

IN THE SUPREME COURT OF THE STATE OF NEVADA

CITY OF LAS VEGAS, A POLITICAL  
SUBDIVISION OF THE STATE OF  
NEVADA,

Appellant,

vs.

180 LAND CO., LLC, A NEVADA LIMITED-  
LIABILITY COMPANY; AND FORE STARS,  
LTD., A NEVADA LIMITED-LIABILITY  
COMPANY,

Respondents.

180 LAND CO., LLC, A NEVADA LIMITED-  
LIABILITY COMPANY; AND FORE STARS,  
LTD., A NEVADA LIMITED-LIABILITY  
COMPANY,

Appellants/Cross-Respondents,

vs.

CITY OF LAS VEGAS, A POLITICAL  
SUBDIVISION OF THE STATE OF  
NEVADA,

Respondent/Cross-Appellant.

No. 84345

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**AMENDED  
JOINT APPENDIX  
VOLUME 76, PART 5**

LAW OFFICES OF KERMITT L. WATERS

Kermitt L. Waters, Esq.

Nevada Bar No. 2571

[kermitt@kermittwaters.com](mailto:kermitt@kermittwaters.com)

James J. Leavitt, Esq.

Nevada Bar No. 6032

[jim@kermittwaters.com](mailto:jim@kermittwaters.com)

Michael A. Schneider, Esq.

Nevada Bar No. 8887

[michael@kermittwaters.com](mailto:michael@kermittwaters.com)

Autumn L. Waters, Esq.

Nevada Bar No. 8917

[autumn@kermittwaters.com](mailto:autumn@kermittwaters.com)

704 South Ninth Street

Las Vegas, Nevada 89101

Telephone: (702) 733-8877

*Attorneys for 180 Land Co., LLC and  
Fore Stars, Ltd.*

LAS VEGAS CITY ATTORNEY'S OFFICE

Bryan K. Scott, Esq.

Nevada Bar No. 4381

[bscott@lasvegasnevada.gov](mailto:bscott@lasvegasnevada.gov)

Philip R. Byrnes, Esq.

[pbyrnes@lasvegasnevada.gov](mailto:pbyrnes@lasvegasnevada.gov)

Nevada Bar No. 166

Rebecca Wolfson, Esq.

[rwolfson@lasvegasnevada.gov](mailto:rwolfson@lasvegasnevada.gov)

Nevada Bar No. 14132

495 S. Main Street, 6th Floor

Las Vegas, Nevada 89101

Telephone: (702) 229-6629

*Attorneys for City of Las Vegas*

CLAGGETT & SYKES LAW FIRM

Micah S. Echols, Esq.

Nevada Bar No. 8437

[micah@claggettlaw.com](mailto:micah@claggettlaw.com)

4101 Meadows Lane, Suite 100

Las Vegas, Nevada 89107

(702) 655-2346 – Telephone

*Attorneys for 180 Land Co., LLC and  
Fore Stars, Ltd.*

McDONALD CARANO LLP

George F. Ogilvie III, Esq.

Nevada Bar No. 3552

[gogilvie@mcdonaldcarano.com](mailto:gogilvie@mcdonaldcarano.com)

Amanda C. Yen, Esq.

[ayen@mcdonaldcarano.com](mailto:ayen@mcdonaldcarano.com)

Nevada Bar No. 9726

Christopher Molina, Esq.

[cmolina@mcdonaldcarano.com](mailto:cmolina@mcdonaldcarano.com)

Nevada Bar No. 14092

2300 W. Sahara Ave., Ste. 1200

Las Vegas, Nevada 89102

Telephone: (702) 873-4100

LEONARD LAW, PC

Debbie Leonard, Esq.

[debbie@leonardlawpc.com](mailto:debbie@leonardlawpc.com)

Nevada Bar No. 8260

955 S. Virginia Street Ste. 220

Reno, Nevada 89502

Telephone: (775) 964.4656

SHUTE, MIHALY & WEINBERGER, LLP

Andrew W. Schwartz, Esq.

