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The Humboldt Sun

Winnemucca, Nevada

Your Source for Community News

VOLUME 40, ISSUE 56

WEEKDAY EDITION

SPORTS

Humboldt County's Kayla Bland was crowned the 2009 Silver State International Rodeo all-around cowgirl last week in Fallon.

Commissioners get input on proposed landfill

Public hearing scheduled for Aug. 19

By Heather Gula
The Humboldt Sun



HEATHER GULA • The Humboldt Sun

Pages 9-10

WINNEMUCCA — The Humboldt County Commission fielded its first comments from the public regarding the proposed development of a landfill 25 miles west of town during their July 6 meeting.

The commission voted unanimously to request a hearing on the Nevada Department of Environmental Protection's (NDEP) tentative approval for an air quality permit for Jungo Land and Investment, Inc. (JLII) to construct and operate a class 1 facility on Jungo Road in Humboldt County.

"I feel that the county commission needs to be very involved in this proposed use and we have not done that yet. Now it is time," Commission Chair Tom Fransway announced. "I am asking that the commission write a letter to NDEP asking that they come to Humboldt County and have a hearing here. This is the start of the commission's involvement in the process, and I believe that we need to take a good hard look at this and be highly involved and that is why it is on the agenda."

Commissioner Chuck Giordano explained that although the county commission has not been involved in the process up to this point, the proposal has come before the Regional Planning Commission (RPC) and the county Landfill Committee for vote.

Massey Mayo of Dolan Law, LLC, was among those in the community that chose to make public comment at the July 6 Humboldt County Commission meeting. Mayo requested that the commission ask the Nevada Department of Environmental Protection to hold a public hearing in Humboldt County regarding the tentative approval of an air quality permit for the proposed landfill project in Desert Valley.

"So I think we have already been involved in it," Giordano said.

"Not to the extent we need to, commissioner," Fransway countered.

Fransway then stated that the issue of a landfill surfaced in the county a number of years ago but has never been formally

addressed by the county commissioners themselves. This is a step he feels is important considering the volume and longevity of the project.

He then asserted that the proposed landfill has a lifespan of five generations, will bring in approximately 4,000 tons of waste per day from portions of

northern California, including San Francisco and Sacramento, and would service approximately 10 million people.

According to Fransway, the Humboldt County landfill currently serves 18,000 people and the annual amount of refuse that comes into the landfill is 10,000 tons per year.

"I feel that we need to be heavily involved and make sure that that is a suit that fits with Humboldt County," he said. "We are talking about 100 years here. I am not throwing up the flags. I am just saying that the Humboldt County Commission needs to be involved every step of the way."

"This ain't Disneyland and we need to take a look at this," he added. "We have the possibility of serving 10 million people along the railroad tracks, including Nancy Pelosi's country, and it's coming through our county, our state. We want the commissioners to take a look."

Attorney John Frankovich of McDonald-Carano-Wilson, LLC and Recology Planner Erin Merrill represented JLII before the commission. They objected to the request for a hearing on the air quality permit.

"The special-uses permit had a number of conditions of approval, one of which specifically required us to get an air quality permit from the state of Nevada," Frankovich said. "It seems a little bit inconsistent for the commission, or the county, to approve a project and then object to one of the conditions that is set on us."

Frankovich explained that the project has been in the works since 2005. He said they followed the proper chain of command and worked extensively with the county at the staff level prior to seeking application.

As part of the approval process, it came before the RPC and the Landfill Committee in 2007. An application for a conditional-use permit (CUP) was submitted to the RPC in January 2007. Following procedure for the approval of a CUP, property owners within 300 feet of the proposed location would have been notified of the consideration of the permit. The CUP was approved by unanimous vote, with six of the eight-member RPC board present for the April 12, 2007, meeting. No appeals were filed against the approval, allowing the company to seek permits through NDEP without coming before the county commission for further approval.

Frankovich also claimed that the matter before the county commission for a public hearing in April 2007 and received unanimous approval at that point. There is no record of an agenda item regarding JLII, nor any issue related to the proposed landfill coming before the commission at that time.

"The county has not approved anything," Fransway stated. "The Regional Planning Commission has given you the opportunity to take the next step through a conditional-use permit. There is a lot to go before the county signs on to this. I assume there is a host agreement, and if there is a host agreement, I want to explain right now that Humboldt County will be in the driver's seat on the host agreement. So this, as far as I'm concerned, is very preliminary. I am not saying that we are throwing up any flags here, but I will say with my knowledge there has been no effort to court this business, nor to recruit this to Humboldt County. That came from you folks."

