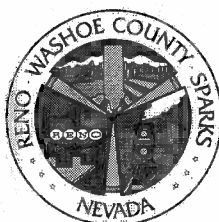


# Washoe County



MATT SMITH, Chairman  
KITTY JUNG, Vice Chairman  
GEORGE FURMAN, MD  
DAN GUSTIN

GEORGE HESS, MD  
DENIS HUMPHREYS, OD  
JULIA RATTI  
JOSEPH P. ISER, MD, DrPH, MSc  
District Health Officer

## Health District

### WASHOE COUNTY HEALTH DISTRICT

1001 East Ninth Street / P.O. Box 11130

Reno, Nevada 89520

Telephone 775.328-2400 • Fax 775.328.2279

[www.washoecounty.us/health](http://www.washoecounty.us/health)

## *MEETING NOTICE AND AGENDA*

### **Washoe County District Board of Health**

Date and Time of Meeting: Thursday, May 24, 2012, 1:00 p.m.

Place of Meeting: Washoe County Health District  
1001 East Ninth Street, Building B  
South Auditorium  
Reno, Nevada 89520

### *District Board of Health Meeting Agenda*

Time	Agenda No.	Agenda Item	Presenter
1:00 PM	1.	Call to Order, Pledge of Allegiance Led by Invitation	Mr. Smith
	2.	Roll Call	Ms. O'Neill
	3.	Public Comment (limited to three (3) minutes per person)	Mr. Smith
<b>For Possible Action</b>	4.	Approval/Deletions to Agenda for the May 24, 2012 Meeting	Mr. Smith
<b>For Possible Action</b>	5.	Approval/Additions/Deletions to the Minutes of the April 26, 2012 Regular Meeting	Mr. Smith
	6.	Recognitions and Proclamations A. Introduction of new employee(s): None	Mr. Smith and Dr. Iser

Time	Agenda No.	Agenda Item	Presenter
For Possible Action		B. Promotions – None C. Years of Service – None D. Proclamations - National Emergency Medical Services Week - May 20-26, 2012	
For Possible Action   For Possible Action   For Possible Action   For Possible Action	7.	<p><b><u>Consent Agenda: Matters which the District Board of Health may consider in one motion. Any exceptions to the Consent Agenda must be stated prior to approval.</u></b></p> <p><b>A. <u>Air Quality Management Cases:</u></b></p> <ol style="list-style-type: none"> <li data-bbox="548 793 1187 1081">1. Recommendation to Uphold Unappealed Citations to the Air Pollution Control Hearing Board:               <ol style="list-style-type: none"> <li data-bbox="600 940 1187 1081">a. Lennar Reno LLC – Case 1079, NOV5151 10345 Professional Circle Suite 100, Reno, NV 89521 Attn: Tim Schneideman</li> <li data-bbox="600 1123 1131 1264">b. Tarragon-Spanish Springs Land, LLC Case 1077, NOV 5102 601 Union Street, Suite 3200 Seattle, WA 98101</li> </ol> </li> <li data-bbox="548 1306 1214 1629">2. Recommendation to Uphold Citations Appealed to the Air Pollution Control Hearing Board:               <ol style="list-style-type: none"> <li data-bbox="600 1419 1187 1629">a. Fisher Sand &amp; Gravel Company - Case 1074, NOV 4893 500 Damonte Ranch Parkway, Suite 1056 Reno, NV 89521 Attn: Norman Bessler, Senior Project Manager</li> <li data-bbox="600 1671 1187 1776">b. Skyline Market – Case 1076, NOV 5101 2995 Skyline Boulevard, Reno, NV 89509 Attn: Heidi Rashidi, Owner</li> </ol> </li> <li data-bbox="548 1818 1081 1850">3. Recommendation for Variance: None.</li> </ol>	Mr. Smith      Ms. Albee

Time	Agenda No.	Agenda Item	Presenter
For Possible Action		<p>B. <b><u>Sewage, Wastewater &amp; Sanitation Cases:</u></b>  Recommendation to Approve Variance Case(s) Presented to the Sewage, Wastewater &amp; Sanitation Hearing Board. <b>There are no variance case requests this month.</b></p> <p>C. <b><u>Budget Amendments / Interlocal Agreements:</u></b></p> <p>1. Ratification of Interlocal Agreement between the Washoe County Health District and the Truckee Meadows Fire Protection District to provide storage and emergency operation activation of the VoiceStar CMS-T300 Series Portable Changeable Message Sign and Highway Advisory Radio equipment for the period upon ratification through June 30, 2013, with automatic renewal for two successive one-year periods on the same terms, unless either party gives the other written notice of nonrenewal at least 60 days prior to June 30 of each year; and if approved, authorize Chairman to execute the Interlocal Agreement.</p>	Ms. Buxton
For Possible Action		<p>2. Approve budget adjustments totaling a net increase/decrease of \$0 in both revenue and expense to the adopted FY12 Family Planning Title X Federal Grant Program, IO 10025 to allow for a capital outlay (Netsmart Technologies Supplies Inventory Module) as approved by grantor.</p>	Ms. Buxton
For Possible Action		<p>3. Approval of amendments totaling an increase of \$5,000 in revenue and expense to the National Network of Public Health Institutes (NNPHI) Grant Program (internal order #20368) FY12 Budget.</p>	Ms. Buxton
For Possible Action		<p>4. Retroactive approval of District Health Officer Acceptance of Grant Agreement Assistance Amendment #1 and #2 from the U.S. Environmental Protection Agency (EPA) for total funding increase of \$473,260 (\$125,000 – Amendment #1; \$348,260 – Amendment #2) for total funding of \$824,345 for the period 10/1/11</p>	Ms. Cooke

Time	Agenda No.	Agenda Item	Presenter
For Possible Action		<p>through 9/30/12 for the Air Quality Management, EPA Air Pollution Control Program, IO 10019.</p> <p>5. Approval of Amendment #1 to the Interlocal Contract with the State of Nevada, Department of Motor Vehicles, for the DMV Excess Reserve Grant Program (IO 10888) to extend the contract period through June 30, 2013.</p>	Ms. Cooke
For Possible Action		D. <u>Recommendation for Elimination of Oxygenated Fuel Program in Washoe County</u>	Mr. Inouye
For Possible Action		E. <u>Renewal of Appointment to the Air Pollution Control Hearing Board – Jon S. Green</u>	Mr. Dick
For Possible Action	8.	Air Pollution Control Hearing Board Cases appealed to the District Board of Health. <b>None.</b>	Ms. Albee
For Possible Action	9.	<p><b><u>Regional Emergency Medical Services Authority:</u></b></p> <p>A. Review and Acceptance of the Operations and Financial Report for April, 2012</p> <p>B. Update of REMSA's Community Activities Since March 2012</p>	Mr. Gubbels
	10.	Presentation of Tri-Data Report	Dr. Iser Dr. Cohen
For Possible Action	11.	Review and Acceptance of Monthly Public Health Fund Revenue and Expenditure Report for April 2012	Ms. Stickney
For Possible Action	12.	Presentation and possible approval of FY 13 Budget Update	Ms. Stickney
For Possible Action	13.	Review and possible approval of policy that gives authority to the District Health Officer to review and approve new grant and continuing applications after conducting a pre-application assessment.	Ms. Stickney

Time	Agenda No.	Agenda Item	Presenter
	14.	Presentation of RTC 2035 Regional Transportation Plan Update	Amy Cummings, RTC Director of Planning
	15.	Presentation and Possible Acceptance of Washoe County Air Quality Trends Report	Mr. Inouye
<b>For Possible Action</b>	16.	Discussion of Process and Selection of Management Appraisal Form for District Health Officer's Annual Review and Possible Direction to Staff	Mr. Smith
	17.	<b><u>Staff Reports and Program Updates</u></b>	
		A. <b>Director, Epidemiology and Public Health Preparedness</b> – Communicable Disease; Public Health Preparedness – Training and Education and Community Outreach	Dr. Todd
		B. <b>Director, Community and Clinical Health Services</b> – (1) University of Nevada, Reno – Graduate Student Reports on Maternal and Child Health in Washoe County; (2) Washoe County Health District's Teen Pregnancy and Women's Health; and (3) First Washoe County Food Council Meeting to be Held May 17, 2012	Ms. Brown
		C. <b>Director, Environmental Health Services</b> – Land Development and Solid Waste/Special Events	Mr. Sack
		D. <b>Director, Air Quality Management</b> – Air Quality; Monitoring Activity; Planning Activity; Permitting Activity; Compliance/Inspection Activity; and Enforcement Activity	Mr. Dick
		E. <b>Administrative Health Services Officer</b> – Updates provided in Agenda Item Nos. 11 and 12.	Ms. Stickney
		F. <b>District Health Officer</b> – 2012-2013 Legislative Session; Budget; Human Resources; Communication; Accreditation; Washoe County and Community Activities; Health District Media Contacts and Outreach; Statewide (and Beyond) Organizational Efforts; Needy-Meds; and District Board of Health Information and Resources	Dr. Iser

Time	Agenda No.	Agenda Item	Presenter
Board Comment	18.	Limited to Announcements or Issues for Future Agendas	Mr. Smith
Public Comment	19.	Public Comment (limited to three (3) minutes per person). No action may be taken.	Mr. Smith
For Possible Action	20.	Adjournment	Mr. Smith

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The District Board of Health may take action on the items denoted as "For Possible Action."

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**Business Impact Statement:** A Business Impact Statement is available at the Washoe County Health District for those items denoted with a "\$."

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Items on the agenda may be taken out of order, combined with other items, withdrawn from the agenda, moved to the agenda of another later meeting; moved to or from the Consent section, or they may be voted on in a block. Items with a specific time designation will not be heard prior to the stated time, but may be heard later. Items listed in the Consent section of the agenda are voted on as a block and will not be read or considered separately unless withdrawn from the Consent.

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The District Board of Health Meetings are accessible to the disabled. Disabled members of the public who require special accommodations or assistance at the meeting are requested to notify Administrative Health Services in writing at the Washoe County Health District, PO Box 1130, Reno, NV 89520-0027, or by calling 775.328.2416, 24 hours prior to the meeting.

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**Time Limits:** Public comments are welcomed during the Public Comment periods for all matters whether listed on the agenda or not. All comments are limited to three (3) minutes per person. Additionally, public comment of three (3) minutes per person may be heard during individual action items on the agenda. Persons are invited to submit comments in writing on the agenda items and/or attend and make comment on that item at the Board meeting. Persons may not allocate unused time to other speakers.

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**Response to Public Comments:** The Board of Health can deliberate or take action only if a matter has been listed on an agenda properly posted prior to the meeting. During the public comment period, speakers may address matters listed or not listed on the published agenda. The *Open Meeting Law* does not expressly prohibit responses to public comments by the Board of Health. However, responses from the Board members to unlisted public comment topics could become deliberation on a matter without notice to the public. On the advice of legal counsel and to ensure the public has notice of all matters the Board of Health will consider, Board members may choose not to respond to public comments, except to correct factual inaccuracies, ask for Health District Staff action or to ask that a matter be listed on a future agenda. The Board of Health may do this either during the public comment item or during the following item: "Board Comments – Limited to Announcement or Issues for future Agendas."

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Pursuant to NRS 241.020, Notice of this meeting was posted at the following locations:

Washoe County Health District, 1001 E. 9th St., Reno, NV  
Reno City Hall, 1 E. 1st St., Reno, NV  
Sparks City Hall, 431 Prater Way, Sparks, NV  
Washoe County Administration Building, 1001 E. 9th St, Reno, NV  
Washoe County Health District Website [www.washoecounty.us/health](http://www.washoecounty.us/health)

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Health District

## Washoe County District Board of Health Meeting Minutes April 26, 2012

**PRESENT:** Mr. Matt Smith, Chairman; Commissioner Kitty Jung, Vice Chair, George Furman, MD; Councilwoman Ratti, and George Hess, MD

**ABSENT:** Councilman Gustin and Dr. Humphreys are excused

**STAFF:** Dr. Joseph Iser, District Health Officer  
 Kevin Dick, Director, Air Quality Management  
 Robert Sack, Director, Environmental Health Services  
 Mary-Ann Brown, Director, Community and Clinical Health Services  
 Lori Cooke, Fiscal Compliance Officer, AHS  
 Steve Fisher, Department Computer Application Specialist  
 Peg Caldwell, RN1, EMS Program, EPHP  
 Phil Ulibarri, Public Information Officer  
 Bev Bayan, WIC Program Manager, CCHS  
 Leslie Admirand, Deputy District Attorney  
 Peggy F. O'Neill, Recording Secretary

Eileen Stickney, Administrative Health Services Officer  
 Randall Todd, DrPH, Director, Epidemiology and Public Health Preparedness  
 Tony Macaluso, Environmental Health Specialist Supervisor, EHS  
 Patsy Buxton, Fiscal Compliance Officer, AHS  
 Stacey Akurosawa, EMS Coordinator, EMS Program, EPHP  
 Daniel Inouye, Air Quality Supervisor, AQMD  
 Charlene Albee, AQM Enforcement Branch Chief  
 Erin Dixon, Program Coordinator, CCHS  
 Jim Shaffer, Vector Borne Disease Specialist, EHS

TIME / ITEM	SUBJECT / AGENDA	DISCUSSION	ACTION
1:05 pm 1, 2	<b>Meeting Called to Order, Pledge of Allegiance and Roll Call</b>	Chairman Smith called the meeting to order, followed by the Pledge of Allegiance led by Commissioner Jung. Roll call was taken and a quorum noted. Councilman Gustin and Dr. Humphreys are excused.	
3.	<b>Public Comment</b>	No public comment was presented.	
4.	<b>Approval/Deletions – Agenda – April 26, 2012</b>	Chairman Smith called for any deletions to the Agenda of the April 26, 2012 DBOH Meeting.  Councilwoman Ratti moved, seconded by Dr. Hess, that the DBOH Agenda be approved as presented.	<b>MOTION CARRIED:</b> The agenda for the DBOH April 26, 2012 meeting is approved as presented.
5.	<b>Approval/Deletions –</b>	Chairman Smith called for any additions or corrections to the minutes of the March 15, 2012 Budget Meeting; and	

TIME / ITEM	SUBJECT / AGENDA	DISCUSSION	ACTION
	<b>Minutes – Budget Meeting of March 15, 2012 and Regular Meeting of March 22, 2012</b>	<p>Chairman Smith called for any additions or corrections to the minutes of the March 22, 2012 Regular Meeting.</p> <p>Councilwoman Ratti moved, seconded by Dr. Hess, that the minutes of both meeting be approved as presented.</p>	<b>MOTION CARRIED:</b> , March 15, 2012 Minutes and March 22, 2012 Minutes approved as presented.
6.	<b>Recognitions and Proclamations</b>	<p>Chairman Smith and Dr. Iser recognized employees and presented Certificates of Recognition for Years of Service.</p> <p>A Proclamation regarding Washoe County Air Quality Awareness Week being April 30 through May 4 was presented. A motion was made to approve the Proclamation; however, Ms. Admirand noted that the Proclamation was not an action item, and therefore, it could not be voted upon. The motion was withdrawn</p>	
7.	<b>Consent Agenda</b>	<p><b>A. <u>Air Quality Management Cases:</u></b></p> <ol style="list-style-type: none"> <li>1. Unappealed Citations to the Air Pollution Control Hearing Board: <ol style="list-style-type: none"> <li>a. <b>First Centennial Title Company, Case No. 1072, Unappealed Citation No. 5008</b> – Staff Reported <b>Citation No. 5008, Case No. 1072</b>, was issued to <b>First Centennial Title Company</b> on January 24, 2012, for closing escrow on a property at 2558 Betsy Street in Sparks, with wood stove inspection paperwork marked “fail” in violation of Section 040.051 D 3B2 and E 3C of the Washoe County DBOH Regulations Governing Air Quality Management. Staff recommends the citation be <b>upheld</b> and a fine in the amount of <b>\$500.00</b> be levied.</li> <li>b. <b>First Centennial Title Company, Case No. 1073, Unappealed Citation No. 5009</b> – Staff Reported <b>Citation No. 5009, Case No. 1073</b>, was issued to <b>First Centennial Title Company</b> on January 24, 2012, for closing escrow on a property at 375 Wellington Way in Reno, with wood stove inspection paperwork marked “fail” in violation of Section 040.051 D 3B2 and E 3C of the Washoe County DBOH Regulations Governing Air Quality Management. Staff recommends the citation be <b>upheld</b> and a fine in the amount of <b>\$500.00</b> be levied.</li> </ol> </li> </ol>	



TIME / ITEM	SUBJECT / AGENDA	DISCUSSION	ACTION
		<p>c. <b>Star Cleaners, Case No. 1075, Unappealed Citation No. 4590</b> – Staff reported <b>Citation No. 4590</b> was issued to <b>Star Cleaners</b> on February 13, 2012, for replacement of dry cleaning equipment without an authority to construct, and failure to file a change of ownership notification with the Air Quality Management Division.</p> <p>2. Recommendation to Uphold Citation Appealed to the Air Pollution Control Hearing Board: None.</p> <p>3. Recommendation for Variance: None.</p> <p><b>B. Sewage, Wastewater &amp; Sanitation Cases: None.</b></p> <p><b>C. Budget Amendments / Interlocal Agreements:</b></p> <p>1. The Board was advised Staff recommends <b>ratification of Intrastate Contract</b> between the <b>Washoe County Health District</b> and the <b>Nevada State Health Division</b> to provide a work location for the State Health Division's Center for Disease Control and Prevention (CDC) assignee for the purpose of providing direct and efficient assistance to the Health District for Strategic National Stockpile planning for the period upon ratification through November 27, 2012; and if approved, authorize the Chairman to execute the Intrastate Contract.</p> <p>2. Approval of <b>Subgrant Amendment #1</b> from the <b>Nevada State Health Division</b> in the amount of <b>\$585,697</b> (with <b>\$58,570</b> or <b>10% Health District match</b>) for the period <b>August 10, 2011</b> to <b>August 9, 2012</b> in support of the <b>Centers for Disease Control and Prevention (CDC) Public Health Preparedness (PHP) Program</b>; and if approved, authorize the Chairman to execute.</p> <p>3. Approve <b>donation</b> of various obsolete equipment to <b>Desert Research Institute (DRI)</b> with a current market value estimated at <b>\$ - 0 -</b>.</p> <p>Councilwoman Ratti moved, seconded by Commissioner Jung, that the Consent Agenda be approved as presented.</p>	<p><b><u>ACTION ITEMS:</u></b></p> <p>(1) Letters to First Centennial regarding both \$250 fines and due date; and (2) letter to Star Cleaners regarding the \$500 fine and due date.</p> <p><b><u>SINGLE, CONSENT AGENDA MOTION - CARRIED:</u></b> Citations First Centennial Title and Star Cleaners Upheld and fines levied as recommended; ratification of Intrastate Contract; Approval of; and Subgrant Amendment #1; Approval of donation by DRI; the Chairman authorized to execute on behalf of the Board where applicable.</p>
8.	Air Pollution Control Hearing Board Cases	None.	

TIME / ITEM	SUBJECT / AGENDA	DISCUSSION	ACTION
9.	<p><b>Regional Emergency Medical Services Authority</b></p> <p>A. <u>Review and Acceptance of the Operations and Financial Report – March 2012</u></p> <p><b>Board Comments</b></p> <p>B. <u>Update of REMSA's Community Activities Since March 2012</u></p>	<p>Mr. Jim Gubbels, Vice President, REMSA reported that the DBOH members have been provided with a copy of the March 2012 Operations and Financial Report; overall emergency response times for life-threatening calls in March 2012 was 93%, and 97% for non-life threatening calls; within the 8 minute zone, it was 92%; within the 15 minute zone, it was 98%; and within the 20 minute zone, it was 100%. Advised the overall average bill for air ambulance service for March 2012 was \$6,446.00, with a year-to-date average of \$7,052.00. The overall average bill for ground ambulance services for March 2012 was \$1,008.00, with a year-to-date average of \$1,004.00.</p> <p>Commissioner Jung stated that she did a "ride-along" with Reno Fire at Station 6 (Mira Loma) a couple of weeks ago, and we got a real call which was a potential extraction situation. A car full of five kids (ages 15 – 17) had a rollover accident. Two were hurt pretty badly, but all are doing well now. She wanted to remark how seamless the operations are between REMSA, the Fire Department, and the Police Department. So while at the higher level, some of us can't get along, the boots on the ground work so well together. Being at a traumatic event and watching what they do was very enlightening. I would highly recommend Board members take advantage of that opportunity. She asked that Mr. Gubbels tell his staff how impressed she was with the operation.</p> <p>Commissioner Jung moved, seconded by Dr. Hess, that the Operations and Financial Report for the Month of March 2012 be accepted as presented.</p> <p>Mr. Gubbels presented information regarding an article recently published in <i>Vertical 911</i>, which highlighted the all female CareFlight team based in Truckee, California. Mr. Gubbels stated that it is not unusual to have Flight Nurses who are female, but it is unusual to have female pilots in the industry, and this team is also exceptional as all crew members are female and are an incredible team.</p>	<p><b><u>MOTION CARRIED:</u></b> REMSA's March 2012 Operations and Financial Report accepted as presented.</p>

TIME / ITEM	SUBJECT / AGENDA	DISCUSSION	ACTION
10.	<p><b>Presentation and possible approval of the Franchise Compliance Report for the Regional Emergency Medical Services Authority (REMSA) 7/1/10 through 6/30/11</b></p> <p><b>Board Comments</b></p>	<p>Ms. Stacey E. Akurosawa, Emergency Medical Services Coordinator, stated that staff recommends that the DBOH find REMSA in compliance with 31 of the 31 performance requirements for Fiscal Year 10/11. Presented to you is the Franchise Compliance Report for REMSA for the period 7/1/10 through 6/30/11. Applicable excerpts from the franchise language are in italics, followed by the description of the findings in standard type. The timeframe is this way to allow time to receive the fiscal audit reports.</p> <p>Commissioner Jung had a question about Finding No. 7. If REMSA is in compliance, does that mean that they have secured a bank letter of credit in the amount \$200,000? Ms. Akurosawa deferred to Ms. Drinkwater, REMSA's counsel. Ms. Drinkwater stated that under the terms of the Franchise Agreement, REMSA has the right of offset in excess of \$200,000, which means they are allowed to offset the service performance security because of the large amount of their receivables.</p> <p>Dr. Hess moved, seconded by Commissioner Jung, that the Franchise Compliance Report be accepted as presented.</p>	<p><b>MOTION CARRIED:</b> Franchise Compliance Report for 7/1/2010 – 6/30/11 is accepted as presented.</p>
11.	<p><b>Review – Acceptance – Monthly Public Health Fund Revenue and Expenditure Report – March 2012</b></p>	<p>Ms. Eileen Stickney, Administrative Health Services Officer, reported that staff recommends that the District Board of Health accept the Report of Revenues and Expenditures for the Health Fund for March FY12.</p> <p>Staff would like to respond to the questions that were raised last month by Dr. Humphries about the difference between the appropriations for FY 11 to FY12 in Professional Services line item. There was an increase of about \$300,000. Staff has reviewed the appropriation levels for the different divisions and given the Board a percentage and compare and contrast to explain the difference.</p> <p>In FY11, Admin basically had a zero percent to this year's 1%; Air Quality had 26% last year - 21% this year; CCHS had 13% last year – 15% this year; EHS had 33% this year - 46% last year; and EPHP had 27% last year and 11% this year. The vast majority is in two areas; AQM and EHS. Both of those areas had deferrals. We had revenues for the fiscal year that were not spent out. So during the year end close out process, those dollars are carried forward into the new year.</p> <p>Ms. Stickney explained the process for deferrals and how deferrals amend the budget. Also, she explained how the adopted budget is amended during the fiscal</p>	

