

Appendix D:
Public Review Process

Documentation of the Public Review Process

Coordination with local governments and agencies, combined with opportunities for public review and comment, was an integral part of the development process for the *8-Hour Ozone Early Progress Plan for Clark County* (EPP).

Clark County staff also coordinated closely with the Ozone Working Group, a subcommittee of the Technical Advisory Committee, in developing the draft EPP. The subcommittee consists of representatives from local and state governments, along with private sector stakeholders. Its mission is to:

- Provide input on technical and policy issues to the Clark County Board of County Commissioners (BCC).
- Provide recommendations and assistance to Clark County Department of Air Quality and Environmental Management (DAQEM) staff.

The Ozone Working Group was established in April 2004 to guide ozone research activities. DAQEM staff coordinated closely with the group in building consensus on research programs to characterize ozone air quality in southern Nevada, and in the identification and implementation of emission control programs for precursor pollutants that lead to the formation of ozone.

A 30-day public comment period on the Ozone EPP began Sunday, May 4, 2008, and ended Tuesday, June 2, 2008. The BCC held a public hearing to receive comments on June 17, 2008; no comments were received. This appendix contains copies of the public notice and documentation relating to the public hearing.

Written comments on the draft EPP were limited to e-mail correspondence from the Clark County Department of Aviation. The e-mail requested additional language to clarify the differences between general conformity and transportation conformity. The draft EPP was amended in response to that request. At the close of the public hearing, the BCC approved a resolution adopting the EPP.

This appendix contains copies of the EPP public notice, DAQEM's recommendation and report to the BCC for a public hearing, and documentation of the public hearing held on June 17, 2008.

Public Notice

Notice is hereby given of a 30-day comment period for the proposed *8-Hour Ozone Early Progress Plan* (EPP) commencing Sunday, May 4, 2008, and ending Tuesday, June 2, 2008. This plan establishes motor vehicle emission budgets for use in determining transportation conformity in the Clark County ozone nonattainment area.

The EPP is available for public inspection at the Clark County Department of Air Quality and Environmental Management (DAQEM) offices, 500 S. Grand Central Parkway, Las Vegas, Nevada. The plan is also available on the DAQEM Web site at <http://www.accessclarkcounty.com/daqem/index.html>; to access the document, click on "Air Quality" and then on "Plans and Studies". The EPP will be mailed to interested persons upon request. Any fees associated with this request will be billed at a cost consistent with the Clark County Public Records Policy and NRS Chapter 239.

Any questions or comments must be submitted in writing to the attention of William Cates, DAQEM, at the address above. All comments must be received by Tuesday, June 2, 2008 at 5:00 PM, the close of the 30-day comment period. Written comments will be retained and considered prior to the submittal of the proposed EPP to the Clark County Board of County Commissioners.

Dated this 4th day of May, 2008

Lewis Wallenmeyer
Director
Department of Air Quality and Environmental Management

NOTICE TO PUBLISH

LAS VEGAS, NEVADA

April 30, 2008

TO: LAS VEGAS REVIEW JOURNAL / SUN

ATTN: MAGGIE WIMMER
PHONE: 383-0320 FAX: 383-4641 or 387-2932

FROM: CATHERINE SMITH
CLARK COUNTY DEPARTMENT OF AIR QUALITY &
ENVIRONMENTAL MANAGEMENT
500 S. GRAND CENTRAL PARKWAY
P O BOX 555210
LAS VEGAS, NV 89155-5210

Legal Classified Ad for Public Notice (see attached)

Please publish the attached public notice three consecutive Sundays beginning on Sunday, May 4, 2008 with the last publication to run on May 18, 2008 in the Review Journal legal classified section and fax me 1 copy of the preprint text for our review and confirmation (fax 366-8580).

Also, please **send me three (3) copies of the Affidavit of Publication.** If you have any questions, please feel free to call me at 455-1604.

