216, or 217; in any other hydrographic area upon its being designated as nonattainment for PM₁₀; or in any other hydrographic area that becomes subject to a PM₁₀ maintenance plan, as defined under 42 U.S.C. 7505a, must be paved.

- (b) New storage areas constructed after January 1, 2003, or constructed with public access after December 31, 2024, at a stationary source, as applicable, in Hydrographic Areas 212, 216, or 217; in any other hydrographic area upon its being designated as nonattainment for PM₁₀; or in any other hydrographic area that becomes subject to a PM₁₀ maintenance plan, as defined under 42 U.S.C. 7505a, must comply with the control measures described in Sections 92.3.4 (a), (b) or (d).”

AQR Section 9.1.a states:

“Penalties for Violation of Regulation

- (a) Any person who is determined to be in violation of an applicable Nevada Revised Statute or any provision of these Regulations, shall pay a civil penalty levied by the Hearing Officer, or the Hearing Board upon appeal, of not more than \$10,000 per day, per violation. These violations include, but are not limited to any of the following:
- (1) Failure to comply with requirements to obtain a permit.
 - (2) Failure to comply with a permit condition.
 - (3) Failure to pay an applicable fee or to meet a filing requirement.
 - (4) Failure to grant entry, to allow or perform inspection, or perform monitoring activities.”

III. VIOLATION(S)

Violation 1:

By constructing and operating an unpaved parking lot/storage yard on the Property from January 4, 2025, through May 28, 2025, Tonopah & Tidewater, ETON, and Truman violated AQR Section 92.3.1.

IV. RECOMMENDED CIVIL PENALTY

Pursuant to AQR Section 9.1, any person who violates any provision of the AQRs, including any permit condition; is guilty of a civil offense and shall pay a civil penalty not to exceed \$10,000 per violation. Each day of violation constitutes a separate offense.

Air Quality considered the following in calculating the recommended penalty:

- 30 days of noncompliance from January 4, 2025, through February 2, 2025. Documented noncompliance after February 2, 2025, may be considered in a future NOV.


Air Quality recommends a civil penalty in the amount of \$15,000.00 (**Exh. A**).

V. HEARING

Air Quality has scheduled a hearing for **Thursday, July 17, 2025, at 9:00 a.m.** before the Air Pollution Control Hearing Officer to adjudicate the alleged violation(s) and, if appropriate, to levy the recommended penalty. Please complete the enclosed **“Notice of Violation Response Form”** and return it to Air Quality by July 3, 2025. At the hearing, the Hearing Officer will hear evidence on the alleged violation(s) and render a decision. The hearing will be held at the Clark County Building Services Presentation Room, located at 4701 West Russell Road, Las Vegas, Nevada.

If you intend to present any documentary evidence at the hearing, please provide copies of your evidence to Air Quality with the completed Notice of Violation Response Form. If you fail to provide copies of your evidence prior to the hearing, please be advised that Air Quality may request a continuance to have time to review any evidence you bring to the hearing, which will result in the hearing being postponed and rescheduled to a later date.

If the Hearing Officer finds you in violation and levies a penalty, Air Quality staff will mail the Hearing Officer’s order to you along with instructions on remittance of the penalty.


Shibi Paul (Jun 18, 2025 14:59 PDT)

Shibi Paul
Compliance and Enforcement Manager


Exhibits:

- A. Penalty Calculation Table, NOV #10161
- B. Email Correspondence dated February 8, 2024
- C. Map 1: Aerial photograph of vacant land, aerial flight date June 1, 2023
- D. Air Quality Construction Site Inspection Report #144779, dated December 5, 2024
- E. Digital Photographs 1 through 17
- F. Map 2: Aerial photograph of unpaved parking lot/storage yard, aerial flight date October 1, 2024
- G. Air Quality Section 94 Notice of Noncompliance for December 5, 2024
- H. Air Quality Inspection Report #144781, dated December 5, 2024
- I. Air Quality Section 92 (Post) Notice of Noncompliance for December 5, 2024
- J. FedEx delivery receipt, dated December 10, 2024
- K. Air Quality Inspection Report #146173, dated January 9, 2025
- L. Map 3: Aerial photograph showing unpaved parking lot/storage yard, aerial flight date January 29, 2025
- M. Air Quality Inspection Report #149823, dated May 28, 2025




sl

Exhibit A

NOV # 10161
Penalty Calculation Table
Tonopah & Tidewater Railroad Co., Environmental Transportation of Nevada, LLC
d/b/a ETON, and Mitchell Truman, Individually



DES
DEPARTMENT OF ENVIRONMENT
AND SUSTAINABILITY



4701 W. Russell Road 2nd Floor
Las Vegas, NV 89118-2231
Phone: (702) 455-5942 • Fax: (702) 383-9994
Marci Henson, Director

Viol.	Date(s)	Violation Description	AQR Section	Exhibit / Evidence	Base Penalty	Days	Aggravating Description	Agg. Factor	Agg. Amount	Penalty
1	1/4/2025 through and including 2/2/2025	Constructed and operated an unpaved parking lot/storage yard.	92.3.1	Exh. C, Map 1 Exh. E, Photos 1 thru 17 Exh. F, Map 2 Exh. L, Map 3	\$ 500	30	N/A	0%	\$ -	\$ 15,000
Total Penalty:										\$ 15,000

Regulatory maximum: \$10,000 per day, per violation
[AQR Section 9.1 & NRS 445B.640]

Exhibit B

From: [Anna Sutowska](#)
To: [Anna Sutowska](#)
Subject: FW: 57148-ETON-STRATFORD 1
Date: Thursday, February 8, 2024 1:13:22 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

From: Moe Truman <moe@eton.me>
Sent: Thursday, February 8, 2024 12:52 PM
To: Anna Sutowska <Anna.Sutowska@ClarkCountyNV.gov>
Subject: RE: 57148-ETON-STRATFORD 1

Correct 3 inches of hot mix

From: Anna Sutowska <Anna.Sutowska@ClarkCountyNV.gov>
Sent: Thursday, February 8, 2024 12:51 PM
To: Moe Truman <moe@eton.me>
Cc: Anna Sutowska <Anna.Sutowska@ClarkCountyNV.gov>
Subject: FW: 57148-ETON-STRATFORD 1

Good afternoon Mr. Truman,

Can you please confirm that you will be paving this site with permanent asphalt pavement and not an alternative such as recycled asphalt?