[schwartz@smwlaw.com](mailto:schwartz@smwlaw.com)

California Bar No. 87699

(admitted pro hac vice)

Lauren M. Tarpey, Esq.

[ltarpey@smwlaw.com](mailto:ltarpey@smwlaw.com)

California Bar No. 321775

(admitted pro hac vice)

396 Hayes Street

San Francisco, California 94102

Telephone: (415) 552-7272

*Attorneys for City of Las Vegas*

North Las Vegas is a forty acre site that can accommodate 20 garbage trucks and commercial vehicles at a time dumping trash. The facility bulks and compacts the garbage into lesser volume then transports the garbage in large semi-trailers to the landfill. This transfer station has the capacity of removing 50 tons of garbage every six minutes. It is one of the largest transfer stations in the nation with a solid waste capacity of 9,704 cubic yards. The maintenance facility located at this transfer station has 50 maintenance bays along with two paint booths and has the capability of designing, building, or repairing any part of the collection vehicles.

Shelbourne Road Transfer Station, is located at Shelbourne Road and I-15 is for both residential and commercial usage. It has a designed holding capacity of 25 tons at a time, and allows four vehicles to dump at one time.

Henderson Transfer Station, located at 1214 McCormick Road, Henderson, Nevada. It has a capacity of 50 tons and a capability of five vehicles dumping. The Henderson Transfer Station has the capability of moving 25 tons of garbage every 20 minutes, and it serves both residential and commercial customers.

Apex Landfill is under development in the Apex Industrial site of Clark County. The site is 2000 acres and has a current projected 50 year life (see Map 7). However, with effective recycling, the projected 50 year operation of this landfill will be increased dramatically.

Sunrise Sanitary Landfill is located at 7900 E. Vegas Valley Drive. This landfill is situated on 720 acres of land leased from the Bureau of Land Management (BLM), and Clark County, Nevada. The landfill is operated by DUMPCO, under contract to Clark County, and serves the nonhazardous waste disposal needs of the Las Vegas Valley.

There are two lease agreements that are currently in effect between BLM and Clark County for the 720 acre landfill. The initial agreement was entered into May 21, 1982, covers 320 acres of the landfill, however, activities on this portion of the site are very limited because of an absence of cover soil. An amendment to the initial lease agreement allows landfill operations to be conducted on portions of an adjacent 400 acres. The majority of the 400 acres included in the amendment is native ground and could provide sufficient cover soil and disposal capacity to meet the long term needs of the Las Vegas Valley.

#### **Recycling**

Silver State Disposal Recycles Nevada Program has constructed an 88,000 square foot material recycling facility to service the recycling needs of southern Nevada. The facility is capable of processing 1000 tons of recycled material out of our current solid waste. It consists of a large tipping floor that will accommodate recycling vehicles as well as specified solid waste vehicles.

Silver State Disposal has distributed 500,000 color baskets to every household currently receiving Silver State's services. The baskets were all delivered by the end of May, 1991, and curbside collection has begun. Each household separates their recyclables into three baskets. Red, for aluminum and tin cans and plastic bottles; white for newspapers and magazines and blue for glass. The baskets will be picked up by separate recycling trucks every two weeks on one of the garbage pickup days.

Businesses will have their garbage hand sorted and all recyclables will be removed. The goal of Silver State Disposal is to meet EPA recommendation by reducing solid waste by 25 percent by the year 1995.

