

## 4.12 PUBLIC SERVICES AND UTILITIES

### ENVIRONMENTAL SETTING

The Boulder Bay project area is located in the Nevada side of the TRPA's North Stateline Community Plan (NSCP) area (TRPA et al. 1996). The overall planning goal of the NSCP is to create a more family-friendly destination resort experience by emphasizing entertainment, outdoor recreation, and human-scale design while avoiding or minimizing impacts to local residents (TRPA et al. 1996). A small portion of the project area is situated in the Crystal Bay Plan Area (TRPA 2008). The Crystal Bay Plan Area (Plan Area 34) is located along State Highway 28 between the NSCP and Incline Village, and contains a low-density residential area. The Crystal Bay Plan Area is considered a sensitive viewshed and high hazard area at risk of avalanche, soil erosion, and slope failure (TRPA 2008).

Boulder Bay is also situated within the Tahoe Area Plan (TAP) (Washoe County 2006). The NSCP and TAP are detailed planning areas within the Washoe County Comprehensive Plan (WCCP) (Washoe County 1994).

The primary public service providers in the project area are:

- Law enforcement: Washoe County Sheriff, Nevada Highway Patrol;
- Fire Protection: North Lake Tahoe Fire Protection District (NLTFPD);
- Water and wastewater: Incline Village General Improvement District (IVGID),
- Solid waste: Tahoe Truckee Sierra Disposal Company and Waste Management;
- Wastewater: Incline Village General Improvement District,
- Stormwater: Washoe County Public Works Department
- Schools: Washoe County School District (WCSD)
- Library: Washoe County;
- Electricity: NV Energy (formerly Sierra Pacific Power Co.);
- Natural gas: Southwest Gas Company;
- Telephone: AT&T;
- Cable/Internet: Charter;
- Postal services: U.S. Postal Service (USPS).

Crystal Bay has a single direct road connection via the Mt. Rose Highway (SR 431) to other parts of Washoe County located outside of the Tahoe Basin. The Mt. Rose Highway is occasionally closed due to snow. Consequently, Washoe County has a general goal of maintaining emergency public service facilities in the Crystal Bay area (TRPA et al. 1996).

According to the TAP, the area is adequately served by existing public services. While additional staff may be required to serve an expanding population, existing public facilities such as utilities, schools, and fire and police protection facilities are considered adequate to meet future population growth projections (Washoe County 2006).

#### Law Enforcement

The Washoe County Sheriff's Office provides law enforcement protection services to the project area and vicinity from a Sheriff's substation in Incline Village near the intersection of Mt. Rose Highway and Tahoe Boulevard. The Incline Village Substation serves a 60 square mile area from the Mt. Rose summit to Crystal Bay and Incline Village. Primary responsibilities include law enforcement, search and rescue,

dispatch, civil process services, and medical response. As of January 1, 2009, the Department has been divided into the North District and South District to improve management and staff efficiency. The Project lies within the South District, which stretches from Reno to Crystal Bay. Staffing includes one captain, two lieutenants, seven sergeants, and 39 deputies (personal communication, Washoe County Sheriff's Department, 2009). Although there is no established response threshold, response times average approximately between five to ten minutes (personal communication, Washoe County Sheriff's Department, 2009). The Incline Village substation also operates the Marine Enforcement program, which patrols portions of Lake Tahoe for law enforcement and rescue services utilizing their boat (Marine-9). In addition, the substation maintains and operates a Snow Kat for back country winter emergencies.

The Nevada Highway Patrol dispatches from Carson City and patrols roadways in the area. Current staff levels and response times are considered adequate (Washoe County 2006).

### **Fire Protection**

The NLTFPD, has an Insurance Services Office, Inc. (ISO) rating, which identifies a department's ability to protect the public on a scale of one (highest) to ten (lowest), of three and provides fire protection services to a 17 square mile area, including the project area. Formed in 1959, the first fire station was located on Reservoir Road on the project area. In addition to structural and wildland fire protection, the NLTFPD provides emergency medical service, rescue services (water rescue, over the side (cliff) rescue, back country snow rescue and heavy rope rescue), public education programs, and fire prevention services (plan reviews, inspections and adoption of construction code regulations).

The fire district headquarters are located in Station 11, at 875 Tanager Street in Incline Village. This station houses one engine (E-11), one 100' ladder truck (T-11), one heavy rescue squad (S-11), two paramedic ambulances (R-11 and R-14), and one shift supervisor (Battalion Chief). Station 11 has a minimum of seven crew staffed at all times. Reserve apparatus and reserve equipment are housed at this location. Median response time from this station is 6.18 minutes and the average response time is 8.43 minutes (Citygate Associates, 2005).

Station 12 is located at 14 Cal Neva Drive, behind the post office in Crystal Bay and is the closest station to the project area. This station houses up to four crew members at all times, one paramedic structure engine (ME-12), one structure engine (B-12), and a reserve ambulance (R-12). The median response time from Station 12 is 5.17 minutes, with an average response time on 6.15 minutes (Citygate Associates, 2005).

Station 13 is located at 965 Mt. Rose Highway and serves the upper subdivisions and the Mt. Rose Highway. This station is staffed with three personnel at all times and one paramedic engine (ME-13). Both median and average response times were approximately eight minutes (Citygate Associates, 2005). Other equipment operated by the NLTFPD includes one hazmat trailer, one mobile air trailer, and Marine 16 for water rescue.

In addition to fire protection, the NLTFPD provides emergency medical service. Engines 12 and 13 are staffed with firefighters/paramedics. All firefighters are state of Nevada Emergency Medical Technicians and there are 21 paramedics on staff. The NLTFPD works with Nevada State Parks, Washoe County Search and Rescue, REMSA care flight, USFS, and the Sierra Fire Protection District to provide medical response.