Please bill the Department of Air Quality Management & Environmental Management, Attn: Cathy Smith, at the above address.

Attachment

Thank you, Maggie

Cathy

\cs

AFFP DISTRICT COURT
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

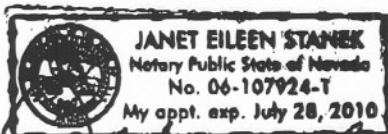
STATE OF NEVADA)
COUNTY OF CLARK) SS:

STACEY M. LEWIS, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

CC AIR QUAL MANGMNT 3868527CC 3906567

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 3 edition(s) of said newspaper issued from 05/04/2008 to 05/18/2008, on the following days:

- 05/04/2008
- 05/11/2008
- 05/18/2008



Signed: Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE
19th day of May 2008
Janet Eileen Stanek
Notary Public

PUBLIC NOTICE

Notice is hereby given of a 30-day comment period for the proposed 8-Hour Ozone Early Progress Plan (EPP) commencing Sunday, May 4, 2008, and ending Tuesday, June 2, 2008. This plan establishes motor vehicle emission budgets for use in determining transportation conformity in the Clark County ozone nonattainment area.

The EPP is available for public inspection at the Clark County Department of Air Quality and Environmental Management (DAQEM) offices, 500 S. Grand Central Parkway, Las Vegas, Nevada. The plan is also available on the DAQEM Web site at <http://www.access-clarkcounty.com/daqem/index.html>.

To access the document, click on "Air Quality" and then on "Plans and Studies". The EPP will be mailed to interested persons upon request. Any fees associated with this request will be billed at a cost consistent with the Clark County Public Records Policy and NRS Chapter 239.

Any questions or comments must be submitted in writing to the attention of William Cabos, DAQEM, at the address above. All comments must be received by Tuesday, June 2, 2008 at 5:00 PM, the close of the 30-day comment period. Written comments will be retained and considered prior to the submittal of the proposed EPP to the Clark County Board of County Commissioners.

Dated this 4th day of May, 2008

Lewis Wallenmeyer
Director
Department of Air Quality and Environmental Management
PUB: May 4, 11, 18, 2008
LV Review-Journal

CLARK COUNTY BOARD OF COMMISSIONERS

AGENDA ITEM

Issue:	8-Hour Ozone Early Progress Plan for Clark County, Nevada	Back-up:
Petitioner: Management	Lewis Wallenmeyer, Director, Air Quality & Environmental	Clerk Ref. #
Recommendation:		
<p>That the Board of County Commissioners set a public hearing on June 17, 2008 at 10:00 AM to solicit public comments on the proposed 8-Hour Ozone Early Progress Plan for Clark County, Nevada. The plan and appendices are available at the Clerk's Office and the Department of Air Quality & Environmental Management Main Office, Clark County Government Center.</p>		

FISCAL IMPACT:

None by this action.

BACKGROUND:

This “8-Hour Ozone Early Progress Plan for Clark County, Nevada” establishes motor vehicle emission budgets for use in determining the transportation conformity of the Clark County nonattainment area for ozone. Clark County is submitting this plan to obtain approval of those budgets, which are essentially a cap on the total emissions allocated to on-road vehicles.

Clark County was designated in nonattainment of the 8-hour national health standard in April 2004. The Phase 1 Implementation Rule promulgated by the EPA on June 15, 2004, classified Clark County as a “basic” nonattainment area under Subpart 1 of the Clean Air Act. On December 22, 2006, the United States Court of Appeals for the District of Columbia Circuit vacated the Phase I Implementation Rule. The EPA and other entities petitioned for a rehearing and on June 8, 2007, the court reviewed its decision and vacated certain portions of the rule, including the classification determinations for areas designated under Subpart 1 of the Clean Air Act. These actions have obligated Clark County to develop an early progress plan to obtain transportation conformity budgets.