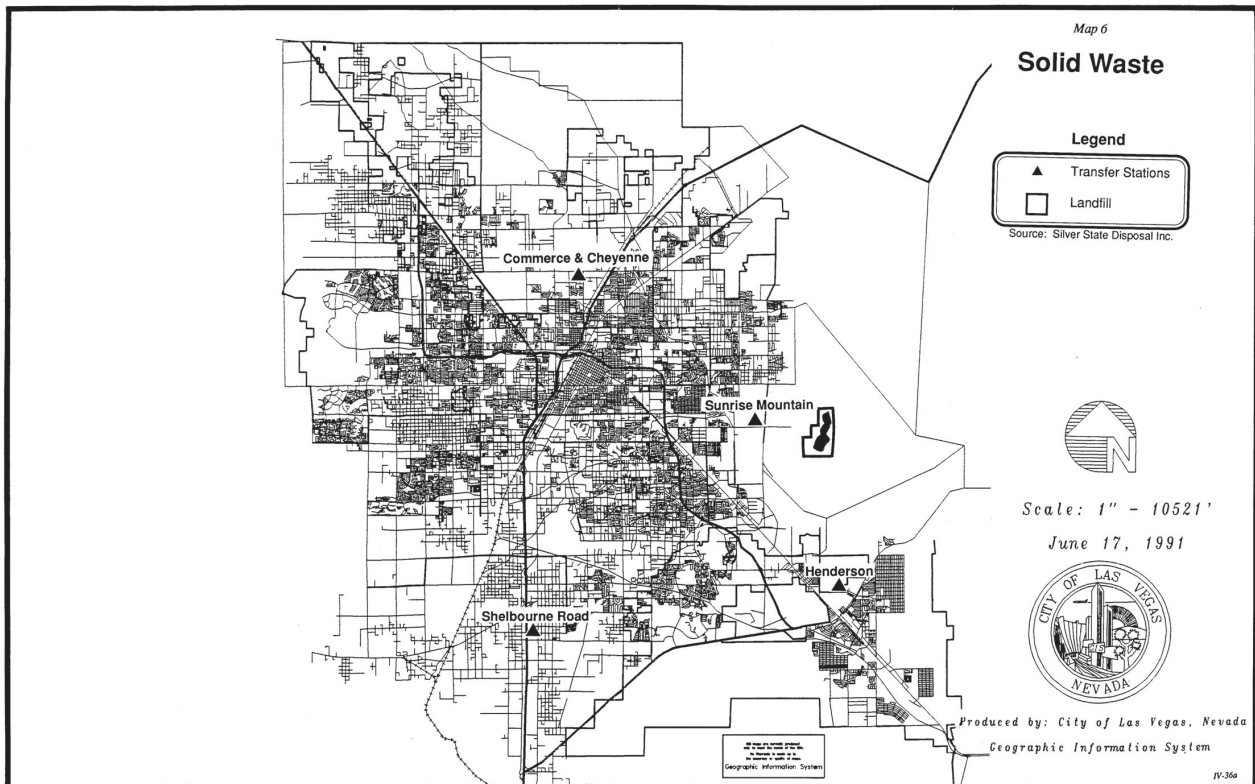
#### **Hazardous Waste**

To meet the growing requirements for hazardous waste disposal, Silver State Disposal established a new company, Environmental Technologies of Nevada. The subsidiary is now building a hazardous waste storage facility. Environmental Technologies also provides additional services to producers of hazardous waste. By handling flammable, combustibles, solvents, PCBs, poisons, acids, caustics, oxidizers, water reactive and metals. However, no radioactive or explosive waste materials will be handled. In addition, Environmental Technologies of Nevada can recycle soils contaminated by gasoline, diesel fuels or oil. This is accomplished by exposing the contaminated soil with bacteria that eat the hydrocarbons, thus returning the soil to its original state.<sup>2</sup>

#### **4D.2 Issue**

The Environmental Protection Agency has set forth as a goal for communities across America to reduce their waste stream by 25%. With the population of Las Vegas growing at such a tremendous rate, recycling is the key to reducing the waste stream. Educating the public about the benefits of recycling will: (1) help to increase participation in Silver State Disposal voluntary recycling program, (2) help to eliminate separation of solid waste materials by Silver State Disposal, (3) Help Las Vegas meet E.P.A.'s goal for solid waste reduction, (4) Most importantly it will help to protect our environment, which is a major concern of the citizens of Las Vegas.