TIME / ITEM	SUBJECT / AGENDA	DISCUSSION	ACTION
		<p>year by budget amendments (which are brought to the Board) when there are changes that increase or decrease.</p> <p>To address questions last month about Immunization, Staff reviewed the revenues to determine what is driving the low numbers. It was determined that present economic conditions are affecting clients' ability to pay for these services. Clients self report their income, and some are not required to pay. Staff is also collaborating (FCOs, CCHS, and DCAS) to revise the Super Bill and make sure we are charging things in the right area and to ensure we take full advantage of the different services we provide. At present, we are not billing Medicaid for services, but Staff is finalizing the project, and we will bill again soon. Staff does not anticipate a great deal more revenue, because Staff estimated a reduction in revenue in our budget and ETCs.</p> <p>Ms. Stickney reported on page 3, under "Seasonal Temp," there is a General Ledger account that we have not used before, 701125. The charge is for two seasonal temps hired by Human Resources that are charging to the Health Fund. They are assisting us with recruiting. The expenditure of \$43.02 is correctly captured. It is a unique charge. There are additional charges that will come before we end FY12.</p> <p>Ms. Stickney directed the Board's your attention to the Retirement Calculation line item. This line item will be addressed more fully in the FY 13 Budget update, but we did budget \$355,282, and there is an expenditure of \$5,435.00. The expenditure was for an IT project that the County was assisting us with. We had a period of time that we had grant dollars, but IT did not meet the deliverables within those times, so the charges that IT charged us during that time were disallowed. The Health Fund absorbed that charge. Also, a staff member moved from one grant area to another, and took leave, and if leave is taken before enough time is accrued on the new grant, it is a compliance issue. A grant will not pay allow leave until 200 hours are earned by working there. An individual took leave before they had enough time, so we could not bill it back to the grant that was closed, and it was not allowable to charge the new grant, so it hit the Fund. We have appropriations there. We have payouts for vacations, sick leave, and comp time of about \$147,000.</p> <p>In Regulatory Assessments, we had expenditures where there was no appropriation. The Board will recall the last legislative session, there were some environmental charges, and we absorbed that cost of \$11,920 in the Fund. Staff will address a little later in presentations about how it is important that the Fund be able to absorb certain items.</p>	

TIME / ITEM	SUBJECT / AGENDA	DISCUSSION	ACTION
	<b>BOARD COMMENTS</b>	<p>Dr. Hess questioned pg. 2 of the Revenue Sheets - Other Miscellaneous Government Revenue line item. There is appropriated \$847,100. That's a huge number just to be termed "Miscellaneous."</p> <p>Ms. Stickney stated that she did notice that line item, but did not have sufficient time to research. It appears to be an adjustment by reduction in the Transfer. Ms. Cooke confirmed that it is a revenue and expenditure reduction.</p> <p>Councilwoman Ratti moved, seconded by Dr. Hess, that the Health Fund Revenue and Expenditure Report for March 2012 be accepted as presented.</p>	<p><b>MOTION CARRIED:</b> Health Fund Revenue and Expenditure Report for March 2012 accepted as presented.</p>
12.	<b>Presentation of FY 13 Budget Update</b>	<p>Ms. Eileen Stickney, Administrative Health Services Officer, reported the Proposed FY 13 Budget was presented to the Board on March 15, 2012, and while we are in the budget process, we will maintain this item on the Agenda to keep the Board informed about where we are in the process.</p> <p>At your seats you have been provided handouts to supplement your budget books. The first is to be added under Tab 30. This handout is the Project Sheets for positions showing personnel distributions. An updated copy of the Per Capita sheet which reflects the FTEs by program was provided to place under Tab 5. Tab 6 shows the Mandated Matrix that lists the description and purpose of each program in the center column. We are still working on the program changes over the past years and will update the organizational charts to add supervision and span of control as requested by the Board.</p> <p>Employees and management have not yet agreed to any concessions, but our budget has imbedded that additional 4.5% reduction from the onset. Therefore, we do not have to meet additional reductions. Both reclassifications requested were approved, but one was approved as an Admin Secretary rather than the requested Admin Assistant. No fiscal impacts will occur with these changes because we included them in our Proposed Budget.</p> <p>Ms. Stickney and Ms. Fine met regarding the county's recommendations and were able to come to consensus. We agreed on the final adjustments that they will make. Finance will update the State Doc, and we will present those to you, and we will also present to you the Project Accounting Sheets. That is the document that will reflect the final FY 13 Budget. Typically, we present that to you in your June board meeting. That is our target.</p> <p>As mentioned earlier, we have been using the Retirement Calculations line item to capture funds to use as a contingency fund to have a little bit of flux for cash flow. As we all agreed, the \$50,888 proposed Ending Fund Balance was not adequate,</p>	

TIME / ITEM	SUBJECT / AGENDA	DISCUSSION	ACTION
	<p><b>Board Comments</b></p>	<p>so the County asked us to make a shift and move these dollars from the Retirement Calculations line item and have it fall to the Fund to bolster the Ending Fund Balance. We did clarify with them that the Health District will be able to retain any salary savings and not have to participate in salary sweeps, since we have not participated in them since 2003. Since 2003, we have kept our salaries, and although we want to fill our positions, some vacancies have been artificially held in order to appeal them, but that lag creates a savings for us. Finance recommended that if we can reduce that line item, it will help increase the Health Fund Balance, and if there was a scenario where the Health Fund could not make the payout, then Finance made a commitment to assist.</p> <p>We try to be good public health partners. For example, the Health Fund paid for the Environmental Assessment (\$11,900) for the County. We try and balance items out. In the final budget we won't have contingency dollars in that line item, but we can go to the Fund or to the County since they made that commitment if there was a very significant unforeseen event such as a TB outbreak or West Nile virus outbreak, we can go back and ask for an augmentation.</p> <p>Staff will present these changes to the Board when we receive the updated State Doc. Our Ending Fund Balance went from \$50,888 to \$457,716. Not quite ideal, since our target is approximately \$800,000. Only once in the last 19 years has the Health District needed a bridge loan. The loan was paid back within thirty days. Finance just needs to be very transparent if they want us to take this money out of where we would ideally like it, and we will be agreeable to do that. If the Health District were to come back and need a bridge loan, it should be done without prejudice.</p> <p>Councilwoman Ratti questioned what percent of the budget is the recommended Ending Fund Balance. Ms. Stickney estimated it to be between 2% and 3%, but will come to the Board with an exact number once it is finally approved. Ms. Stickney reported that is one of the benefits of being attached to the County as a special fund. We can have the umbrella of the County and be in compliance.</p> <p>Dr. Iser provided at your seats, a copy of the COWCAP presentation that was made by the Washoe County Budget Director. That document illustrates the tentative cost per function, the allocation basis, and the total of \$2.55 Million general fund cost, with a subsidy of \$2 Million, which is a net cost of \$553,000 to the Health Fund. The COWCAP was also included in the County's FY 13 Recommend, so we don't have to come up with additional dollars now. We met with Finance and Katy Simon to have a preliminary discussion about the implementation of the COWCAP, and this was eventually treated as our appeal since our discussions went further into the implementation.</p>	

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		<p>Dr. Iser added that our main request was that we not have this cost imposed this year to allow time to come back to the DBOH and ask for an increase in our fess and permits and to give us time to put these fees into the grants as they renew or we get new ones. That request was denied.</p> <p>COWCAP implementation is projected to be a three year process. We have to project out, and within two more budget years, come up with the full \$2.55 Million out of our budget. The only way we can do that is by asking the DBOH to approve fee and permit increases. We would then have to incorporate overhead in the grants as they renew or in new grants.</p> <p>Dr. Iser stated that because he saw this as a significant change from what we presented to the DBOH and our partners, the cites of Reno, Sparks and the County, Dr. Iser pulled the partners together to discuss this again so that all parties would understand the Health Fund is giving up \$553,000 this year, and in subsequent years, we are going to have to find those dollars, and more dollars, in other places. Other places could also mean that we give up programs and save the General Fund that goes in to support those programs. Last month Dr. Iser reported that he went back and talked to Family Planning at the federal level, and he is trying to look at how can we save some of the current funds that we put in as General Fund match, and they gave us some ideas that we are looking at and trying to implement.</p> <p>We invited both Chairman Smith and Commissioner Jung to represent the Board at this meeting. Dr. Iser asked for a sense of the Board as to any additional appeals. Ms. Admirand stated that the matter could be discussed but no action could be taken.</p> <p>Dr. Hess questioned the net effect of the COWCAP implementation. Ms. Stickney clarified that the County is subsidizing \$2 Million of the COWCAP, so the current year General Fund Transfer will be \$8.6 Million.</p> <p>Dr. Iser confirmed that the County's original plan is to fully implement the COWCAP within three years. If you look back on page 5, it gives you an idea of the other entities being charged. What they are doing is increasing our General Fund Transfer by \$2 Million, but charging us \$2.55 Million for the COWCAP, so we have a net effect of a \$553,000 decrease in our budget.</p> <p>Councilwoman Jung stated that this is a double-edged sword because she asked for this. This was borne out of the request that Regional Animal Services take a 10% cut because they had an ending fund balance more than what their annual budget was. This was completely irrational to her. No one had a nexus to why we</p>	

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		<p>were doing that. That's where this was borne, because she wanted to have everything validated if we were going to have cuts. The county has no idea what the real cost of any of the services are since we have no real way of tracking the overhead in place. So this COWCAP was designed to go to those special funds that are property tax overrides or a fund all by itself. The Health Fund happens to be one of those funds. They are not going after the Departments that are purely funded by the General Fund because it would simply be a wash. We are going to dig down deeper and see exactly how much those accounts that are general funded actually cost us as well. We do have a cost allocation for that. This is huge sticker shock because we've never done it before. The give back from the County Manager, which she does believe is pretty generous, is that the Health Fund will be subsidized for \$2 Million.</p> <p>Ms. Jung stated that in terms of the Health District breaking out of the County over the next three years. I say hold your horses. This is a way that we are able to balance this budget and we anticipate indeed that the Department should go back and start billing for services as a true reflection of the administrative overhead costs. Ms. Jung stated she will do whatever the Board tells her to do because she's been working on this diligently. If you've watched the budget presentations, she has asked every single presenter what their COWCAP was, and why they weren't included in this COWCAP. She asked that all bear in mind what the goal is behind the implementation of this policy. She does not believe that the Health District will get a bill for \$2.55 Million next year. The BCC couldn't do it with a clear conscience. That is why if you look at Senior Services, it is fully subsidized this year, because if the BCC did that to Senior Services there would be no services this year. The County has a really tight, tight, budget also. According to their calculations, the Health District is an expensive place. The Health District employees notoriously have been frequent flyers of our HR department. That's no fault of the people who work here, but some of the leadership they have had. There are some true costs that are borne that we have never ever calculated. She still believes it's the right course correction, and she does not believe the Health District is going to get hosed. We've already said that the COWCAP is already ... Ms. Stickney is that already included in our budget?</p> <p>Ms. Stickney confirmed that when she and Ms. Fine went back through the budget and tightened up the ETCs, etc. that yes it is included in the WC FY 13 Recommend, and no cuts had to be made to accomplish that end. Ms. Jung stated then that the house is not on fire, and Ms. Stickney said that she could agree with that statement.</p> <p>Dr. Furman stated that he agrees with what Ms. Jung said, but he believes that there will be additional cuts. So looking at greater efficiencies will be imperative.</p>	



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		<p>Dr. Iser stated according to Ms. Simon, we are not projecting additional cuts in General Fund Transfer for FY 14, so when we prepare the three-year budget which is due at the end of December, we would show at least a stable transfer of funds. The difference would be if the County decides to increase the amount that we have to pay for COWCAP, and he projects that they will.</p> <p>Ms. Stickney stated that technically, we can only budget from year to year to year, but we can do some planning. We talked about when we have a Strategic Retreat, we should do it a little later, possibly at the end of October or early November, and do our cost benefit analysis, and go through each program. We will have more information by that time to really anticipate and have a plan.</p> <p>Dr. Iser stated that there are also caps on most grants as to how much overhead we can charge. For the most part, it is less than what the COWCAP would be. We are not allowed to charge a federal grant that much money.</p> <p>Ms. Ratti stated that most grants only award so much. If you have to allocate more of it to the COWCAP, you will be taking more from programming. They will not be giving you more money. While she appreciates the spirit of advocacy of going before the BCC to appeal the COWCAP implementation, we need to be cautious. It might not be the best move at this time.</p> <p>Dr. Furman stated that it is his belief that whoever gets elected next year, whether Republican or Democrat, there will be cuts next year to grant funding, and we need to be planning for that now.</p> <p>Ms. Ratti stated that projections are really only as good as the paper on which they are written. It's almost impossible to project out past six months. Ms. Ratti is a big proponent of scenario planning right now, so while it is a lot of work for staff, she believes you have to run all the scenarios. It is the environment in which we are living, so she would suggest scenario planning for all of it.</p> <p>Dr. Iser stated that the only program that he knows about that we will expect to see cuts in is that the state is expecting a 10% cut each year over the next 5 years for Public Health Preparedness and the corollary grant for that. We will have to put that into our planning model. Dr. Iser stated that we have been successful in getting a greater allocation in the Public Health Preparedness grant. We may be successful in other areas, but we are discussing with Mr. Whitley how we can better allocate percentages to state vs. local health authorities. After that we will talk about the Chronic Disease grant and how to allocate that from the state to the locals.</p>	

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		<p>Chairman Smith stated that he is very concerned by the way the BCC has implemented COWCAP this at this time with the economy as it is. It is the worst possible time, especially with no assurance about what type of subsidy may be coming next year. Ms. Jung stated that it is a sign of the times.</p> <p>Ms. Stickney stated that there has also been discussion of voluntary separation incentives. Potentially, there will be vacation, comp time, sick leave payout, retirement credit, and PERs severance pay (0-5 years – 1 month; 5-10 – 2 months; 10+ - 3 months). Dr. Iser stated we don't know yet whether that requires us to lose an FTE; we will wait to see what the BCC says. We may be in the same situation as last year and not be able to do without an FTE. We have put together a spreadsheet that reflects how cuts to the Transfer affect our grant dollars, and how that would affect FTEs in that grant.</p> <p>Ms. Jung stated that what she would do is review Grady Tarbutton's presentation to the BCC. They used a very simple chart that showed, "if we cut this, we lose this in grant funding." This agency needs to put this together. Dr. Iser stated that he had prepared a one page document that reflects how much GF dollars and grant dollars are associated with each program and department, and the number of FTEs associated with each program.</p> <p>Ms. Ratti asked to confirm if the dollars moved from the line item Retirement Calculations to the Fund level were not really restricted funds. She was concerned that it related to retirement dollars, but Ms. Stickney clarified that staff was just using that line item as a contingency line item.</p> <p>Commissioner Jung moved, seconded by Councilwoman Ratti, that the Budget Update for March 2012 be accepted as presented.</p>	<p><b>MOTION CARRIED:</b> Budget Update for March 2012 accepted as presented.</p>
13.	<p><b>Presentation and possible approval of Chronic Disease Prevention Program funding opportunity for Food and Drug Administration's (FDA) Center for Tobacco Products new TRACE Program.</b></p>	<p>Ms. Mary-Ann Brown, Director, Community and Clinical Health Services, presents the Chronic Disease Prevention Program funding opportunity application for the FDA's TRACE Program.</p> <p>Ms. Brown stated that staff presents this opportunity as an attempt to find additional funding. The Tobacco Program has had significant cuts (we are down to one staff member), so we would like to have the authority to seek this funding.</p> <p>As Dr. Iser mentioned, he has been working diligently with the state trying to obtain some of that Tobacco and Chronic Disease Funding. If he is not successful, what we would like to do is submit an application for the TRACE grant. The award would equal \$1.5 Million for the first year and \$3 Million for years 2, 3, and 4, if awarded. There will be 12 – 15 grantees awarded throughout the United States. We believe</p>	

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		<p>there are approximately 100 applicants, so we believe that gives us a reasonable opportunity for success.</p> <p>While the grant process itself is not a cumbersome as it is only about 24 pages, some of the assurances required are what is cumbersome. Some of them will require work by the County Comptroller's office. They are the biggest hurdle for this cooperative agreement. Dr. Iser, administration, and our FCOs have vetted this opportunity, and we hope you will support it.</p> <p>The initial \$1.5 Million of funding would be used to focus on comprehensive public education and communication programs to address the tobacco regulations and public health goals for the targeted populations of young adults, 20 year olds and teens, as well as adults with children. The application is due Wednesday May 9<sup>th</sup>. Notice of award will be sent out in September 2012. Both Dr. Iser and I would be happy to answer any of your questions regarding this funding opportunity.</p> <p>Commissioner Jung stated that the recent data indicating a strong uptick in teenage smoking is alarming. The teenagers are the ones that really have the risk today. Smoking among high school students is not necessarily considered gross or uncool in their peer group, and Washoe County has some of the worst rates of underage smoking.</p> <p>Dr. Furman agrees that he's sees more and more the need to focus policy on teenage smoking. However, this grant is being pushed through by the FDA. They are asking for more of the money and that's what we need to watch. Dr. Furman is concerned about what they will expect of the District. Ms. Brown stated that we have already done a significant amount of the due diligence. She further stated that one thing that might help us is that at the moment we receive such a small amount of money even though our smoking rate is at about 19%, that that may influence our positioning.</p> <p>Dr. Furman asked what happens if the funding goes away. Ms. Brown stated that we have begun to plan for that contingency. We now have the ability to hire intermittent health educators that could work on the project and these are employees are not permanent and work only as funding is available.</p> <p>Councilwoman Ratti stated that she believes there is no perfect funding source. The Health District is one of the few organizations in our area who are prepared to even apply for a grant such as this. She would suggest we move forward and deal with any future issues as they come.</p> <p>Commissioner Jung moved, seconded by Councilwoman Ratti, to approve the application for the Chronic Disease Prevention funding opportunity for the FDA's TRACE program as submitted.</p>	<p><b>MOTION CARRIED:</b> Chronic Disease Prevention Funding opportunity application for the FDA's TRACE program is approved as submitted.</p>

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14.	<p><b>Presentation and possible approval of an addition to the policy for approval of Divisional Policies and Protocols</b></p>	<p>Ms. Mary-Ann Brown, Director, Community and Clinical Health Services, presents the request for approval of an addition to the policy for approval of divisional policies and protocols.</p> <p>Staff requests that the Board delegate to the District Health Officer the ability to approve protocols and policies for programs. We operate clinics and clinical programs that have clinical protocols and policies that are required to have government approval. We recently had a Family Planning audit. They want to know that our policy manuals have had appropriate governmental review. We do have them reviewed by Legal and Risk Management, but Dr. Iser is well versed and completely capable of reviewing the clinical and administrative components of these policy manuals.</p> <p>Dr. Hess questioned whether they are reviewed at all right now? Ms. Brown confirmed that it had not been the practice. But coming from a clinical background, she found that curious, and as oversight had gotten tighter and tighter, she just believes it to be good practice. Dr. Iser has begun to review a few, and we have medical directors reviewing them, but it is a good administrative tool to recognize the foundation of documents that run your programs and clinics.</p> <p>Chairman Smith questioned what would happen if we did not have someone as well versed as Dr. Iser as a DHO. Ms. Brown stated that she believes it would be unlikely that anyone the Board would hire as the DHO would not have the expertise to review the policies from a clinical and administrative perspective. However, the Board could always change the policy if it so desires.</p> <p>Councilwoman Ratti stated that she believes the governing board should govern, and that staff should manage, operate, and implement policies and protocols. Councilwoman Ratti moved, seconded by Commissioner Jung, that the District Health Officer be given the authority to review and approve all divisional policies and protocols.</p>	<p><b><u>MOTION CARRIED:</u></b> District Health Officer is granted authority to review and approve all divisional policies and protocols as submitted.</p>
15.	<p><b>Waste Storage Regulation, Section 040 – Animal Proof Containers</b></p>	<p>Bob Sack, Director, Environmental Health Services, stated that this item was placed on the agenda at Commissioner Jung's request. We have no presentation, but we would be happy to respond to any questions or concerns the Board may have.</p> <p>Ms. Jung had requested this be agendized because of a complaint about garbage/bear issues in the Mount Rose Estates area. She would like to be proactive rather than waiting for a negative bear/human encounter.</p>	



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		<p>Councilwoman Ratti thanked the team for bringing the presentation to help the Board understand the process. It is very helpful to have these type presentations on different subjects for the Board to help us understand how it all works since we are not in the field, and we don't do this every day. Ms. Ratti appreciated staff's effort to bring this information to the Board.</p> <p>Dr. Iser stated that it is the Health District's intention to make sure the Board understands the process, because during last month's meeting, one member had stated that the process did not seem fair. Both of the entities who spoke during the public comment portion of the agenda returned to the process and had their fines upheld and they have chosen not to appeal to this Board.</p> <p>Mr. Dick stated that the Board actually accepted First Centennial's settlement agreement in today's Consent Agenda, so both pieces worked. First Centennial came in for their settlement conference, and Fisher Sand and Gravel appealed to the Air Pollution Control Board, and that matter will come before you next month for approval.</p>	
17.	<p><b>Presentation and possible approval of Annual Oxygenated Fuels Program Report</b></p>	<p>Daniel Inouye, Air Quality Supervisor, Air Quality Management Division, presented the Oxygenated Fuels Program report and stated that the Board's packet did not include the staff report. The staff report included a recommendation to accept this annual report as required by regulations and also requested possible direction to staff to eliminate the program. The recommended elimination of this program is detailed in the Alternatives section of the OxyFuel Report.</p> <p>The current oxygenated fuel (oxy-fuel) program in Washoe County was established in 1989 and requires a minimum of 2.7 percent oxygen content in gasoline from October to January. Before the oxy-fuel program was implemented, wintertime CO levels in the Truckee Meadows frequently exceeded the federal standard. The last exceedance of the CO standard occurred in 1991.</p> <p>Local control strategies such as oxy-fuels and woodstove regulations were the primary reason for these improvements. EPA has also implemented strategies at the national level such as tailpipe emission standards for new cars and trucks. Today's vehicles are much cleaner than those built in the 1960's, 70's, and 80's. The incremental benefits of the oxy-fuel program have been diminishing as fleet turnover leads to a newer and less polluting vehicle fleet mix.</p> <p>The result of these control strategies is reflected in very low wintertime CO levels. During the 2011-12 season, the highest monitored CO concentrations were approximately 2/3 below the federal standards.</p>	

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	<p><b>Board Comments</b></p>	<p>As an alternative to the existing program, the DBOH may direct Staff to proceed with eliminating the program. Because the oxy-fuel program is an element of the CO State Implementation Plan (SIP), any modification will require DBOH adoption and EPA approval. The program would become a contingency measure in the SIP and be reconsidered should the Truckee Meadows violate the CO NAAQS.</p> <p>If directed to eliminate the program, Staff will work in coordination with EPA as well as the local Metropolitan Planning Organization (MPO). The local MPO is the Regional Transportation Commission of Washoe County (RTC).</p> <p>Staff feels that issues related to eliminating the oxy-fuel program can be addressed.</p> <p>Staff recommends that the DBOH direct AQM Staff to proceed with: 1) Eliminating the oxy-fuel regulation (040.095) from the DBOH Regulations Governing Air Quality Management; and 2) removing the oxy-fuel program from the CO SIP.</p> <p>Dr. Hess stated that his understanding is that the addition of ethanol is the primary thing that allows the fuel to meet these standards. He stated that he was curious what would happen if the ethanol is pulled out of our gas, how will we be sure that five or ten years from now we are still not having a problem.</p> <p>Mr. Inouye reassured Dr. Hess that our air quality monitoring will continue, and that prior to making this recommendation, the AQMD has run scenarios using models that the EPA has provided to us where we take the Oxy-Fuel program out totally, so we assumed a zero percent oxygen content, and those emissions were to a point where it did not appear to affect the ambient concentrations.</p> <p>Mr. Inouye stated that Air Quality would always continue to monitor for carbon monoxide. The proposal to eliminate the Oxy-Fuel Program is just to eliminate the program, not the monitoring. Monitoring for carbon monoxide will continue.</p> <p>Mr. Dick reported that last year AQM presented the Oxy-Fuel report to the DBOH, and Dan Gustin noted that Reno-Sparks was one of very few metropolitan areas that still had an Oxy-Fuel program in place. We told Mr. Gustin that we would evaluate the program and come back to the DBOH this year with more information and a recommendation of what we should do.</p> <p>Mr. Dick stated that our air quality is so far below the national ambient air quality standards for CO that when we run models for what sort of impact we get for the Oxy-Fuel program, the model compares the oxygen in the fuel, the ethanol during the winter months to a baseline with no oxygen in the fuel. There is only about a</p>	