Regards,

Anna Sutowska
Air Quality Supervisor
Clark County Department of Environment and Sustainability,
Division of Air Quality
4701 W. Russell Rd., Suite 200
Las Vegas, NV 89118
Office: 702-455-0666/Cell: 702-378-9780/Fax: 702-383-9994

For any dust permit information or forms, please go to the link posted below.
[Dust Control Permitting Portal, Forms & Requirements](#)

From: Heather Mackinnon
Sent: Tuesday, January 30, 2024 11:14 AM
To: Moe Truman <moe@eton.me>
Subject: RE: 57148-ETON-STRATFORD 1

Thank you Mr. Truman.

Regards,

Heather Mackinnon

Air Quality Specialist II
Department of Environment and Sustainability
Air Quality Division – Enforcement Section
4701 W. Russell Road #200
Las Vegas NV 89118

Phone: (702) 455-1524 Fax: (702) 383-9994



For Dust Control Applications, Forms, classes and mapping guidance, click on this link:

[Dust Control Permitting Portal, Forms & Requirements.](#)

From: Moe Truman <moe@eton.me>
Sent: Tuesday, January 30, 2024 11:12 AM
To: Heather Mackinnon <MacKinno@ClarkCountyNV.gov>
Subject: RE: 57148-ETON-STRATFORD 1

noted

From: Heather Mackinnon <MacKinno@ClarkCountyNV.gov>
Sent: Tuesday, January 30, 2024 10:54 AM
To: Moe Truman <moe@eton.me>
Cc: Katrinka Byers <Katrinka.Byers@ClarkCountyNV.gov>; Canduella Rowsell <Canduella.Rowsell@ClarkCountyNV.gov>
Subject: RE: 57148-ETON-STRATFORD 1
Importance: High

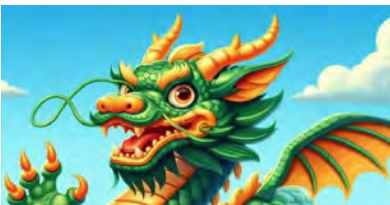
Mr. Truman,
Just to verify, you were scheduled on 10/2023 and 1/23/24 both no shows. You also have two other employees that were scheduled for the 1/23/24 class that were also no shows.

You are now registered for the class on 2/27/24. **Please make sure you attend this class so you will not continue to be out of compliance.**

Regards,

Heather Mackinnon

Air Quality Specialist II
Department of Environment and Sustainability
Air Quality Division – Enforcement Section
4701 W. Russell Road #200
Las Vegas NV 89118
Phone: (702) 455-1524 Fax: (702) 383-9994



For Dust Control Applications, Forms, classes and mapping guidance, click on this link:

[Dust Control Permitting Portal, Forms & Requirements.](#)

From: Moe Truman <moe@eton.me>

Sent: Tuesday, January 30, 2024 10:38 AM

To: Heather Mackinnon <MacKinno@ClarkCountyNV.gov>

Cc: Katrinka Byers <Katrinka.Byers@ClarkCountyNV.gov>; Canduella Rowsell <Canduella.Rowsell@ClarkCountyNV.gov>

Subject: RE: 57148-ETON-STRATFORD 1

As requested

The screenshot displays the 'Dust Classes' section of a web portal. At the top, there are navigation tabs: 'Permits', 'Your Applications', 'Apply for a New Permit', and 'Dust Classes'. The 'Dust Classes' tab is active. Below the tabs, a blue box titled 'Who is required to complete a Dust Control Class?' lists requirements: 'The construction site superintendent or other designated on-site representative of the project developer and all construction site supervisors and foremen' and 'Water truck and water pull drivers for each construction project.' It also provides instructions on enrolling, receiving an invoice, and the consequences of non-payment. Below this, a section titled 'Dust Class Registration' features a button 'REGISTER OTHERS' and a fee of '\$54.00 per attendee'. The 'Your Dust Classes' section shows a class scheduled for 'Feb 27, 2024 2:30 PM' with a 'PAID' status and buttons for 'RESCHEDULE' and 'VIEW'. The 'Others' Classes' section provides information on 'Single Person Registration' and 'Multiple Person Registration', including a 'VIEW' button for a class on 'Jan 23, 2024 2:30 PM' which has a 'PAID' status and shows '2 people - 2 No Shows'.

From: Heather Mackinnon <MacKinno@ClarkCountyNV.gov>

Sent: Tuesday, January 30, 2024 10:29 AM

To: Moe Truman <moe@eton.me>

Cc: Katrinka Byers <Katrinka.Byers@ClarkCountyNV.gov>; Canduella Rowsell <Canduella.Rowsell@ClarkCountyNV.gov>

Subject: RE: 57148-ETON-STRATFORD 1

Importance: High

Mr. Truman,

DAQ shows that you were scheduled to attend the dust class on 10/10/23 and you were a no show. You are allowed one more opportunity for free to attend the next available dust class. Please schedule ASAP via the front desk (702-455-5942) and email me back letting me know which class you have been registered for.

OR supply me with a valid card holder.

Regards,

Heather Mackinnon

Air Quality Specialist II
Department of Environment and Sustainability
Air Quality Division – Enforcement Section
4701 W. Russell Road #200
Las Vegas NV 89118
Phone: (702) 455-1524 Fax: (702) 383-9994



For Dust Control Applications, Forms, classes and mapping guidance, click on this link: [Dust Control Permitting Portal, Forms & Requirements.](#)

From: Moe Truman <moe@eton.me>
Sent: Tuesday, January 30, 2024 10:23 AM
To: Heather Mackinnon <MacKinno@ClarkCountyNV.gov>
Subject: RE: 57148-ETON-STRATFORD 1

Error on my part on the removal

From: Heather Mackinnon <MacKinno@ClarkCountyNV.gov>
Sent: Tuesday, January 30, 2024 10:21 AM
To: Moe Truman <moe@eton.me>
Subject: 57148-ETON-STRATFORD 1
Importance: High

Greetings,

Please **reply to this email only** as soon as possible. ***You cannot edit the application after submittal in the portal, only the reviewer can.*** I have reviewed your Dust Control Operating Permit (DCOP) application and have questions and/or need additional information. Applications cannot be updated with verbal authorization so please reply to this email.

