

the home owners were aware of this more restrictive criteria when they changed the M-3 zoning to the AG-5? Sandy explained when the rezone was approved many years ago, the standards were the same in both the AG and M-3 districts; the change came with a change in the ordinance while Kent Anderson was here. He added a statement under the permitted uses in the AG zoning district which excludes the AG-5 district and refers to the RR district, which is much more restrictive.

Richard motioned to recommend approval; second by Bob. Motion carries.

Sandy explained this item will be set for public hearing at the April 23rd county commission meeting and the hearing will be held on May 7.

- B. UH-07-05 A conditional use permit application/site plan submitted by Jungo Land & Investments, Inc. (subsidiary of Norcal Waste Systems, Inc) to allow them to develop a long-term solid waste disposal site approximately 25 miles west of Winnemucca in the Desert Valley area off Jungo Road; assessor's parcel #05-411-07.

Sandy reviewed the staff report noting we received a soils report from Craig Plummer, Rangeland Management Specialist, Natural Resources Conservation Service stating the soils in this area were not ideal for this type of facility. She noted we also received comments from John Russum, Road Superintendent regarding help with maintaining the road should the traffic increase. She added she has added a condition for dust control.

Richard commented when Hycroft was out there they helped with the road maintenance. At that time there were 300 employees and this operation will have only 30.

Richard began questioning the Agreement and Theresa told him as yet it has not been brought before the Landfill Committee and the County Commissioners and was not the board's jurisdiction and is for reference only. Bob pointed out that the maps do not show a right-of-way which will need to be obtained from BLM between the railroad right-of-way and this property. He added this project will need to come before BLM and Bob questioned if he should abstain from the discussion as his position with BLM will bring him into negotiations with this company. Theresa stated there is no monetary gain or direct benefit, therefore there is no need to abstain.

Don Gambelin, Jungo Land & Investments came to the table to answer any questions. Ray asked who owns the land? Don stated they currently have a purchase option with Nevada Land and Resources and have an owner's affidavit signed by Don Pattalock. Ray asked about using old open pits from mining for this type of operation and was told due to fault lines and water levels, the pits in this area were not suitable. Mr. Gambelin explained the water table level and their testing procedure. He explained the location of two other facilities they have in Nevada and where the waste was hauled in from. The railroad is critical to this type of hauling. There were questions about the train cars, weight, waste, etc. Bob questioned the materials to be deposited and the process to cover it - he suggested they create a program for reclamation. Bob questioned permitting and Don stated the state agencies they would deal with for waste management, air quality permits, storm water management, etc. Don mentioned financial assurances and post closure requirements per NRS. Tonnage was discussed and method of transporting for the dumping. Ray asked about recycling and Don explained all materials are sorted at the front end; he questioned household refuse with bandages, diapers, etc. Don explained

that stuff is part of the solid waste stream that comes into landfills now. He added medical or hospital waste stays out of it, noting California is pretty restrictive and they have a process for removing hazardous household waste - things like spray cans, paint cans are removed at the front end. There is no sorting or processing at this end. ? asked about possible pollution and seepage into the ground. Don explained the liner and liquids pulled out at the bottom in a low rainfall area and how they like a dryer location for this type of use. Jerry A. asked how long before they begin their operation? Don noted the biggest hangup is the railroad - they have begun the process and have been told that by the time this goes through their engineering process first in Salt Lake, then on to Omaha for the railroad construction crews, it will be three years before the siding will be ready for them to use. He noted they plan to build as much of their rail yard using non-railroad workers. He added another issue is where to load at the front end and are working with Union Pacific to have access to one of their yards in the Oakland area. Catherine questioned the employees and Don explained they will have laborers for maintaining environmental issues like litter, administration and other workers, the office will probably be here in Winnemucca. Catherine asked about the hours of operation and Don explained even though they say 24/7 it will depend upon when the UP delivers a train set. When the train set arrives, they are very active for about an 8 to 10 hour period - there will be activity at the site, but not as much as when the train set is there. He added the UP will condition them for a turn-around within a defined period of time - their desire is when a train comes in the engine will remain with the train; they will pick it up and it will go back. Tom asked about security at the site and Don explained the equipment will remain on site, there will be a fuel tank and most sites are fenced and gated without personnel on site at all times, it has not been a problem and will be evaluated if necessary. Jerry A. asked if they use Union Pacific at their other locations? Don replied UP is new for them and the sites in California are accessed by truck. Bob mentioned lighting and light pollution and that he would like to see a condition stating they will not light up the valley. Don noted they have other sites with that same requirement and will make sure it's taken care of. Ray asked about dust and Don stated they water the roads they haul on and Ray asked about dust off the waste. Don stated it has a moisture content that doesn't allow dust to come off. Ray asked about fire control and was told there are fire suppression controls in place - piles of dirt, fire extinguishers and a water truck. Jerry A. asked about tires and was told there could be - they would be "altered" - not a whole tire, chopped or a donut or some other form before it would be loaded into the container and shipped here. Jerry A. noted tire fires cannot really be put out. Don stated what they've seen is called mono-filling tires where there are only tires into a fill and that is not the type of operation this will be. Bob questioned tires are mostly recyclable and should they be coming in? Don stated there are companies that do recycle them, but there are still a lot of them disposed of. Ray noted they can be used with asphalt, etc. Don stated on the front end of facilities where the waste comes in and the containers are loaded, there are not a lot of tires because of the charge levied to handle that tire - they are problematic.