The EPA established a transportation conformity rule allowing areas in nonattainment to submit an early progress plan containing early motor vehicle emission budgets that address ozone standards in advance of a complete attainment demonstration. Early budget submittals do not need to demonstrate attainment, but must show some progress consistent with adopted control measures and projected emissions. Progress is demonstrated if projected emissions by the June 15, 2009, attainment date (2008 ozone season) are less than emissions in the 2002 base year. This early progress plan for Clark County demonstrates that projected emissions are less in 2008 than in the 2002 base year and establishes transportation conformity budgets to

Cleared for Agenda
6/3/2008

Agenda Item #

ensure that motor vehicle emissions do not adversely impact progress towards attainment of national health standards for ozone.

The required public notice to solicit public comments was published on May 4, 2008, and in the following three consecutive weeks, ending on June 2, 2008, at 5:00 p.m.

Because the plan and appendices are voluminous, the public may review and comment on the proposed Plan by accessing the DAQEM website at: <http://www.accessclarkcounty.com/depts/daqem/aq/Pages/ozone.aspx>. It is also available for inspection at the DAQEM office on the 1st floor of the Clark County Government Center, 500 South Grand Central Parkway, Las Vegas, Nevada 89155-5210.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "L. Wallenmeyer", written in a cursive style.

LEWIS WALLENMEYER, DIRECTOR

AGENDA

**JOINT MEETING OF THE
CLARK COUNTY BOARD OF COMMISSIONERS
CLARK COUNTY WATER RECLAMATION DISTRICT BOARD OF TRUSTEES
AND THE
UNIVERSITY MEDICAL CENTER OF SOUTHERN NEVADA BOARD OF TRUSTEES
9:15 AM TUESDAY, JUNE 17, 2008
CLARK COUNTY COMMISSION CHAMBERS, GOVERNMENT CENTER
500 SOUTH GRAND CENTRAL PARKWAY, LAS VEGAS, NEVADA**

This meeting has been properly noticed and posted in the following locations:

CC Government Center
500 S. Grand Central Pkwy.
Las Vegas, NV
(Principal Office)

Third Street Building
309 S. Third St.
Las Vegas, NV

Winchester Park & Center
3130 S. McLeod Dr
Las Vegas, NV

Regional Justice Center
200 Lewis Ave, 1st Fl.
Las Vegas, NV

Paradise Park
Pool & Center
4775 McLeod Dr.
Las Vegas, NV

Desert Breeze
Park & Community Ctr
8275 Spring Mtn. Rd
Las Vegas, NV

Agenda Also Available At:

City of Las Vegas
400 E. Stewart Ave.
Las Vegas, NV

City of Henderson
200 Water St.
Henderson, NV

City of Mesquite
10 E. Mesquite Blvd.
Mesquite, NV

City of North Las Vegas
2200 Civic Center Dr.
No. Las Vegas, NV

City of Boulder City
400 California Ave.
Boulder City, NV

Clark County
Reg. Govt. Center
101 Civic Way
Laughlin, NV

Tune in to the County's news magazine "Chronicles" Tuesday, June 17, 2008, at 6:30 p.m.
The main agenda is available on Clark County's Internet Web Site, <http://www.accessclarkcounty.com>.
This meeting will be broadcast live on Clark County television, Channel 4 (CCTV 4) and over the Internet, <http://www.accessclarkcounty.com>. It will be replayed over CCTV 4 on Tuesday, June 17, 2008, at 8:00 p.m.
For more programming information, call the Public Communications Office at 451-6888.

SEC. 1. OPENING CEREMONIES

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

- 1** Approve the reconsideration of Agenda Item No. 116 which was approved at the June 3, 2008, Board meeting.
- 2** Approval of Minutes of the Regular Meeting on May 6, 2008. (Available in the County Clerk's Office, Commission Division)

3 Approval of Agenda with the Inclusion or Reconsideration of Any Emergency Items and Deletion of Any Items.

NOTE: All items listed on this agenda are for action by the Board/Trustees unless otherwise noted. Action may consist of any of the following: approve, deny, condition, hold, or table.