The Notice of Noncompliance was to add additional areas that were not previously permitted. On the application you have stated that you are removing .5 acres, yet on the map there is no reference to a removal. Please clarify.

Nonlinear Area Disturbed	
3.34	
Linear Area Disturbed	
Linear Length (Feet)	Linear Width (Feet)
Acreage Added	
1.76	
Acreage Removed	
5	
Nonlinear Area Acreage Subtotal	Existing Nonlinear Area Acreage Subtotal
3.34 Acres	3.19 Acres
Linear Area Acreage Subtotal	Existing Linear Area Acreage Subtotal
0 Acres	0 Acres
Total Project Area Disturbed	Existing Total Project Area Disturbed
3.34 Acres	3.19 Acres

Your new acreage should read as +1.8 (rounding up) to 3.19 = 4.99. Do you agree with this?

Project Disturbed Surface Area

Nonlinear Area Disturbed

4.99

Linear Area Disturbed

Linear Length (Feet) Linear Area (Acres)

Add Segment

Acreage Added

1.8

Acreage Removed

0.0

Nonlinear Area Acreage Subtotal

4.99 Acres

Linear Area Acreage Subtotal

0 Acres

Total Project Area Disturbed

4.99 Acres

Regards,

Heather Mackinnon

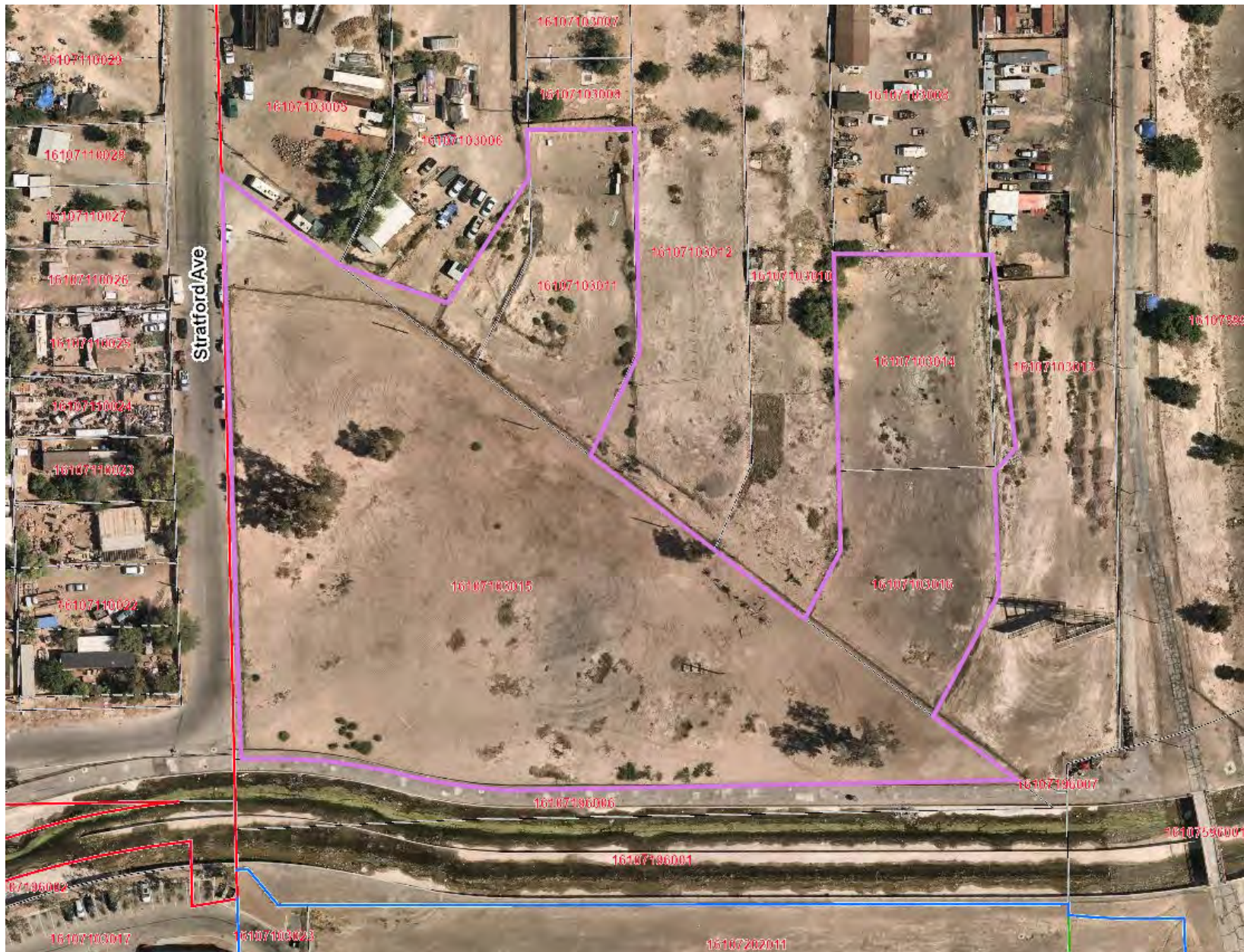
Air Quality Specialist II
 Department of Environment and Sustainability
 Air Quality Division – Enforcement Section
 4701 W. Russell Road #200
 Las Vegas NV 89118
 Phone: (702) 455-1524 Fax: (702) 383-9994



For Dust Control Applications, Forms, classes and mapping guidance, click on this link: [Dust Control Permitting Portal, Forms & Requirements.](#)