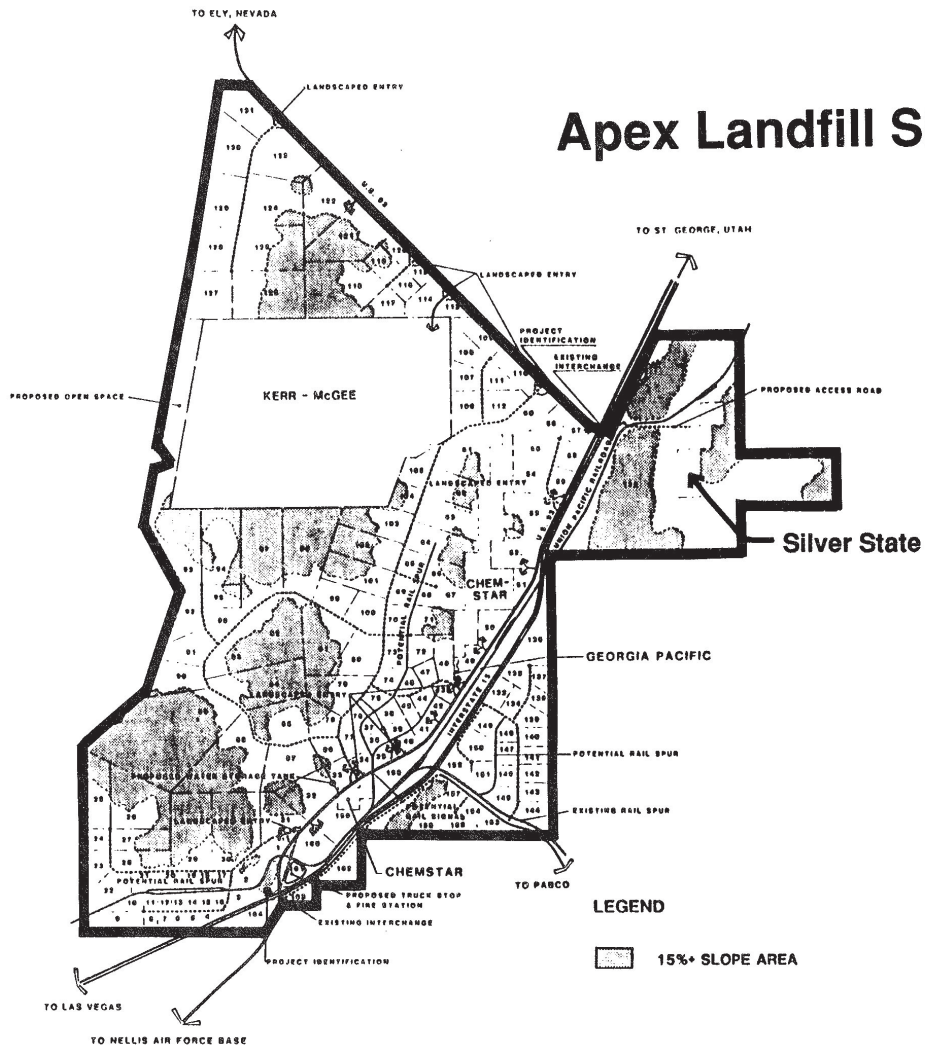
The possible development of Yucca Mountain as a nuclear waste repository is also a concern of the citizens of Las Vegas. The nuclear waste would have to be transported through the City of Las Vegas for deposit at Yucca Mountain. As a result of this, there are concerns about the potential danger that this will pose.



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# Apex Landfill Site



## CONCEPTUAL MASTER PLAN

|   |  |   |  |
|---|--|---|--|
| <p><b>APEX HEAVY INDUSTRIAL USE PARK</b><br/>         A MASTER DEVELOPMENT PLAN<br/>         CLARK COUNTY, NEVADA<br/>         DEVELOPED BY<br/>  Clark County</p> |  | <p><b>DEVELOPMENT TEAM</b><br/>         LAND PLANNING AND ENGINEERING<br/>  G. C. WALLACE, INC.<br/>         LAS VEGAS, NEVADA<br/>         ECONOMIC / FINANCIAL<br/>  COOPERS &amp; LYBRAND / MOUNTAIN WEST<br/>         LAS VEGAS, NEVADA<br/>         ENVIRONMENTAL<br/>  DAMES &amp; MOORE<br/>         LAS VEGAS, NEVADA</p> |  |
|   | <p>DATE: JULY 1990<br/>         SHEET NO. 02</p> |   |  |