Consent Agenda - All matters in this sub-category are considered by the Board of County Commissioners and Board of Trustees to be routine and may be acted upon in one motion. Most agenda items are phrased for a positive action. However, the Board/Trustees may take other actions such as hold, table, amend, etc.

COMMENTS BY THE GENERAL PUBLIC

According to Nevada's Open Meeting Law, it is the Board's/Trustees' discretion to take Public Comment during times other than during a Public Hearing or during the Public Comment Session. In all other instances, a citizen may speak on any matter before the Board/Trustees for consideration, after receiving recognition and consent of the Chairman of the Board. Public Comment will be limited to three minutes. If any member of the Board/Trustees wishes to extend the length of a presentation, this will be done by the Chairman, or the Board/Trustees by majority vote.

If you wish to speak on a matter not listed as a public hearing or on a matter not posted on the agenda, you may do so during the Public Comment Session. Please step up to the speaker's podium, clearly state your name and address -- please spell your name for the record -- and limit your comments to no more than three minutes. No vote may be taken on any matter not listed on the posted agenda.

Consent Agenda items are routine and can be taken in one motion unless a Commissioner/Trustee member requests that an item be taken separately. For all items left on the Consent Agenda, the action taken will be staff's recommendation as indicated on the item.

Items taken separately from the Consent Agenda by Commission/Trustees members at the meeting will be heard following the Commissioners'/County Manager's Recognition Section.

SEC. 5. PUBLIC HEARINGS - 10 AM

- 110** Conduct a public hearing on the Clark County Water Reclamation District's delinquent accounts; and adopt the report (with any changes) to place these delinquent accounts on the Clark County tax roll for collection. (*Board of County Commissioners sitting as the Clark County Water Reclamation District Board of Trustees*)
- 111** Conduct a public hearing; and approve, adopt, and authorize the Chairman to sign an ordinance to amend the effective date of amendments to Clark County Air Quality Regulations Sections 0, 12, 58 and 59 (New Source Review Program) from July 1, 2008 to July 1, 2009; and providing for other matters properly relating thereto.
- 112** **Conduct a public hearing to consider and approve the inclusion of any relevant public comments into the proposed 8-Hour Early Progress Plan; approve, adopt, and authorize the Chairman to sign a resolution to adopt the Plan; and authorize its submittal to the State and US EPA for their review and approval as a State Implementation Plan revision. (The plan and appendices are available at the Clerk's Office and the DAQEM Main Office, Clark County Government Center.)**
- 113** Conduct a public hearing; and approve, adopt, and authorize the Chairman to sign a Resolution to Augment the Fiscal Year 2007-08 Laughlin Town Fund (2640) budget.

END OF PUBLIC HEARINGS

Comments By the General Public

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

All comments by speakers should be relevant to Board/Trustees action and jurisdiction.

THE REGULAR JOINT MEETINGS OF THE CLARK COUNTY BOARD OF COMMISSIONERS, THE CLARK COUNTY WATER RECLAMATION BOARD OF TRUSTEES, AND THE UNIVERSITY MEDICAL CENTER OF SOUTHERN NEVADA BOARD OF TRUSTEES HELD ON THE FIRST AND THIRD TUESDAYS OF EACH MONTH, ARE VIDEO-TAPED BY THE CLARK COUNTY TELEVISION, CHANNEL 4 (CCTV 4). THIS MEETING WILL BE BROADCAST LIVE ON THE CCTV 4 AND OVER THE INTERNET AT www.accessclarkcounty.com. IT WILL BE REPLAYED OVER CCTV 4 ON Tuesday, June 17, 2008, AT 8:00 P.M. FOR MORE PROGRAMMING INFORMATION, CALL THE PUBLIC COMMUNICATIONS OFFICE AT 455-6888.