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		<p>4% difference in the area wide emissions of CO that we have. The bigger impact that we have seen from the Oxy-Fuel Program is the evolution of the technology of the internal combustion engine used in automobiles today. In the older engines, we got a greater benefit from the oxygen content, but now we are not seeing very much benefit. The program is basically a requirement for baseline levels of oxygen during the winter months that that would remove, and it would relieve us from running around and collecting all the samples of the gas to verify that content is in it. It wouldn't affect how much ethanol people are putting in fuels because that is driven by the energy policy that we have. If the subsidies go away, the ethanol quantity would decline, but we don't anticipate any problems with CO even if it goes to zero. This is purely on the fuel side. If we do eliminate the program, we will keep it as a contingency program in case we ever have issues in the future. This would have nothing to do with monitoring air quality. We will always monitor air quality.</p> <p>Councilwoman Ratti asked for clarification is there is a staff recommendation to eliminate the program, and Mr. Inouye confirmed that staff is recommending Board direction for elimination of the program. Councilwoman Ratti stated that it sounds to her as though it has become busy work because technology has advanced to the point where the program is not necessary. And since we don't have the budget for busy work, and staff could be directed to more useful tasks, she is all for it.</p> <p>Ms. Admirand advised staff and the Board that the request by staff is beyond the scope of the agenda item as written. The Board may act on the report, but no action may be taken on elimination of the program at this time.</p> <p>Councilwoman Ratti moved, seconded by Dr. Hess, to accept the Oxygenated Fuels Program Report, as presented.</p>	<p><b><u>MOTION CARRIED:</u></b> The Oxygenated Fuels Program Report is accepted as presented.</p> <p><b><u>ACTION ITEM:</u></b> Staff will bring a recommendation to eliminate the program to next month's board meeting on the consent agenda.</p>
18.	<p><b>Staff Reports and Program Updates</b></p> <p>A. <u>Director – Epidemiology and Public Health Preparedness</u></p>	<p>Dr. Randall Todd, Director, Epidemiology and Public Health Preparedness, presented his monthly Division Director's Report, a copy of which was placed on file for the record.</p> <p>Dr. Todd apologized for his informal attire. He stated that he just left an exercise with Renown Hospital where we set up and deployed our mobile medical facility. It was a good exercise. All of the television stations were present and there should be some good coverage on TV.</p> <p>As mentioned last month, we have not yet seen the last of Coxsackievirus A6. We have since last month now had additional outbreaks in five daycare facilities. These were daycares that did not get our written recommendations on how to control this outbreak. We have been busy trying to remedy that situation and fill the</p>	




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	<p><b>Board Comments</b></p>	<p>gaps in the communication. The five outbreaks total about 52 additional cases. The attack rate in these five additional daycare facilities has been about 8%. It is a lesser outbreak than what we saw in the initial facility. The control measures seem to be working.</p> <p>One of the characteristics of this particular virus is that a month or so after the disease you can see some fingernail shedding. The nail sheds from the base outwards. We have now had three reports of nail shedding. Further confirmation that it is indeed CXA6.</p> <p>We are starting to get reports of novel strains of influenza that typically circulate in animal populations, primarily swine. They do occasionally jump the species barrier. Usually, they don't sustain transmission from person to person, but we do take note when some of those human cases happen close to us. The closest one I've read about is in Utah. Formal influenza reporting to the DBOH runs through the 20<sup>th</sup> week of the year. Typically, the results of surveillance become boring after that, so we don't report it to you, unless it becomes interesting again.</p> <p>Councilwoman Ratti asked if there was a more aggressive flu going through the community. Many of her team at work was taken out for an extended period of time. Dr. Todd confirmed that a significant amount of illness went through the community, but it was not flu. Surveillance did not report it as flu. It was one of our milder flu seasons, but other viruses were making people sick.</p> <p>Dr. Iser confirmed that all the influenza reporting has been boring all year, and we like that.</p> <p>Dr. Furman questioned the California mad cow reporting. Dr. Todd stated he had heard a report on CNN. It is an interesting case because we think of cows that have been fed animal products in their feed. It appears from what I am reading and hearing not to be the case here. This is reported as an atypical bovine amyloidotic spongiform encephalopathy, not unlike the classic form of Creutzfeldt-Jakob disease in humans which arises about once in every million people or so. There is still a question mark whether that is transmissible. We don't know very much about these atypical bovine amyloidotic spongiform encephalopathies.</p>	
	<p>B. <u>Director – Community and Clinical Health Preparedness</u></p>	<p>Ms. Mary-Ann Brown, Director, Community and Clinical Health Preparedness, presented her monthly Division Director's Report, a copy of which was placed on file for the record.</p> <p>We have a widening TB contact investigation ongoing and have had to call in some additional resources. Staff will give a full report of what that investigation reveals next month when we have a better sense of the scope of the investigation.</p>	

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		<p>Out of a100 or 110 proposals for the NNPHI QI Award, we were selected. It is a small cash award (\$5,000), but there will be lots and lots of technical assistance to work on a particular QI project which was identified to help develop what we would do for search capacity in our Sexual Health and STD programs if we were to have a significant outbreak. It's a win/win for the Health District. We receive technical assistance, and it helps us meet a deliverable for our sexual health programs for us to identify a plan if we were to have an outbreak larger than what we currently have capacity for. We were assigned an expert as a QI Couch from Washington.</p>	
	<p>C. <u>Director – Environmental Health Services</u></p>	<p>Mr. Robert Sack, Director, Environmental Health Services, presented his monthly Division Director's Report, a copy of which was placed on file for the record.</p> <p>Our pool reservation online system is working well. The spring like weather is prompting lots of calls and the system is working really well.</p> <p>Councilwoman Ratti commented on the growing problem of dog manure in parks in Mr. Sack's report. Mr. Sack stated that the division is highlighting that they are a part of the discussion. Dr. Iser stated that the article included in Mr. Sack's report is very interesting. Toxoplasma gondii, which is found in cat feces, is a significant human problem, especially for pregnant woman. You may have heard of all the sea otters dying off the coast of California. It is likely due to the same parasite or the litter box being thrown out and ending up in the ocean and infecting the otters.</p>	
	<p>D. <u>Director – Air Quality Management</u></p>	<p>Mr. Kevin Dick, Director, Air Quality Management, presented his monthly Division Director's Report, a copy of which was placed on file for the record.</p> <p>Mr. Dick updated the Board regarding news reports about Washoe County receiving a "D" grade for air quality from the American Lung Association (ALA). Mr. Dick stated that he ALA are very tough graders. We received the "D" grade because for particulates and ozone. The ALA looked at air quality data which AQMD reported to the EPA during the period 2008, 2009, and 2010. At that time, our air was being impacted by wild fires in California. The data set also contained the exceedances that we had for PM 2.5 that were during the winter of 2009 and 2010 (In December of 2009, we experienced record breaking snow levels and inversions, and other extraordinary events in January). We had less than three days each year that we exceed "Unhealthy for Sensitive Groups." On each of those occasions, we informed the public what to do to for protection.</p> <p>The RGJ will be running a front page article tomorrow morning. We are trying to make lemonade out of lemons in promoting Air Quality Awareness Week next week, so press releases will be in the paper. Fortunately, Channel 8 did a good job</p>	

TIME / ITEM	SUBJECT / AGENDA	DISCUSSION	ACTION
		<p>of getting the information out there and letting people know that the "D" may not really represent the true air quality of our region.</p> <p>We included in our report that we received the EPA grant funding for electric vehicles, and earlier this week, we took possession of a Nissan Leaf. We will arrange for any of you to drive that around after a Board meeting if you haven't been in a Nissan Leaf before.</p>	
	<p>E. <u>Administrative Health Services Officer</u></p>	<p>The Administrative Health Services Officer's Reports were delivered in Agenda Item Nos. 11 and 12.</p>	
	<p>F. <u>District Health Officer</u></p>	<p>Dr. Joseph Iser, District Health Officer, presented his monthly District Health Officer Report, a copy of which was placed on file for the record.</p> <p>Dr. Iser reported that the TriData report that the County commissioned with that firm is not yet back, but it is supposed to be coming out soon. REMSA confirmed that also.</p> <p>Councilwoman Ratti questioned Dr. Iser about what the process will be when it is final. Dr. Iser reported that he believes Dr. Cohen will present his findings to the BCC. Dr. Iser will attend the presentation and would then present those findings to the DBOH. He does not believe that Dr. Cohen will present directly to the DBOH since he does not live in Nevada. Councilwoman Ratti requested that the DBOH members be notified when Dr. Cohen will make his presentation to the BCC so they may watch remotely or attend if schedules permit.</p> <p>Dr. Iser stated that he has begun a discussion with a not-for-profit organization that has a program called "NeedyMeds," which provides discount drug cards for free. The card can be used to get discounts on pharmaceuticals or over the counter drugs if they have a prescription written for the drug. The discount would vary from drug to drug and whether generic or non-generic. NeedyMeds stated that they could provide the Health District with about \$20,000 in funding for personnel and \$10,000 for incidentals, if we decide to adopt this program, which would allow us to promote this service at the other local health care facilities. NeedyMeds has contracts with national pharmacies, so coverage should be good. Dr. Iser will update the DBOH periodically as this possibility evolves.</p> <p>We included a copy of the published report on CXA6 in the MMWR. This augments the information presented at last month's DBOH meeting. Dr. Chen, who works for Dr. Todd, is writing another article that is more inclusive of our cases, but does refer to the other cases, for submission to other medical journals.</p>	<p><b><u>ACTION ITEM:</u></b> Notify DBOH members when TriData report is presented to the BCC.</p>

TIME / ITEM	SUBJECT / AGENDA	DISCUSSION	ACTION
		<p>Dr. Iser directed the Board to the Boardroom screen to view two websites. The first is the County Health Rankings and Roadmaps site, which first came out a few years ago.</p> <p><a href="http://www.countyhealthrankings.org/#app/nevada/2012/rankings/outcomes/1">http://www.countyhealthrankings.org/#app/nevada/2012/rankings/outcomes/1</a></p> <p>and <a href="http://www.healthylivingmap.com/zipmap.php">http://www.healthylivingmap.com/zipmap.php</a></p> <p>Both websites are interactive. The County Health Rankings and Roadmaps site reflects data about Washoe County and the State of Nevada. As the Board is aware, we have been working on our Health Assessment, and it will be out soon. St. Mary's also prepares a Community Health Assessment every three years, and Staff is working with them on their Community Health Assessment for this year. St. Mary's has contracted with Dr. Packham from the UNR School of Medicine and Dr. Wei Yang from the UNR School of Community Health Services. The second website, <a href="http://www.healthylivingmap.com">www.healthylivingmap.com</a>, is the kind of model that they would like to develop for Washoe County.</p> <p>This website depicts the Sacramento area. If you move your cursor over the map, different data will pop up. We wanted you to see the model they are going to try to develop for our community if they have the funds. We would then have more community level data to access.</p> <p>Dr. Iser stated that in his discussions with St. Mary's representatives, they have made it clear that even in light of the pending sale, they will complete this year's Community Health Assessment, and that the foundation will complete the task in future years on a three year rotation.</p> <p>Dr. Iser has been trying to contact Renown also since, as a non-profit, they are required to complete a health assessment. He is hopeful that they will contribute dollars to the project. And hopefully we could then develop a website such as this.</p> <p>In the future, we would hope to contract and work with the both entities to complete the Health District Health Assessment every three years. This will also enable the Health District to meet this criteria for accreditation.</p>	
19.	<b>Board Comment</b>	No Board comment was presented.	
20.	<b>Public Comment</b>	No public comment was presented.	

TIME / ITEM	SUBJECT / AGENDA	DISCUSSION	ACTION
21.	<b>Motion to Adjourn</b>	<p>There being no further business to come before the Board, the meeting was adjourned.</p> <p>Dr. Hess moved, seconded by Councilwoman Ratti, that the meeting be adjourned.</p>	<p><b><u>MOTION CARRIED:</u></b>  The meeting was adjourned at 3:15 p.m.</p>



JOSEPH P. ISER, MD, DrPH, MSc  
DISTRICT HEALTH OFFICER



PEGGY F. O'NEILL  
RECORDING SECRETARY



# WASHOE COUNTY HEALTH DISTRICT

## AIR QUALITY MANAGEMENT DIVISION



**Public Health**  
Prevent. Promote. Protect.

DATE: May 24, 2012

TO: District Board of Health

FROM: Kevin Dick, Director, Air Quality Management

SUBJECT: Lennar Reno LLC – Case No. 1079  
Unappealed Citation No. 5151  
Agenda Item: 7.A.1.a.

### **Recommendation**

Air Quality Management Division Staff recommends that Citation No. 5151 be upheld and a fine of \$2,500 be levied against Lennar Reno LLC, for operations contrary to the conditions of the dust control permit resulting in visible fugitive dust emissions. This dust control permit encompasses 352 acres of denuded property on the project known as Pioneer Meadows Villages 5, 6, and 7 and Pond. The Citation was issued for a violation of Section 030.2175 of the District Board of Health Regulations Governing Air Quality Management. This is a negotiated settlement.

Recommended Fine: \$10,000

Negotiated Fine: \$2,500

### **Background**

On Sunday, March 31, 2012, AQ Specialist Michael Osborn received a call from Comstock Answering Service referencing a complaint for fugitive dust blowing and inundating the skies, roadways and the entire neighborhood in Wingfield Springs. When he arrived, AQ Specialist Osborn met with two individuals. One individual was identified as the complainant, Dennis Wagner, and the other individual was videotaping the fugitive dust. AQ Specialist Osborn immediately began documenting with photographs the fact that there were huge fugitive dust clouds being generated from the denuded parcel of land. AQ Specialist Osborn noted that there were two water trucks on site attempting to gain control of the fugitive dust with no positive results. AQ Specialist Osborn had been working on numerous other complaints in this same area for the past month. AQ Specialist Osborn contacted Mr. Tim Scheideman, Operations Manager of Lennar Reno LLC, to make him aware of the ongoing dust problems in the Pioneer Meadows area. It was stated to Mr. Scheideman by AQ Specialist Osborn, that the Pioneer Meadows site had been monitored for the past five days and that the area was noted with severe dust problems and no water trucks running on any of those five days.

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May 24, 2012  
DBOH/Lennar Reno LLC/Case 1079  
Page 2

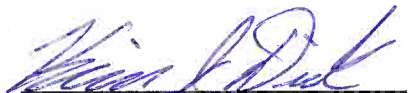
At that time AQ Specialist Osborn advised Mr. Scheideman that a Notice of Violation Citation would be issued for operations contrary to the conditions of the dust control permit resulting in visible fugitive dust emissions.

On May 24, 2012, AQ Specialist Michael Osborn and Branch Chief Charlene Albee met with Mr. Tim Scheideman, Operations Manager for Lennar Reno LLC, for a negotiated meeting. After consideration of all the facts of this case, Mr. Scheideman agreed to a fine of \$2,500. Branch Chief Albee explained that in addition to the fine, Lennar Reno LLC would be responsible for completing the application of the dust palliative according to the schedule provided during the settlement meeting. Mr. Scheideman agreed to this condition. A Memorandum of Understanding was signed by all parties.

### **Alternatives**

1. The District Board of Health may determine that no violation of the Regulations has taken place and dismiss Citation No. 5151.
2. The Board may determine to uphold Citation No. 5151 but levy any fine in the range of \$0 to \$10,000 per day.

In the event the Board determines to uphold the violation and increase the penalty, the matter should be continued so that Lennar Reno LLC may be properly noticed.



Kevin Dick  
Division Director  
Air Quality Management

KD/DC: ma

CMA17-0051



WASHOE COUNTY DISTRICT HEALTH DEPARTMENT  
AIR QUALITY MANAGEMENT DIVISION  
401 RYLAND STREET, SUITE 331 • P.O. BOX 11130 • RENO, NV 89520  
(775) 784-7200



**NOTICE OF VIOLATION**

NOV 5151

DATE ISSUED: March 31, 2012

ISSUED TO: Lemmas Reno LLC PHONE #: 775-789-3233

MAILING ADDRESS: 10345 Professional Circle Suite 100 CITY/ST: Reno NV ZIP: 89521

NAME/OPERATOR: Tim Scheideman PHONE #: 775-745-0049

DRIVER LICENSE #/SSN N/A

YOU ARE HEREBY OFFICIALLY NOTIFIED THAT ON 03/31/2012 (DATE) AT 1430 P.M. (TIME), YOU ARE IN VIOLATION OF THE FOLLOWING SECTION(S) OF THE WASHOE COUNTY DISTRICT BOARD OF HEALTH REGULATIONS GOVERNING AIR QUALITY MANAGEMENT:

- |  |  |
|--|--|
| <input type="checkbox"/> MINOR VIOLATION OF SECTION: | <input checked="" type="checkbox"/> MAJOR VIOLATION OF SECTION:            |
| <input type="checkbox"/> 040.030 DUST CONTROL        | <input type="checkbox"/> 030.000 OPERATING W/O PERMIT                      |
| <input type="checkbox"/> 040.055 ODOR/NUISANCE       | <input checked="" type="checkbox"/> 030.2175 VIOLATION OF PERMIT CONDITION |
| <input type="checkbox"/> 040.200 DIESEL IDLING       | <input type="checkbox"/> 030.105 ASBESTOS/NESHAP                           |
| <input type="checkbox"/> OTHER _____                 | <input type="checkbox"/> OTHER _____                                       |

VIOLATION DESCRIPTION: Two water trucks operating on 350+ Acre  
areas in violation of Dust Control Plan D10020 requir-  
ing more - Totally inadequate for acreage and soil condition

LOCATION OF VIOLATION: All areas included in DCP # D10020; 350+ Acres

POINT OF OBSERVATION: Winnfield Hills Drive and Rolling Meadows Dr.

Weather: Cool, Dry with 18 MPH Winds at 11:19 AM Wind Direction From: N E S W

Emissions Observed: Fugitive Dust See Attached Photos  
(If Visual Emissions Performed - See attached Plume Evaluation Record)

**WARNING ONLY:** Effective \_\_\_\_\_ a.m./p.m. \_\_\_\_\_ (date) you are hereby ordered to abate the above violation within \_\_\_\_\_ hours/days. I hereby acknowledge receipt of this warning on the date indicated.

Signature \_\_\_\_\_

**CITATION:** You are hereby notified that effective on \_\_\_\_\_ (date) you are in violation of the section(s) cited above. You are hereby ordered to abate the above violation within \_\_\_\_\_ hours/days. You are further advised that within ten days of the date of this violation you may submit a written notice of appeal to the Chairman, Hearing Board, P.O. Box 11130, Reno, Nevada 89520. Failure to submit a notice of appeal in the time specified will result in submission of this violation to the District Board of Health, together with a request that an administrative fine be levied against you. If you do not wish to file an appeal the appropriate fine may be paid at the District Health Department.

**SIGNING THIS FORM IS NOT AN ADMISSION OF GUILT**

Signature: [Signature] Date: 4/12/2012

Issued by: [Signature] Title: ASST

WASHOE DOES NOT DISCRIMINATE ON THE BASIS OF SEX, RACE, COLOR, AGE, RELIGION, DISABILITY OR NATIONAL ORIGIN IN THE ACTIVITIES AND OR SERVICES WHICH IT PROVIDES. IF YOU HAVE ANY QUESTIONS, PLEASE CALL WASHOE COUNTY HUMAN RESOURCES - 328-2080; TDD NUMBER 328-3885.

Appeal presented to Mr. Scheideman 4/11/12





**DISTRICT HEALTH DEPARTMENT  
AIR QUALITY MANAGEMENT DIVISION**

**MEMORANDUM OF UNDERSTANDING**

**WASHOE COUNTY HEALTH DISTRICT  
AIR QUALITY MANAGEMENT DIVISION**

Date: April 12, 2012

Company Name: Lanner Reno, LLC

Address: 10345 Professional Circle, Reno, NV 89521

Notice of Violation No.: 5151 Case No.: 1079

The staff of the Air Quality Management Division of the Washoe County District Health Department issued the above referenced citation for the violation of Regulation: 030.2175 Violation of PERMIT TO OPERATE # D10020.

A settlement of this matter has been negotiated between the undersigned parties resulting in a penalty amount of \$ \$2500.00 \*. This settlement will be submitted to the District Board of Health for review at the regularly scheduled meeting on MAY 24, 2012.

*\* IN ADDITION TO THE COMPLETION OF THE DUST PALLIATIVE AS SCHEDULED*

[Signature]  
Signature of Company Representative

[Signature]  
Signature of District Representative

DUSTIN BARBER  
Print Name

MICHAEL R. OSBORN  
Print Name

DIVISION PRESIDENT  
Title

AGS II  
Title

JIM SCWEIDEMAN  
Witness

Charlene Albee  
Witness

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Witness

AIR QUALITY - DUST CONTROL PERMIT NO. D10020

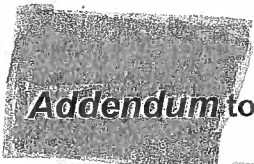


# WASHOE COUNTY HEALTH DISTRICT

## AIR QUALITY MANAGEMENT DIVISION



**Public Health**  
Prevent. Promote. Protect.



**Addendum to Dust Control Permit #: D10020**

**Name of Development:** Pioneer Meadows Villages 5, 6, 7 and Pond  
**122+** (230 additional disturbed acreage)

**Specific Location:** 6100 Rolling Meadows Dr (Wingfield Hills Dr & Rolling Meadows Dr)

**Property Holder:** Lennar Reno LLC **Expiration Date:** 6-13-2012

total of (6) SIX

The following requirements are special conditions of approval for this dust control permit in addition to the standard conditions noted in the permit application. The special conditions noted below must be followed in all activities covered in this permit.

1. **Four (4) additional water trucks** will be assigned and available for operation 24 HOURS A DAY, 7 DAYS A WEEK for the purpose of water application for control of fugitive dust. If **four (4) additional water trucks** cannot control fugitive dust emissions from equipment operations and/or gusty wind conditions, the applicant shall immediately provide additional water trucks. CESSATION OF OPERATIONS IS REQUIRED IF DUST CANNOT BE CONTROLLED DUE TO EQUIPMENT OPERATIONS AND/OR GUSTY WIND CONDITIONS. IF CESSATION OF OPERATIONS IS USED AS A DUST CONTROL MEASURE, CONTINUED WATERING OF THE PROJECT IS REQUIRED.
2. Dust emissions generated on any entrance or exit haul roads due to equipment operations or gusty wind conditions must be controlled 24 hours a day, 7 days a week, by the use of water application or an environmentally safe dust palliative (District Regulation 040.030, Section C. 2. a. and b.) Any palliative used must comply with state and local regulations and not provide a noxious odor or contaminate ground water.
3. All projects importing or exporting dirt, rock or other fill materials must comply with the work practice standards in District Regulation 040.030, Section C. 4., including load tarping, watering or Freeboard. Any soil tracked onto adjoining paved roadways will be promptly removed by wet broom or washing. Regular vacuum or wet sweeping will be performed at least daily, and more often if necessary or if ordered by the Control Officer due to a violation. Any materials tracked out or spilled which cause visible fugitive dust for a period of five (5) minutes in any hour period shall be cleaned up immediately.
4. Any soil or fill storage piles operated or maintained as a part of this construction lot will be covered or wetted down sufficiently to prevent wind blown dust. Dust emissions from screening operations will be controlled by the use of a water truck or other control measure that prevents fugitive dust.

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**Addendum to Dust Control Permit # D10020**  
**Pioneer Meadows Villages 5, 6, 7 and Pond** \* 6100 Rolling Meadows Dr  
(Wingfield Hills Dr & Rolling Meadows Dr)

5. The applicant shall implement additional dust control measures, such as extra water trucks, water cannons, re-vegetation, environmentally safe dust palliatives (which comply with all applicable regulations and do not emit a noxious odor and do not contaminate ground water), wind fencing, and/or cessation of operations should these measures fail to control fugitive dust emissions from this project.
6. Once final grade has been completed, and if no structures are being constructed, the owner/developer shall be required to establish a long-term stable surface. This shall include re-vegetation or covering the disturbed soil with rock or crushed asphalt products within 30 days of completion of final grade. The use of an approved palliative is an option, but must be approved by the Air Quality Management Division (AQMD) prior to application.
7. The applicant shall provide a Material Safety Data Sheet (MSDS) and dilution ratio to AQMD staff for any dust palliative selected for use as a dust control measure at this site.
8. A copy of this dust control permit shall be maintained at the construction project site and available to any sub-contractor or Air Quality Management Division inspector to review upon request.
9. ANY CHANGES MADE TO THE PROPOSED OPERATIONS, SCOPE OF WORK OR SURFACE DISTURBANCES UNDER THIS DUST CONTROL PERMIT shall be submitted to the Washoe County Health District, AQMD in writing and must receive approval from the Control Officer prior to implementation.
10. The owner or the general contractor shall erect an informational sign at the main entrance to the project site. The sign shall be a minimum of 4 ft by 4 ft in size, and shall be in place prior to initiation of disturbance of the ground surface. The sign lettering shall be at least 4 inches high and shall be bold and easily readable by the public. The sign shall remain in place for the life of the project. The sign shall include the following information, also see attached example:
  - a) The name of the project.
  - b) A statement identifying the General Contractor.
  - c) A statement proclaiming that "All operators at this site are required to control dust emissions from their operations. The General Contractor is required to oversee and control project wide dust emissions."
  - d) A statement proclaiming that "For dust related problems coming from this site, or to make a dust complaint, call this phone number 24 hours per day, seven days per week: (775) 784-7200. A 24-hour phone number for both the Contractor/Developer and the Air Quality Management Division shall also be posted. The 24-hour phone number for complaints to the Air Quality Management Division is (775) 784-7200.