Source: Clark County Dept. of Comprehensive Planning

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## 4D.3 Goal, Objectives, Policies and Programs

## Endnotes

**GOAL:** Efficient, cost-effective provision of public facilities and services.

**Objective A:** Promote the efficient and environmentally sound recovery and reuse of waste resources.

**Policy A1:** Reduce the volume of solid waste disposed of in landfills particularly recoverable materials and hazardous materials.

**Program A1.1:** Participate in the development of recycling programs on a regional basis through the County Solid Waste Committee, the County Solid Waste Management Plan, and appropriate State programs. Participate in the development of local recycling programs.

**Program A1.2:** Develop and implement a program of public education regarding the benefits of recycling.

**Program A1.3:** Implement curb-side recycling of paper, metal, glass and plastics.

**Program A1.4:** Encourage city departments as well as parties under contract to the City to purchase and use recycled materials and products.

**Policy B1:** Protect the environment from unhealthful waste including but not limited to commercial, industrial, household and other waste.

**Program B1.1:** Monitor hazardous waste storage, collection, transportation and disposal practices to ensure adequate protection to people, flora and fauna.

**Program B1.2:** Monitor industrial waste disposal to prevent industrial waste from being dumped into the City's sanitary sewers.

1. George Rainer, P.E., ed. Understanding Infrastructure. (Wiley Interscience Books, 1990).

2. "Inventory report", Silver State Disposal Inc., 1991

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1. Rainer, George. Understanding Infrastructure. Wiley Interscience Press, 1990

2. Silver State Disposal Inc., "Inventory Report". Las Vegas, NV 1991

## 4D.4 Evaluation & Implementation Matrix

The following Solid Waste Evaluation and Implementation Matrix (EIM) was prepared as a measurable summary of the above Policies and Programs. The EIM is to be used:

- as a method of measuring the implementation progress of the General Plan
- as a budgeting document for specific Solid Waste programs
- as a tool for further developing work programs

## 4D.4 EVALUATION/IMPLEMENTATION MATRIX : SOLID WASTE

| POLICY (PROG) | SUMMARY  | RESPONSIBLE DEPARTMENTS | DATE OF IMPLM. | ACTION/PRODUCT (RELATED PROGRAM)                            | REMARKS                        |
|---------------|--|-------------------------|----------------|---|--------------------------------|
| A1(1)         | Participate in the development of a county wide recycling program                                    | CM, CA                  | 1992           | Reduction in land needed for landfill                       | Intergovernmental coordination |
| A1(2)         | Public education program outlining the benefits of recycling   | CM                      | 1992           | Increase participation in the recycling program             |                                |
| A1(3)         | Start a recycling program  | CM, CA                  | 1992           | Reduce waste stream   |                                |
| A1(4)         | Encourage city departments and companies under city contracts to use recycled materials and products | CM, CA                  | 1992           | Resolution by the City Council                              |                                |
| B1(1)         | Monitor hazardous waste storage collection, transportation and disposal                              | CM, CA, BS              | 1992           | Ensure adequate protection for the residents of the City    | Intergovernmental coordination |
| B1(2)         | Eliminate the disposal of industrial waste in the City's sanitary sewers                             | CM, CA, BS, PW          | 1992           | Enforcement program to monitor disposal of industrial waste |                                |

Infrastructure

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## V. CIRCULATION

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## 5.1 Background

The circulation system is the basic framework, in conjunction with land use, upon which the urban and regional form is shaped. Streets and highways not only move people and goods throughout the region but also affect the community's social and economic environments. The location and design of roadways, as well as modal choices (car, bus, bicycle, walking, equestrian), have significant consequences on land use patterns, air quality, plant and animal habitats, environmental noise and community appearance. In addition, economic activities depend on the transportation system for the circulation of goods and people.