THE COUNTY CLERK KEEPS THE OFFICIAL RECORD OF ALL PROCEEDINGS OF THE COUNTY COMMISSION, THE CCWRD BOARD OF TRUSTEES, AND THE UMC HOSPITAL BOARD OF TRUSTEES. IN ORDER TO MAINTAIN A COMPLETE AND ACCURATE RECORD OF ALL PROCEEDINGS, ANY PHOTOGRAPH, MAP, CHART, OR ANY OTHER DOCUMENT USED IN ANY PRESENTATION TO THE BOARD/TRUSTEES SHOULD BE SUBMITTED TO THE COUNTY CLERK. IF MATERIALS ARE TO BE DISTRIBUTED TO COMMISSIONERS/TRUSTEES, PLEASE PROVIDE SUFFICIENT COPIES FOR DISTRIBUTION TO THE COUNTY MANAGER, COUNTY COUNSEL, AND COUNTY CLERK.

THE CLARK COUNTY COMMISSION CHAMBERS ARE ACCESSIBLE TO INDIVIDUALS WITH DISABILITIES. WITH TWENTY-FOUR (24) HOUR ADVANCE REQUEST, A SIGN LANGUAGE INTERPRETER MAY BE MADE AVAILABLE (PHONE: 455-3530 OR TDD 385-7486) OR RELAY NEVADA TOLL FREE (800) 326-6868, TT/TDD. ASSISTIVE LISTENING DEVICES ARE AVAILABLE UPON REQUEST AT THE STAFF TABLE.

**RESOLUTION
OF THE CLARK COUNTY
BOARD OF
COMMISSIONERS
ADOPTING THE CLARK COUNTY
OZONE EARLY PROGRESS PLAN**

WHEREAS, parts of Clark County, Nevada exceed the National Ambient Air Quality Standards (NAAQS) for 8-hour ozone; and

WHEREAS, parts of Clark County have been designated as nonattainment areas for not meeting the NAAQS by the United States Environmental Protection Agency under the federal Clean Air Act (CAA); and

WHEREAS, the CAA, as amended in 1990, requires states having nonattainment areas within their jurisdiction to develop procedures and criteria for determining whether the nonattainment area's transportation plan, programs, and projects conform to the State Implementation Plan (SIP) for the NAAQS; and

WHEREAS, pursuant to the CAA and under the authority of NRS 445B.500, the Clark County Board of County Commissioners is designated as the air pollution control agency for the purposes of NRS 445B.100 to NRS 445.640, inclusive; and

WHEREAS, the Department of Air Quality and Environmental Management has been designated by the Clark County Board of County Commissioners as the air pollution control agency for Clark County; and

WHEREAS, the Regional Transportation Commission of Southern Nevada (RTC) has been designated as the Metropolitan Planning Organization (MPO) by the governor of Nevada, and acting in its capacity as MPO, the RTC is responsible, in cooperation with the state and with transit operators, for carrying out the metropolitan planning process, which includes conformity determination of transportation plans, programs, and projects to the SIP; and

WHEREAS, the Clark County Ozone Early Progress Plan has been developed to establish motor vehicle emissions budgets for performing the conformity determination of transportation plans, programs, and projects with the SIP; and

WHEREAS, the Clark County Board of County Commissioners is required to adopt and submit these budgets to the state of Nevada for incorporation into the SIP.

NOW, THEREFORE, BE IT RESOLVED by the Clark County Board of County Commissioners:

That the Clark County Board of County Commissioners adopts the Clark County Ozone Early Progress Plan.

PASSED, ADOPTED, AND APPROVED this 17th day of June, 2008.

BOARD OF COMMISSIONERS
CLARK COUNTY, NEVADA

A handwritten signature in black ink, appearing to read 'Rory Reid', is written over a horizontal line.

By: Rory Reid, Chairman

ATTEST:

A large, stylized handwritten signature in black ink, appearing to read 'Shirley B. Parraguirre', is written over a horizontal line.

By: SHIRLEY B. PARRAGUIRRE, County Clerk