If needed, the NLTFPD has mutual aid agreements with the U.S. Forest Service, the Nevada Division of Forestry, the Tahoe Douglas Fire Department, the Kings Beach Fire Department, and the Truckee Meadows Fire Protection District (Washoe County 2006). The NLTFPD also has an automatic aid

agreement with the adjacent North Lake Fire Protection District, west of the project area (personal communication NLTFPD, 2009). In 1999 the NLTFPD signed an agreement with the Washoe County Sheriff to provide rescue services in Lake Tahoe and Mt. Rose. This agreement is referred to as the Incline Village Community Emergency Response Team (CERT). A 2004 MOU with TRPA enables the NLTFPD to begin a defensible space evaluation program. They also team with Placer County to provide hazmat services ([www.nltfpd.net](http://www.nltfpd.net), 2009).

### Water Supply

The Incline Village General Improvement District (IVGID) provides water services for the communities of Crystal Bay and Incline Village. The source of the District's drinking water is Lake Tahoe and is treated to State and Federal drinking water standards at the Burnt Cedar Water Disinfection Plant. The District's water infrastructure in Crystal Bay includes two pressure zones, two water storage reservoirs, piping, pumping stations and other appurtenances to meet the capacity demands for all customers including the required fire flows. The availability of a reliable municipal water supply has the potential for limiting development in the project area and vicinity. IVGID currently has water rights for 3,914 acre-feet per year (AF/Y), and is using about 3,660 AF/Y. Beginning in 1997, IVGID established the requirement that all new commercial developments must obtain water rights for their project, which are to be dedicated to IVGID for distribution to the project (personal communication, IVGID, April 1, 2009). Crystal Bay Water Company has water rights for 112 AF/Y, and currently uses their total allotment; therefore, they are unable to provide water rights to this project.

According to IVGID, water right allotments (all owned by IVGID) are provided to five of the project area parcels as shown below in Table 4.12-1.

**Table 4.12-1**

#### Existing Water Rights Allotments

| Parcel     | Water Right Allotment<br>(acre-feet/year) |
|------------|---|
| 123-052-04 | 40.2                                      |
| 123-053-04 | 0.19                                      |
| 123-042-01 | 0.35                                      |
| 123-042-01 | 1.03                                      |

Source: IVGID, July 2007

Existing water rights must be used on their associated parcel and may not be transferred to other parcels (IVGID, 2007).

### Wastewater

IVGID provides primary and secondary treatment of wastewater for the project area at the Incline Village Waste Water Reclamation Facility (treatment plant), which includes 18 pump stations, a 0.5 million-gallon storage tank, and a 20-mile export pipeline. On average, the facility receives 1.4 million gallons of

wastewater each day. The treated effluent is transported by pipeline out of the Basin to a 900-acre wetlands enhancement project in the Carson Valley. The community sewer system was designed and built to be expandable to the extent of servicing the TAP area at total build-out. One built, isolated residential area, and several planned residential and commercial land uses in the TAP area are currently not served by wastewater services (Washoe County 2006).

### **Stormwater**

Washoe County Department of Public Works maintains the stormwater system in the area. Stormwater facilities are located along the roadways in the form of curb and gutter, drop inlets with some pipes and culverts and roadside ditches. The capacity of these facilities is generally designed to meet the five-year storm event and all facilities currently operate at that level of service (personal communication, Washoe County Department of Public Works, March 18, 2009).

### **Solid Waste**

Solid waste services are provided by the Tahoe Truckee Sierra Disposal Company under subcontract to Waste Management. Solid waste is collected by the Tahoe Truckee Sierra Disposal Company and taken to Waste Management's transfer station in Incline Village before it is hauled to the Lockwood Regional Landfill near Sparks, Nevada (personal communication, Tahoe Truckee Sierra Disposal, April 3, 2009). Recyclable materials are also collected and sent either to the material recovery facility in Incline Village or TTSD recycling in Truckee. The two material recovery facilities in this area operate at 40 to 45 percent of capacity (personal communication, Waste Management, March 18, 2009). Inspection of solid waste for contaminants occurs at the transfer station. Waste Management and Tahoe Truckee Sierra Disposal also conduct recycling and/or removal of materials from demolition and construction activities. Both solid waste firms serve both commercial and residential customers.

The IVGID currently handles household hazardous waste for residences and Tahoe Truckee Sierra Disposal also has this capability.

### **Schools & Library**

The Washoe County School District (WCSD) operates three schools in the project vicinity: Incline Elementary School (K-2<sup>nd</sup> grades and 3<sup>rd</sup> -5<sup>th</sup> grades, which are in the process of being consolidated into one school), Incline Middle School (6<sup>th</sup> -8<sup>th</sup> grade), and Incline High School (9<sup>th</sup> - 12<sup>th</sup> grades). Incline Elementary, located at 915 Northwood Blvd. in Incline Village is approximately four miles from the Project site. This school currently serves grades 3-5, but is in the process of expansion to accommodate K-2 students formerly located at the 771 Southwood Boulevard school as it is closing due to declining enrollments. Incline Middle School is located at 931 Southwood Boulevard in Incline Village and is approximately 4.5 miles from the Project site. Incline High School is located at 499 Village Blvd. and is also approximately 4.5 miles from the Project site (personal communication, Washoe County School District, 2009).

The WCSD is meeting the service standard for travel time to public schools. The standard is to provide an elementary school within a 15-minute one-way travel time period for elementary schools, 25 minutes for middle schools, and 35 minutes one-way for high schools (Washoe County 2006). Capacity and 2008-2009 school year enrollment at the Incline schools is shown in Table 4.12-2 below. All of the schools are operating below capacity. According to the Incline Schools Reflective Task Force Committee, enrollment has been declining (February 12, 2009) which is reflected in the declining numbers from the 2006-07 school year when enrollment was 426 students at the elementary school, 245 students at the middle school, and 407 students at the high school. In addition, this area of the school

district faces difficulty in determining enrollment trends due to high variability in the housing market, with many units (currently 58%) used solely as second homes (Incline Schools Reflective Task Force, March 12, 2009).

The Incline Branch Library of the Washoe County Library System is located in Incline Village and serves the TAP area. The library has computers, internet, a collection of more than 47,000 items, and residents can access materials at the Washoe County Main Library in Reno through an interlibrary loan service. The Incline Branch opened a new 10,600 square foot facility in June 2005 (Washoe County 2006). The Incline Branch also provides public events, such as an after school story time, classes and lectures, and summer reading and learning programs.