The purpose of the Circulation Element is to provide for a comprehensive and coordinated circulation system to meet the various needs of residents, visitors and businesses in Las Vegas now, and well into the future. As a comprehensive system it combines traffic circulation, mass transit, paratransit, bicycle, pedestrian, equestrian, air, and rail considerations into one integrated element. As a coordinated system, it reflects the cooperative work with the Regional Transportation Commission and the other political entities to ensure continuity and efficiency of the circulation system as it crosses jurisdictional boundaries.

### 5.1.1 Interlocal Coordination

Transportation planning in the Las Vegas Valley involves federal, state, regional and local agencies. The principal agencies are the Urban Mass Transportation Administration (UMTA), the Nevada Department of Transportation (NDOT), the Regional Transportation Commission (RTC), Clark County and the incorporated cit-

ies of Las Vegas, North Las Vegas, Boulder City, Henderson and Mesquite. Because the provision of the roadway system and services typically involves so many agencies, a considerable amount of interagency coordination and cooperation is essential. The agencies, which directly impact transportation planning in the City of Las Vegas are:

**Urban Mass Transportation Administration (UMTA)**

The Urban Mass Transportation Administration is the primary source of federal public transit capital and planning funding for Clark County. The RTC currently receives UMTA funding to accomplish transit planning. In the past, the RTC has also received federal capital funding to acquire buses used by the Las Vegas Transit System.

**Nevada Department of Transportation (NDOT)**

The Nevada Department of Transportation is responsible for preserving and improving state and interstate highways. These include I-15, U.S. 93 and U.S. 95, and several major arterials which are within the City of Las Vegas planning area. The Approved Highway System Plan 1992 - 2001, prepared by NDOT, outlines the anticipated improvements to the State Highway system. This Plan encompasses new roadway construction and reconstruction, new interchanges and bridge construction/repair, safety improvement projects, and highway maintenance.

**Regional Transportation Commission (RTC)**

The Regional Transportation Commission is given authority pursuant to Chapter 373 of the Nevada Revised Statutes (1965). Its purpose is to administer the funds generated by the motor vehicle fuel tax, revenues generated by bond issues and taxes. Improvement of the street and highway transportation facilities within Clark

County is the goal. Eight members representing the County's political entities make up the Commission.

As the region's Metropolitan Planning Organization (MPO), the RTC is responsible for the maintenance of a comprehensive, regional transportation plan. Also, in collaboration with the local participating jurisdictions, the RTC develops project priority lists for street and highway capital improvements and additions to the urban transportation system. The RTC also secures and administers planning grants for the participating local government entities while providing mass transportation services to the Las Vegas Valley.

**5.1.2 Existing Streets and Highways**

The street system in the Las Vegas Valley is a traditional north/south, east/west grid pattern. Two limited access freeways traverse the grid; I-15 runs in a northeast to a southwest direction and U.S. 95 extends southeast from its intersection with I-15 to Hwy. 146 (Lake Mead Dr.), and west to Rainbow Blvd. where it turns north to Rancho Drive. Arterials are at one-mile intervals and major collectors at half-mile intervals.

Map 1 shows the current street and highway network of the City of Las Vegas. An existing roadway network inventory can be found in Appendix 1: Current Roadway Inventory, which includes: functional classification; number of lanes; traffic volume, existing capacity; and volume to capacity (V/C) ratios. This information is helpful in analyzing the existing traffic operations and identifying roadway deficiencies.