**Addendum to Dust Control Permit # D10020**  
**Pioneer Meadows Villages 5, 6, 7 and Pond \* 6100 Rolling Meadows Dr**  
(Wingfield Hills Dr & Rolling Meadows Dr)

11. A log book of all dust control operations, containing all information as required by the Control Officer in the standard "**WASHOE COUNTY DUST CONTROL LOG**" must be maintained on a daily basis (copies of blank log sheets are available at the Air Quality Management Division Office). Required information includes, but is not limited to, the number of **OPERATING** water trucks/pulls, the size of **OPERATING** water trucks/pulls (gallons capacity of each truck/pull), and the condition of the surface crust on disturbed areas. The operator shall record in the logbook all dust control efforts and the compliance level of the site with dust control requirements. The logbook shall be kept at the project site and made available to District representatives upon request.
12. Visible dust may not be emitted into the air from any operations or disturbed areas of this project for more than 5 minutes in any hour period (Regulation 040.030, Section C. 1). All disturbed areas must maintain a visible surface crust or other cover in compliance with Regulation 040.030, Section C.2.c. Compliance shall be determined using US Environmental Protection Agency Reference Method 22, with an observation period of not less than 5 minutes in any hour period. Copies of District Regulations, enforcement policies and USEPA Reference Testing Methods may be obtained by contacting the Air Quality Management Division at (775) 784-7200.
13. Failure to comply with all of the requirements of this Dust Control Permit shall be considered a citable violation of District Regulations and this dust control permit. Citations may be issued for each day of violation, in amounts up to \$10,000 per day as stated in District Regulations.
14. Any use of recycled wastewater from a public or private sewer treatment plant must take into account the protection of public health.

**NOTE:** All operators who clear more than one (1) acre of land also need an NPDES permit addressing water quality issues related to storm run-off from the Nevada Division of Environmental Protection. Contact the Bureau of Water Pollution Control, at (775) 687-9418 for further information.

  
\_\_\_\_\_  
Control Officer

August 22, 2011  
Effective Date

June 13, 2012  
Expiration Date

**THIS IS NOT A GRADING PERMIT. THESE CONDITIONS ADDRESS DUST CONTROL ONCE THE GRADING PERMIT HAS BEEN OBTAINED. IF THE GRADING PERMIT IS DENIED THIS PERMIT IS VOID.**

AUG 10 2011

DUST CONTROL PERMIT APPLICATION

WASHOE COUNTY HEALTH DIST.

AIR QUALITY MANAGEMENT DIVISION

PO Box 11130, Reno NV 89520-0027 \* (775) 784-7200 \* Fax (775) 784-7225

FEE as of July 1, 2011: \$108.00 per acre (Less than .5 acres round down; .5 and greater round up)

THE "APPLICANT" IS RESPONSIBLE FOR ALL DUST CONTROL 24 HOURS A DAY, SEVEN DAYS A WEEK, INCLUDING WEEKENDS AND HOLIDAYS, FROM COMMENCEMENT OF PROJECT TO COMPLETION.

The Applicant must be the Property Owner/Developer, and signed by the Applicant or his Attorney in Fact. Fill in the application completely or it will be returned for completion.

To be filled in by AQ Staff	
Permit No.:	D11020
Area:	
Water Truck(s):	4
Hydro Basin:	Yes / No

Addendum

- Name of Development: PIONEER MEADOWS VILLAGES 5, 6, 7 AND POND
- Development Address: 6000 ROLLING MEADOWS DRIVE SPARKS NV
- Size of Project (disturbed acres): 230
- Type of Project (choose one):  
 Residential - Single Family  Residential - Multi Family \_\_\_\_\_ Commercial with Residential \_\_\_\_\_  
 Road Construction - New \_\_\_\_\_ Road Construction - Maintenance/Rehabilitation \_\_\_\_\_  
 Commercial / Industrial \_\_\_\_\_ Municipal/Utilities \_\_\_\_\_

6. Addendum to permit number: D10020 7/19/11 emailed scanned copy to Mike

NOTE - - The Dust Control Permit is valid for eighteen (18) months from the project is not complete or has not commenced by the expiration date submit a renewal application to the Air Quality Management Division. Failure in the Permit expiring and could result in a citation.

7. APPLICANT -- Name and current Address of Property Owner/Developer:  
 Owner/Developer: LEXMAR RENO, LLC Contact: TIM SCHEIDTMAN  
 Address: 10345 PROFESSIONAL CIRCLE, SUITE 100  
 City: RENO State: NV Zip: 89521  
 Phone Number: 789-3233 Email: TIM.SCHEIDTMAN@LEXMAR.COM

8. Name and current Address of Project Engineer/Consultant:  
 Engineer/Consultant: WOOD RODGERS, INC Contact: CARY CHISUM  
 Address: 5440 RENO CORPORATE DRIVE  
 City: RENO State: NV Zip: 89511  
 Phone Number: 823-4063 Email: CCHISUM@WOODRODGERS.COM

9. Name and Address of General Contractor:  
 Contractor: SEE 7 Contact: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

10. Name and Address of Grading/Excavating Contractor:  
 Contractor: ATLAS CONTRACTORS, INC Contact: ARON GRODES  
 Address: 1475 HURON WAY  
 City: SPARKS State: NV Zip: 89431  
 Phone Number: 772-0852 Email: ARONG@ATLASCONTRACTORS.NV.GOV

CHECK \$24840.00 1 0810\*11 N045309 TND

11. Proposed Construction Dates – Per Phase:

\*\*\* provide grading and phasing maps \*\*\*

On-Site Grading/Excavation: Start: 7/18/2011 Complete: 12/31/2011  
Building Construction: Start: N/A Complete: \_\_\_\_\_

PERMIT  
EXPIRES  
6/13/12  
NB

12. Will fill material be required? Yes X yd<sup>3</sup> 1,000,000; No \_\_\_\_\_

13. Will there be an excess of native material as a result of excavation? Yes \_\_\_\_\_ yd<sup>3</sup> \_\_\_\_\_  
No X

14. Amount of Material to be excavated (yd<sup>3</sup>): 1,000,000

15. Is there a soil analysis report available? Yes X No \_\_\_\_\_

16. On-Site soil type: SANDY

17. Method of dust control to be utilized (per phase): (attach a map showing dust control strategy-utilize scale with contours)

Water Truck(s) 2 TRUCK 2 WATER PULLS (number of trucks) OK ✓  
Chemical Sealant \_\_\_\_\_ (type – attach MSDS Sheets)  
Sprinklers/Water Cannons AT Dewatering Basin (locations)  
Compaction 90 (percent)  
Enclosure YES (fences, windbreaks)  
Revegetation ROOT AVAILABLE (type – attach seeding schedule)  
Will temporary irrigation be supplied? Yes \_\_\_\_\_ No X  
Water Source: ON SITE  
Speed Limits 25 MPH Other \_\_\_\_\_

**NOTE - - Permanent stabilization methods such as construction/landscaping, revegetation, chemical sealant/palliative, or other approved method(s) of dust suppression must occur "within 30 days of grading completion". Dust suppression must continue regardless of construction status.**

18. Method to control mud and soil being tracked onto adjacent paved roadways: STABILIZED CONSTRUCTION ENTRANCE

19. Frequency of daily street cleaning: AS NEEDED

20. Describe the methods (fences, barriers, etc.) to prevent unauthorized traffic on the construction site(s):  
BARRICADES & FENCES

21. Persons to be contacted during non-working hours in case of dust problems:

Name & Phone no: ARON GEISEL 772-0852 Email: ARON@ATLASCONTRACTOR.NET  
Name & Phone no: TIM SCHEIDTMAN 745-0049 Email: TIM@SCHEIDTMAN.COM

22. The Applicant's (Owner/Developer) signature or that of his/her Attorney in fact on this application shall constitute agreement by the Applicant to accept responsibility for meeting the "Conditions of Plan" (attached):

[Signature]  
Signature

TIM SCHEIDTMAN  
Print or type name

LEXMAR RENO, LLC  
Company Name

8/10/2011  
Date

OPERATIONS MANAGER  
Title

789-3233  
Phone Number



# WASHOE COUNTY HEALTH DISTRICT

## AIR QUALITY MANAGEMENT DIVISION



**Public Health**  
Prevent. Promote. Protect.

August 22, 2011

Mr. Tim Scheideman  
Operations Manager  
Lennar  
10345 Professional Circle, Suite 100  
Reno, NV 89521

RE: Dust Permit No. D10020

Dear Tim:

This letter is a follow up to my email on August 10<sup>th</sup> regarding the acreage modification to Dust Permit No. D10020.

Specifically, as stated in my email, the additional 230 acres has been added to this permit for Villages 5, 6, 7, and the pond. Permit expiration date for the entire site is June 13, 2012 at which time Lennar must renew that portion that has not been permanently stabilized.

I have attached the revised dust permit for your use and records. Please call me at 784-7205 with any other questions at this time.

Sincerely,

Noel A. Bonderson  
Air Quality Supervisor

M -  
Please produce a  
new permit with the  
additional acreage for  
my signature. Also  
attach the letter -

Tim N.

P.O. BOX 11130 Reno, NV 89520-0027 • (775) 784-7200 • FAX (775) 784-7225

[www.washoecounty.us/health](http://www.washoecounty.us/health)

WASHOE COUNTY IS AN EQUAL OPPORTUNITY EMPLOYER HIRING EMPLOYMENT ELIGIBLE APPLICANTS

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## Bonderson, Noel

---

**From:** Bonderson, Noel  
**Sent:** Wednesday, August 10, 2011 4:36 PM  
**To:** 'Tim.Scheideman@Lennar.com'  
**Subject:** Pioneer Meadows Dust Permit

Hi Tim –

We just received the check for the additional 230 acres in yesterday's mail, and have added the additional acreage to Permit No. D10020. I will modify the permit to indicate the additional acreage and send you a revised copy.

**Please note that Permit No. D10020 expires on June 13, 2012 at which time Lennar must renew that portion that has not been permanently stabilized.**

Call or email with any questions. Thanks!!

Noel

**Ames, Mary**

---

**From:** Bonderson, Noel  
**Sent:** Wednesday, July 20, 2011 9:23 AM  
**To:** Ames, Mary  
**Subject:** FW: Pioneer Meadows Dust Permit

Please review this correspondence. Could we assign the same dust permit to this "expansion" area with the applicable fees??

THX

Noel

---

**From:** Tim.Scheideman@Lennar.com [mailto:Tim.Scheideman@Lennar.com]  
**Sent:** Friday, July 15, 2011 2:23 PM  
**To:** Bonderson, Noel  
**Subject:** RE: Pioneer Meadows Dust Permit

Thank You

**LENNAR**

Tim Scheideman  
Operations Manager - Northern Nevada  
Lennar Reno, LLC

tim.scheideman@lennar.com  
[www.lennar.com](http://www.lennar.com)

Office Phone: 775-789-3233  
Cell Phone: 775-745-0049  
Fax: 775-825-7733

10345 Professional Circle, Suite 100  
Reno, NV 89521

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"Bonderson, Noel" <NBonderson@washoecounty.us>

To <Tim.Scheideman@Lennar.com>

cc

07/15/2011 02:22 PM

Subject RE: Pioneer Meadows Dust Permit

Yeah, that's good. Per our discussion and this email, I give you approval to start the project without the formal plan in place.

We'll talk when you get back.

Noel

07/20/2011

---

**From:** Tim.Scheideman@Lennar.com [mailto:Tim.Scheideman@Lennar.com]  
**Sent:** Friday, July 15, 2011 2:12 PM  
**To:** Bonderson, Noel  
**Subject:** RE: Pioneer Meadows Dust Permit

Noel - Just as a heads up I will be out of town next week so I will not be able to process a check until the week of July 25 which means a check will not arrive until the week of August 8th. I hope that is ok.

## LENNAR

Tim Scheideman  
Operations Manager - Northern Nevada  
Lennar Reno, LLC

tim.scheideman@lennar.com  
[www.lennar.com](http://www.lennar.com)

Office Phone: 775-789-3233  
Cell Phone: 775-745-0049  
Fax: 775-825-7733

10345 Professional Circle, Suite 100  
Reno, NV 89521

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"Bonderson, Noel" <NBonderson@washoecounty.us>

To <Tim.Scheideman@Lennar.com>

cc

07/15/2011 02:10 PM

Subject RE: Pioneer Meadows Dust Permit

Hi Tim –

Let me double check with Tina on Monday to make certain we can credit an existing Dust Permit with the additional fees. There may be an "accounting problem" if I try to assign the additional fees to an existing permit. I will try my best to eliminate another permit...

Will let you know Monday morning.

Noel

**From:** Tim.Scheideman@Lennar.com [<mailto:Tim.Scheideman@Lennar.com>]  
**Sent:** Friday, July 15, 2011 1:50 PM  
**To:** Bonderson, Noel  
**Subject:** Pioneer Meadows Dust Permit

Noel - I just want to confirm that you will prepare an addendum to Permit D10020 for the additional disturbed acreage at the above referenced site. This will eliminate having multiple permits for the same project work area, The additional permit cost is 230 acres x \$108.00/ Acre = \$24,840.00

Thank You

**LENNAR**

Tim Scheideman  
Operations Manager - Northern Nevada  
Lennar Reno, LLC

[tim.scheideman@lennar.com](mailto:tim.scheideman@lennar.com)  
[www.lennar.com](http://www.lennar.com)

Office Phone: 775-789-3233  
Cell Phone: 775-745-0049  
Fax: 775-825-7733

10345 Professional Circle, Suite 100  
Reno, NV 89521

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COMPLAINT INVESTIGATION REPORT  
Washoe County Air Quality Management Division

Complaint Number: **CMP12-0051**

Complaint Status: NOV

Source of Complaint: ANSWERING SERVICE

Complaint Type: GENDUST

Date Received: 03/31/2012

Time: 10:50 a.m.

Inspector: MOSBORN

Inspector Area: 4

Complaint Description: NOV CITATION 5151 / CASE 1079 - DUST OUT OF CONTROL IN SPANISH SPRINGS BEHIND RALEYS WHERE THEY ARE BUILDING THE MARINA.

Address:

Location: Wingfield Hills Drive and Rolling Meadow

Parcel Number:

Related Permit Number: D10020

Complainant:

DENNIS WAGNER

7040 BALDWIN ROAD  
SPARKS NEVADA 89434  
775-336-6400

Responsible Party:

LENNAR RENO LLC  
TIM SCHNEIDEMAN  
10345 PROFESSIONAL CIR STE 100  
RENO, NV 89521  
775-789-3233

Investigation:

BACKGROUND:

Dust Control Plan #D10020, issued to Lennar Homes LLC on August 22, 2011. This dust control plan encompasses 352 acres of denuded property. Area covered are known the Pioneer Meadows Villages 5, 6, 7 and pond with an address pf 6100 Rolling Meadows Drive. Responsible Person for this Dust Control Plan is list as Tim Scheideman of Lennar LLC.

FACTS:

On 03/31/2012 at 10:55 , Specialist Osborn received a call from Comstock Answering Service reference a complaint on the above listed area on dust inundating the neighborhoods, Skys and Highways.

On arrival at the site at approximately 11:08 a.m. Specialist Osborn met with two individuals. One Gentleman was idenitified as the Complainant Mr. Dennis Wagner. Mr. Wagner and this specialist had met on another occasion reference a dust complaint. The other unidentified individual was video taping the dust. It was also learned that his wife had underwent a stem cell transplant recently and was located in one of the homes over on Baldwin Road. Mr. Wagner stated that they were going to

have to move her from the home due to the threat of infection from all the dirt blowing into the home.

Specialist Osborn took photographs of the area and of the huge dust clouds being generated from this denuded parcel of land. Winds speeds were taken on location during this time and it was noted that there were two water trucks attempting to gain control of the dust with no positive results.

Specialist Osborn has been working on-going complaints with this area since March 16, 2012. During one of the first complaints this specialist received on March 16, 2012, there was observed to be three Atlas water trucks parked on site but not watering. Specialist Osborn then began monitoring the site on a daily basis until March 20, 2012 when This Specialist again observed dust being generated from the properties. No complaints to date. Specialist Osborn contacted Tim Scheideman of Lennar LLC, left a voice mail and Mr. Scheideman returned the call on the 21st of March, 2012. Mr. Scheideman was advised of the dust problems and situation at this site. I further explained to Mr. Scheideman that I had been monitoring the site for five days straight and that the water trucks were not operating as required by his dust control plan. Mr. Scheideman disagreed stating that the trucks had been in operation and I then explained to him that I had taken photographs of them and in fact they hadn't moved. Mr. Scheideman then agreed stating that I was right and that he thought they had worked on Friday but he was mistaken. Mr. Scheideman then told this specialist that he was proactive with dust control and had water trucks out working every time he was notified of high wind warnings. I then explained to him that it is very hard to get the dust under control during a high wind event. We then spoke about pallitization of the denuded ground. Mr. Scheideman stated that he was going to pallitize about one-hundred and twenty acres of ground located directly west of the large apartment complex located on Rolling Hills Meadows. I explained to him that he needed to introduce seed into the palliative to grow some vegetation on the ground as the palliative tends to break down after a period of time. Mr. Scheideman wasn't to receptive of this suggestion.

#### COMPLAINT HISTORY ON 03/31/2012 FOR THE ABOVE LIST GROUND:

1. Dennis Wagner's home is on Baldwin Road. He is hosting a stem cell recipient and is concerned about the dust coming into his home. He was going to have to move her into town.
2. Bill Ladner states dust is horrendous from Pioneer Meadows. Only One water truck running and he wants a \$25,000.00 fine to these guys. He states its not rocket science to get water trucks out when the wind is blowing like this. (Mr. Ladner lives in the Cimmaron area of Wingfield Springs near Van Groder School)
3. Rene Past who lives on Garth Crt. Sparks Nevada, states that the dust clouds are so bad that its making driving visibility zero and that the dust clouds are so high that airplanes are flying through it to land in Reno.
4. Kristin Geddes lives on Virgil Dr., north of La Posada and states that the dust cloud is filling her home with dust.

Specialist Osborn then returned to the Washoe County Air Quality Office to compile Dust Control plans, complaints and issue citations. A call was placed to Mr. Scheideman with negative contact. A message was left on 03/31/2012 in the p.m. hours. Notice of Violation Citation #5151 was issued to Lennar Reno LLC with Tim Scheideman as the operator.

Enforcement Activities

Warning Citation.:  
NOV.....: 03/31/2012

Settlement.....: 05/24/2012  
Appealed.....:  
Upheld.....:

Citation Number: 5151  
NOV Number....: 0  
Case Number....: 0  
Amount.....: \$2,500.00  
  
Amount.....: \$0.00

Status Information

Initialized By.....: MOSBORN  
Date Assigned.....: 03/31/2012

Completed Date....:  
Completed By.....:

# RECOMMENDED FINE WORKSHEET

DATE: 4-12-2012 CASE NO.: 1079 NOV NO.: 5151

COMPANY NAME: LENNAR RENO LLC

CONTACT NAME: TIM SCHNEIDEMAN, OPERATIONS MANAGER

VIOLATION OF SECTION(S): 030.2175 (MAJOR / MINOR)

X 1<sup>ST</sup> VIOLATION        2<sup>ND</sup> VIOLATION        3<sup>RD</sup> VIOLATION

<u>NO</u>	HAZARDOUS AIR POLLUTANT	YES / NO	<u>PM</u>	TYPE OF AIR CONTAMINANT (CO, NOX, SOX, PM, VOC'S)	
<u>YES</u>	LEGALLY PERMITTED SOURCE	YES / NO	<u>YES</u>	PUBLIC HEALTH EXPOSURE	YES / NO
<u>N/A</u>	NUMBER OF DAYS IN VIOLATION	YES / NO	<u>YES</u>	PUBLIC COMPLAINTS	YES / NO

1. **DEGREE OF VIOLATION:** MINOR MODERATE MAJOR  
(The degree to which the person/company has deviated from the regulatory requirements)

Several incidents on windy days with insufficient watering, palliative or vegetation of denuded area to control dust.

2. **ECONOMIC BENEFIT COMPONENT:** (OPTIONAL): MINOR MODERATE MAJOR  
ESTIMATED COST \$ UNKNOWN

(Economic effect to the person/company for NOT complying with the Regulations including avoided costs and delayed costs)

Six water trucks per day minimum to control fugitive dust as required on Dust Control Permit No. D10020.

3. **DEGREE OF COOPERATION:** MINOR MODERATE MAJOR  
(The person/company's efforts to immediately cease the violation and come into compliance)

Cooperation accelerated after numerous windy incidents and citizen complaints.

4. **ADDITIONAL COMMENTS:**

AQ Specialist Osborn discussed with Mr. Schneideman, prior to the major wind incident on March 31, 2012, the soil conditions of the Pioneer Meadows site.

RECOMMENDED FINE: \$10,000

\_\_\_\_\_  
AQ SPECIALIST'S SIGNATURE

NOTE: "Minor Violations", per District Regulations, cannot exceed \$1000 for the first and second violations.  
Third minor violations, plus "major violations" cannot exceed \$10,000 per day.