**Table 4.12-2**

**Incline Village Public School Enrollment and Capacity**

| <b>School</b>   | <b>Capacity</b> | <b>Enrollment<br/>(2008-2009)</b> | <b>Residual Capacity<br/>(2008-2009)</b> |
|---|-----------------|-----------------------------------|--|
| Incline Elementary School (K-2 <sup>nd</sup> )                | 540             | 423*                              | 463*                                     |
| Incline Elementary School (3 <sup>rd</sup> -5 <sup>th</sup> ) | 346             | 423*                              | 463*                                     |
| Incline Middle School   | 393             | 225                               | 168                                      |
| Incline High School   | 533             | 383                               | 150                                      |

Source: Washoe County School District:

<http://www.washoe.k12.nv.us/directory/search/schools/> accessed February 2, 2009.

Notes:

\* An enrollment breakdown for K-2 and 3-5 is not available.

## Electricity

NV Energy, formerly Sierra Pacific Power Company, provides electrical service to the project area. Within the project area, there are distribution facilities on Reservoir Road and on Stateline Road; the latter provides service to the existing Tahoe Biltmore. The current service load averages approximately 8405 KWH (Kilowatts per Hour) per day. Potential capacity of the facility is 2500 Kilovolt Amperes (kVA) at 480 volts, with an upgrade of the transformers. NV Energy has no current plans for expanding facilities in Crystal Bay beyond undergrounding power lines and other improvements proposed for the Boulder Bay Project (personal communication, Tim Hutton, NV Energy, March 5, 2009).

A key design goal for the NSCP is to place electrical service lines underground (TRPA et al. 1996). A local assessment district was created to fund the undergrounding of utility lines. Utility lines in the project area are currently above ground.

## Natural Gas

Southwest Gas provides natural gas service to the project area, and currently has three meters serving the Project area on the Tahoe Biltmore property, as follows:

- Meter 1 #9130236: 7M rotary meter @ 7" water column delivery - capacity is 7,000 CFH (Cubic Feet per Hour).
- Meter 2 #1192555: 16M rotary meter @ 5 PSI delivery - capacity is 21,100 CFH.
- Meter 3 #1377794: AL425 @ 7" water column delivery - capacity is 425 CFH.

Currently there are no Southwest Gas facilities on the former Tahoe Mariner property. Southwest Gas has indicated that there are no existing capacity constraints or issues and there are no plans for expanding or upgrading their facilities (personal communication, Jimmy Smith, SW Gas, March 4, 2009).

### **Telephone, Cable, and Internet**

AT&T provides telephone, cable, and internet service to the site. An existing aerial line is located along Stateline Road and across the project area to Wassou Road where it meets with the cable serving the Tahoe Biltmore. Another aerial line crosses Wassou Road north of Reservoir Drive and serves area properties. Existing buried cable is located under Reservoir Drive and portions of Wassou Road. In addition, a conduit crosses SR 28 and runs under Reservoir Drive to Wassou Road. There is considerable customer owned structure and cable facilities on the project area beyond AT&T's point of feed (AT&T, March 19, 2009).

A key design goal for the NSCP is to place telephone, cable, and internet service lines underground (TRPA et al. 1996). A local assessment district was created to fund the undergrounding of utility lines.

## **REGULATORY SETTING**

TRPA Code of Ordinances Chapter 27, the NSCP, and the Washoe County TAP and Comprehensive Plan provide regulations for utilities and services. In addition, the Nevada Public Service Commission and Nevada Gas Tariff provide regulations specifically for the design and installation of gas utility services. Following project approval and prior to project construction, Southwest Gas Company would design plans for upgrades or additions and meter locations, in accordance with Rules 9 and 10 and the Nevada Gas Tariff.

### **TRPA Code of Ordinances**

Chapter 27 of the TRPA Code of Ordinances includes regulations for water, wastewater, and electrical services.

#### ***Water***

Chapter 27.3 requires basic water services (adequate water rights and supply systems) for projects designed or intended for human occupancy, including reconstruction or expansion projects. Specifically, Section 27.3.A Water Rights, states that additional development requiring water shall not be approved unless:

- (1) There is an adequate water supply within an existing water right recognized under the laws of the state in which the use is to occur; or
- (2) Adequate water rights recognized under the laws of the state in which the use is to occur are furnished with the development.

Section 27.3.B requires adequate fire flow, specifically 3500 to 6000 gallons per minute (gpm) over a three to six hour period at 20 pounds per square inch (psi) residual pressure for this project.

### ***Wastewater***

Chapter 27.4 of TRPA's Code of Ordinances requires all new, reconstruction, or expansion projects designed for human occupancy and that generate wastewater, to be served by treatment and export facilities where wastewater is transported directly from the parcel to a treatment plant.

### ***Electrical***

Chapter 27.5 requires new, reconstruction, and expansion projects to be served by adequate electrical supply facilities.

## **NSCP Goals, Policies, and Action Programs**

The public services and facilities goal for the NSCP is to assure the level of community services and standards meet the environmental, social, and aesthetic needs of the residents. The following Policies and Action Programs in the NSCP are applicable to the Project (TRPA et al. 1996):

### ***Public Services Element:***

**NSCP 12.1. Ensure the continued provision of reliable water, sewer, fire protection and postal services.**

NSCP 12.1.1. Relocation of the fire station, in order that NLTFPD can more readily provide emergency response to the casinos, is supported.

NSCP 12.1.2. Public service projects shall be designed consistent with the North Stateline Design Plan and Design Review Guidelines.

NSCP 12.1.3. The U.S. Postal Service shall implement home mail delivery to all uses in the plan area and to residents in the surrounding residential areas

### ***Community Design Element:***

**NSCP 2.1. All projects are encouraged to use architectural designs and materials which are unique to North Stateline and which strengthen North Stateline's resort image. These are defined in the Design Standards and Guidelines, Appendix B.**

NSCP 2.1.3. All overhead utility lines and poles along State Route 28 and all new connections and lines shall be placed underground. On the Nevada side of the plan area, a special assessment district or other means shall be established to implement the undergrounding within the public right-of-way. On-site utilities shall be placed underground as part of project approval.