"See LANDFILL, Page Two —"



IN FOCUS

The Rope for Hope cancer fundraiser was held at the Dufurrena Ranch on June 27. The event featured 23 teams, plenty of food and drinks, prizes, a silent auction and music from the band White Lightning.

Page 11



SNAPSHOTS

Area fourth graders got a hands-on learning experience during the Ecology Days event organized by Brad Schultz of the University of Nevada, Reno's Humboldt County Cooperative Extension Office.

Page 20

Index —

- Opinion Page 3
- Announcements Page 4
- Arts & Entertainment Page 5
- Community Calendar Page 6
- Northern Nevada Events Page 7
- Community News Pages 12-15
- Classifieds Pages 18-19

Local Weather

Tue 7/14 85°/65°
 Partly cloudy, light breeze

Wed 7/15 85°/65°
 Partly cloudy, light breeze

Thu 7/16 85°/65°
 Partly cloudy, light breeze



DALE HARTLEY • Special to the Sun

A rainbow appears in front of this mountain near U.S. 95 and Orovida on the afternoon of June 15. Humboldt County reported higher-than-normal amounts of rainfall and cooler temperatures during the month of June.

Rain, cooler temps prevail in June

Denio reports record amount of precipitation

Sun Staff Report

WINNEMUCCA — Despite a rainy and cool June, no new daily records were set in Winnemucca during the month.

Winnemucca received at least a trace of precipitation on 18 of the 30 days during June, with all of the rain occurring in the first 20 days of the month.

The Winnemucca Municipal

June rain totals —

Winnemucca	1.34 inches
Denio	3.79
Orovida	3.47
McDermitt	3.42
Paradise Valley	1.55

— National Weather Service

Airport, where official records are kept by the National Weather Service, received 1.34 inches of rain. The wettest June in history was recorded in 1958, when 2.86 inches fell. The 1.34 inches of precipitation was .65 inches above the normal of .69. In a release by the NWS, officials

said the June precipitation was unremarkable compared to previous June's.

The average temperature in Winnemucca in June was 63.1 degrees, which is 1.2 degrees below normal. The below-normal temperatures, were also unremarkable compared to previous June's, according to the NWS.

The hottest day in June was recorded on June 29, when the high was 99. A low of 35 occurred on June 22.

There were nine days of thunderstorms in Winnemucca, 16 days of light rain, five days of rain and two days of heavy rain.

— See RAIN, Page Two —

Stimulus money to be used for area roadway projects

By Phillip Gomez
The Humboldt Sun

WINNEMUCCA — Three roadway resurfacing projects totaling more than \$19 million are about to get under way this month in Winnemucca and in Humboldt, Pershing and Lander counties, following funding made available by the American Recovery and Reinvestment Act of 2009, passed into law earlier this year.

The Nevada Department of Transportation announced in March that the economic stimulus money provided by ARRA and signed by President Barack Obama in February allotted \$201 million to Nevada for transportation improvements, part of overall stimulus funding totaling \$1.5 billion for Nevada, according to The Associated Press.

In the latest round of contractor bidding for federal projects, NDOT is seeking \$70 million for road projects ranging from resurfacing of high-priority rural roadways to restoration of the historic Virginia & Truckee Railway in Carson City to creation of an overpass for antelope and deer north of Wells. All the projects are expected to be under construction by early next year, but regional roadway resurfacing projects will probably be finishing up by then.

In north-central Nevada, three resurfacing projects are sched-

uled for this summer. "It should be close to getting under way this month for sure," said NDOT spokesman Scott McGruder. "The projects will likely be completed before the end of the year, depending on the weather," he added.

McGruder said the federal stimulus money will indirectly "give a shot in the arm to rural communities" with workers spending money for food, goods and services. Additionally, Nevada taxpayers will be saved more costly reconstruction expenses down the road for roadways resurfaced this year. "If the \$201 million had not become available as a result of the stimulus package, McGruder said, there's a good chance the resurfacing work would have been deferred. Furthermore, with contractors feeling the pinch of the economic contraction, bids for construction jobs have come in lower than usual.