**Functional Classification**

Functional classification is the process that groups streets and highways into

categories according to the type of service they provide. The intent is to channelize trips through the roadway network in a logical and efficient manner. Functional classification defines the part that any particular road or street should play in serving the flow of trips through a roadway network. Typical functional classification categories are:

- **Interstate:** A fully controlled access highway that is part of the interstate system. The purpose of these highways is to provide access to and through urban areas.
- **Freeway:** A divided highway with one-hundred-fifty-foot-wide minimum right-of-way and classified as a "controlled access" highway; a high-speed road with grade-separated interchanges.
- **Expressway:** A divided highway with a one-hundred-fifty-foot-wide minimum right-of-way and classified as a "limited access" highway; a high-speed road with at-grade, cross-traffic, intersections.
- **Arterial:** A street or highway which has a minimum right-of-way width of one hundred feet and an existing or potential design capacity of two or more vehicle travel lanes in each direction, divided when possible. Typically, arterials have high traffic volumes, serving the longest urban trips, and providing access to major activity centers. Service to adjacent land is subordinate to the movement of traffic. Arterials are also known as a primary thoroughfare.
- **Major Collector:** A street or highway which has a minimum right-of-way width of eighty feet and an existing or potential design capacity of two travel lanes of traffic in each direction. Major collectors generally interconnect with the arterial system. More emphasis is placed on land access and provid-

Circulation

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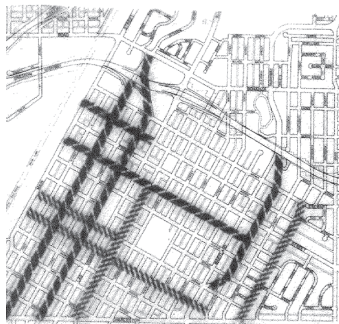
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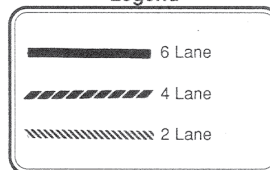
Las Vegas General Plan  
Circulation Element

Map 1

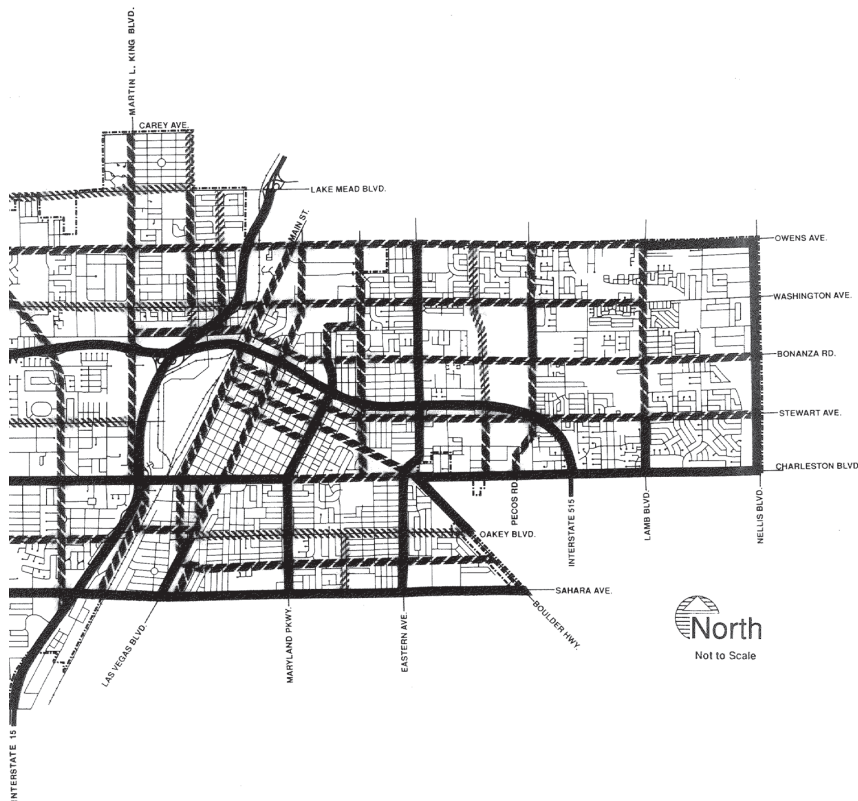
# Existing Streets and Highways



Legend



Source: Regional Transportation Commission &  
BRW Inc., July 1990



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