June 1, 2023

Exhibit C



Map 1 - Aerial Photograph of Property



Exhibit D

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

CONSTRUCTION SITE INSPECTION REPORT

Inspection No. 144779

Officer:	Date:	Start Time:	End Time:	Type:	Complaint No.:	Permit No.:
Andrew Kirk	Dec 5, 2024	9:55 AM	10:30 AM	Permit Closure		57148
Permittee:	Project Name:		Project Location:			
ETON	STRATFORD-1		2596 STRATFORD AVE			
Weather:	Rain:	Temperature:	Wind Speed:	Wind Gust:	Wind Direction:	Site Status:
Partly Cloudy	No	63 degrees	00-04 mph	5 mph	Variable	Active
PCF Submitted:	Workers Present:	Spoke With:	Title:	Comm. Method:		
Yes	Yes	Moe Truman	Responsible Official	In Person		
		Spoke With:	Title:	Comm. Method:		
Is the project in compliance with all air quality requirements? No						
Action Taken:	Issued NON With Possible NOV		Violation in 1000 feet of:	Residential		
Emission Compliance: Yes						
Fugitive Dust Source:			Plume Length:			
Opacity:			Opacity Test Method:			
BMP Compliance: No						
Project Soils:	Failed BMP11 Requirements		Size of Instability:			
Trackout Device:	No - Not Practical		Has Trackout:	No		
Mitigation Equipment:	Inadequate		Soil Crust Determination:	Not Necessary/Not Performed		
Admin Compliance: No						
Acreage Permitted:	Observed Acreage:		Project Size:	Less than or equal to permitted		
Staging/Parking Area:	N/A	DCOP Sign:	No	DCOP Onsite:	Not Verified	
SS Permit(s):	No Equipment	SS Permit No.	Equipment Onsite:			
Inspector Notes: Approved By: Satyra George						
I conducted a Project Closure inspection based on a Project Closure Form (PCF) that was submitted to Air Quality on August 29, 2024, and observed an active unpaved trucking yard. Site soils were very wet as the entire site appears to have just been watered. I took photos to document site conditions and will be issuing ETON a Notice of Non-Compliance (NON) with possible Notice of Violation (NOV) for failing to implement BMP-11 Long-Term Stabilization standards and for also having an unpaved parking/storage yard. I was not able to let Mr. Truman know, in person, the results of my inspection as I was escorted out of the site after I had completed my inspection, but did explain all site deficiencies in an e-mail that I sent to him with the two NON's. The first NON was issued under Section 94, for failing BMP-11 resulting in me disapproving the PCF and the second NON was under Section 92, for having an unpaved parking/storage yard.						

Digital Photographs

Exhibit E

Responsible Parties: **Tonopah & Tidewater Railroad Co., Environmental Transportation of Nevada, LLC d/b/a ETON, and Mitchell Truman**

Parcel(s): **161-07-103-014, 161-07-103-015, 161-07-103-016**



Photograph # 1

Alleged Violation # 1

View looking east at unpaved parking lot/storage yard that was created after January 1, 2003 on Tonopah & Tidewater Railroad Company's site. Photo taken by Andrew Kirk.



Photograph # 2

Alleged Violation # 1

View looking north at unpaved parking lot/storage yard that was created after January 1, 2003. Photo taken by Andrew Kirk.



Photograph # 3

Alleged Violation # 1

View looking northwest at unpaved parking lot/storage yard that was created after January 1, 2003. Photo taken by Andrew Kirk.



Photograph # 4

Alleged Violation # 1

View looking northeast at unpaved parking lot/storage yard that was created after January 1, 2003. Photo taken by Andrew Kirk.



Photograph # 5

Alleged Violation # 1

View looking north at unpaved parking lot/storage yard that was created after January 1, 2003 observed during a follow-up inspection. Photo taken by Andrew Kirk.



Photograph # 6

Alleged Violation # 1

View looking west at unpaved parking lot/storage yard that was created after January 1, 2003 observed during a follow-up inspection. Photo taken by Andrew Kirk.



Photograph # 7

Alleged Violation # 1

View looking west at unpaved parking lot/storage yard that was created after January 1, 2003 observed during a follow-up inspection. Photo taken by Andrew Kirk.



Photograph # 8

Alleged Violation # 1

View looking west at unpaved parking lot/storage yard that was created after January 1, 2003 observed during a follow-up inspection. Photo taken by Andrew Kirk.



Photograph # 9

Alleged Violation # 1

View looking west at unpaved parking lot/storage yard that was created after January 1, 2003 observed during a follow-up inspection. Photo taken by Andrew Kirk.



Photograph # 10

Alleged Violation # 1

View looking west at unpaved parking lot/storage yard that was created after January 1, 2003 observed during a follow-up inspection. Photo taken by Andrew Kirk.



Photograph # 11

Alleged Violation # 1

View looking east at unpaved parking lot/storage yard that was created after January 1, 2003 observed during a follow-up inspection. Photo taken by Andrew Kirk.



Photograph # 12

Alleged Violation # 1

View looking east at unpaved parking lot/storage yard that was created after January 1, 2003 observed during a follow-up inspection. Photo taken by Andrew Kirk.



Photograph # 13

Alleged Violation # 1

View looking northwest at unpaved parking lot/storage yard that was created after January 1, 2003 observed during a follow-up inspection. Photo taken by Andrew Kirk.



Photograph # 14

Alleged Violation # 1

View looking west at unpaved parking lot/storage yard that was created after January 1, 2003 observed during a follow-up inspection. Photo taken by Andrew Kirk.



Photograph # 15

Alleged Violation # 1

View looking east at unpaved parking lot/storage yard that was created after January 1, 2003 observed during a follow-up inspection. Photo taken by Andrew Kirk.



Photograph # 16

Alleged Violation # 1

View looking west at unpaved parking lot/storage yard that was created after January 1, 2003 observed during a follow-up inspection. Photo taken by Andrew Kirk.



Photograph # 17

Alleged Violation # 1

View looking northwest at unpaved parking lot/storage yard that was created after January 1, 2003 observed during a follow-up inspection. Photo taken by Andrew Kirk.

October 1, 2024
Exhibit F



Map 2 - Aerial Photograph of Unpaved Parking Lot/Storage Yard



Exhibit G

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

NOTICE OF NONCOMPLIANCE

Issued To: ETON

Project Name: STRATFORD-1

Location: 2596 STRATFORD AVE

Dust Control Permit No: 57148

Date: Dec 5, 2024

Time: 10:30 AM

This notice is to advise you that an inspection of your site has found it in noncompliance of the conditions specified in your Dust Control Permit and/or Clark County Air Quality Regulations (AQRs).