"We are getting very good bids," said McGruder. "The contractors are hungry; we have to go with the lowest bid."

The three overall projects, their costs and the selected contractors are as follows:

- \$6.3 million (originally budgeted for \$8.1 million) for repaving West Winnemucca Boulevard from Interstate 80, interchange No. 173 (Pilot Travel Center) past interchange No.

— See ROADS, Page Two —

2 - The Humboldt Sun, July 14 - 16, 2009

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Horse found with brand cut out of hide near Round Mountain

RENO (AP) — A domestic horse found loose in Nevada with the brand cut out of its hide is drawing outrage from equine advocates concerned about the growing number of horses abandoned in the wild.

Humane Society officials believe the brand was removed so the 2½-year-old mare couldn't be traced to its owner, representing one of the worst cases of abuse involving an abandoned domestic horse in the country.

The animal was found last week near Round Mountain, a remote mining community about 230 miles southeast of Reno. Its brand — which functions like a car's license plate — was removed in a 6-by-8-inch (15-by-20-centimeter) patch from its left hip.

The case is under investigation by the Nevada agriculture department, which so far has one potential lead on the horse's owner, spokesman Ed Foster said. He didn't elaborate.

Idaho state Brand Commissioner Larry Hayhurst said he'd never heard of a brand being removed from a live horse.

"That's about as cruel as it gets," he said. "Get yourself a tattoo and cut it off, and it would be the same thing. It's like skinning you alive."

The case has outraged animal protection groups and prompted the Humane Society of the United States to offer a \$2,500 reward for

information leading to a conviction.

"We need to send a strong message that this sort of abuse won't be tolerated," said Stacy Segal, Humane Society equine protection specialist.

While no group keeps track of how many horses have been abandoned nationwide, some Western states have reported a surge in the problem. Experts attribute the increase to the faltering economy, saying it's forcing some horse owners to choose between feeding their families and their horses.

Nevada agriculture officials have picked up more than 100 domestic horses from the range this year, including 90 in the past three months, Foster said. That's up from a previous high of 63 last year and 12 the year before.

Wyoming Brand Commissioner Lee Romsa said his state has handled more than 100 such cases this year, up from 50 last year and an average of six to eight cases before that.

Foster said some owners think their horses will be fine in the wild, but that's not the case. Domestic horses are rejected by wild herds and usually die after being unable to find water and forage.

In Idaho, Hayhurst said he's dealt with about 70 abandoned horse cases over the past year, compared with the usual handful. He said another factor is the ban on horse slaughterhouses in the U.S.

"Unfortunately, slaughterhouses are a necessary evil," Hayhurst said. "Without being able to ship a horse to a slaughterhouse, people turn them loose."

LANDFILL

(Cont. from Page One)

According to county records, Fransway is correct in stating that the commission has not voted on any item specifically related to the JLIH project. However, in October 2007, the commission voted on an agenda item regarding the possible adoption of an ordinance amending chapter 13.12 of the Humboldt County Code (HCC) to authorize acceptance of solid waste from outside the landfill district; and providing other matters properly related thereto.

During the commission meeting on Oct. 15, 2007, then-Chairman John Milton asked for public comment and none was offered. A motion followed to approve an amendment to the ordinance and was approved by unanimous vote.

Planning Department Administrative Clerk Dana Toth stated that although, per procedure, no public notification was given outside of the required 300 feet, all agendas, records and minutes of the RPC meetings are available as public information through the Planning Department office, and interested individuals are welcome to request such records.

At the meeting held last week Commissioner Garley Amos asked that the county continue working with the group through the permitting process.

"We'll give our blessing right now to continue the permitting process," he said. "I think it would behoove you folks to have some sort of public meeting and explain what is going on to eliminate some of the fear factor."

Fransway countered Amos' statement: "I would encourage

that, but I certainly don't think it is time for us to give our blessing to anything today."

Fransway then opened the issue for public comment.

There was objection to a public comment period from other commissioners and from Frankovich, who asserted that the issue was not agendaized for public comment and that the scope of the discussion was too limited to allow sufficient input. As a result, the subject of public comment was limited to statements of whether the commission should request an air quality hearing or not.

Resident Phil Jacka made a brief comment on the issue, requesting the hearing be pursued.

Barbara Willard of Winnemucca also approached the commission. She said, "I've been waiting for two hours to address the garbage dump issue if you wouldn't mind."