### ***Proposed Improvements:***

All utility lines along State Road 28 placed underground.

## TAP Policies, and Action Programs

The following public service policies and action programs in the TAP are applicable to the Project (Washoe County 2006).

**T 7.1. Encourage Washoe County to provide a full range of library services and facilities comparable to those provided in Reno and Sparks, and consistent with local demographics and geography.**

T 7.1.1. Washoe County will fund and promptly proceed with detailed design and construction of the Incline Branch Library expansion.

T.7.1.2 Washoe County will provide telecommunications and regular, frequent courier service to provide better utilization of shared resources.

**T 7.3. Maintain current disaster preparedness information and plans for the Tahoe planning area.**

T 7.3.1. Washoe County will examine and update the existing "Incline Village Disaster reparation Plan" (1983).

**T 7.4. Periodically evaluate the type and levels of service, as well as revenue sources, for local, county and state services in the Tahoe planning area.**

T 7.4.1. A public services evaluation that includes an analysis of existing services, possible additional services, and revenues will be prepared by Washoe County. The consolidation and/or privatization of services should also be considered.

## Washoe County Comprehensive Plan Public Services and Facilities Element

The following public service policies and action programs in the Comprehensive Plan are applicable to the Project (Washoe County 1992).

**PSF.1.23 Encourage new public and private development to use water conservation landscaping and fixtures.**

**PSF.1.24 Reduce water demand through xeriscape landscaping, reclamation, and reuse of wastewater for parks, medians, golf courses, and other appropriate application uses.**

PSF.1.24.1 The Washoe County Department of Community Development will include provisions for reclamation of water resources and appropriate uses for wastewater County Development Code.

**PSF.2.2 Construct sewage treatment facilities concurrent with development of land uses generating demand for those facilities.**

PSF.2.2.6 The Washoe County Department of Community Development, in conjunction with the Washoe County Utility Services Division, will review all projects to ensure that sewer costs directly attributable to new development are paid for by the new development. Costs of service shall include the cost of extending service lines or facilities to the site.



**PSF.2.5 Ensure future and proposed development is consistent with wastewater disposal facilities and the ability of the environment to assimilate effluent without violating applicable water quality standards.**

**PSF.3.6 Encourage both the recharge and water quality benefits from the detention and infiltration of urban runoff.**

PSF.3.6.1 Washoe County will coordinate with other appropriate jurisdictions to require the detention and infiltration of the additional runoff generated by urbanization.

**PSF.4.5 Ensure that future development uses fire resistant building materials.**

PSF.4.5.1 During development review, the Department of Community Development shall coordinate with the appropriate fire protection agencies to ensure projects include fire resistant materials in buildings and structures to reduce their susceptibility to destructive fires.

**PSF.4.6 Promote the installation of necessary water systems and pre-suppression fire (automatic detection and suppression) equipment.**

PSF.4.6.1 Washoe County will encourage the use of smoke detectors and automatic sprinklers in existing and future developments, both residential and commercial.

PSF.4.6.2 Future development will require water distribution systems to meet fire department standards.

**PSF.4.8 Provide adequate levels of police protection throughout Washoe County through a combination of crime prevention and law enforcement activities.**

**PSF.4.9 Encourage the development of police protection facilities in relationship to planned use.**

PSF.4.9.1 The adopted Land Use Plan map for each planning area shall be used as a guide in determining where additional police protection facilities are to be located.

**PSF.4.10 Encourage and promote interdepartmental and interagency cooperation in the provision of police protection services.**

PSF.4.10.1 Washoe County will cooperate in police protection facility planning efforts.

PSF.4.10.2 Washoe County shall be encouraged to consolidate the provision of police protection services where feasible in order to minimize duplication of services and facilities and to provide the most efficient use of tax dollars.

PSF.4.10.3 Washoe County should continue its close cooperation with other police protection agencies in police protection dispatch and communications.

## **Truckee River Operating Agreement**

In September 2008, the Truckee River Operating Agreement (TROA) was signed, developing a set of rules to comply with the requirements of the Truckee-Carson-Pyramid Lake Water Rights Settlement Act ([http://www.usbr.gov/mp/troa/final/troa\\_final\\_09-08\\_full.pdf](http://www.usbr.gov/mp/troa/final/troa_final_09-08_full.pdf)). The Act requires the development of an

operating agreement negotiated with the States of California and Nevada for the operation of Truckee River Reservoirs. The Agreement establishes flood control and dam safety requirements, spawning flows, flows in relation to the Preliminary Settlement Agreement between the Pyramid Lake Paiute Tribe and Sierra Pacific Power Company, water storage and release requirements in accordance with water rights, and operations of Stampede Reservoir. Article Six discusses Truckee River and Lake Tahoe Basin allocations (3,000 acre-feet/year for California and 11,000 acre-feet/year for Nevada) and accounting by providing procedures to implement these allocations in California relative to Nevada’s allocation of the surface water from the Truckee River Basin in accordance with Section 204(c) of the Settlement Act.

## EVALUATION CRITERIA WITH POINTS OF SIGNIFICANCE

For the purposes of this document, an impact to public services and utilities is defined as a physical change to the existing conditions. An impact is determined to be significant if environmental constraints do not allow for the provision of adequate public services or utilities.

Based on the TRPA Guidelines, a project impact is considered to be significant if conditions presented in Table 4.12-3 are met or exceeded.