Failed BMP-11 Long-Term Stabilization Requirements – Project Closure Form (PCF) has been disapproved.

Additional Instructions / Other Noncompliance Items

Implement BMP-11 Long-Term Stabilization Requirements by paving the entire lot or by removing all equipment and vehicles and then re-stabilize the soils by January 5, 2024.

Pursuant to AQR Section 4.3, the noncompliance status detailed above may result in the issuance of a Notice of Violation, which includes the imposition of civil penalties.

- **Failure to comply with this notice may result in additional enforcement action that includes a Notice of Violation.**
- **Please contact DAQ representative below regarding questions related to this notice.**

Person Notified:

Moe Truman

Responsible Official

ETON

(Printed Name)

(Title)

(Company)

moe@eton.me

(Email Address)

Person Notified:

Moe Truman

Designated Onsite Representative

ETON

(Printed Name)

(Title)

(Company)

moe@eton.me

(Email Address)

DAQ Representative:

Andrew Kirk

702-306-0257

(Printed Name)

(Phone Number)

AMK

10161_1096

From: [Andrew Kirk](#)
To: moe@eton.me; rgubler@mjohnsonlaw.com
Cc: [Katrinka Byers](#); [Noel Crandall](#); [David Dean](#); [Catherine Jorgenson](#); [Anna Sutowska](#); [Shibi Paul](#)
Subject: Notice of Non-Compliance for DCOP 57148 - ETON
Date: Monday, December 9, 2024 9:38:21 AM
Attachments: [57148_20241205_NON-Sec 94-Rvd.pdf](#)
[57148_20241205_NON_Sec 92-Rvd.pdf](#)

Good morning Mr. Truman and Mr. Gubler,

I conducted a project closure inspection on December 5, 2024, based on a Project Closure Form (PCF) that you had submitted to Air Quality on August 29, 2024, letting us know that you were done with construction of your site. During my inspection on December 5, 2024, I observed an active unpaved parking/storage yard that does not meet Section 94. BMP-11 Long-Term Stabilization requires you to pave the entire site or remove all equipment, materials, vehicles, and miscellaneous items and then restabilize all soils. Because of this, I have disapproved the PCF that you submitted and issued a Notice of Non-Compliance (NON) with possible Notice of Violation (NOV) that has been attached to this e-mail. Please review and follow the directions within.

The active unpaved parking/storage yard that I observed during my inspection is also a violation of our Section 92 Regulations, which requires you to pave the entire lot or remove all equipment, materials, vehicles, and miscellaneous items and then restabilize all soils within 30 days. Please see the attached Notice of Non-Compliance (NON) with possible Notice of Violation (NOV) for Section 92 and follow the directions within. Thank you for your time and helping protect the air we share,

Andrew M. Kirk
Senior Air Quality Specialist
Clark County Division of Air Quality
4701 W. Russell Road, Suite 200
Las Vegas, NV 89118
(702) 455-3529 Office
(702) 306-0257 Cell
Andrew.Kirk@ClarkCountyNV.Gov

My working hours are Monday - Thursday, 7:00 AM - 5:30 PM
For Dust Control Applications and Forms, click on this link: [Dust Control Permitting](#)



Exhibit H

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

INSPECTION REPORT No. 144781

Date:	Start Time:	End Time:	Specialist:	
Dec 5, 2024	9:55 AM	10:30 AM	Andrew Kirk	
Parcels:	161-07-103-015, 161-07-103-014, 161-07-103-016			
Location Description:	2596 STRATFORD AVE Jurisdiction: CC Sunrise Manor - 89121			
Inspection Type:	Observed Problem	Complaint No.:		
AQR Section:	92: Unpaved Parking Lots/Storage Areas - Post 1/1/2003			
Observations:				
Current Land Use Agreement:	No			
Soil Condition:	Stable	Note:	Soils had recently been watered prior to my inspection	
Disturbance Factors:	Parking, Vehicular Travel, Storage	Other:		
Fugitive Dust Observed:	No	Generated By:		
Control Measures Implemented: N/A				
Control Measures:	Other:			
Tests Performed:				
Drop Ball Test:	N/A	Area #1:	Area #2:	Area #3:
Rock Test:	N/A	Percent:		
Silt Content:	N/A	Percent:		
Opacity:	N/A	Percent:		
Photography:	Yes	Traffic Count (ADT):	N/A	
Inspector Notes:		Reviewed By:		Satyra George
I conducted an unpaved parking/storage yard inspection on parcel #161-07-103-015 (3.19 acres), 161-07-103-014 (.46 acres), and 161-07-103-016 (.46 acres), due to the expiration of Dust Control Operating Permit (DCOP) #57148 on August 29, 2024. During this inspection, I observed an active unpaved parking/storage yard containing dozens of trucks, some heavy equipment, three mechanical maintenance bays, multiple Connex boxes, and miscellaneous materials being stored inside this 4.11 acre facility surrounded by fencing on the western, southern, and northern ends. Multiple people were observed working within the maintenance bays and portable offices and vehicles were seen entering/exiting the property. Based on all of this, I determined that parcel #161-07-103-014, 161-07-103-015, and 161-07-103-016 were out of compliance with Clark County Air Quality Regulations (CCAQRs) Section 92. I am issuing a Notice of Noncompliance (NON) with possible Notice of Violation (NOV) to the property owner to pave the entire site or remove all vehicles, equipment, and materials stored onsite within 30 days of receipt of this notice.				
Action Taken:	Issued NON With Possible NOV			



Section 92 (Post) – Unpaved Parking Lots & Storage Yards – Notice of Noncompliance

Issued To:	TONOPAH & TIDEWATER RAILROAD CO/ TRUMAN	Date: Dec 5, 2024
Mailing Address:	4680 N. Cimarron Road, Las Vegas, NV 89129	
Assessor's Parcels:	161-07-103-015, 161-07-103-014, 161-07-103-016	
Property Location:	2596 STRATFORD AVE Jurisdiction: CC Sunrise Manor - 89121	

Pursuant to Section 92 of the Clark County Air Quality Regulations (AQRs), no unpaved parking lots or storage areas may be constructed in Hydrographic Basins 212, 216, or 217 as of January 1, 2003.

