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VC Highlands, NV 89521-7430
April 2, 2007

Storey County Commissioners/Planning Commission
John Flanagan, Robert Kershaw, and Greg Hess
P.O. Box 526
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APR 04 2007
STOREY COUNTY
PLANNING

Gentlemen,

This is about the Cordevista project and the request by Mr. Blake Smith of Virginia Highlands LLC to rezone the 8,600 acres currently zoned as Special Industrial (Parcels 04-151-06, 04-201-05, and 04-211-06) to Mixed Use.

Summary

I believe it would be a serious mistake to grant Mr. Smith's request until the following issues are properly resolved:

1. Soil Contamination at the property. As of March 26, the County did not have the Soil Contamination Report. This report should be received and made available to the public for careful scrutiny before any rezoning request is granted.
2. Where, exactly, is Mr. Smith going to get the water for his community? He has made only general statements that he will import water.
3. Where, exactly, is Mr. Smith going to dump his sewerage? Will runoff be treated differently from sewerage? Will runoff go back into the ground or will it be piped somewhere else?
4. Why did Mr. Smith name his company *Virginia Highlands LLC*? A reasonable person is likely to confuse *Virginia Highlands* with *Virginia City Highlands*.

In the *Drainage Study Findings for Virginia Highlands Development*, dated January 24, 2007, not only is Virginia Highlands used in the title, the report appears to refer to the project as Virginia Highlands (see the chart on page 3).

Is Mr. Smith going to change the name of his development at the last minute to Virginia Highlands?

At the March 10 meeting at the Fire Station on March 10 Mr. Smith repeatedly referred to Virginia City Highlands as Virginia Highlands. After a member of the audience eventually corrected him it would have been a good time for Mr. Smith to reveal that his company's real name is Virginia Highlands LLC and, maybe, defuse the issue. He didn't, which speaks to his credibility.

5. Will the petition drive to allow the voters to directly make the rezoning decision be successful?

Once the area is rezoned for mixed use, it's over. The only thing left is to fight about the details, which is how Counties get sued

Details about the Soil Contamination

At the meeting at the Fire Station on March 10, Blake Smith said the property had been used "to make pellets for the airbags in your cars."

Having read in the Yahoo Group that there had been an Aerojet facility located on the property, I looked them up.

Aerojet is one of the leading manufacturers of depleted uranium (DU) ordnance and armor. (<http://www.bandepleteduranium.org/en/a/72.html#1>)

Although their facility for doing this work is now in Tennessee, they are accused of contaminating Chino Hills, California. (<http://companyethics.com/aerojet.htm>) Did they contaminate their site in Storey County as well?

At the meeting I asked Mr. Smith if the soil had been tested for depleted uranium contamination.

He said that the soil had been tested, some kind of contamination had been found, and that some soil had been hauled away.

I asked him, specifically, what had been tested for and what had been found. He said he didn't know but would look it up.

I made the point that if you don't specifically test for something you probably won't find it.

The companies that occupied this site did Government work. If you ask these companies exactly what they did and what chemicals they used, they will probably lie. If you ask the Government what work was done for them, the Government will probably lie or say it's classified.

From Blake Smith's Zone Change/Hearing Application, page 3
(http://www.storeycounty.org/Planning_Updates/Cordevista%20Zone%20Change%20App.pdf)

Water for this project will be imported from other sources and not from ground water basins from the **Virginia Highlands** or Lockwood areas. The ground water supply for existing Storey County residents will not be affected in any negative way as a result of this project. In fact, with current development technology and storage techniques, this project may present an opportunity to improve the amount of available water for existing residents through **ground water storage and recharge practices**.

All environmental and cultural studies conducted on the 6,800 acres are complete. However, these studies have now been expanded to include the newly purchased portion of land (approximately 1,800 acres). All studies for the entire property will be complete at the time of PUD or Development Agreement submittal.

1. Blake Smith says the water will not be taken from ground basins in the **Virginia Highlands**. He doesn't say it won't be taken from ground basins in the **Virginia City Highlands**. This might simply be a careless mistake but in a Court of Law words mean everything.

2. He says that **All environmental and cultural studies conducted on the 6,800 acres are complete.**

As of Monday, March 26, the County did not have the Soil Contamination Report. I know, because I went to the Planning Department (110 Toll Rd) and asked Dean Haymore for it. (I think it is reasonable to believe that the Soil Contamination Report would be an important part of the environmental studies.)