**Table 4.12-3**

### Evaluation Criteria with Point of Significance - Public Services & Utilities

| <b>Evaluation Criteria</b>   | <b>As Measured by</b>   | <b>Point of Significance</b>   | <b>Justification</b>   |
|--|---|--|--|
| PSU-1. Will the Project increase demand or exacerbate peak period service demand of fire, police, schools, government services, water, sewage treatment and disposal, phone, solid waste, gas, or electric to such a degree that accepted service standards cannot be maintained or new facilities are needed? | Decrease in service level and need to expand infrastructure or personnel to increase capacity<br><br>Increase in peak period demand, rise in costs, and construction of additional facilities | Greater than 0 increase in demand beyond capacity levels<br><br>Greater than \$0 increase in cost, greater than 0 increase in demand level beyond capacity levels, or need for construction of additional facilities | TRPA Code of Ordinances and Regional Plan Goals and Policies<br><br>Washoe County General Plan |
| PSU-2. Does the Project have the potential to damage existing underground utility lines?   | Number of utility lines damaged during construction   | Greater than 0 lines damaged   | TRPA Checklist   |
| PSU-3. Will Project construction interfere with law enforcement and fire protection services?  | Access blockage during construction   | Greater than 0 access points blocked without an approved alternative   | TRPA Checklist   |

Source: Hauge Brueck Assoc. 2009

## ENVIRONMENTAL IMPACTS AND RECOMMENDED MITIGATION

**IMPACT:** **PSU-1: Will the Project increase demand or exacerbate peak period service demand of fire, police, schools, government services, water, sewage treatment and disposal, phone, solid waste, gas, or electric to such a degree that accepted service standards cannot be maintained or new facilities are needed?**

**Analysis:** *Less than Significant Impact; Alternatives A and B*

Alternative A will not result in increased service demands or alter existing service demands. However, the NLTFPD has indicated some concern with Alternative A because the existing structures will not be replaced with new and more fire safe structures. Further, under Alternative A, growth necessary to maintain the existing fire station and address increased operating costs will not occur, forcing the NLTFPD to find alternative funding sources or to reduce their current levels of service (personal communication, NLTFPD, 2009).

Alternative B will result in a slight increase in demand for public services and utilities based on the renovation of the existing Tahoe Biltmore and the construction of the three single-family homes on the former Tahoe Mariner site. The renovation of the existing Tahoe Biltmore is not anticipated to increase the demand for public services or utilities because the structures will not be expanded. Although interior renovation of the existing structures provides opportunities to improve fire safety, some of the risks associated with the aging existing structures will remain. The three single-family homes under Alternative B will each require a two-inch duct from the main communications feed, as well as new connections to electrical and natural gas services. However, the demand for these services will not affect existing service levels as utility connections will be developed as part of the Project. New water and wastewater service will also be required for the single-family homes. Currently there are no water provisions for the former Tahoe Mariner site and water and wastewater service will need to be developed. However, since the three single-family homes are considered a residential connection, fees will be handled by the developer and IVGID will provide services through existing residential allocations.

**Mitigation:** No mitigation is required.

**Analysis:** *Potentially Significant Impact; Alternatives C, D, and E*

### Law Enforcement

The Washoe County Sheriff's Department does not foresee any impact to their services as a result of increased numbers of guests at the resort; however, they have several concerns regarding potential changes to local traffic patterns and existing traffic safety devices (e.g., the proposal for roundabouts on SR 28 that are proposed for another project). Changes to traffic patterns are addressed in Chapter 4.8, Transportation. The traffic analysis states that traffic patterns would not be substantially different under Alternatives C, D, and E compared to operation of the existing resort under current buildout levels (including the operation of the maximum amount of certified gaming area).

Regarding changes to roadways or traffic safety devices, the Project will not reduce lane size on SR 28 or Stateline Road and will not make changes to the existing pedestrian crosswalk or signal located on SR 28. The Project will increase the overall roadway capacity of SR 28 through Crystal Bay by enlarging the width of the roadway from 36 feet to 45 feet through the provision of a center left-turn lane adjacent to the northern portion of the project site and through the addition of two 5-foot wide AASHTO bike lanes. Other proposed improvements within the SR 28 right of way include snow storage areas to reduce existing encroachment on SR 28 from snow storage during the winter, and the elimination of a minimum of one existing curb cut on SR 28 (Alternative C will eliminate two existing curb cuts). Alternatives C and D propose bike and transit improvements within the SR 28 right of way, but do not include a proposal for a roundabout within the SR 28 right of way. Alternatives C and D propose a roundabout at the intersection of Boulder Way and Stateline Road. Alternatives C and D will also extend the two-way left hand turn lanes the entire length of Crystal Bay, further improving circulation and traffic movement.

The Sheriff's Department requested better coordination for large events at Boulder Bay through the use of increased onsite security staff during special events and better-advanced coordination/notification with the Sheriff's Department. The Project description does not specify whether onsite security will be provided during special events. Therefore, this impact is potentially significant.

### **Fire Suppression**

The Fire District has reviewed the proposed roadway re-alignments and internal circulation associated with the proposed Boulder Bay Washoe County right-of-way abandonment and has determined that they are acceptable (personal communication, NLTFPD, 2009). A January 29, 2008 letter from the NLTFPD to the Washoe County Department of Community Development states that "the abandonment and realignment of public streets...are acceptable." The letter further states, "The increased slope of the proposed alignment of Lakeview Avenue is acceptable due to the south facing slope of the roadway" (personal communication, NLTFPD, 2008). The Fire District stated that the Project will not adversely impact their facilities, staffing levels or response times (personal communication, NLTFPD, 2009). The existing ladder truck and other existing response vehicles are sufficient to serve the proposed structures.

Standard building permit requirements will be enforced at the time that the final project design plans are reviewed and approved. Because the Project includes taller than average buildings, additional measures may be required during the permit review process to protect future building occupants in the case of fire. These measures will be included by the Fire District during their review of the design review package.

Alternative E includes some additional fire safety risk with the continued use of the existing aging main building; however, interior renovations may improve fire safety devices and access and the new structures would be constructed in accordance with current fire safety standards.

### **Water and Wastewater**

Due to IVGID's 1997 requirement that new commercial developments obtain and dedicate new or additional water rights to meet projected project demand, all developments must purchase and dedicate existing water rights to IVGID prior to construction to demonstrate that they will have water available to serve their project.

Since water allotments are highly regulated in Nevada, new projects will not threaten service levels for other customers. According to IVGID, there is no requirement to review the project under the TROA regulations because of IVGID's requirement that development purchase existing water rights (personal communication, IVGID, 2009). However, average water consumption estimates for Alternative C demonstrate a need for 18,230,147 gallons of water per year (approximately 56 acre-feet). If the water rights purchased for Boulder Bay are considered new use, the 56 acre-feet would be counted against Nevada's Tahoe Basin cap (11,000 acre-feet/year) under TROA.