**PIONEER MEADOWS DUST PALLIATIVE APPLICATION SCHEDULE**

## Pioneer Meadows dust palliative application schedule

Week	Date	Village	area unit	Competed AC yes
1	March 26-30 2012	7B & 7C	40	AC yes
2	April 2-6 2012	10 & 11	40	AC yes
3	April 9 2012	12	21	AC yes
3	April 10-13 2012	5,5B, 6B	41	AC In progress
4	April 16-20 2012	Business park	66	AC no, on schedule
5	April 23-27 2012	Hills Drive, Kiley ranch Dr, touch up	11	AC no, on schedule
Total area			219 AC	In progress

PHOTOS TAKE BY AQ SPECIALIST, MIKE OSBORN

**JUMPING  
SPASSING  
ORS WILL BE  
D PROSECUTION  
S. 207.200**

**Pioneer Meadows (07077) Lemnar Reno, LLC, General Contractor**

**All operators at this site are required to control dust emissions from their operations.**

**The general contractor is required to oversee and control project wide dust emissions.**

**For dust related problems coming from this site, or to make a dust complaint, call this phone number 24 hours per day, seven days per week: 775-784-7200.**

**Lemnar 24hr. Ph. # 775-745-0049 Attn: Tim Scheideman**

**AVAILABLE**



**775-332-2800**

[www.ncgrero.com](http://www.ncgrero.com)  
Independently Owned and Operated

03/24/2010 11:00:51 AM

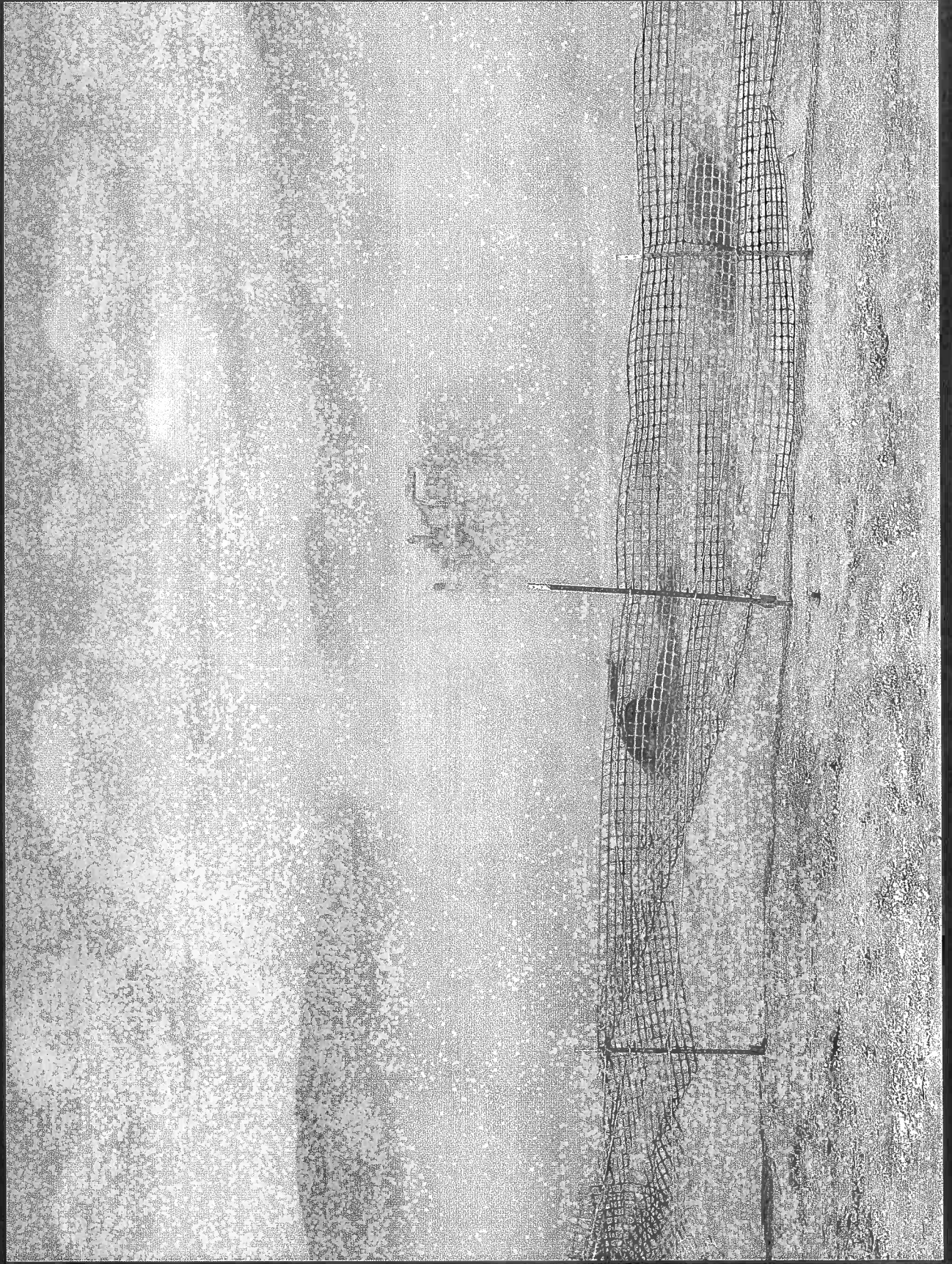


**AVAILABLE**  
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 775-332-2800  
 WWW.GRUBBELLIS.COM

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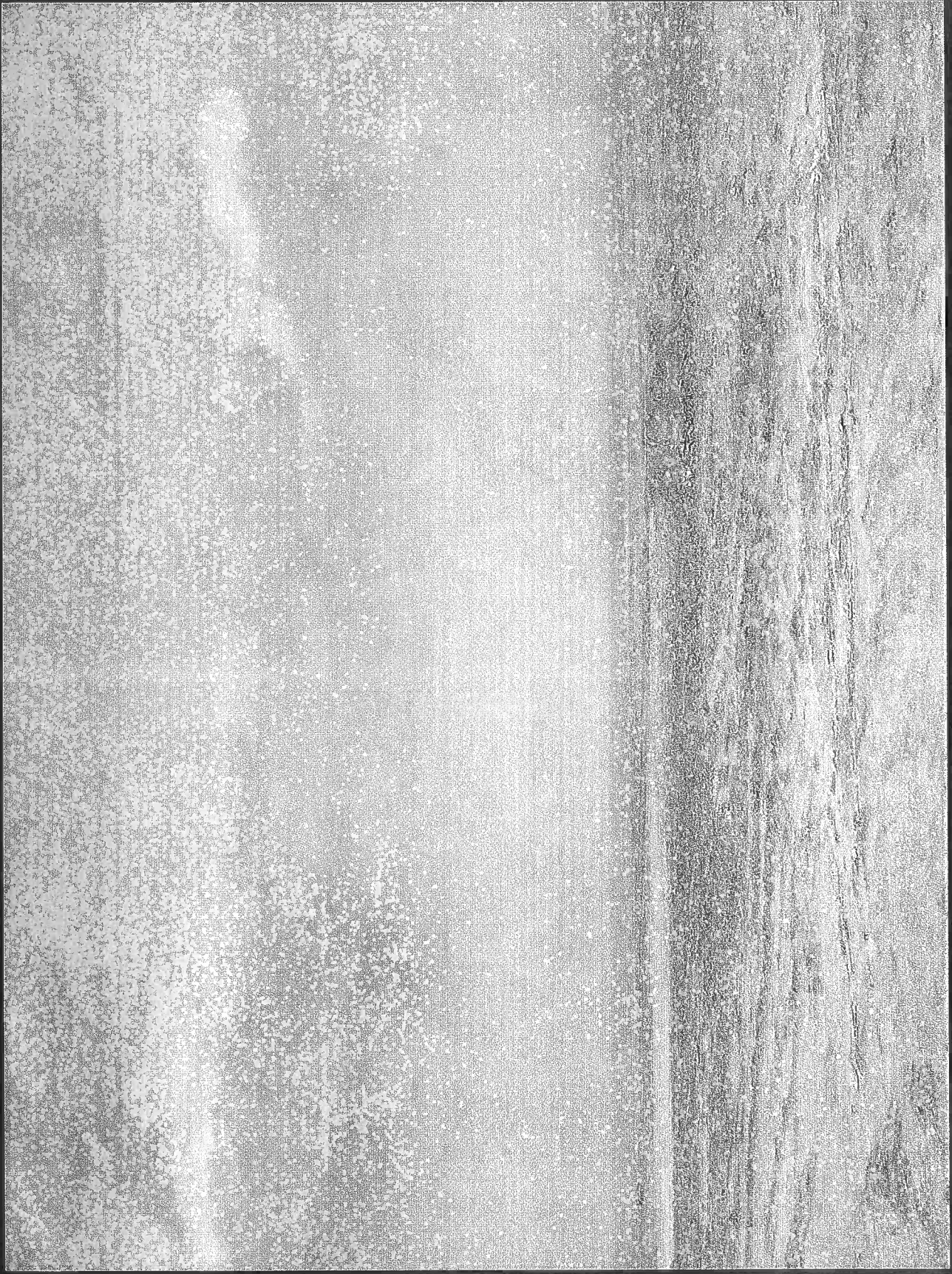
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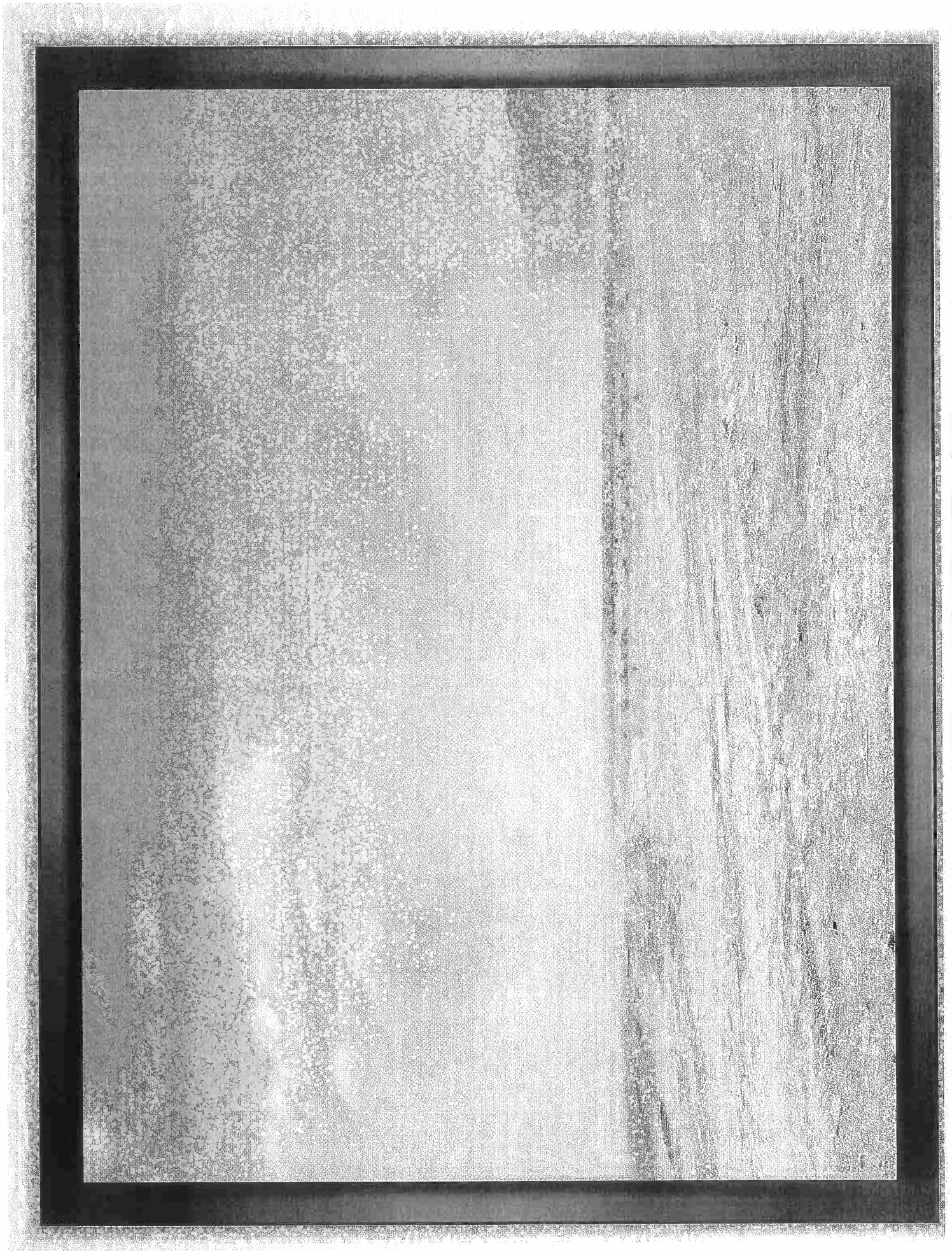
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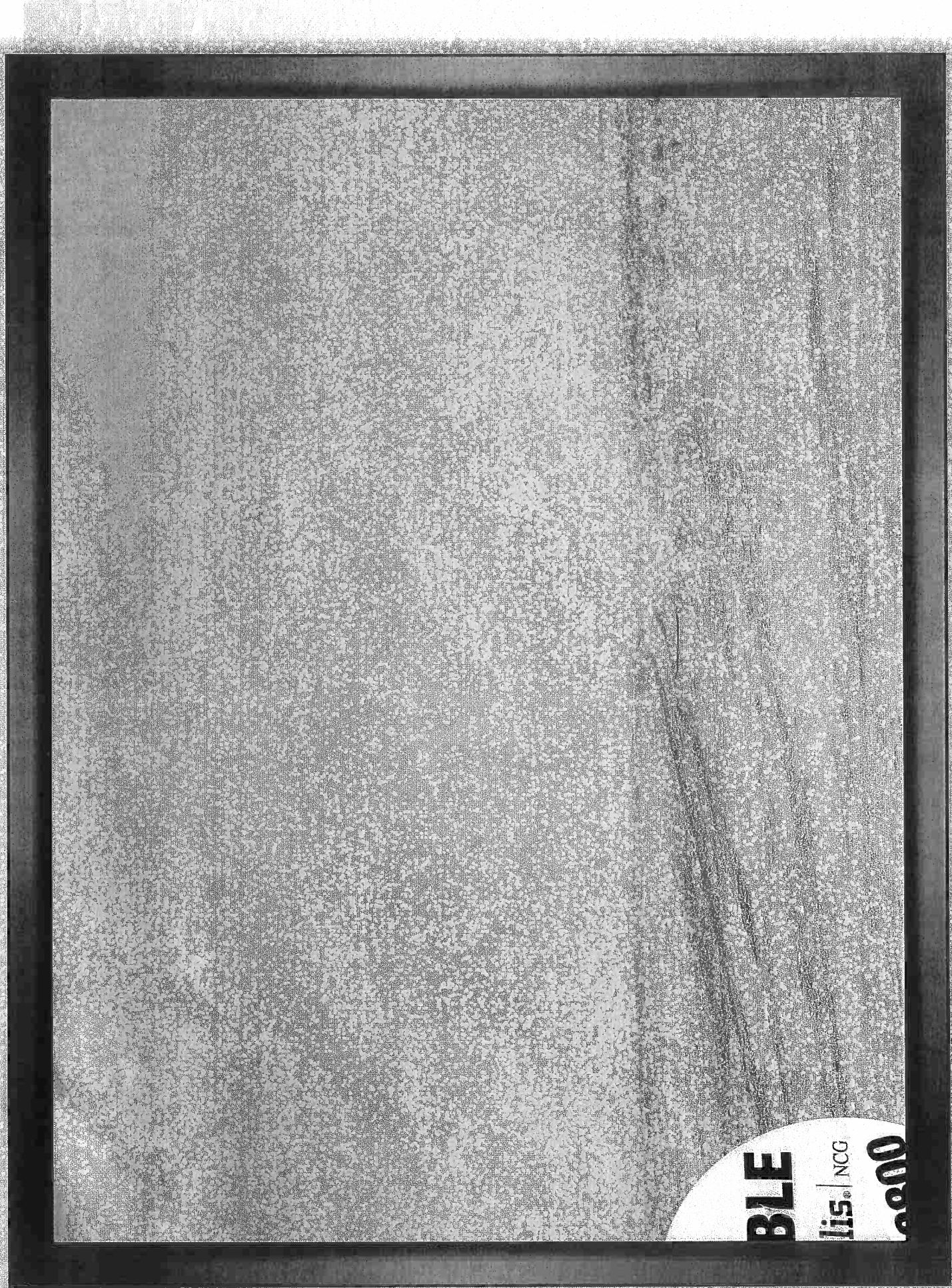
03/31/2012 11:08:38 AM





02/24/2012 11:00:27 AM

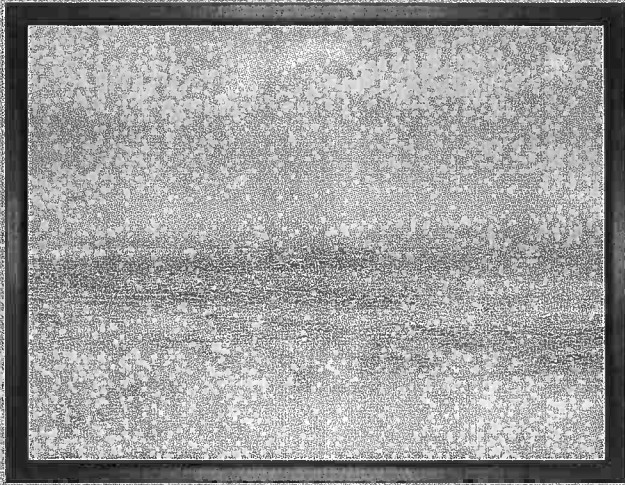




**BLE**  
lis<sup>®</sup> | NCG  
e000

03/31/2012 11:09:43 AM

Photographs taken Rollings Meadows Dr. and Wingfield Hills Drive. Photos cover a greater than ten minute period on 03/31/12. Dust Control Plan #D10020, Lennar Homes.



03/31/2012 11:08:38 AM



03/31/2012 11:08:45 AM



03/31/2012 11:08:51 AM



03/31/2012 11:08:59 AM



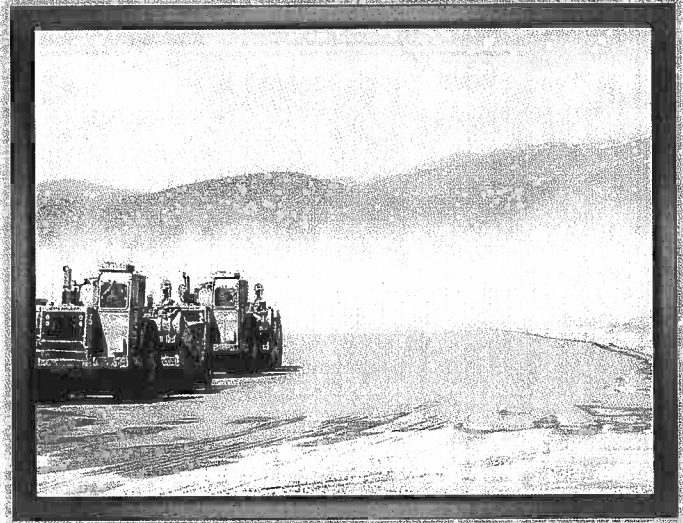
03/31/2012 11:09:04 AM



03/31/2012 11:09:11 AM



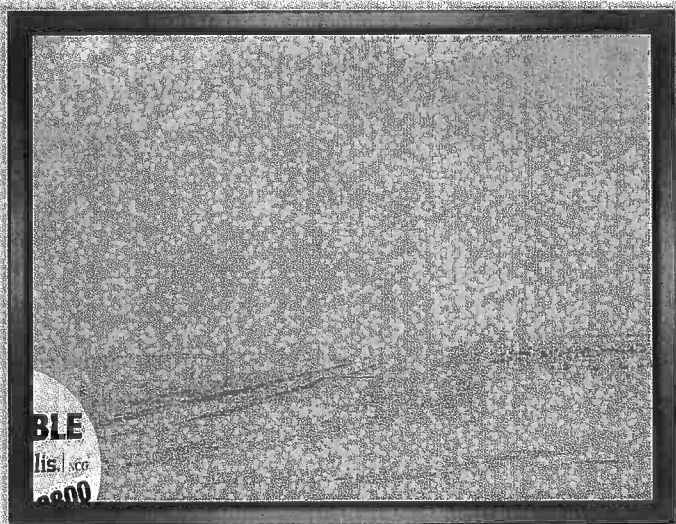
03/31/2012 11:09:21 AM



03/31/2012 11:09:27 AM



03/31/2012 11:09:37 AM



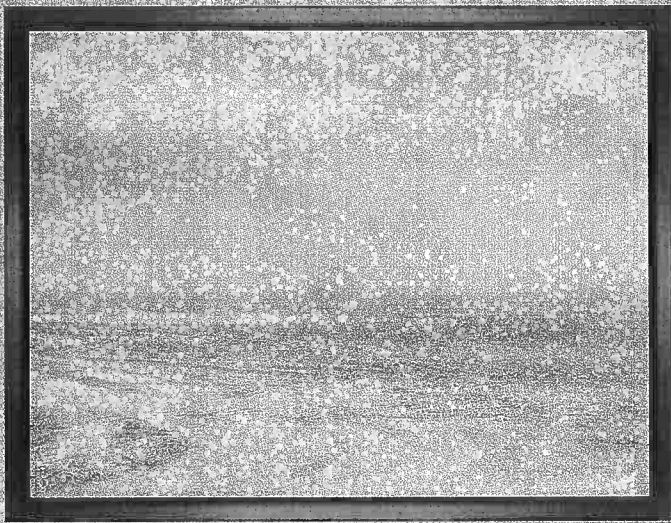
03/31/2012 11:09:43 AM



03/31/2012 11:10:13 AM



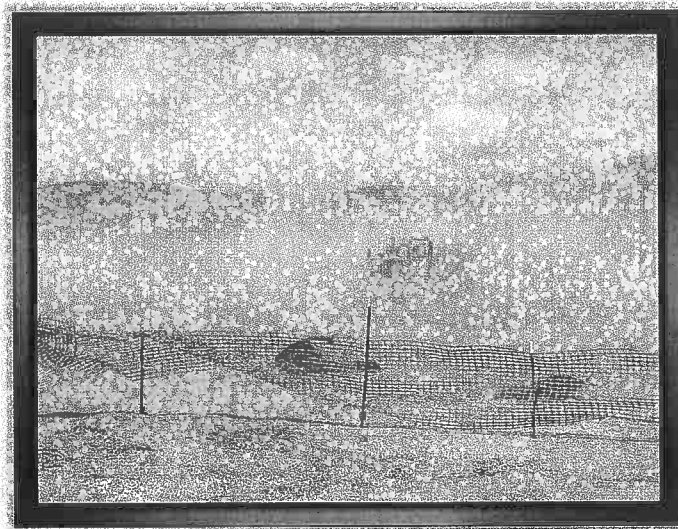
03/31/2012 11:10:17 AM



03/31/2012 11:10:23 AM



03/31/2012 11:10:31 AM

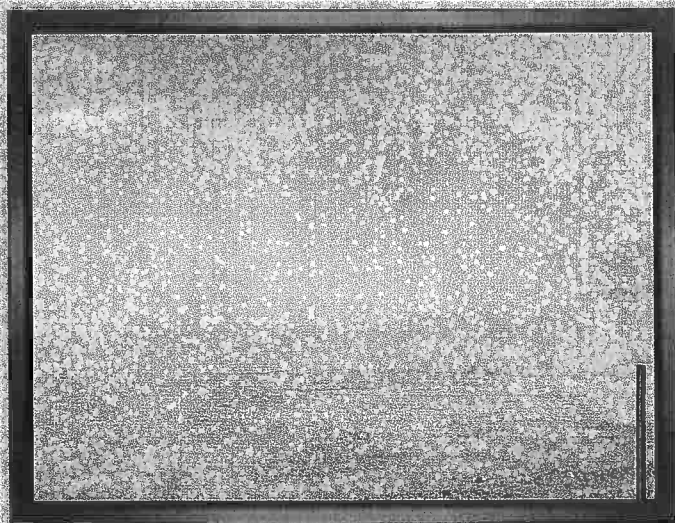


03/31/2012 11:11:24 AM





03/31/2012 11:11:28 AM



03/31/2012 11:11:32 AM



03/31/2012 11:17:21 AM



03/31/2012 11:17:25 AM



03/31/2012 11:17:56 AM



03/31/2012 11:18:03 AM

Wind speed measurements  
peaked at 18.7 mph. Taken at  
Rolling Meadows Drive, Sparks,  
Nv.

03/31/2012 11:19:21 AM



**OTHER COMPLAINTS  
AND  
COMSTOCK ANSWERING SERVICE COMPLAINTS TO AIR QUALITY**

OTHER COMPLAINTS FROM THE SAME DAY:

Bill Ladner  
3244 Gerona Court  
Sparks NV 89436  
(775) 425-2275

Rene Taft  
600 Garth Court  
Sparks NV 89441  
(775) 425-4115

Kristen Geddes  
60 Virgil Drive  
Sparks NV 89441  
(775) 356-0788



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Id: 3506 ( 3604) 12:37p Sa Mar-31 Page: 1

In: 12:37p Sa Mar-31 '12 ASH 453  
Out: 12:37p Sa Mar-31 '12 ASH r/p 0:03  
For: O/C

CMP12-0051 Mike

From: DENNIS WAGNER  
Co: 7440 BALDWIN WAY  
Tel#: 775 425 4033\*

CITATION 5151

Caller ID: (775)336-6400  
Msg: DUST OUT OF CONTROL IN SPANISH  
SPRINGS OUT BEHIND RALEYS WHERE THEY  
ARE BUILDING THE MARINA. WILL ONLY BE  
THERE ABOUT AN HOUR NEED TO GET AWAY  
FROM THE DUST.

Relay in the order given for all calls  
\*10:50a Sa Mar-31 ANA MOBILE MIKE -  
RLYD

End of Transmission =====

All data on this form is for use by the Washoe County Assessor for assessment purposes only.