The documents on the web site (http://www.storeycounty.org/Planning_Detail.asp?ID=38) show:

Tab 7 - Scientific Investigations Report 2006-5010

Since I want to see the Soil Contamination Report I figured it would be in the Scientific Investigations Report.

When you click on it you get the message: ***As this study is voluminous and contains numerous charts, it will be produced upon request.***

I figured the soil contamination report would be in it, so I went to the Planning Department and requested it. Dean Haymore was there and said he only had 20 copies and could not spare any of them.

Fine. I asked to look at the soil contamination report. He said it wasn't in the Scientific Investigations Report.

And, unless I misheard Mr. Haymore, he said that it **had** been in the Scientific Investigations Report but Mr. Smith pulled it out.

3. According to his fine color brochure Mr. Smith is thinking about using **ground water storage and recharge practices.**

If Blake Smith's ground is contaminated, pumping water into the ground will contaminate the water for the entire mountain.

Then what?

Once the area is rezoned for mixed use, it's over. The only thing left is to fight about the details, which is how Counties get sued.

References

1. From the Master Plan Amendment /Public Hearing, Page 16:
http://www.storeycounty.org/Planning_Updates/Tab%201%20-%20Master%20Plan%20Amendment.pdf

Justification Statement

For the past two decades the project site was considered isolated enough from other residential areas in Storey County that the County created a Special Industrial (IS) zone classification for the property. This zone designation allows ammunition manufacture, testing and storage, chemical manufacture, testing and storage, airbag and other passive restraint system manufacture, explosive, propellant, and pyrotechnic manufacture, testing and storage, igniters and ignition systems manufacture, testing and storage, etc... In essence the zone designation allows hazardous uses to occur in an isolated location. The TRW Company's operation, which manufactured explosive modules for automobile air bags, took advantage of the zoning and occupied the site for several years. That operation no longer exists and a change in ownership coupled with a dramatic shift in County land uses has produced a situation where a change in land use on this site makes sense.

2. Aerojet is one of the leading manufacturers of depleted uranium (DU) ordnance and armor.
 (<http://www.bandepleteduranium.org/en/a/72.html#1>)

Although their facility for doing this work is now in Tennessee, they are accused of contaminating Chino Hills, California. (<http://companyethics.com/aerojet.htm>)

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From: <http://www.bandepleteduranium.org/en/a/72.html#1>

Aerojet

Aerojet is part of GenCorp, a major technology-based manufacturing company headquartered in Sacramento, California. GenCorp's two businesses, Aerojet and Real Estate, concentrate on two principal market areas: aerospace and defense, and real estate. GenCorp's businesses work toward the Company's vision to be "one of the most respected companies in the world."

Aerojet says that it is a leader in the development and manufacture of aerospace propulsion systems; precision tactical weapon systems; and armament systems, including warhead and munitions applications. Aerojet is the second leading provider in both the solid and liquid propulsion market areas, as well as the number one provider in the tactical segment area of solid propulsion.

Aerojet Ordnance Tennessee Inc (a subsidiary of Aerojet) manufactures DU penetrators and produces shielding and oxide from DU.

Contamination at one of Aerojet's other former locations: Chino Hills, California.
(<http://companyethics.com/aerojet.htm>)

Recently completed studies, done by the Environmental Protection Agency's Department of Toxic Substances Control, at the former Aerojet Ordnance Facility, in Chino Hills, have concluded that contaminants have been found in both the soil and the ground water (at depths as great as 35 feet) at 10 locations on the site. The testing found evidence of mustard gas, nerve gas (probably VX), tear gas, explosive chemicals and other potentially dangerous materials (including depleted uranium, perchlorate, and TNT).

From: <http://www.wise-uranium.org/dissti.html#CHINOHILLS>

Decommissioning of Aerojet Chino Hills ordnance test site, California

Depleted uranium contamination exceeds standard at former Aerojet Chino Hills ordnance test site

In November 2006, Aerojet submitted a report on surface water tests from one of its areas called Upper Area A 12; the depleted uranium levels for this area showed 1,410 parts per billion [micrograms/L], in excess of the applicable 1,300 parts per billion standard. A report filed by Aerojet on the area in 2004 had shown acceptable levels of depleted uranium at 400 parts per billion. (Daily Bulletin Feb. 15, 2007)

[Note: for comparison: the U.S. drinking water standard for uranium is 30 parts per billion.]

Have you had your Recommended Dietary Allowance (RDA) of depleted uranium today?

Sincerely yours,



Jed Margolin on Empire Rd.