Division of Air Quality (DAQ) staff inspected the parcel referenced above and observed an unpaved parking lot/storage yard that does not comply with provisions of AQR Section 92 (see Inspection Form – Summary below). DAQ hereby notifies you that enforcement action may be taken against you for continued noncompliance.

Upon receipt of this Noncompliance Notice, immediately contact Andrew Kirk at 702-306-0257 or by email at andrew.kirk@clarkcountynv.gov to discuss the requirements to bring this parcel into compliance and your proposed course of action. Please do not take any action until you speak with an Air Quality Specialist from DAQ.

Failure to comply with the provisions of AQR Section 92 within 30 days of receiving this notice may subject you to enforcement action, which may include an assessment of civil penalties of **\$500 per day per violation**. DAQ considers each day of noncompliance a separate violation.

Section 92 (Post) Inspection Form – Summary

Acreage:	4.11		
Complaint Received:	No	Complaint No.:	
Soil Condition:	Stable	Note:	Soils had recently been watered prior to my inspection
Disturbance Factors:	Parking, Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	Unknown
Photography:	Yes		
Silt Content Test:	N/A	Percent Silt Content:	
Opacity Test:	N/A	Percent Opacity:	
Inspector Notes:		Approved By:	Satyra George

I conducted an unpaved parking/storage yard Inspection on parcel #161-07-103-015 (3.19 acres), 161-07-103-014 (.46 acres), and 161-07-103-016 (.46 acres), due to the expiration of Dust Control Operating Permit (DCOP) #57148 on August 29, 2024. During this inspection, I observed an active unpaved parking/storage yard containing dozens of trucks, some heavy equipment, three mechanical maintenance bays, multiple Connex boxes, and miscellaneous materials being stored inside this 4.11 acre facility surrounded by fencing on the western, southern, and northern ends. Multiple people were observed working within the maintenance bays and portable offices and vehicles were seen entering/exiting the property. Based on all of this, I determined that parcel #161-07-103-014, 161-07-103-015, and 161-07-103-016 were out of compliance with Clark County Air Quality Regulations (CCAQRs) Section 92. I am issuing a Notice of Noncompliance (NON) with possible Notice of Violation (NOV) to the property owner to pave the entire site or remove all vehicles, equipment, and materials stored onsite within 30 days of receipt of this notice.

Air Quality Regulations:

Section 92 CONTROL MEASURES



Unpaved Parking Lots and Storage Yards Established after 1/1/03:

Owners and/or operators of unpaved parking lots and storage yards that were constructed or established after January 1, 2003 are subject to Section 92.2.1.1 of the Clark County Air Quality Regulations.

Applicability:

- ❖ Applies to all areas of Clark County located in Hydrographic Basin 212, the Las Vegas Valley and Hydrographic Basins 216 and 217, the Apex Valley.
 - Including the cities of Las Vegas, North Las Vegas and Henderson.
- ❖ Development Services, Building Departments and Code Enforcement within Clark County, City of Las Vegas, City of Henderson and City of North Las Vegas will have additional requirements and standards for any parking lot or storage area within their jurisdiction.
 - Please check with the appropriate local agency for additional requirements, regulations, land use and zoning.
- ❖ An existing parking lot or storage yard may meet the paving requirements and/or upgraded developmental standards if they meet the following conditions*:
 - New use or change of existing use.
 - Improvements or expansion of existing lot/yard.
 - Paving exemptions or delays have expired their time limit and paving is now required.

*Please check with your local entity and DAQ if any of the above reasons might apply to your lot and use.

Control Measures:

- ❖ Pave – Use asphaltic concrete (AC), concrete pavement, cement or brick pavers.
 - Paving is the only option available with the possible exception of:
 - 1) Paving may not apply to rural public parking facilities such as trailheads and campgrounds.
 - ◆ Must be located outside the Las Vegas Valley BLM Disposal Boundary
 - 2) Paving may not be required when the lot is used for the storing and handling of landscaping, aggregate or similar bulk materials.
 - ◆ All access, parking and loading areas used by on-road vehicles shall be paved.
 - 3) Paving may not be required when the lot is used primarily for the storage of non-rubber tired vehicles or heavy equipment that would destroy pavement.
 - ◆ All access, parking and loading areas used primarily by rubber tired vehicles shall be paved.
 - Approval for exceptions 1 – 3 above requires review and signoff by the local entity's development services or building department and DAQ.
 - Contact the local development services or building department first. If they approve; bring plan, map and letter to DAQ for approval. Call (702) 455-5942 or the listed DAQ Enforcement Officer.

April 2016

From: [Andrew Kirk](#)
To: moe@eton.me; rgubler@mjohnsonlaw.com
Cc: [Katrinka Byers](#); [Noel Crandall](#); [David Dean](#); [Catherine Jorgenson](#); [Anna Sutowska](#); [Shibi Paul](#)
Subject: Notice of Non-Compliance for DCOP 57148 - ETON
Date: Monday, December 9, 2024 9:38:21 AM
Attachments: [57148_20241205_NON-Sec 94-Rvd.pdf](#)
[57148_20241205_NON_Sec 92-Rvd.pdf](#)

Good morning Mr. Truman and Mr. Gubler,

I conducted a project closure inspection on December 5, 2024, based on a Project Closure Form (PCF) that you had submitted to Air Quality on August 29, 2024, letting us know that you were done with construction of your site. During my inspection on December 5, 2024, I observed an active unpaved parking/storage yard that does not meet Section 94. BMP-11 Long-Term Stabilization requires you to pave the entire site or remove all equipment, materials, vehicles, and miscellaneous items and then restabilize all soils. Because of this, I have disapproved the PCF that you submitted and issued a Notice of Non-Compliance (NON) with possible Notice of Violation (NOV) that has been attached to this e-mail. Please review and follow the directions within.