The majority (75%) of the estimated water demand will be used in resort guest rooms and affordable units, followed by irrigation (9%) and the pools/spa (7%). The casino, public restrooms, restaurants, and water features will consume 1-3%. An estimated 20,350,660 gallons per year or 62 acre-feet annually will be required under Alternative D. Approximately 79% will be used for guest accommodations and affordable units, 8% by irrigation, and 6% by the pool/spa. The remaining 7% will be used by the restaurant, casino/public restrooms, and water features. Water usage under Alternative E is estimated to be 13,782,126 gallons per year or 42 acre-feet annually. Approximately 69% will be used in room fixtures, 12% for irrigation, 10% for the pools/spa, 5% by the casino/public restrooms, and the remaining 4% for water features and restaurants.

Boulder Bay has identified and is able to secure 75 to 100 acre-feet of available water rights for purchase from a private land holder. A commitment letter is on file with the TRPA showing an adequate amount is available for acquisition. If a project is approved by TRPA, water need calculations will be finalized based on the approved project design and the water rights will be purchased and dedicated to IVGID in an amount appropriate for the final approved project design.

According to IVGID (personal communication, 2009), there is sufficient capacity at the wastewater treatment facility in Incline Village to serve this Project. The Project is responsible for wastewater facility improvements on site and project engineers are currently working with IVGID to review preliminary plans. These onsite wastewater plans will be finalized by IVGID prior to construction.

### **Stormwater**

Alternative E will not alter the existing offsite stormwater system and is not anticipated to exceed current offsite stormwater capacities because it will include reduced land coverage and onsite retention within the landscaping design.

Under Alternatives C and D, Boulder Bay has applied for and received a conditional abandonment of right of way from the Washoe County Department of Public Works. Boulder Bay will construct drainage and water quality facilities, as well as erosion control measures, as part of the Project. As discussed in the Project Description, proposed stormwater management consists of collection systems, catch basins, drop inlets, pre-treatment vaults, underground infiltration vaults and underground piping to intercept all runoff generated in the project area. As required by TRPA, runoff from the 20-year, one-hour storm event will be treated on-site, and runoff up to the 50-year, six-hour storm event will be treated by the water quality improvement project proposed for the California Stateline Road parcel (see discussion in Chapter 4.3 Hydrology) and to treatment facilities located on a portion of the Crystal Bay Motel parcel.

## Electricity

Alternatives C and D will include energy conservation measures as part of LEED certification process. Under these alternatives the Project will seek to decrease energy use by more than 50% per guest and will include solar design to augment electrical demand and water heating. In addition, the buildings will include high efficiency insulation, windows, appliances and building materials. Boulder Bay hired ARUP North America Ltd to prepare a comparison of energy use between the existing Boulder Bay owned and purchased residential structures (e.g., Tahoe Biltmore, Crystal Bay Motel and other purchased TAUs) and the structures proposed to be constructed for the resort. The analysis, prepared for Alternative D, concluded that the resort would result in a 38% reduction in overall energy use (45% gas reduction and 30% electricity reduction) despite the increase in units and square footage (ARUP, 2009). The energy consumption comparison between existing and proposed residential units shows an overall 55% energy reduction with a 50% reduction in electricity use per unit and a 60% reduction in gas use per unit (ARUP, 2009).

NV Energy foresees no problems in serving the site (personal communication, Tim Hutton, 2009). The existing primary line within the Reservoir Road right of way will be relocated under Alternatives C and D.

## Natural Gas

Underground gas service will need to be expanded/extended within the project area, including the former Tahoe Mariner site. The main and service main will need to be extended to serve each of the proposed structures. Southwest Gas has indicated there is sufficient capacity to serve the site and maintain existing service standards (personal communication, Southwest Gas, 2009).

## Solid Waste

Solid waste generation will increase under Alternatives C, D, and E, and to a lesser extent for the gaming expansion and construction of three single-family homes under Alternative B. Waste Management operates at 40 to 45 percent of capacity in this area and foresees no issues in providing services to either Boulder Bay alternative (personal communication, Waste Management, March 17 and 18, 2009). Tahoe Truckee Sierra Disposal Company has stated that the Project will not affect their collection operations and there is sufficient capacity to handle increased solid waste production (personal communication, Tahoe Truckee Sierra Disposal Company, April 3, 2009).

## Communications

Onsite communications facilities will need to be expanded/extended to serve the proposed buildings (AT&T, March 19, 2009). The Project will place these lines underground and will coordinate with AT&T in regard to expanding the new lines. A new route will run along Stateline Road and Lake View Avenue, outlining the portions of the project area where structures will be located. This line will also run along SR 28 to Reservoir Drive. Boulder Bay and AT&T will then distribute the cable from the main feed line throughout the project area. Commercial buildings to be directly served by AT&T require a 4-inch duct to each site from the point of feed. Single-family residences (Alternatives B and E) require a 2-inch duct to each home from the point of feed. With this improvement included in project construction, there will be no issues for AT&T to provide adequate service to the project area.

## Schools

The Washoe County School District calculates potential students by counting the number of students in each grade range living in residences constructed in the last five years, divided by the total number of new residences constructed during that period (personal communication, Washoe County School District, 2009). The District currently uses a factor of 0.18 for single-family units and 0.05 for condo/townhome units to calculate the number of school-aged children. The potential number of K-12 students is as shown in Table 4.12-4.

**Table 4.12-4**

### Potential School Enrollment - Boulder Bay

| Alternative | Residential Units  | Factor       | Total New Students |
|-------------|--|--------------|--------------------|
| A           | 0  | --           | 0                  |
| B           | 3 single family units                                    | 0.18         | 1                  |
| C           | 14 affordable housing units<br>59 whole ownership condos | 0.05<br>0.05 | 4                  |
| D           | 9 affordable housing units<br>21 whole ownership condos  | 0.05<br>0.05 | 2                  |
| E           | 3 single family units<br>33 whole ownership condos       | 0.18<br>0.05 | 3                  |

Source: HBA, 2009

School enrollment is currently declining. The Incline Schools Reflective Task Force Committee is currently looking into reasons for the decline and is proactively seeking to increase enrollment. The decline may be a result of the economic decline in the area where many homes are currently vacant or used seasonally. Currently there is sufficient capacity to accommodate enrollment growth. No new facilities will be needed and the Project will not strain school resources.