Tom noted dust on the roads during operation won't be much of an issue, but when the liner and initial dirt work is done the board would like some sort of assurance they will have dust control during this time. Don stated they plan to work a 15-20 acre area at a time and will hire local contractors to keep the dust down. Jerry A. asked about the distance between the train and the landfill and Don commented that is one reason they chose this

section because of where the rail line is located. Ray asked about spurs and Don stated there will be two to three sidings and on the actual section of land where they develop the landfill, there will be another three ladder tracks.

Richard questioned the purchase of the mineral rights from Nevada Land & Resources and possible encumbrance by a mineral lease and Don assured the board they have discussed this with NLRC, and there is no problem.

Catherine wondered if it would be possible for Jungo Land to share their recycling efficiencies with our community so we may embark on that here in our community. Don stated they provide service to communities and provide what they want at a price they want - recycling is more expensive than disposal and their company focuses on recycling because they have communities who want to focus on it and pay money to recycle. There's no way the commodities you collect will ever pay for the collection. Tom noted once they are here and operating it might be more economical than starting from scratch. Don stated if there is any way to put the commodities back on the train to send back down - most of the commodities they separate, paper in particular - everything goes to the Pacific Rim for processing. The potential is there and if there is a container load of recyclables that gets shipped back it will be easy to add into the stream they already have markets developed for. Catherine stated there must be buy in from the community and that's a subject that is not relevant at this time. Don stated the trucking of anything outside of the community is cost prohibitive, but they would like to entertain that at a later time.

George McBride from Community Recycling Solutions welcomes the statement only non recyclable items will be shipped and is surprised that tires would be included, generally tires are recycled these days. He added Newmont is actually digging up their old tires and recharging because they do not have good access to any currently, so they are reusing and recycling. He suspects the community would benefit from a list of materials which may be included in that non-recyclable list that the community might review. He would welcome the opportunity to discuss with these gentlemen about reciprocity in terms of shipping our recyclables out as they move their stuff in and looks forward to working on that in the future. Tom feels they will discuss this issue and Bob added there's no money in hauling an empty train back to California. Bob asked if there is any biomass potential for this down the road? Don stated all wood will be pulled out and there will be some methane gas, but it will be used for their power on site and/or flared to destroy the methane.

Sandy suggested a condition regarding reclamation and Bob added lighting.

Richard motioned to approve per staff recommendation with an added condition for reclamation in accordance with state and federal requirements, and lighting shall not be obtrusive to other properties; second by Bob. Motion carries.

Sandy noted one of the conditions allows them three years to begin operating, but they can begin preparation of the site and this use permit won't expire - also they could request an extension if needed.

IV. PUBLIC COMMENTARY - None

HUMBOLDT COUNTY REGIONAL PLANNING COMMISSION

RESOLUTION # 07-24 27 28 27

MEETING DATE 4-12-07

REQUEST: UH-07-05 A conditional use permit application/site plan submitted by Jungo Land & Investments, inc. (subsidiary of Norcal Waste Systems, Inc) to allow them to develop a long-term solid waste disposal site approximately 25 miles west of Winnemucca in the Desert Valley area off Jungo Road; assessor's parcel #05-411-07.

MOTION:

- To approve/deny per staff recommendation.
- To approve per staff recommendation with additional conditions as listed below.
- To recommend approval/denial per staff recommendation.
- To recommend approval per staff recommendation with additional conditions as listed below.

RECAP OF DISCUSSION - CONDITIONS, RESTRICTIONS, OR RATIONALE:

1. reclamation in accordance with state & federal requirements
2. shall use lighting mitigation measures that follow "dark sky" lighting practices
3. _____

MOTION MADE BY: [Signature] SECOND BY: [Signature]

AYES	NAYES	ABSTAIN
<u>[Signature]</u>		
<u>[Signature]</u>		
<u>[Signature]</u>		
<u>[Signature]</u>		

MOTION CARRIES _____

MOTION FAILS _____