Owner Information & Legal Description			Building Information			
APN	524-411-11	Card 1 of 1	Property Name:			
Situs	7440 BALDWIN WAY		Quality	R030 AVERAGE	Building Type	Sgl Fam Res
Owner 1	WAGNER, PRISCILLA A		Stories	ONE		
Owner 2 or Trustee			Year Built	1985	Square Feet	1,966
Owner 3 or Trustee			Weighted Average Year	1985	Square Feet does not include Basement or Garage Conversion Area.	
Mail Address Copy to Clipboard	7440 BALDWIN WAY		Bedrooms	3	Click here for Improvement Details (building sq ft, Yard Items, etc).	
Situs 03/30/2011	SPARKS NV 89436		Full Baths	2	Finished Bsmt	0
Keyline Desc	PM 589 LT 4		Half Baths	0	Unfin Bsmt	0
Subdivision	PM 589		Fixtures	10	Bsmt Type	
Lot 4 Block		Section Township 20 Range 20	Fireplaces	1	Gar Conv Sq Feet	0
Record of Survey Map : Parcel Map# 589 : Sub Map#			Heat Type	FA	Total Garage Area	1042
Special Property Code			2nd Heat Type		Garage Type	GARA
2012 Tax Dist	4000	Prior APN	Exterior Walls	PLYWOOD	Detached Garage	0
2011 Tax Dist	4000	Additional Tax Info	2nd Ext Walls	SIDING	Basement Gar Door	0
Tax Cap Status	3 PCT Qualified Primary Residence		Roof Cover	CONCRETE TIL	Sub Floor	WOOD
Last Activity : MJC 10/13/2011 Last Permit :			%Incomplete	0	Frame	STUD FRAMED
			Obso/Bldg Adj	0	Units/Bldg	1
			Construction Modifier	0	Units/Parcel	1

Up to 7 Sales/Transfer Records/Recorded Document (additional information/records)						
Grantor	Doc #	Doc Date	LUC	Value	Code	Notes
	2315037	03/09/1999		0		
	N/A	03/01/1982		34,600		

To view sale/transfer/or other recorded documents use EagleRecorder on the Recorder's web site.

Land Information (additional land information)							Create Code	DM Neighborhoods Map			
Land Use	020	Sewer	SEPTIC	Street	UNPAVED	Value Year	2012	Zoning	A7 Zoning Info	2012 Neighborhood	DMKH
Size	3.323 Ac	Water	WELL			Reason	Reappraisal	Zoning Maps	Page 524-41   Book 524	2011 Neighborhood	DMKH

Zoning information should be verified with the appropriate planning agency.

Valuation Information (additional valuation information)									
2012 VN	Taxable Land	Taxable Improvement	Secured PP (rounded)	Taxable Total	Assessed Land	Assessed Improvement	Assessed Pers. Prop	Total Assessed	Supplemental New Const
2012/2013 NR	65,000	139,559	0	204,559	22,750	48,846	0	71,596	0
2011/2012 FV	75,000	132,232	0	207,232	26,250	46,281	0	72,531	0

The 2012/2013 Values are preliminary values and subject to change.

<p>sketch code descriptions</p> <p style="font-size: small; text-align: center;">Unkwnchd Sub/Map: GARA: 104; GLK: 100; FOR: 20; FOR: 200; PRE: 20; WDC: 800.</p>	<p>Property Photo Is Not Available On-Line.</p> <p style="text-align: right;">108433</p>
---	--

This is a true and accurate copy of the records of the Washoe County Assessor's Office as of 04/11/2012.



-----  
Id: 3506 ( 3604) 12:47p Sa Mar-31 Page: 1

In: 12:37p Sa Mar-31 '12 ASH 454  
Out:12:47p Sa Mar-31 '12 act r/p 0:05  
For: O/C  
From: BILL LADNER\*

3244 GERONA CT  
SPARKS NV 89436

Co:  
Tel#: 425 2275\*  
Caller ID: (775)336-6400  
Msg: A LOT OF DUST BLOWING BY PIONEER  
MEADOWS IN SPARKS; ONLY 1 WATER TRUCK;  
PLEASE CALL

\*11:03a Sa Mar-31 KH DIAL OUT MIKE O-  
\*11:16a Sa Mar-31 VR DIAL OUT RES  
MIKE O - MIKE SAID HE IS OUT THERE  
RIGHT NOW, AND HE IS TAKING PHOTOS AND  
IS DOING WHAT HE CAN. HE WILL CALLBACK  
FOR THE CALLERS INFORMATION WHEN HE  
GETS TO THE OFC.

\*03/31 11:17a VR Edit\*  
\*03/31 11:03a KH DIAL 97753318353\*

End of Transmission =====



WASHOE COUNTY QUICK INFO (Summary data may not be complete representation of property)

04/12/2012

**All data on this form is for use by the Washoe County Assessor for assessment purposes only.**

Owner Information & Legal Description			Building Information			
APN	524-101-11	Card 1 of 1	<b>Property Name:</b>			
Situs	3244 GERONA CT		Quality	R030 AVERAGE	Building Type	Sgl Fam Res
Owner 1	LADNER, WILLIAM R & YVONNE C		Stories	ONE		
Owner 2 or Trustee			Year Built	2000	Square Feet	1,440
Owner 3 or Trustee			Weighted Average Year	2000	Square Feet does not include Basement or Garage Conversion Area.	
Mall Address Copy to Clipboard	3244 GERONA CT		Bedrooms	3	Click here for Improvement Details (building sq ft, Yard Items, etc).	
	SPARKS NV 89436		Full Baths	2	Finished Bsmt	0
Keyline Desc	CIMARRON 2 LT 255 BLK A		Half Baths	0	Unfin Bsmt	0
Subdivision	CIMARRON 2		Fixtures	10	Bsmt Type	
Lot 255 Block A	Section	Township 20 Range 20	Fireplaces	1	Gar Conv Sq Feet	0
Record of Survey Map	Parcel Map#	Sub Map# 3289	Heat Type	FA	Total Garage Area	400
	Special Property Code		2nd Heat Type		Garage Type	GARA
2012 Tax Dist	2000	Prior APN 522-351-11	Exterior Walls	HARDBOARD	Detached Garage	0
2011 Tax Dist	2000	Additional Tax Info	2nd Ext Walls		Basement Gar Door	0
Tax Cap Status	3 PCT Qualified Primary Residence From Prior Year		Roof Cover	CONCRETE TIL	Sub Floor	SLAB
			%Incomplete	0	Frame	STUD FRAMED
			Obso/Bldg Adj	OBSO 19,407	Units/Bldg	1
			Construction Modifier	0	Units/Parcel	1
Last Activity : MJC 08/26/2011 Last Permit : TLS 11/05/2009						

**Up to 7 Sales/Transfer Records/Recorded Document (additional information/records)**

Grantor	Doc #	Doc Date	LUC	Value	Code	Notes
REYNEN,JOHN D	2514927	01/12/2001	020	157,920	2D	
	2410903	12/30/1999		0		
	N/A	09/12/1996	011	2,118,601	2MQC	

To view sale/transfer/or other recorded documents use EagleRecorder on the Recorder's web site.

**Land Information (additional land information)**

Land Use	020	Sewer	MUNI	Street	PAVED	Value Year	2012	Create Code	M00	DM Neighborhoods Map
Size	10934 SF	Water	MUNI	Reason	Reappraisal	Zoning	PD	Zoning Info		2012 Neighborhood DMGC
				Zoning Maps	Page 524-10   Book 524					2011 Neighborhood DMGC

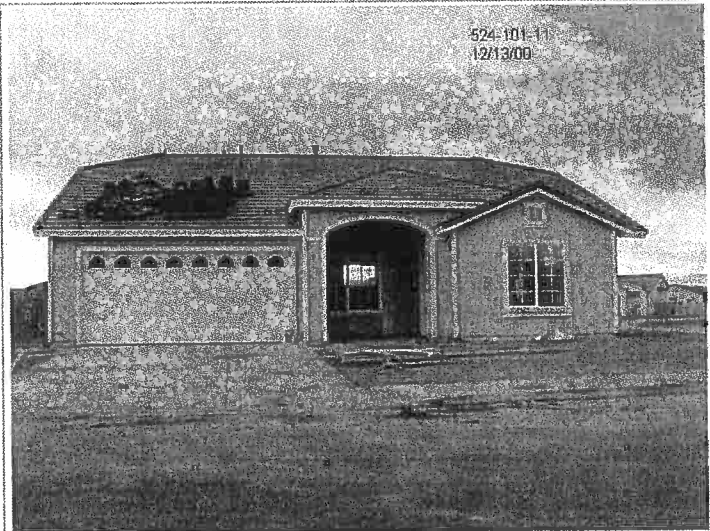
Zoning information should be verified with the appropriate planning agency.

**Valuation Information (additional valuation information)**

2012 VN	Taxable Land	Taxable Improvement	Secured PP (rounded)	Taxable Total	Assessed Land	Assessed Improvement	Assessed Pers. Prop	Total Assessed	Supplemental New Const
2012/2013 NR	23,200	109,972	0	133,172	8,120	38,490	0	46,610	0
2011/2012 FV	37,000	96,857	0	133,857	12,950	33,900	0	46,850	0

The 2012/2013 Values are preliminary values and subject to change.

map 5 4-D





*du*

Id: 3506 ( 3604) 1:07p Sa Mar-31

Page: 1

In: 12:57p Sa Mar-31 '12 ANA 457  
Out: 1:07p Sa Mar-31 '12 act r/p 0:02

For: O/C

From: RENEE TAFT\*

*Taft*

*600 Garth Court, Sparks*

Co:

Tel#: 425 4115\*

Caller ID: .

Msg: CALLING RE: THE DUST IN SPANISH  
SPRINGS

\*12:54p Sa Mar-31 ANA MOBILE MIKE

RLYD MSG

\*12:54p Sa Mar-31 ANA DIAL OUT CALLED

HIS RES FIRST AND WIFE SAID TO CALL

HIS MOBILE

CEnd of Transmission =====

**All data on this form is for use by the Washoe County Assessor for assessment purposes only.**

Owner Information & Legal Description			Building Information			
APN	076-371-54	Card 1 of 1	Property Name:			
Situs	600 GARTH CT		Quality	R035 AVG/GOOD	Building Type	Sgl Fam Res
Owner 1	TAFT, RAY A & RENE C		Stories	ONE		
Owner 2 or Trustee			Year Built	1995	Square Feet	2,832
Owner 3 or Trustee			Weighted Average Year	1995	Square Feet does not include Basement or Garage Conversion Area.	
Mail Address Copy to Clipboard	600 GARTH CT		Bedrooms	3	Click here for Improvement Details (building sq ft, Yard Items, etc).	
	SPARKS NV 89441		Full Baths	2	Finished Bsmt	0
Keyline Desc	PM 1487 FR LT D		Half Baths	0	Unfin Bsmt	0
Subdivision	PM 1487		Fixtures	18	Bsmt Type	
Lot FR D Block		Section Township 21 Range 21	Fireplaces	0	Gar Conv Sq Feet	0
Record of Survey Map : Parcel Map# 1487 : Sub Map#	Special Property Code		Heat Type	FA	Total Garage Area	2020
2012 Tax Dist	4000	Prior APN 076-371-23	2nd Heat Type		Garage Type	MULT GAR
2011 Tax Dist	4000	Additional Tax Info	Exterior Walls	STUCCO	Detached Garage	1344
Tax Cap Status	3 PCT Qualified Primary Residence		2nd Ext Walls		Basement Gar Door	0
Last Activity : MJC 10/14/2011 Last Permit : KJ 06/06/2007			Roof Cover	COMP SHINGLE	Sub Floor	WOOD
			%Incomplete	0	Frame	STUD FRAMED
			Obso/Bldg Adj	OBSO 87,683	Units/Bldg	1
			Construction Modifier	0	Units/Parcel	1

**Up to 7 Sales/Transfer Records/Recorded Document (additional information/records)**

Grantor	Doc #	Doc Date	LUC	Value	Code	Notes
TAFT, RAY A & RENE C	2656487	02/25/2002	020	0	3NTT	ATW
	2151752	11/07/1997		0		

To view sale/transfer/or other recorded documents use EagleRecorder on the Recorder's web site.

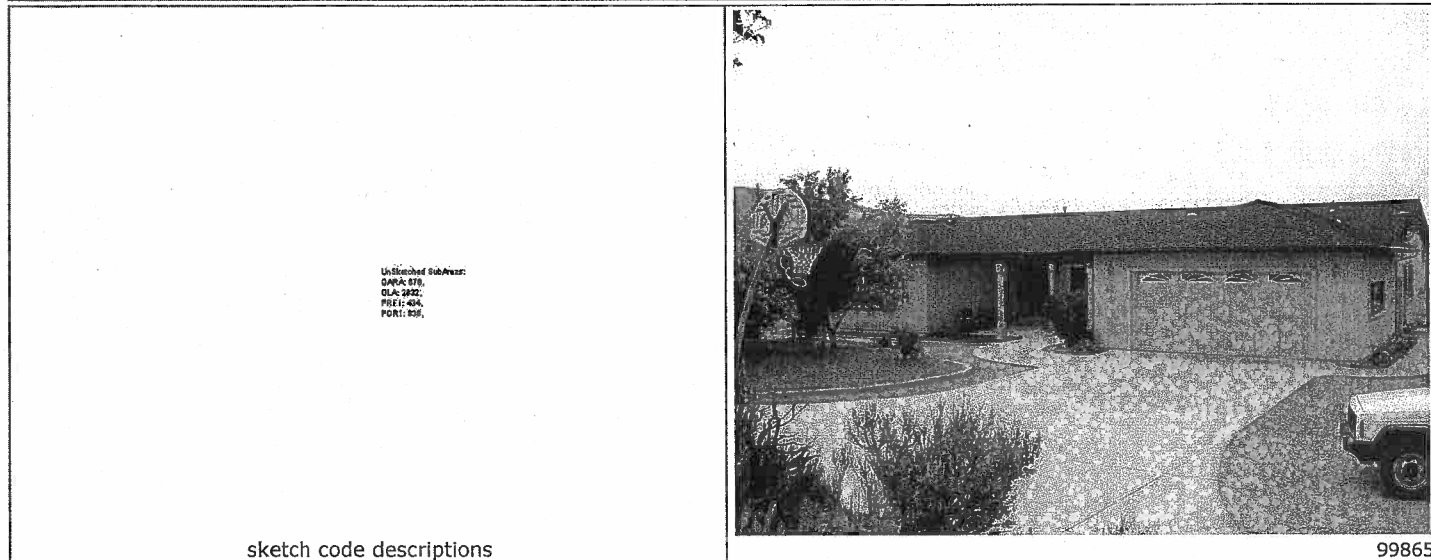
Land Information (additional land information)							Create Code	S98	HB Neighborhoods Map		
Land Use	020	Sewer	SEPTIC	Street	UNPAVED	Value Year	2012	Zoning	GR Zoning Info	2012 Neighborhood	HBEI
Size	9.892 Ac	Water	WELL			Reason	Reappraisal	Zoning Maps	Page 076-37   Book 076	2011 Neighborhood	HBEI

Zoning information should be verified with the appropriate planning agency.

**Valuation Information (additional valuation information)**

2012 VN	Taxable Land	Taxable Improvement	Secured PP (rounded)	Taxable Total	Assessed Land	Assessed Improvement	Assessed Pers. Prop	Total Assessed	Supplemental New Const
2012/2013 NR	70,000	195,164	0	265,164	24,500	68,307	0	92,807	0
2011/2012 FV	74,000	186,511	0	260,511	25,900	65,279	0	91,179	0

The 2012/2013 Values are preliminary values and subject to change.



Unattached SubArea:  
 QAPR: 878,  
 QLA: 3022,  
 PSEI: 804,  
 PONI: 858.

sketch code descriptions

99865

This is a true and accurate copy of the records of the Washoe County Assessor's Office as of 04/11/2012.



-----  
Id: 3506 ( 3604) 1:30p Sa Mar-31 Page: 1

In: 1:27p Sa Mar-31 '12 ANA 458  
Out: 1:30p Sa Mar-31 '12 ANA r/p 3:10  
For: MIKE  
From: GEDDES, KRISTEN

60 VIRGIL DR, SPARK NV 89441

Co:  
Tel#: 356 0788\*  
Caller ID: .  
Msg: CALLING RE: THE DUST IN SPANISH  
SPRINGS

\* 1:28p Sa Mar-31 ANA MOBILE MIKE -  
GOT DISCONNECTED

\* 1:29p Sa Mar-31 ANA MOBILE MIKE -  
RLYD AND ASKED ME TO FAX IT OVER TO  
THE OFFICE

1:30p Sa Mar-31 ANA ERROR

ÇEnd of Transmission =====

**All data on this form is for use by the Washoe County Assessor for assessment purposes only.**

Owner Information & Legal Description				Building Information			
APN	534-101-03	Card 1 of 1		Property Name:			
Situs	60 VIRGIL DR			Quality	R020 FAIR	Building Type	Sgl Fam Res
Owner 1	GEDDES, WILLIAM J & KRISTEN R			Stories	ONE		
Owner 2 or Trustee				Year Built	1982	Square Feet	2,416
Owner 3 or Trustee				Weighted Average Year	1983	Square Feet does not include Basement or Garage Conversion Area.	
Mail Address Copy to Clipboard	60 VIRGIL DR			Bedrooms	5	Click here for Improvement Details (building sq ft, Yard Items, etc).	
	SPARKS NV 89441			Full Baths	2	Finished Bsmt	0
Keyline Desc	SKY RANCH 1A LT 3 BLK 10			Half Baths	0	Unfin Bsmt	0
Subdivision	SKY RANCH 1A			Fixtures	9	Bsmt Type	
Lot 3 Block 10	Section Township 21 Range 20			Fireplaces	0	Gar Conv Sq Feet	0
Record of Survey Map : Parcel Map# : Sub Map#	Special Property Code			Heat Type	FA	Total Garage Area	720
2012 Tax Dist	4000	Prior APN	076-632-03	2nd Heat Type		Garage Type	GARA
2011 Tax Dist	4000	Additional Tax Info		Exterior Walls	PLYWOOD	Detached Garage	0
Tax Cap Status	3 PCT Qualified Primary Residence			2nd Ext Walls		Basement Gar Door	0
Last Activity : MJC	09/16/2011		Last Permit :	Roof Cover	WOOD SHAKE	Sub Floor	WOOD
				%Incomplete	0	Frame	STUD FRAMED
				Obso/Bldg Adj	0	Units/Bldg	1
				Construction Modifier	0	Units/Parcel	1

**Up to 7 Sales/Transfer Records/Recorded Document** (additional information/records)

Grantor	Doc #	Doc Date	LUC	Value	Code	Notes
CUTHBERT,FREDERIC W & RUTH J	3616106	01/31/2008	020	0	3BFM	TO DAUGHTER & SPOUSE
CUTHBERT,FREDERIC W & RUTH J	3616105	01/31/2008	020	0	3BGG	OUT OF TRUST
CUTHBERT,FRED W & RUTH J	2683254	05/01/2002	020	0	3NTT	TO TRUST
	1720831	10/11/1993	020	186,500	2D	
	N/A	08/01/1989	020	142,000	1G	
	N/A	08/01/1982		118,900		

To view sale/transfer/or other recorded documents use EagleRecorder on the Recorder's web site.

Land Information (additional land information)							Create Code	HB Neighborhoods Map			
Land Use	020	Sewer	SEPTIC	Street	PAVED	Value Year	2012	Zoning	LDS Zoning Info	2012 Neighborhood	HBAF
Size	44780 SF	Water	MUNI			Reason	Reappraisal	Zoning Maps	Page 534-10   Book 534	2011 Neighborhood	HBAF

Zoning information should be verified with the appropriate planning agency.

**Valuation Information** (additional valuation information)

2012 VN	Taxable Land	Taxable Improvement	Secured PP (rounded)	Taxable Total	Assessed Land	Assessed Improvement	Assessed Pers. Prop	Total Assessed	Supplemental New Const
2012/2013 NR	27,400	112,553	0	139,953	9,590	39,394	0	48,984	0
2011/2012 FV	51,800	106,951	0	158,751	18,130	37,433	0	55,563	0

The 2012/2013 Values are preliminary values and subject to change.

	Property Photo Is Not Available On-Line.
	154118



# WASHOE COUNTY HEALTH DISTRICT

## AIR QUALITY MANAGEMENT DIVISION



**Public Health**  
Prevent. Promote. Protect.

DATE: May 24, 2012  
TO: District Board of Health  
FROM: Kevin Dick, Director, Air Quality Management  
SUBJECT: Tarragon-Spanish Springs Land LLC - Case No. 1077  
Unappealed Citation No. 5102  
Agenda Item: 7.A.1.b.

### Recommendation

Air Quality Management Division Staff recommends that Citation No. 5102 be upheld and a fine of \$500 be levied against Tarragon-Spanish Springs Land Corporation LLC, located at 46 Isidor Court in Sparks, for failure to maintain a valid dust control permit. The Notice of Violation Citation was issued for a minor violation of Section 030.000 of the District Board of Health Governing Air Quality Management. This is a negotiated settlement.

Recommended Fine: \$500.00

Negotiated Fine: \$500.00

### Background

On January 31, 2012, Washoe County Air Quality Specialist Suzanne Dugger received notice that Dust Control Permit No. C10014 for the property located at 46 Isidor Court, in Sparks, Nevada had expired. AQ Specialist Dugger used the contact information from the expired dust control permit to try and contact Mr. Dennis Rattie, the owner representative for Tarragon-Spanish Springs Land LLC. After repeated attempts by AQ Specialist Dugger to contact Mr. Rattie to inform him of the expired dust control permit, on February 3, 2012, AQ Specialist Dugger finally spoke with Ms. Jennifer Russell of Tarragon-Spanish Springs Land LLC. AQ Specialist Dugger was assured by Ms. Russell that the dust control permit would be renewed immediately. As of February 24, 2012, no dust control application had been received by the Air Quality Management office. Based on the violation of Section 040.030(C)(3), failure to maintain a valid dust control permit, Notice of Violation Citation No. 5102 was issued. Both the Notice of Violation and an appeal form were sent to Mr. Rattie via certified mail. The certified mail envelope was returned to the Air Quality Management office as undeliverable.

**P.O. BOX 11130 Reno, NV 89520-0027 • (775) 784-7200 • FAX (775) 784-7225**

**[www.washoecounty.us/health](http://www.washoecounty.us/health)**

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On March 12, 2012, a certified letter was issued by Branch Chief Charlene Albee notifying Mr. Rattie of the issuance of Notice of Violation Citation No. 5102. Additionally, a corrective action date of 10 days from the date of receipt was provided for the submittal of the application for the expired dust control permit. The Air Quality Management office received the certified return receipt signature card acknowledging that the Tarragon-Spanish Springs Land LLC office had signed for the certified mail on March 16, 2012.

On April 3, 2012, AQ Specialist Dugger contacted Mr. Rattie to inform him that the dust control permit application had been received but was deemed incomplete due to lack of contact information. AQ Specialist Dugger also provided a negotiated settlement form to Mr. Rattie to address the Notice of Violation Citation. Mr. Rattie requested AQ Specialist Dugger schedule a negotiated settlement meeting with Mr. Charlie Foushee via a conference call to address the possible settlement agreement of the Notice of Violation Citation No. 5102.

On May 1, 2012, a conference call was attended by Senior AQ Specialist Dennis Cerfoglio, Branch Chief Charlene Albee, and Mr. Charlie Foushee, representative for Tarragon-Spanish Springs Land LLC. After consideration of all the facts of the case that led to the issuance of the Notice of Violation Citation No. 5102, Branch Chief Albee recommended that Citation No. 5102 be upheld with a fine of \$500. Mr. Foushee agreed to the settlement fine. A Memorandum of Understanding was signed by all parties.

### **Alternatives**

1. The District Board of Health may determine that no violation of the Regulations has taken place and dismiss Citation No.5102.
2. The Board may determine to uphold Citation No.5102 but levy any fine in the range of \$0 to \$10,000 per day.

In the event the Board determines to change the proposed penalty, the matter should be continued so that Tarragon-Spanish Springs Land LLC may be properly noticed.