**Mitigation: PSU-1A: Special Event Security Coordination and Notification**

The project proponent shall ensure adequate security staffing is provided during special events at the resort. In addition, resort staff shall notify the Washoe County Sheriff's Office one week in advance of special events so that adequate law enforcement staff may be available during those events.

**PSU-1B: Water Rights Dedication**

The project proponent shall obtain water rights in an amount adequate to fully serve the needs of the approved Project following finalization of the approved project design by TRPA and Washoe County. These water rights shall be dedicated to IVGID prior to commencement of construction.

**PSU-1C: Utility Service Coordination**

The project proponent shall coordinate with each utility provider prior to construction regarding the exact location of each underground utility line known to occur on the site. These underground lines shall be shown on project construction specifications within the civil engineering plans. The proponent shall also work with service providers to determine where the new lines will be located and will consolidate utility lines within shared easements as feasible to reduce the number of underground utility trenches on the site. In addition, the construction contractors shall contact Underground Service Alert (USA 811/1-800-227-2600) to ensure buried lines are properly marked and located.

**PSU-1D: Safety Planning**

The project proponent shall work with the Washoe County Sheriff's Office and the North Lake Tahoe Fire Protection District during final project design to ensure that structures contain safety and fire suppression features located and installed appropriately in all project structures. This includes appropriate placement of overhead sprinklers, smoke detectors, fire extinguishers, emergency alarms, and other safety features. Structures shall include safety devices required by these agencies and shall show their design and location on site plans. A copy of the final plan shall be submitted to the Sheriff's Office and the Fire Protection District for response purposes.

After

Mitigation: *Less than Significant; Alternatives C, D, and E*

Implementation of mitigation measures PSU 1A to 1D will reduce potential impacts to service and utility providers to a less than significant level.

**IMPACT: PSU-2: Does the Project have the potential to damage existing underground utility lines?**

Analysis: *Less than Significant Impact; Alternatives A and B*

Alternatives A and B will not result in any structural changes other than interior remodeling and refurbishing. No new structures, traffic circulation patterns or other ground-disturbing activities will occur within the Tahoe Biltmore property. The three single-family homes to be constructed on the former Tahoe Mariner site under Alternative B will result in ground-disturbance; however, there are no existing underground utilities in service on this portion of the project area. Therefore, this impact is considered to be less than significant.

Analysis: *Potentially Significant Impact; Alternatives C, D, and E*

**Water and Wastewater**

Existing water and wastewater facilities are located on site to serve the Tahoe Biltmore Lodge and Casino. Redevelopment of the site, particularly excavation activities and changes to roadway alignments have the potential to damage existing underground utility lines serving both onsite and offsite land uses. Although damage to lines serving solely the site will have little affect on the surrounding land uses, damage to water and wastewater main lines could also impact adjacent land uses and the environment. The project proponent has made attempts to identify existing underground utilities for their engineering plans; however, any excavation includes the risk of damaging existing underground utilities.



## Electricity

There is an existing primary electrical line under Reservoir Road, that will need to be avoided and/or moved under Alternatives C and D. Since this roadway will remain intact for Alternative E, there will be little potential to damage the electrical utility under Alternative E.

## Natural Gas

Underground gas lines are located on site and will need to be avoided or relocated prior to construction. New structures will be added and the site topography will be substantially changed under Alternatives C, D and E; therefore, the entire gas line system will need to be extended and/or relocated to serve the new structures.

## Communications

As stated above, there are a number of underground cable and conduit lines on the project area, particularly under Reservoir Drive and Wassou Road. These lines will need to be marked and avoided or relocated prior to construction. Undergrounding the existing above ground utilities has the potential to impact existing utilities that are located below ground.

Mitigation: **PSU-1C: Utility Service Coordination**

Implement mitigation measure PSU-1C described above under Impact PSU-1.

After

Mitigation: *Less than Significant; Alternatives C, D, and E*

Implementation of mitigation measures PSU 1C will reduce potential impacts to service and utility providers to a less than significant level.

**IMPACT: PSU-3: Will Project construction interfere with law enforcement and fire protection services?**

Analysis: *Less than Significant Impact; Alternatives A and B*

Alternatives A and B will result in interior remodeling and will not include large-scale construction activities or equipment. The potential to interfere with law enforcement and fire protection services during construction is very low.

Mitigation: No mitigation is needed.

Analysis: *Potentially Significant Impact; Alternatives C, D, and E*

Construction may temporarily increase the demand for emergency services due to the types of activities occurring on site (demolition, excavation, construction). During construction, the project area will be more susceptible to trespass-related crime during periods of inactivity. Likewise, operation of equipment during construction has the potential to require emergency medical and fire suppression services. However, construction within the project area will not likely interfere with the ability of law enforcement and fire protection agencies to serve the adjacent community.

Construction within the SR 28 right of way under Alternatives C and D may result in increased temporary traffic delays and partial roadway closures to complete SR 28 roadway improvements including the extension of the two-way left hand turn lane and

the bike lane improvements, which may affect emergency response times. Proposed improvements to SR 28 will ultimately improve response times by improving the flow of traffic in this area; however, a temporary impact may occur during construction.

**Mitigation: PSU-3A: Construction Fire Prevention and Safety Requirements**

In contracting project construction work, Boulder Bay shall include safety requirements and standards in accordance with federal, State, and local laws. Contractors working on the Project will be required to follow safety standards in accordance with Occupational Safety Hazard Administration (OSHA). In addition, the construction contract shall require the site to be secure at all times to reduce the risk of public access to hazardous site conditions and construction equipment. All active construction areas shall be equipped with the appropriate safety and fire suppression equipment.

**PSU-3B: Construction Schedule Coordination and Notification**

Boulder Bay shall coordinate construction activities within SR 28 to avoid peak traffic periods. They shall also notify the Sheriff's Office and Fire District of the weekly construction schedule within the SR 28 right of way.