The commission declined any comment not directly related to the request for a hearing on NDEP's tentative approval of an air quality permit.

Humboldt County resident Katherine Jones asked two questions of the commission regarding the air quality permit. The first addressed who would be the responsible party if the project were allowed.

"I saw four names in the newspaper and that can spell trouble if you have to pinpoint something retroactively," she said.

Secondly, she asked what Humboldt County's interest in housing the landfill would be.

Fransway explained that those were questions which could be

addressed if a hearing is held.

The last resident to make public comment was Massey K. Mayo, an associate attorney for Dolan Law, LLC, who stated she was speaking on behalf of herself and Robert Dolan.

"I am here today to encourage the commissioners to go ahead and request a public hearing through the Nevada Department of Environmental Protection," Mayo said. "On Friday, July 3, myself and Bob Dolan both submitted a letter to the Nevada Department of Environmental Protection requesting the same hearing."

She went on to explain that in connection to that letter they had outlined a number of issues directly related to air quality.

Additionally, the two local attorneys have conducted an initial review into the CUP, and it is their belief that the company seeking the permit included materially misleading statements in their application.

Specifically, she mentioned the statement regarding the effect the landfill would have on abutting properties. According to Mayo, the company indicated that there would be no impact whatsoever to abutting properties.

"Certainly the implications of importing 68 mega grams of garbage into the local community will have an impact and the connection would likely be on our air quality," she said.

Additionally, Mayo stated that the CUP did not address the issue of odor. She feels this will be a significant issue considering the high winds in the area and the location only 25 miles to the west of the city of Winnemucca. She

added that the commission should seek an independent finding to determine what the wind currents in the area are to determine the prevailing wind flows. They should also conduct a study to determine the level of dust and particulate materials out of that area that Winnemucca is currently being subjected to.

"This is an initial process, I too agree," she said. "And in regards to educating the community, I strongly encourage the commission to do their own investigation and not rely simply on the data that is provided by the company who is seeking this permit."

NDEP Public Information Officer Jill LuFrano said they received letters requesting a public hearing on the air quality permit from seven separate parties, including the Humboldt County Commission. LuFrano explained that the NDEP will schedule a hearing anytime they are made aware of significant public concern over an issue.

"We want to be responsive to the concerns of the commission and also allow a forum for the community to get together and discuss the application," LuFrano said.

The NDEP has since released a legal notice explaining that a public hearing on the matter will be held on Wednesday, Aug. 19, at 6 p.m. in the commission meeting room of the Humboldt County Courthouse. For more details, see legal number 24094 in the Classifieds section of this issue of the Humboldt Sun or legal number 24094 in the July 16 — 22 issue of the Lovelock Review-Miner.

RAIN

(Cont. from Page One)

There were also seven days of fog and two days of haze. A gust of 43 mph was recorded on June 19.

However, other parts of Humboldt County picked up much more precipitation than Winnemucca. Denio topped the list at 3.79 inches of rain, which was the wettest June in history there, since weather records have been kept starting in 1911.

Orovida topped out at 2.47 inches and McDermitt 3.42, which ranked both in the top five wettest June's of all time. Paradise Valley picked up 1.55 inches of rain.

The wicked weather has continued into July. A tornado warning was issued on Friday, July 3, after a severe thunderstorm was reported about 30 miles east of McDermitt along the Nevada/Oregon border. As of Monday, Winnemucca has received .34 inches of rain in July, with all of it occurring on July 2.

ROADS

(Cont. from Page One)

178 (East Second Street), and north on U.S. 95 about six miles. Q & D Construction Co. has the contract.

\$10.8 million (originally budgeted for \$20 million) for repaving I-80 from about three miles west of the Rye Patch interchange to about two miles east of the Humboldt interchange. A & K Earth Movers Inc. has the contract.

\$1.8 million (originally budgeted for \$2.8 million) for repaving 2.3 miles of I-80 near the

Humboldt-Lander County line (eastbound lanes only). Frehner Construction Co. has the contract.

Thirty percent of the \$201 million, or more than \$60 million, was earmarked for highway improvements in Clark County and Washoe County, with \$7 million — just over 14 percent — allocated for rural Nevada. When all the transportation dollars have been spent, Clark County will have received just over half the money, with Washoe County receiving just 13 percent, the AP reported.

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