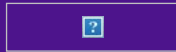
The active unpaved parking/storage yard that I observed during my inspection is also a violation of our Section 92 Regulations, which requires you to pave the entire lot or remove all equipment, materials, vehicles, and miscellaneous items and then restabilize all soils within 30 days. Please see the attached Notice of Non-Compliance (NON) with possible Notice of Violation (NOV) for Section 92 and follow the directions within. Thank you for your time and helping protect the air we share,

Andrew M. Kirk
Senior Air Quality Specialist
Clark County Division of Air Quality
4701 W. Russell Road, Suite 200
Las Vegas, NV 89118
(702) 455-3529 Office
(702) 306-0257 Cell
Andrew.Kirk@ClarkCountyNV.Gov

My working hours are Monday - Thursday, 7:00 AM - 5:30 PM
For Dust Control Applications and Forms, click on this link: [Dust Control Permitting](#)

From: [FedEx Tracking](#)
To: [Darlene Kretunski](#)
Subject: Your shipment was delivered 770609176051
Date: Tuesday, December 10, 2024 2:58:09 PM

Exhibit J



Your shipment was delivered.

Delivery Date

Tue, 12/10/2024
2:44pm

Delivered to

4680 N CIMARRON RD, LAS VEGAS, NV 89129



Delivery picture not showing?

[View in browser](#)

[GET PROOF OF DELIVERY](#)

[Report missing package](#)

How was your delivery?



Tracking details

Tracking ID	770609176051
From	CC Dept of Env&Sustainability 4701 W. Russell Rd, Suite 200 Las Vegas, NV, US 89118
To	Tonopah & Tidewater Railroad Co. 4680 N. Cimarron Rd LAS VEGAS, NV, US 89129
Ship date	Mon 12/09/2024 02:31 PM
Number of pieces	1
Total shipment weight	0.50 LB
Service	FedEx Standard Overnight
Reference	161-07-103-015
Shipper reference	161-07-103-015
Department number	DES Compliance-Darlene

[TRACK SHIPMENT](#)

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– 1/19/25.

**EXPLORE FEDEX ONE
RATE®**

☐ Please do not respond to this message. This email was sent from an unattended mailbox.
This report was generated at approximately 4:57 PM CST 12/10/2024.

All weights are estimated.

To track the latest status of your shipment, click on the tracking number above.

Standard transit is the date and time the package is scheduled to be delivered by, based on the selected service, destination and ship date. Limitations and exceptions may apply. Please see the FedEx Service Guide for terms and conditions of service, including the FedEx Money-Back Guarantee, or contact your FedEx Customer Support representative.

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Thank you for your business.

ID 1026



Exhibit K

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

INSPECTION REPORT No. 146173

Date:	Start Time:	End Time:	Specialist:
Jan 9, 2025	8:55 AM	9:30 AM	Andrew Kirk
Parcels:	161-07-103-015, 161-07-103-014, 161-07-103-016		
Location Description:	2596 STRATFORD AVE Jurisdiction: CC Sunrise Manor - 89121		
Inspection Type:	Re-inspection	Complaint No.:	
AQR Section:	92: Unpaved Parking Lots/Storage Areas - Post 1/1/2003		
Observations:			
Current Land Use Agreement:	No		
Soil Condition:	Stable	Note:	Recycled Asphalt Throughout
Disturbance Factors:	Parking, Vehicular Travel, Storage	Other:	
Fugitive Dust Observed:	No	Generated By:	
Control Measures Implemented: No			
Control Measures:	Other:		
Tests Performed:			
Drop Ball Test:	N/A	Area #1:	Area #2: Area #3:
Rock Test:	N/A	Percent:	
Silt Content:	N/A	Percent:	
Opacity:	N/A	Percent:	
Photography:	Yes	Traffic Count (ADT):	N/A
Inspector Notes:		Reviewed By:	Satyra George
I conducted a Re-inspection and observed an unpaved trucking yard over 5,000 square feet on parcels 161-07-103-015, 161-07-103-014, and 161-07-103-016. There were long-haul trucks, cars, heavy equipment, and construction materials, stored on the parcels.			
As of January 09, 2025, all necessary control measures to meet AQRs have not been implemented since the original Notice of Non-Compliance (NON) was sent to the Property Owner by e-mail on December 9, 2024, and delivered by Fed Ex on December 10, 2024. This NON directed the land owner to pave or remove all vehicles, materials, and miscellaneous items within 30 days or a Notice of Violation (NOV) could be issued.			
Action Taken:	Issued NOV		

Owner: Tonopah & Tidewater Railroad Co.
Parcels: 161-07-103-015, -014, -016
Aerial flight date: January 29, 2025

Exhibit L





Exhibit M

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

INSPECTION REPORT

No. 149823

Date:	Start Time:	End Time:	Specialist:
May 28, 2025	11:15 AM	11:45 AM	Andrew Kirk
Parcels:	161-07-103-016, 161-07-103-015, 161-07-103-014		
Location Description:	2596 STRATFORD AVE Jurisdiction: CC Sunrise Manor - 89121		
Inspection Type:	Re-inspection	Complaint No.:	
AQR Section:	92: Unpaved Parking Lots/Storage Areas - Post 1/1/2003		
Observations:			
Current Land Use Agreement:	No		
Soil Condition:	Stable	Note:	Recycled Asphalt Throughout
Disturbance Factors:	Parking, Vehicular Travel, Storage	Other:	N/A
Fugitive Dust Observed:	No	Generated By:	N/A
Control Measures Implemented: No			
Control Measures:	Other:		
Tests Performed:			
Drop Ball Test:	N/A	Area #1:	Area #2: Area #3:
Rock Test:	N/A	Percent:	
Silt Content:	N/A	Percent:	
Opacity:	N/A	Percent:	
Photography:	Yes	Traffic Count (ADT):	N/A
Inspector Notes:			
Reviewed By: Andrew Kirk			
I conducted a Re-inspection and observed an unpaved trucking yard over 5,000 square feet on parcels 161-07-103-014 (0.46 acres), 161-07-103-015 (3.19 acres), and 161-07-103-016 (0.46 acres). There were long-haul trucks, cars, heavy equipment, and construction materials stored on the parcels.			
As of May 28, 2025, all necessary control measures to meet AQRs have not been implemented since the original Notice of Non-Compliance (NON) was sent to the Property Owner by e-mail on December 9, 2024, and delivered by Fed Ex on December 10, 2024. This NON directed the land owner to pave or remove all vehicles, materials, and miscellaneous items within 30 days or a Notice of Violation (NOV) could be issued. It has now been 170 days since the NON was delivered by e-mail and no communication has been made by the property owner to Air Quality and no control measures have been implemented.			
Action Taken: Follow-up for Possible NOV			