After

**Mitigation:** *Less than Significant Impact; Alternatives C, D and E*

Implementation of mitigation measures PSU 3A and 3B will reduce potential impacts to law enforcement and other emergency response providers to a less than significant level.

## CUMULATIVE IMPACTS AND MITIGATION MEASURES

**IMPACT: PSU-C1: Will the Project have significant cumulative impacts to public service and utility resources?**

**Analysis:** *Less than Significant Impact; Alternatives A and B*

Alternatives A and B will not result in increased demand for utilities other than the three single-family homes under Alternative B, which will result in the need for public utility connections. However, under Alternatives A and B, the lack of development and revitalization in the area will continue to threaten the service capabilities of service providers such as the school and fire districts who rely on such growth and activity to maintain funding, and ultimately staffing and service levels. Although other cumulative projects in the surrounding area may contribute to economic growth in the Crystal Bay/Incline Village area, the benefits from redevelopment of the existing Tahoe Biltmore site will not occur under Alternatives A or B. However, because Alternatives A and B will not adversely impact public service or utility providers, this impact is considered to be less than significant.

**Mitigation:** No mitigation is required.

**Analysis:** *Potentially Significant Impact; Alternatives C, D, and E*

Utility and public service providers have indicated that the Project will not result in a cumulative adverse impact. Electrical, gas, and solid waste providers have capacity to serve projects in the area.

The NLTFPD has stated that growth in the area is needed to maintain existing service and staffing levels. Therefore, this Project and other proposed projects in the area will result in a positive impact for the fire district. In addition, roadway improvements proposed by

this project increase the ability of emergency responders to quickly access the site during fire or medical emergencies. The potential overall reduction in traffic volumes along SR 28, documented in Chapter 4.8 Transportation, would slightly improve overall response times compared with optimum use of the existing Tahoe Biltmore and Crystal Bay Motel facilities. In addition, the first response to events in the Crystal Bay neighborhood north and west of SR 28 is from Station 12 of the North Lake Tahoe Fire Protection District, located on Cal Neva Drive just south of the Crystal Bay Club. At present, Peter Mulvihill, PE, Assistant Fire Marshal, indicates that District drivers sometimes use Cal Neva Drive and Reservoir Drive to access the areas north and west of SR 28 because delays are caused by the poor existing alignment along Stateline Road north of SR 28. With the improvements to Stateline Road and its realignment directly into Lakeview Avenue as part of the proposed project, the Fire Marshal has indicated that first responders will instead use Stateline Road, which he estimates will generally reduce response times to residential neighborhoods north of the project area.

Since water service is highly monitored by IVGID and each site is contracted a limited water supply, the impacts of water usage is controlled by each water purveyors contract with the landowners. In addition, IVGID does not serve all the projects in North Lake Tahoe and is limited to the Incline Village and Crystal Bay areas. Further, IVGID requires all commercial developments to obtain additional water rights and dedicate those rights to IVGID prior to distribution. Therefore, other Nevada projects in the area will also be required to acquire rights and will be responsible for costs associated with new infrastructure to serve their site, notably pipelines and connections. These cumulative project's may also count toward Nevada's cap under TROA of 11,000 acre-feet/year if the use is considered to be new, and would result in a significant impact if they result in exceedance of the TROA cap. However, it will be the responsibility of each project to secure adequate rights from the private market prior to final permitting and to provide appropriate infrastructure as part of their construction.

IVGID has indicated that there is sufficient wastewater treatment capacity to serve currently proposed projects in their service area if they provide adequate infrastructure within their development. The treatment plant is able to accommodate the proposed projects; however expansion of currently proposed projects or the addition of future projects may result in a cumulative impact (personal communication, IVGID, 2009).

The Washoe County Sheriff's Department has indicated that roadway lane reductions and the use of roundabouts on major roadways in new developments, such as the King's Beach Core Improvement Project, can interfere with and inhibit emergency evacuation of the area (personal communication, Washoe County Sheriff's Department, 2009). Although other projects in the surrounding area have proposed such features, which may affect the general evacuation timing for the area as a whole, this Project does not propose such circulation features on SR 28, and will be improving the capacity and throughput potential of SR 28 through Crystal Bay by increasing the overall width of the roadway, adding a center left-turn lane and adding two 5-foot wide AASHTO bike lanes. This Project will contribute to increased population on the site, which will therefore increase the number of people who will need to evacuate during an emergency. This Project, in conjunction with other projects, will affect the ability of the Sheriff's Department to evacuate the area in a safe and timely manner. Therefore, this cumulative impact is considered to be potentially significant.

AT&T provides communications services, and their ability to serve the area is limited only by the location and sizing of their cable and conduit. New projects will be required to fund connections and expansion of lines to each site. Although this Project will

increase demand for such services, it will also contribute individually to expanding the service lines for the entire community and will not result in a cumulative impact to communications service.

The cumulative impact to schools is limited to projects within the service boundary for the Incline Village schools. With enrollment decreasing, these schools are actively researching how to increase and maintain enrollment levels and are in the process of consolidating facilities. One factor recognized by the Incline Schools Reflective Task Force is that little growth is occurring in the area to increase enrollment. This Project, along with other proposed for the district boundary will help to achieve the goal of increasing enrollment and will result in a beneficial impact.

Mitigation: **PSU-C1: Emergency Shelter/Staging Area Designation**

To reduce cumulative impacts of increased population levels, combined with reduced evacuation abilities, the Project proponent shall work with the Washoe County Emergency Management Center (EMC) to designate the project area as a shelter site or emergency staging area. The Project proponent shall work with the EMC to develop emergency plans and an operations protocol that will enable the resort to assist the community in emergency situations and reduce the traffic volumes on state highways during emergency evacuation events. A copy of the project layout shall be provided to emergency services (sheriff, fire) to more efficiently respond according to the negotiated agreement with EMC.

After

Mitigation: *Less than Significant Impact; Alternatives C, D and E*

Implementation of mitigation measure PSU-C1 will reduce the potential impact to a less than significant level.

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