Kevin Dick  
Division Director  
Air Quality Management



WASHOE COUNTY DISTRICT HEALTH DEPARTMENT  
 AIR QUALITY MANAGEMENT DIVISION  
 401 RYLAND STREET, SUITE 331 • P.O. BOX 11130 • RENO, NV 89520  
 (775) 784-7200



cmp12-0029

**NOTICE OF VIOLATION**

NOV 5102

DATE ISSUED: 2-24-2012

ISSUED TO: SPANISH SPRINGS CORP. PHONE #: 206-233-9600

MAILING ADDRESS: 1000 2<sup>nd</sup> AVE #3200 CITY/ST: SEATTLE ZIP: 98104

NAME/OPERATOR: DENNIS RATTIE, VP PHONE #: \_\_\_\_\_

DRIVER LICENSE #/SSN \_\_\_\_\_

YOU ARE HEREBY OFFICIALLY NOTIFIED THAT ON 2-24-2012 (DATE) AT 8:00 A.M. (TIME), YOU ARE IN VIOLATION OF THE FOLLOWING SECTION(S) OF THE WASHOE COUNTY DISTRICT BOARD OF HEALTH REGULATIONS GOVERNING AIR QUALITY MANAGEMENT:

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> MINOR VIOLATION OF SECTION: | <input type="checkbox"/> MAJOR VIOLATION OF SECTION:            |
| <input checked="" type="checkbox"/> 040.030 __ DUST CONTROL     | <input type="checkbox"/> 030.000 OPERATING W/O PERMIT           |
| <input type="checkbox"/> 040.055 __ ODOR/NUISANCE               | <input type="checkbox"/> 030.2175 VIOLATION OF PERMIT CONDITION |
| <input type="checkbox"/> 040.200 __ DIESEL IDLING               | <input type="checkbox"/> 030.105 ASBESTOS/NESHAP                |
| <input type="checkbox"/> OTHER _____                            | <input type="checkbox"/> OTHER _____                            |

VIOLATION DESCRIPTION: 040.030 SECT. C.3. OPERATING WITHOUT A  
VALID DUST CONTROL PERMIT

LOCATION OF VIOLATION: 46 ISIDOR CT. SPARKS NV

POINT OF OBSERVATION: FILE REVIEW

Weather: CLEAR Wind Direction From: N E S W

Emissions Observed: \_\_\_\_\_  
 (If Visual Emissions Performed - See attached Plume Evaluation Record)

**WARNING ONLY:** Effective \_\_\_\_\_ a.m./p.m. \_\_\_\_\_ (date) you are hereby ordered to abate the above violation within \_\_\_\_\_ hours/days. I hereby acknowledge receipt of this warning on the date indicated.

Signature \_\_\_\_\_

**CITATION:** You are hereby notified that effective on 2-24-2012 (date) you are in violation of the section(s) cited above. You are hereby ordered to abate the above violation within 5 DAYS hours/days. You are further advised that within ten days of the date of this violation you may submit a written notice of appeal to the Chairman, Hearing Board, P.O. Box 11130, Reno, Nevada 89520. Failure to submit a notice of appeal in the time specified will result in submission of this violation to the District Board of Health, together with a request that an administrative fine be levied against you. If you do not wish to file an appeal the appropriate fine may be paid at the District Health Department.

**SIGNING THIS FORM IS NOT AN ADMISSION OF GUILT**

Signature: UNAVAILABLE Date: 2-24-2012  
 Issued by: Sharon Duffin Title: AQS II

WASHOE DOES NOT DISCRIMINATE ON THE BASIS OF SEX, RACE, COLOR, AGE, RELIGION, DISABILITY OR NATIONAL ORIGIN IN THE ACTIVITIES AND OR SERVICES WHICH IT PROVIDES. IF YOU HAVE ANY QUESTIONS, PLEASE CALL WASHOE COUNTY HUMAN RESOURCES - 328-2080; TDD NUMBER 328-3685.



COMPLAINT INVESTIGATION REPORT  
Washoe County Air Quality Management Division

Complaint Number: CMP12-0029

Complaint Status: NOV

Source of Complaint: INVESTIGATOR

Complaint Type: DUSTPLAN

Date Received: 02/24/2012

Time: 9:00:00 AM

Inspector: SDUGGER

Inspector Area: 1

Complaint Description: NOV CITATION 5102 / CASE 1077 - SPANISH SPRINGS PARK - OPERATING WITHOUT A VALID DUST PERMIT

Address: 46 ISIDOR CT WCTY

Location:

Parcel Number: 53093117

Related Permit Number: C10014

Complainant:

AQMD STAFF  
SUZANNE DUGGER  
1001 E 9TH ST STE A115  
RENO NV 89512  
775-784-7217

Responsible Party:

SPANISH SPRINGS CORP  
DENNIS L RATTIE, VICE PRESIDENT  
1000 2ND AVE STE 3200  
SEATTLE WA 98104  
206-233-9600

Investigation:

DUST PERMIT C10014, SPANISH SPRINGS CORPORATE PARK, 46 ISIDOR COURT, SPARKS, 30 ACRES \*\*\*\* EXPIRED  
1-31-2012 \*\*\*\* AS OF 2-23-2012 THE DUST PERMIT HAS NOT BEEN RENEWED.

Based on a file review and several attempts to contact Mr. Dennis Rattie, AQ Specialist Suzy Dugger issued NOV Citation 5102 - Case 1077, for failure to renew dust control permit C10014..

Enforcement Activities

Warning Citation..:

NOV.....: 02/24/2012

Citation Number: 5102

NOV Number.....: 0

Case Number.....: 1077

Settlement.....:

Amount.....: \$0.00

Appealed.....:

Upheld.....:

Amount.....: \$0.00

Status Information

Initialized By.....: MAMES  
Date Assigned.....: 02/24/2012

Completed Date...:  
Completed By.....:

VIOLATION: Minor Violation of Section 040.030  
Expired Dust Control Permit #C10014  
Notice of Violation No. 5102

ISSUED TO: Spanish Springs Corporate Park  
601 Union Station #3500  
Seattle, Washington 98101-1370

OPERATOR: Tarragon-Spanish Springs Land LLC  
601 Union Station #3500  
Seattle, Washington 98101-1370

On January 31, 2012, Washoe County Air Quality Management Division (WCAQMD), Air Quality Specialist II (AQS) Suzanne Dugger received notice that the Dust Control Permit #C10014, for the property located at 46 Isidor Court, located in Sparks, Nevada had expired. Information listed on the previous Dust Control Permit application listed the contact person Dennis Rattie of Tarragon-Spanish Springs Land LLC. Based on this information AQS Dugger attempted several times to contact Mr. Rattie to inform him of the expired Dust Control Permit #C10014. After several attempts, on February 3, 2012 AQS Dugger confirmed with Jennifer Russell that the Dust Control Permit #C10014 would be renewed but the as of February 24, 2012 no Dust Control application has been received. Based on violation of section 040.030 sec. C.3 (expired dust control permit #C10014) NOV. No. 5102 was issued. Both NOV and appeal form were sent certified mail to the above address. The certified mail envelope was returned to Air Quality Management as undeliverable.

On March 12, 2012, a certified letter was issued by Branch Chief Charlene Albee notifying Mr. Rattie of the issuance of Notice of Violation No. 5102. Additionally, a corrective action date of 10 days from the date of receipt was issued provided for the submittal of the renewal application for the expired dust control permit. Air Quality received the signature card receipt acknowledging Tarragon signed for the certified mail on March 16, 2012.

On April 3, 2012, Specialist Dugger contacted Mr. Rattie to inform him that the renewal application had been received but was deemed incomplete due to lack of contact information. Specialist Dugger also provided a negotiated settlement form to Mr. Rattie to address the negotiated settlement meeting with Mr. Charlie

Foushee via a conference call to address the possible settlement agreement of the Notice of Violation Citation No. 5102

On May 1, 2012, a conference call was attended by Senior Air Quality Specialist Dennis Cerfoglio, Branch Chief Charlene Albee and Mr. Charlie Foushee, representative for Tarragon. After a discussion of the facts of the case that led to the issuance of the notice of violation, Ms. Albee recommended that Citation No. 5102 be upheld with a fine of \$500. Mr. Foushee agreed to the settlement offer and a Memorandum of Understanding was signed by all parties.

Suzanne Dugger  
Air Quality Specialist II  
Air Quality Management Division  
Washoe County Health District



# DISTRICT HEALTH DEPARTMENT AIR QUALITY MANAGEMENT DIVISION

## MEMORANDUM OF UNDERSTANDING

### WASHOE COUNTY DISTRICT HEALTH DEPARTMENT AIR QUALITY MANAGEMENT DIVISION

Date: 4-3-2012

Company Name: TARLAGON - SPANISH SPRINGS LAND LLL  
Address: 601 UNION ST, SUITE 3500 SEATTLE WA. 98101  
Notice of Violation # 5102 Case # 1077

The staff of the Air Quality Management Division of the Washoe County District Health Department issued the above referenced citation for the violation of Regulation 040.030 SECT. 0.3 OPERATING WITHOUT A  
VALID DUST CONTROL PERMIT

A settlement of this matter has been negotiated between the undersigned parties resulting in a penalty amount of \$ 500.00. This settlement will be submitted to the District Board of Health for review at the regularly scheduled meeting on APRIL 24, 2012.

[Signature]  
Signature of Company Representative

CHALIS FOUSHEE  
Print Name

DEVELOPMENT MANAGER  
Title

[Signature]  
Witness

LIZ CHRIST  
Witness

[Signature]  
Signature of District Representative

DENNIS CERFOGLIO  
Print Name

SR. AIR QUALITY SPEC.  
Title

[Signature]  
Witness

SUZANNE DUGGER  
Witness

**AIR QUALITY  
DUST CONTROL PERMIT C10014  
EXPIRED 1-31-2012**



LM W/DENNIS RATTIE JENNIFER RUSSELL  
LM W/DENNIS RATTIE 2-3-2012 WILL RENEW

# WASHOE COUNTY HEALTH DISTRICT

## AIR QUALITY MANAGEMENT DIVISION



**Public Health**  
Prevent. Promote. Protect.

LM W/JENNIFER RUSSELL 2-23-2012

Conditional Dust Control Permit Approval #: C10014

1

**Name of Development:** Spanish Springs Corporate Park (30 Acres Disturbed)

**Specific Location:** 46 Isidor Court, Sparks

**Property Holder:** Tarragon-Spanish Springs Land LLC **Expiration Date:** 1-31-2012

The following requirements are special conditions of approval for this dust control permit in addition to the standard conditions noted in the permit application. The special conditions noted below must be followed in all activities covered in this permit application.

1. **Two (2) water trucks** will be assigned and available for operation 24 HOURS A DAY, 7 DAYS A WEEK for the purpose of water application for control of fugitive dust. If **two water trucks** cannot control fugitive dust emissions from equipment operations and/or gusty wind conditions, the applicant shall immediately provide additional water trucks. **CESSATION OF OPERATIONS IS REQUIRED IF DUST CANNOT BE CONTROLLED DUE TO EQUIPMENT OPERATIONS AND/OR GUSTY WIND CONDITIONS. IF CESSATION OF OPERATIONS IS USED AS A DUST CONTROL MEASURE, CONTINUED WATERING OF THE PROJECT IS REQUIRED.**
2. Dust emissions generated on any entrance or exit haul roads due to equipment operations or gusty wind conditions must be controlled 24 hours a day, 7 days a week, by the use of water application or an environmentally safe dust palliative (District Regulation 040.030, Section C. 2. a. and b.) Any palliative used must comply with state and local regulations and not provide a noxious odor or contaminate ground water.
3. All projects importing or exporting dirt, rock or other fill materials must comply with the work practice standards in District Regulation 040.030, Section C. 4., including load tarping, watering or Freeboard. Any soil tracked onto adjoining paved roadways will be promptly removed by wet broom or washing. Regular vacuum or wet sweeping will be performed at least daily, and more often if necessary or if ordered by the Control Officer due to a violation. Any materials tracked out or spilled which cause visible fugitive dust for a period of five (5) minutes in any hour period shall be cleaned up immediately.
4. Any soil or fill storage piles operated or maintained as a part of this construction lot will be covered or wetted down sufficiently to prevent wind blown dust. Dust emissions from screening operations will be controlled by the use of a water truck or other control measure that prevents fugitive dust.

P.O. BOX 11130 Reno, NV 89520-0027 • (775) 784-7200 • FAX (775) 784-7225

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**Conditional Dust Control Permit # C10014**  
Spanish Springs Corporate Park \* 46 Isidor Court, Sparks

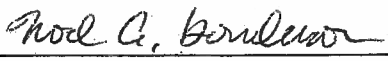
5. The applicant shall implement additional dust control measures, such as extra water trucks, water cannons, re-vegetation, environmentally safe dust palliatives (which comply with all applicable regulations and do not emit a noxious odor and do not contaminate ground water), wind fencing, and/or cessation of operations should these measures fail to control fugitive dust emissions from this project.
6. Once final grade has been completed, and if no structures are being constructed, the owner/developer shall be required to establish a long-term stable surface. This shall include re-vegetation or covering the disturbed soil with rock or crushed asphalt products within 30 days of completion of final grade. The use of an approved palliative is an option, but must be approved by the Air Quality Management Division (AQMD) prior to application.
7. The applicant shall provide a Material Safety Data Sheet (MSDS) and dilution ratio to AQMD staff for any dust palliative selected for use as a dust control measure at this site.
8. A copy of this dust control permit shall be maintained at the construction project site and available to any sub-contractor or Air Quality Management Division inspector to review upon request.
9. ANY CHANGES MADE TO THE PROPOSED OPERATIONS, SCOPE OF WORK OR SURFACE DISTURBANCES UNDER THIS DUST CONTROL PERMIT shall be submitted to the Washoe County Health District, AQMD in writing and must receive approval from the Control Officer prior to implementation.
10. The owner or the general contractor shall erect an informational sign at the main entrance to the project site. The sign shall be a minimum of 4 ft by 4 ft in size, and shall be in place prior to initiation of disturbance of the ground surface. The sign lettering shall be at least 4 inches high and shall be bold and easily readable by the public. The sign shall remain in place for the life of the project. The sign shall include the following information, also see attached example:
  - a) The name of the project.
  - b) A statement identifying the General Contractor.
  - c) A statement proclaiming that "All operators at this site are required to control dust emissions from their operations. The General Contractor is required to oversee and control project wide dust emissions."
  - d) A statement proclaiming that "For dust related problems coming from this site, or to make a dust complaint, call this phone number 24 hours per day, seven days per week: (775) 784-7200. A 24-hour phone number for both the Contractor/Developer and the Air Quality Management Division shall also be posted. The 24-hour phone number for complaints to the Air Quality Management Division is (775) 784-7200."



**Conditional Dust Control Permit # C10014**  
Spanish Springs Corporate Park \* 46 Isidor Court, Sparks

11. A log book of all dust control operations, containing all information as required by the Control Officer in the standard "**WASHOE COUNTY DUST CONTROL LOG**" must be maintained on a daily basis (copies of blank log sheets are available at the Air Quality Management Division Office). Required information includes, but is not limited to, the number of **OPERATING** water trucks/pulls, the size of **OPERATING** water trucks/pulls (gallons capacity of each truck/pull), and the condition of the surface crust on disturbed areas. The operator shall record in the logbook all dust control efforts and the compliance level of the site with dust control requirements. The logbook shall be kept at the project site and made available to District representatives upon request.
12. Visible dust may not be emitted into the air from any operations or disturbed areas of this project for more than 5 minutes in any hour period (Regulation 040.030, Section C. 1). All disturbed areas must maintain a visible surface crust or other cover in compliance with Regulation 040.030, Section C.2.c. Compliance shall be determined using US Environmental Protection Agency Reference Method 22, with an observation period of not less than 5 minutes in any hour period. Copies of District Regulations, enforcement policies and USEPA Reference Testing Methods may be obtained by contacting the Air Quality Management Division at (775) 784-7200.
13. Failure to comply with all of the requirements of this Dust Control Permit shall be considered a citable violation of District Regulations and this dust control permit. Citations may be issued for each day of violation, in amounts up to \$10,000.00 per day as stated in District Regulations.
14. Any use of recycled wastewater from a public or private sewer treatment plant must take into account the protection of public health.

**NOTE:** All operators who clear more than one (1) acre of land also need an NPDES permit addressing water quality issues related to storm run-off from the Nevada Division of Environmental Protection. Contact the Bureau of Water Pollution Control, at (775) 687-9418 for further information.

  
Control Officer

August 3, 2010  
**Effective Date**

January 31, 2012  
**Expiration Date**

**THIS IS NOT A GRADING PERMIT. THESE CONDITIONS ADDRESS DUST CONTROL ONCE THE GRADING PERMIT HAS BEEN OBTAINED. IF THE GRADING PERMIT IS DENIED THIS PERMIT IS VOID.**

DUST CONTROL PERMIT APPLICATION

WASHOE COUNTY HEALTH DISTRICT \* AIR QUALITY MANAGEMENT DIVISION
PO Box 11130, Reno NV 89520-0027 \* (775) 784-7200 \* Fax (775) 784-7225

FEE: \$122.00 per acre (Less than .5 acres round down; .5 and greater round up)
\$112.00

THE "APPLICANT" IS RESPONSIBLE FOR ALL DUST CONTROL 24 HOURS A DAY, SEVEN DAYS A WEEK, INCLUDING WEEKENDS AND HOLIDAYS, FROM COMMENCEMENT OF PROJECT TO COMPLETION.

The Applicant must be the Property Owner/Developer, and signed by the Applicant or his Attorney in Fact. Fill in the application completely or it will be returned for completion.

C10014
AREA 1

- 1. Name of Development: SPANISH SPRINGS CORPORATE PARK
2. Development Address: 46 ISIDOR COURT
3. Size of Project (disturbed acres): 30 ACRES (TWO (2) WATER TRUCKS)
4. Type of Project (choose one): Residential - Single Family, Residential - Multi Family, Commercial with Residential, Road Construction - New, Road Construction - Maintenance/Rehabilitation, Commercial / Industrial, Municipal/Utilities
6. If renewing an existing permit, list permit number: D08007 EXPIRED 4/13/2010

NOTE - - The Dust Control Permit is valid for eighteen (18) months from the date of approval. If the project is not complete or has not commenced by the expiration date, the Applicant must submit a renewal application to the Air Quality Management Division. Failure to do so will result in the Permit expiring and could result in a citation.

7. APPLICANT -- Name and current Address of Property Owner/Developer:

Owner/Developer: TERRAGON - SPANISH SPRINGS, Contact: CHARLIE FOUSTEE
Address: 1002 SECOND AVE SUITE 3200
City: SEATTLE State: WA Zip: 98107
Phone Number: 206-233-9600 Email: cfoustee@terragon.com

8. Name and current Address of Project Engineer/Consultant:

Engineer/Consultant: N/A Contact:
Address:
City: State: Zip:
Phone Number: Email:

9. Name and Address of General Contractor:

Contractor: N/A Contact:
Address:
City: State: Zip:
Phone Number: Email:

10. Name and Address of Grading/Excavating Contractor:

Contractor: N/A Contact:
Address:
City: State: Zip:
Phone Number: Email:

00/0000 CHECK 0000.00
01/04/2010 10:27:10 AM

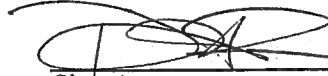
11. Proposed Construction Dates - Per Phase (provide grading and phasing maps): TBD  
 On-Site Grading/Excavation: Start: \_\_\_\_\_ Complete: \_\_\_\_\_  
 Building Construction: Start: \_\_\_\_\_ Complete: \_\_\_\_\_
12. Will fill material be required? Yes \_\_\_\_\_ yd<sup>3</sup> \_\_\_\_\_; No \_\_\_\_\_ TBD
13. Will there be an excess of native material as a result of excavation? Yes \_\_\_\_\_ yd<sup>3</sup> \_\_\_\_\_  
 No \_\_\_\_\_ TBD
14. Amount of Material to be excavated (yd<sup>3</sup>): \_\_\_\_\_ TBD
15. Is there a soil analysis report available? Yes \_\_\_\_\_ No \_\_\_\_\_
16. On-Site soil type: \_\_\_\_\_
17. Method of dust control to be utilized (per phase): (attach a map showing dust control strategy-utilize scale with contours)

Water Truck(s) TWO (2) (number of trucks)  
 Chemical Sealant \_\_\_\_\_ (type - attach MSDS Sheets)  
 Sprinklers/Water Cannons \_\_\_\_\_ (locations)  
 Compaction \_\_\_\_\_ (percent)  
 Enclosure \_\_\_\_\_ (fences, windbreaks)  
 Revegetation \_\_\_\_\_ (type - attach seeding schedule)  
 Will temporary irrigation be supplied? Yes \_\_\_\_\_ No \_\_\_\_\_  
 Water Source: \_\_\_\_\_  
 Speed Limits \_\_\_\_\_ Other \_\_\_\_\_

**NOTE - - Permanent stabilization methods such as construction/landscaping, revegetation, chemical sealant/palliative, or other approved method(s) of dust suppression must occur "within 30 days of grading completion". Dust suppression must continue regardless of construction status.**

18. Method to control mud and soil being tracked onto adjacent paved roadways: N/A
19. Frequency of daily street cleaning: N/A
20. Describe the methods (fences, barriers, etc.) to prevent unauthorized traffic on the construction site(s): FENCE
21. Persons to be contacted during non-working hours in case of dust problems:  
 Name & Phone no: \_\_\_\_\_ Email: \_\_\_\_\_  
 Name & Phone no: \_\_\_\_\_ Email: \_\_\_\_\_

22. The Applicant's (Owner/Developer) signature or that of his/her Attorney in fact on this application shall constitute agreement by the Applicant to accept responsibility for meeting the "Conditions of Plan" (attached):

  
 Signature  
Dennis C. Rattie  
 Print or type name  
Iarragon Spanish Springs Land LLC  
 Company Name

4/13/10  
 Date  
V.P.  
 Title  
206-233-9600  
 Phone Number

**AQ SPECIALIST DUGGER'S  
4-4-2012 FAXED REQUEST  
FOR ADDITIONAL APPLICATION INFORMATION**

AIR QUALITY MGMT.

Apr. 4. 2012 7:14AM

MAY 02 2012

No. 5979 P. 2

AIR QUALITY MGMT.

WASHOE COUNTY HEALTH DIST.

DUST CONTROL PERMIT APPLICATION

APR 02 2012

WASHOE COUNTY HEALTH DIST.

AIR QUALITY MANAGEMENT DIVISION

PO Box 11130, Reno NV 89520-0027 \* (775) 784-7200 \* Fax (775) 784-7225

FEE as of July 1, 2011: \$108.00 per acre (Less than .5 acres round down; .5 and greater round up)

THE "APPLICANT" IS RESPONSIBLE FOR ALL DUST CONTROL 24 HOURS A DAY, SEVEN DAYS A WEEK, INCLUDING WEEKENDS AND HOLIDAYS, FROM COMMENCEMENT OF PROJECT TO COMPLETION.

The Applicant must be the Property Owner/Developer, and signed by the Applicant or his Attorney In Fact. Fill in the application completely or it will be returned for completion.

To be filled in by AQ Staff	
Permit No.:	_____
Area:	_____
Water Truck(s):	_____
Hydro Basin: Yes/No	_____

- Name of Development: SPANISH SPRINGS LAND
- Development Address: 46 BRIDLE COURT, FRANKS, NV 89441
- Size of Project (disturbed acres): 30 ACRES
- Type of Project (choose one):  
 Residential - Single Family \_\_\_\_\_ Residential - Multi Family \_\_\_\_\_ Commercial with Residential \_\_\_\_\_  
 Road Construction - New \_\_\_\_\_ Road Construction - Maintenance/Rehabilitation \_\_\_\_\_  
 Commercial / Industrial \_\_\_\_\_  Municipal/Utilities \_\_\_\_\_
- If renewing an existing permit, list permit number: #C10014

NOTE -- The Dust Control Permit is valid for eighteen (18) months from the date of approval. If the project is not complete or has not commenced by the expiration date, the Applicant must submit a renewal application to the Air Quality Management Division. Failure to do so will result in the Permit expiring and could result in a citation.