From: [AQ Enforcement](#)
To: ["Russell Gubler"](#)
Cc: [Timothy Allen](#); moe@eton.me
Subject: Request for Continuance: NOV #10161, Tonopah & Tidewater Railroad Co., ETON, and Mitchell Truman (Assessor's Parcel Numbers 161-07-103-014, 161-07-103-015, and 161-07-103-016)
Date: Monday, July 14, 2025 7:22:00 AM

Good morning Mr. Gubler,

Air Quality is receipt of Tonopah & Tidewater Railroad Co., ETON, and Mitchell Truman's request for a continuance of Notice of Violation #10161 which is set to be heard at the July 17, 2025 Hearing Officer Meeting. Air Quality does not oppose the request, and staff will present your request to the Hearing Officer at the scheduled meeting, so there is no need for you to attend. After the hearing, I will follow up with you with the re-scheduled date/time.

Please let me know if you have any questions or need any further assistance.

Thank you,

Pamela R. Thompson

Pamela R. Thompson, Senior Secretary
Department of Environment and Sustainability,
Division of Air Quality
4701 West Russell Road, Suite 200
Las Vegas, NV 89118

Office #: 702.455.3126

Fax #: 702.383.9994

E-mail: Pamela.Thompson@clarkcountynv.gov

Clark County Offices are closed on Fridays.

Website for the Compliance & Enforcement Section:

https://www.clarkcountynv.gov/government/departments/environment_and_sustainability/compliance/index.php

From: Russell Gubler <RGubler@mjohnsonlaw.com>

Sent: Saturday, July 12, 2025 8:10 AM

To: AQ Enforcement <AQEnforcement@ClarkCountyNV.gov>

Cc: Timothy Allen <timothy.allen@clarkcountynyda.com>; moe@eton.me

Subject: RE: Response Required: 7/17/2025 Hearing Officer Meeting Docket: NOV #10161, Tonopah & Tidewater Railroad Co., ETON, and Mitchell Truman (Assessor's Parcel Numbers 161-07-103-014, 161-07-103-015, and 161-07-103-016)

We received this email. I have been out of the office this week.

I see that we have been scheduled for the 17th of this month. Are we able to get a continuance to another date?

Russell G. Gubler
Johnson & Gubler, P.C.
Lakes Business Park
8831 W. Sahara Avenue
Las Vegas, Nevada 89117
(702) 471-0065
(702) 471-0075 facsimile
www.johnsongubler.com

Johnson & Gubler, PLLC
162 N 400 E, Ste. A-204
St. George, UT 84770
(435) 574-4909

* Licensed in Nevada, Utah, & Arizona

This communication may contain information that is privileged under the attorney-client privilege, or the work product doctrine, and should be read only by the person to whom it is addressed. If you have received this communication in error, please delete it immediately.
Johnson & Gubler, P.C.

From: AQ Enforcement <AQEnforcement@ClarkCountyNV.gov>
Sent: Tuesday, July 8, 2025 10:24 AM
To: Russell Gubler <RGubler@mjohnsonlaw.com>
Cc: Timothy Allen <timothy.allen@clarkcountyda.com>; moe@eton.me
Subject: Response Required: 7/17/2025 Hearing Officer Meeting Docket: NOV #10161, Tonopah & Tidewater Railroad Co., ETON, and Mitchell Truman (Assessor's Parcel Numbers 161-07-103-014, 161-07-103-015, and 161-07-103-016)
Importance: High

Please see attachment, which was also mailed today via Federal Express.

Please confirm receipt of this email.

Thank you,

Pamela R. Thompson

Pamela R. Thompson, Senior Secretary
Department of Environment and Sustainability,
Division of Air Quality
4701 West Russell Road, Suite 200

Las Vegas, NV 89118

Office #: 702.455.3126

Fax #: 702.383.9994

E-mail: Pamela.Thompson@clarkcountynv.gov

Clark County Offices are closed on Fridays.

Website for the Compliance & Enforcement Section:

https://www.clarkcountynv.gov/government/departments/environment_and_sustainability/compliance/index.php

July 17, 2025

VIA E-MAIL ONLY

Russell G. Gubler, Attorney
E-mail: RGubler@mjohnsonlaw.com
Johnson & Gubler, P.C.
Lakes Business Park
8831 West Sahara Avenue
Las Vegas, Nevada 89117

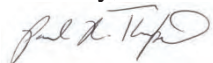
**Re: Granted Continuance to Tonopah & Tidewater Railroad Co., ETON, and Mitchell Truman
Notice of Violation (NOV) #10161
Vacant Land – 2596 Stratford Avenue (APNs: 161-07-103-014, 161-07-103-015,
and 161-07-103-016)**

Dear Mr. Gubler:

The Hearing Officer continued the above matter to be heard before the Air Pollution Control Hearing Officer at approximately 9:00 a.m. on September 18, 2025, **in the Presentation Room at the Clark County Building Department, 4701 West Russell Road, Main Entrance, Las Vegas.** (Use the double doors at the entrance closest to Ullom Drive on the northwest side of the parking lot.) If you plan to present any additional documentation at the hearing, either send me the document(s) electronically before the scheduled hearing or kindly bring six copies for distribution to the Hearing Officer and staff.

If you have any questions regarding this case, please contact Timothy Jay Allen, Deputy District Attorney for the Office of the District Attorney/Civil Division of Clark County, Nevada via e-mail at timothy.allen@clarkcountydانv.gov, or call 702.455.4761.

Sincerely,



Pamela R. Thompson, Sr. Secretary
Enforcement Division

PRT:pt

Cc: Mitchell Truman, ETON, Las Vegas, NV
Timothy Jay Allen, Clark County DA/Civil Div

E-mail: moe@eton.me
E-mail: timothy.allen@clarkcountydانv.gov