WE NEED AN ADDRESS TO PUT ON YOUR PERMIT

7. APPLICANT -- Name and current Address of Property Owner/Developer:  
 Owner/Developer: TERRELLON - SPANISH SPRINGS LAND LLC Contact: \_\_\_\_\_  
 \* Address: 601 Union St. City: SEATTLE State: WA Zip: 98101  
 Phone Number: 206-233-9600 Email: ct@terrellon.com  
 FAX # 206-233-0260

8. Name and current Address of Project Engineer/Consultant:  
 Engineer/Consultant: \_\_\_\_\_ Contact: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

9. Name and Address of General Contractor:  
 Contractor: \_\_\_\_\_ Contact: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

10. Name and Address of Grading/Excavating Contractor:  
 Contractor: \_\_\_\_\_ Contact: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

Apr. 4, 2012 7:15AM

MAY 02 2012

No. 5979 P. 3

11. Proposed Construction Dates - Per Phase: WASHOE COUNTY provide grading and phasing maps \*\*\*  
HEALTH DIST.

On-Site Grading/Excavation: Start: \_\_\_\_\_ Complete: \_\_\_\_\_  
Building Construction: Start: \_\_\_\_\_ Complete: \_\_\_\_\_

12. Will fill material be required? Yes \_\_\_\_\_ yd<sup>3</sup> \_\_\_\_\_; No \_\_\_\_\_  
13. Will there be an excess of native material as a result of excavation? Yes \_\_\_\_\_ yd<sup>3</sup> \_\_\_\_\_  
No \_\_\_\_\_

14. Amount of Material to be excavated (yd<sup>3</sup>): \_\_\_\_\_

15. Is there a soil analysis report available? Yes \_\_\_\_\_ No \_\_\_\_\_

16. On-Site soil type: \_\_\_\_\_

17. Method of dust control to be utilized (per phase): (attach a map showing dust control strategy-utilize scale with contours)

Water Truck(s) 2 (number of trucks) WATER TRUCK CONTACT  
Chemical Sealant \_\_\_\_\_ (type - attach MSDS Sheets) JOHN SHANK  
Sprinklers/Water Cannons \_\_\_\_\_ (locations) 775-691-1816  
Compaction \_\_\_\_\_ (percent)  
Enclosure \_\_\_\_\_ (fences, windbreaks)  
Revegetation \_\_\_\_\_ (type - attach seeding schedule)  
Will temporary irrigation be supplied? Yes \_\_\_\_\_ No \_\_\_\_\_  
Water Source: \_\_\_\_\_  
Speed Limits \_\_\_\_\_ Other \_\_\_\_\_

NOTE - - Permanent stabilization methods such as construction/landscaping, revegetation, chemical sealant/palliative, or other approved method(s) of dust suppression must occur "within 30 days of grading completion". Dust suppression must continue regardless of construction status.

18. Method to control mud and soil being tracked onto adjacent paved roadways: \_\_\_\_\_

19. Frequency of daily street cleaning: THE ADJACENT PROPERTY IS SWEEP MONTHLY.

20. Describe the methods (fences, barriers, etc.) to prevent unauthorized traffic on the construction site(s): 1A  
FENCE SURROUNDS THE PROPERTY.

\* 21. Persons to be contacted during non-working hours in case of dust problems:  
Name & Phone no: CHARLIE FOOSHIE 206.233.9600 Email: cfooshie@tarragon.com  
Name & Phone no: LINDSEY JURIAN 775.851.3666 Email: Ljurian@ncsreno.com  
WE NEED A LOCAL CONTACT PHONE NUMBER IN CASE OF BLOWING DUST.

22. The Applicant's (Owner/Developer) signature or that of his/her Attorney in fact on this application shall constitute agreement by the Applicant to accept responsibility for meeting the "Conditions of Plan" (attached):

[Signature]  
Signature  
CHARLIE FOOSHIE  
Print or type name  
TARRAGON  
Company Name

3/29/12  
Date  
D.W. MGR.  
Title  
206-233-9600  
Phone Number

\* \* \* Communication Result Report ( Apr. 4. 2012 7:15AM ) \* \* \*

1)

Date/Time: Apr. 4. 2012 7:14AM

File No.	Mode	Destination	Pg(s)	Result	Page Not Sent
5979	Memory TX	912532995804	P. 4	OK	

Reason for error  
 E. 1) Hang up or line fail  
 E. 2) Busy  
 E. 3) No answer  
 E. 4) No facsimile connection  
 E. 5) Exceeded max. E-mail size



**WASHOE COUNTY HEALTH DISTRICT**  
**AIR QUALITY MANAGEMENT DIVISION**



\* FAX ROUTING COVER PAGE \*

FROM: SUZANNE DUGGER  
 DATE: 4-3-2012 TIME: 3:15

NUMBER OF PAGES FAXED (INCLUDING THIS COVER PAGE): 4  
 (If you do not receive all pages of this transmission please call 784-7200)

PLEASE DELIVER THE FOLLOWING PAGE(S) TO:

NAME: CHALLIE FOUSHEE  
 COMPANY: TERRACEN-SPANISH SPRINGS LAND LLC.  
 FAX #: 206-233-0260 253-299-5804

NOTES: CHALLIE,

PLEASE SEE # ON YOUR DUST CONTROL APPLICATION AND GIVE THE REQUIRED INFORMATION. (WE NEED A MAILING ADDRESS FOR PERMIT AND WE NEED A LOCAL CONTACT PHONE NUMBER FOR POTENTIAL DUST CONTROL ISSUES).

ALSO WE HAVE DETERMINED A \$500.00 PENALTY FOR OPERATING W/OUT A VALID DUST CONTROL PERMIT. PLEASE SIGN THE MEMORANDUM OF UNDERSTANDING (MOU). IF YOU HAVE ANY QUESTIONS PLEASE CALL ME @ 775-772-7924, OR 775-784-7217. THANK-YOU. SUZANNE DUGGER  
 1001 East 9<sup>th</sup> Street, Bldg A, Ste 115, Reno NV 89820 • (775) 784-7200 • FAX (775) 784-7225

**AIR QUALITY  
DUST CONTROL PERMIT B12013  
ISSUED 5-2-2012**





# WASHOE COUNTY HEALTH DISTRICT

## AIR QUALITY MANAGEMENT DIVISION



**Public Health**  
Prevent. Promote. Protect.

**Conditional Dust Control Permit Approval #: B12013**

**Name of Development: SPANISH SPRINGS LAND (30 Acres Disturbed)**

**Specific Location: 46 Isidor Court, Sparks NV**

**Property Holder: Tarragon-Spanish Springs Land LLC Expiration Date: 10-30-2013**

The following requirements are special conditions of approval for this dust control permit in addition to the standard conditions noted in the permit application. The special conditions noted below must be followed in all activities covered in this permit.

1. **Two (2) water trucks** will be assigned and available for operation 24 HOURS A DAY, 7 DAYS A WEEK for the purpose of water application for control of fugitive dust. If **two water trucks** cannot control fugitive dust emissions from equipment operations and/or gusty wind conditions, the applicant shall immediately provide additional water trucks. CESSATION OF OPERATIONS IS REQUIRED IF DUST CANNOT BE CONTROLLED DUE TO EQUIPMENT OPERATIONS AND/OR GUSTY WIND CONDITIONS. IF CESSATION OF OPERATIONS IS USED AS A DUST CONTROL MEASURE, CONTINUED WATERING OF THE PROJECT IS REQUIRED.
2. Dust emissions generated on any entrance or exit haul roads due to equipment operations or gusty wind conditions must be controlled 24 hours a day, 7 days a week, by the use of water application or an environmentally safe dust palliative (District Regulation 040.030, Section C. 2. a. and b.) Any palliative used must comply with state and local regulations and not provide a noxious odor or contaminate ground water.
3. All projects importing or exporting dirt, rock or other fill materials must comply with the work practice standards in District Regulation 040.030, Section C. 4., including load tarping, watering or Freeboard. Any soil tracked onto adjoining paved roadways will be promptly removed by wet broom or washing. Regular vacuum or wet sweeping will be performed at least daily, and more often if necessary or if ordered by the Control Officer due to a violation. Any materials tracked out or spilled which cause visible fugitive dust for a period of five (5) minutes in any hour period shall be cleaned up immediately.
4. Any soil or fill storage piles operated or maintained as a part of this construction lot will be covered or wetted down sufficiently to prevent wind blown dust. Dust emissions from screening operations will be controlled by the use of a water truck or other control measure that prevents fugitive dust.

**P.O. BOX 11130 Reno, NV 89520-0027 • (775) 784-7200 • FAX (775) 784-7225**

**[www.washoecounty.us/health](http://www.washoecounty.us/health)**

WASHOE COUNTY IS AN EQUAL OPPORTUNITY EMPLOYER HIRING EMPLOYMENT ELIGIBLE APPLICANTS  
Printed on Recycled Paper

**Conditional Dust Control Permit # B12013**  
**SPANISH SPRINGS LAND \* 46 Isidor Court, Sparks NV**

5. The applicant shall implement additional dust control measures, such as extra water trucks, water cannons, re-vegetation, environmentally safe dust palliatives (which comply with all applicable regulations and do not emit a noxious odor and do not contaminate ground water), wind fencing, and/or cessation of operations should these measures fail to control fugitive dust emissions from this project.
6. Once final grade has been completed, and if no structures are being constructed, the owner/developer shall be required to establish a long-term stable surface. This shall include re-vegetation or covering the disturbed soil with rock or crushed asphalt products within 30 days of completion of final grade. The use of an approved palliative is an option, but must be approved by the Air Quality Management Division (AQMD) prior to application.
7. The applicant shall provide a Material Safety Data Sheet (MSDS) and dilution ratio to AQMD staff for any dust palliative selected for use as a dust control measure at this site.
8. A copy of this dust control permit shall be maintained at the construction project site and available to any sub-contractor or Air Quality Management Division inspector to review upon request.
9. ANY CHANGES MADE TO THE PROPOSED OPERATIONS, SCOPE OF WORK OR SURFACE DISTURBANCES UNDER THIS DUST CONTROL PERMIT shall be submitted to the Washoe County Health District, AQMD in writing and must receive approval from the Control Officer prior to implementation.
10. The owner or the general contractor shall erect an informational sign at the main entrance to the project site. The sign shall be a minimum of 4 ft by 4 ft in size, and shall be in place prior to initiation of disturbance of the ground surface. The sign lettering shall be at least 4 inches high and shall be bold and easily readable by the public. The sign shall remain in place for the life of the project. The sign shall include the following information, also see attached example:
  - a) The name of the project.
  - b) A statement identifying the General Contractor.
  - c) A statement proclaiming that "All operators at this site are required to control dust emissions from their operations. The General Contractor is required to oversee and control project wide dust emissions."
  - d) A statement proclaiming that "For dust related problems coming from this site, or to make a dust complaint, call this phone number 24 hours per day, seven days per week: (775) 784-7200. A 24-hour phone number for both the Contractor/Developer and the Air Quality Management Division shall also be posted. The 24-hour phone number for complaints to the Air Quality Management Division is (775) 784-7200."

**Conditional Dust Control Permit # B12013**  
**SPANISH SPRINGS LAND \*46 Isidor Court, Sparks NV**

11. A log book of all dust control operations, containing all information as required by the Control Officer in the standard "**WASHOE COUNTY DUST CONTROL LOG**" must be maintained on a daily basis (copies of blank log sheets are available at the Air Quality Management Division Office). Required information includes, but is not limited to, the number of **OPERATING** water trucks/pulls, the size of **OPERATING** water trucks/pulls (gallons capacity of each truck/pull), and the condition of the surface crust on disturbed areas. The operator shall record in the logbook all dust control efforts and the compliance level of the site with dust control requirements. The logbook shall be kept at the project site and made available to District representatives upon request.
12. Visible dust may not be emitted into the air from any operations or disturbed areas of this project for more than 5 minutes in any hour period (Regulation 040.030, Section C. 1). All disturbed areas must maintain a visible surface crust or other cover in compliance with Regulation 040.030, Section C.2.c. Compliance shall be determined using US Environmental Protection Agency Reference Method 22, with an observation period of not less than 5 minutes in any hour period. Copies of District Regulations, enforcement policies and USEPA Reference Testing Methods may be obtained by contacting the Air Quality Management Division at (775) 784-7200.
13. Failure to comply with all of the requirements of this Dust Control Permit shall be considered a citable violation of District Regulations and this dust control permit. Citations may be issued for each day of violation, in amounts up to \$10,000 per day as stated in District Regulations.
14. Any use of recycled wastewater from a public or private sewer treatment plant must take into account the protection of public health.

**NOTE:** All operators who clear more than one (1) acre of land also need an NPDES permit addressing water quality issues related to storm run-off from the Nevada Division of Environmental Protection. Contact the Bureau of Water Pollution Control at (775) 687-9418 for further information.

May 2, 2012  
**Effective Date**

Charlene Debee  
Control Officer

October 30, 2013  
**Expiration Date**

**THIS IS NOT A GRADING PERMIT. THESE CONDITIONS ADDRESS DUST CONTROL ONCE THE GRADING PERMIT HAS BEEN OBTAINED. IF THE GRADING PERMIT IS DENIED THIS PERMIT IS VOID.**



11. Proposed Construction Dates – Per Phase:

\*\*\* provide grading and phasing maps \*\*\*

On-Site Grading/Excavation: Start: \_\_\_\_\_ Complete: \_\_\_\_\_  
Building Construction: Start: \_\_\_\_\_ Complete: \_\_\_\_\_

- 12. Will fill material be required? Yes \_\_\_\_\_ yd<sup>3</sup> \_\_\_\_\_; No \_\_\_\_\_
- 13. Will there be an excess of native material as a result of excavation? Yes \_\_\_\_\_ yd<sup>3</sup> \_\_\_\_\_  
No \_\_\_\_\_
- 14. Amount of Material to be excavated (yd<sup>3</sup>): \_\_\_\_\_
- 15. Is there a soil analysis report available? Yes \_\_\_\_\_ No \_\_\_\_\_
- 16. On-Site soil type: \_\_\_\_\_
- 17. Method of dust control to be utilized (per phase): (attach a map showing dust control strategy-utilize scale with contours)

Water Truck(s) 2 \_\_\_\_\_ (number of trucks)  
Chemical Sealant \_\_\_\_\_ (type – attach MSDS Sheets)  
Sprinklers/Water Cannons \_\_\_\_\_ (locations)  
Compaction \_\_\_\_\_ (percent)  
Enclosure \_\_\_\_\_ (fences, windbreaks)  
Revegetation \_\_\_\_\_ (type – attach seeding schedule)  
Will temporary irrigation be supplied? Yes \_\_\_\_\_ No \_\_\_\_\_  
Water Source: \_\_\_\_\_  
Speed Limits \_\_\_\_\_ Other \_\_\_\_\_

**NOTE - - Permanent stabilization methods such as construction/landscaping, revegetation, chemical sealant/palliative, or other approved method(s) of dust suppression must occur "within 30 days of grading completion". Dust suppression must continue regardless of construction status.**

18. Method to control mud and soil being tracked onto adjacent paved roadways: \_\_\_\_\_

19. Frequency of daily street cleaning: THE ADJACENT PROPERTY IS SWEEP MONTHLY.

20. Describe the methods (fences, barriers, etc.) to prevent unauthorized traffic on the construction site(s): A FENCE SURROUNDS THE PROPERTY.

21. Persons to be contacted during non-working hours in case of dust problems: 206-2339600  
Name & Phone no: CHARLIE FOUSHÉE Email: cfoushee@tarragon.com  
Name & Phone no: Lindsey Juriaan 715-851-3666 Email: Ljuriaan@ncsreno.com

22. The Applicant's (Owner/Developer) signature or that of his/her Attorney in fact on this application shall constitute agreement by the Applicant to accept responsibility for meeting the "Conditions of Plan" (attached):

[Signature]  
Signature  
CHARLIE FOUSHÉE  
Print or type name  
TARRAGON  
Company Name  
3/29/12  
Date  
DGU, MGR.  
Title  
206-233-9600  
Phone Number

# RECOMMENDED FINE WORKSHEET

DATE: 2-24-2012 CASE NO.: 1077 NOV NO.: 5102

COMPANY NAME: TARRAGON-SPANISH SPRINGS LAND LLC

CONTACT NAME: DENNIS RATTIE, VICE PRESIDENT

VIOLATION OF SECTION(S): 040.030 Section (C)(3) (MAJOR / MINOR)

X 1<sup>ST</sup> VIOLATION          2<sup>ND</sup> VIOLATION          3<sup>RD</sup> VIOLATION

<u>NO</u>	HAZARDOUS AIR POLLUTANT	YES / NO	<u>PM</u>	TYPE OF AIR CONTAMINANT (CO, NOX, SOX, PM, VOC'S)	
<u>NO</u>	LEGALLY PERMITTED SOURCE	YES / NO	<u>YES</u>	PUBLIC HEALTH EXPOSURE	YES / NO
<u>25</u>	NUMBER OF DAYS IN VIOLATION	YES / NO	<u>NO</u>	PUBLIC COMPLAINTS	YES / NO

1. **DEGREE OF VIOLATION:** MINOR MODERATE MAJOR  
(The degree to which the person/company has deviated from the regulatory requirements)

Currently not permitted.

2. **ECONOMIC BENEFIT COMPONENT:** (OPTIONAL) MINOR MODERATE MAJOR

ESTIMATED COST \$ 3,240

(Economic effect to the person/company for NOT complying with the Regulations including avoided costs and delayed costs)

The dust control application cost: 30 acres @ \$108 per acres = \$3,240

3. **DEGREE OF COOPERATION:** MINOR MODERATE MAJOR  
(The person/company's efforts to immediately cease the violation and come into compliance)

I have attempted four times to contact Dennis Rattie and Jennifer Russell to inform them of the expired dust control permit #C10014. Dust control permit expired 1-31-2012.

4. **ADDITIONAL COMMENTS:**

On February 3, 2012, Jennifer Russell, Assistant to Mr. Dennis Rattie, state that a dust control permit application would be submitted. As of February 23, 2012 no application had been received in the Air Quality Management office. The Air Quality Management office reduced the fine amount due to non-activity on the site. The site is partially vegetated. There have not been any citizen complaints.

RECOMMENDED FINE: \$ 500

  
AQ SPECIALIST'S SIGNATURE

NOTE: "Minor Violations", per District Regulations, cannot exceed \$1000 for the first and second violations. Third minor violations, plus "major violations" cannot exceed \$10,000 per day.

LETTER TO MR. DENNIS RATTIE, TARRAGON-SPANISH SPRINGS LAND LLC  
FROM BRANCH CHIEF, CHARLENE ALBEE  
DATED 3-12-2012



# WASHOE COUNTY HEALTH DISTRICT

## AIR QUALITY MANAGEMENT DIVISION



**Public Health**  
Prevent. Promote. Protect.

March 12, 2012

Mr. Dennis Rattie  
Tarragon-Spanish Springs Land LLC  
601 Union St Ste #3500  
Seattle, WA 98101-1370

Re: Spanish Springs Corporate Park, Dust Control Plan #C10014

Dear Mr. Rattie:

The Air Quality Management Division, of the Washoe County Health District, issued Conditional Dust Control Plan #C10014 on August 3, 2010, for 30 acres of disturbance associated with the development of the Spanish Springs Corporate Park. The permit was valid for a period of 18 months with an expiration date of January 31, 2012. Since final stabilization has not been achieved on this site, a new dust control plan was required prior to the expiration date.

Suzanne Dugger, Air Quality Specialist II, has contacted your office but to date an application for a new dust control plan has not been received. Based on this, the determination was made to issue a notice of violation for operating without a valid dust control plan. A copy of Notice of Violation #5102 was issued on February 24, 2012 and sent by certified mail to the address on file, 1000 2<sup>nd</sup> Avenue #3200, Seattle, WA 98104. The certified letter was returned to our office indicating the forwarding time had expired.

Enclosed is a copy of Notice of Violation #5102 for your records. Please note, the corrective action date to submit an application for a new dust control plan was 5 days from the date of issuance. Due to the returned mail situation, the corrective action date will now be 10 days from the date of receipt of this letter.

Please contact Suzanne Dugger at (775) 784-7217 to make arrangements for the resolution of the notice of violation. An appeal form has been included for your convenience.

If you have any questions, please feel free to contact me at (775) 784-7211.

Sincerely,

Handwritten signature of Charlene Albee in cursive.

Charlene Albee  
Chief, Permitting & Enforcement Branch

Enclosures

CERTIFIED MAIL #7008 0150 0003 7313 0521

P.O. BOX 11130 Reno, NV 89520-0027 • (775) 784-7200 • FAX (775) 784-7225

[www.washoecounty.us/health](http://www.washoecounty.us/health)

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**OFFICIAL 172300 E**

7008 0150 0003 7313 0521

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	



Sent To **DENNIS RATTIE**  
**TARRAGON-SPANISH SPRINGS LAND LLC**  
 Street, Apt. No.;  
 or PO Box No. **601 UNION ST STE #3500**  
 City, State, ZIP+4  
**SEATTLE WA 98101-1370**

PS Form 3800, August 2006

See Reverse for Instructions

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
**MR. DENNIS RATTIE**  
**TARRAGON-SPANISH SPRINGS**  
**LAND LLC**  
  
**601 UNION ST STE # 3500**  
**SEATTLE WA**  
**98101-1370**

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  Addressee  
*[Signature]*

B. Received by (Printed Name) **Angie Tarcubacha**

C. Date of Delivery **3-16-12**

D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below:

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number (Transfer from service label) **7008 0150 0003 7313 0521** **CA**

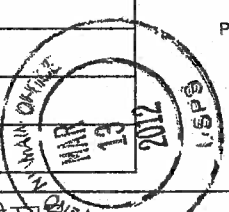
LETTER TO MR. DENNIS RATTIE, TARRAGON-SPANISH SPRINGS LAND LLC  
FROM BRANCH CHIEF, CHARLENE ALBEE  
DATED 3-12-2012

7008 0150 0003 7313 0521

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**OFFICIAL RECEIPT**

Postage	\$	
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent To **DENNIS RATTIE**  
**TARRAGON-SPANISH SPRINGS LAND LLC**  
 Street, Apt. No.;  
 or PO Box No. **601 UNION ST STE #3500**  
 City, State, ZIP+4  
**SEATTLE WA 98101-1370**

PS Form 3800, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p><i>[Signature]</i></p>	
	<p>1. Article Addressed to:</p> <p><b>MR. DENNIS RATTIE</b>  <b>TARRAGON-SPANISH SPRINGS LAND LLC</b>  <b>601 UNION ST STE # 3500</b>  <b>SEATTLE WA</b>  <b>98101-1370</b></p>	<p>B. Received by (Printed Name)  <b>Angie Tarragon</b></p>
<p>2. Article Number (Transfer from service label) <b>7008 0150 0003 7313 0521</b></p>	<p>D. Is delivery address different from item 1? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No          If YES, enter delivery address below:</p>	
<p>3. Service Type</p> <p><input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	


RETURNED CERTIFIED MAIL  
TO MR. DENNIS RATTIE, TARRAGON-SPANISH SPRINGS LAND LLC

MAILED 2-27-2012  
RETURNED 3-6-2012

mailed Monday 2/27/2012

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

**CERTIFIED MAIL™**



7008 0150 0003 7313 0422  
2240 ETEE3 0000 05TD 8000  
2240 ETEE3 0000 05TD 8000

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**0150 0003 7313 0422 USE**

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark Here  
FEB 27 2012  
RENO NV MAIL OFFICE  
MA/SD

Sent To  
DENNIS RATTIE / TARRAGON - SPANISH SPRINGS LAND  
Street, Apt. No.,  
or PO Box No. 1000 2ND AVE SUITE 3200  
City, State, ZIP+4  
SEATTLE WA 98104

PS Form 3800, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature <b>X</b> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to: DENNIS RATTIE TARRAGON-SPANISH SPRINGS LAND LLC 1000 2ND AVE SUITE 3200 SEATTLE WA 98104</p>	<p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>
<p>2. Article Number (Transfer from service label) <b>7008 0150 0003 7313 0422</b></p>	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes MA/SD</p>

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

AIR QUALITY MGMT.

MAR 06 2012

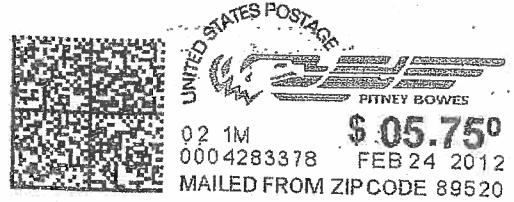
WASHOE COUNTY  
HEALTH DIST.

**CERTIFIED MAIL**



7008 0150 0003 7313 0415

e Requested



*AVK*  
*R+430*  
*Ken*

DENNIS RATTIE  
SPANISH SPRINGS CORP  
1000 2<sup>ND</sup> AVE STE 3200  
SEATTLE WA

FORWARD X 990 NSE 1 910F 01 02/29/12  
TIME EXP RTN TO SEND  
TARRAGON SPANISH SPRINGS H LLC  
601 UNION ST STE 3500  
SEATTLE WA 98101-1970

RETURN TO SENDER

98104+1074

*LM 3-7-2012 FOR  
DENNIS RATTIE*