

**Air Quality Management Division
Staff Report
Board Meeting Date: December 19, 2024**

DATE: December 5, 2024

TO: District Board of Health

FROM: Francisco Vega, P.E., Division Director
775-784-7211; fvega@nmph.org

SUBJECT: Recommendation for appointment to the Air Pollution Control Hearing Board as the Attorney Committee Member. Staff recommends: The appointment of Ms. Therese A. Ure Stix as the Attorney Board Member for a three-year term beginning on December 20, 2024, through December 20, 2027. Applicants include: N/A

SUMMARY

In accordance with the District Board of Health Regulations Governing Air Quality Management SECTION 020.000.C.1, Hearing Board Creation and Organization, staff is recommending the Board appoint Ms. Therese A. Ure Stix, to the Air Pollution Control Hearing Board (APCHB) as the Attorney Board Member for a three-year term beginning on December 20, 2024, through December 20, 2027.

District Health Strategic Priorities supported by this item:

- 2. Healthy Environment:** Create a healthier environment that allows people to safely enjoy everything Washoe County has to offer.

PREVIOUS ACTION

December 17, 2009. DBOH approved the appointment of Mr. Richard Harris, JD, PhD, to the APCHB for a three-year term beginning on December 17, 2009, and concluding on December 17, 2012.

November 15, 2012. DBOH approved the re-appointment of Mr. Richard Harris, JD, PhD, to the APCHB for a three-year term beginning on December 17, 2012, and concluding on December 17, 2015.

February 25, 2016. DBOH approved the re-appointment of Mr. Richard Harris, JD, PhD, to the APCHB for a three-year term beginning on December 20, 2015, and concluding on December 20, 2018.

February 28, 2019. DBOH approved the re-appointment of Mr. Richard Harris, JD, PhD, to the APCHB for a three-year term beginning on December 20, 2018, and concluding on December 20, 2021.

October 28, 2021. DBOH approved the re-appointment of Mr. Richard Harris, JD, PhD, to the Air

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Pollution Control Hearing Board for a three-year term beginning December 20, 2021, through December 20, 2024.

BACKGROUND

The APCHB, as established in regulation, considers appeals of notice of violation issued by the Air Quality Management Division and petitions for variances authorized by the regulations. The APCHB consists of seven (7) members who are not employees of the state or any of its political subdivision. Pursuant to NRS 445B.275, the membership is required to include one attorney admitted to practice law in Nevada, one member must be a professional engineer licensed in Nevada, and one member must be licensed in Nevada as a general engineering contractor or a general building contractor as defined by NRS 624.215. Terms are established by regulation to be three-year periods.

On November 1, 2024, the Air Quality Management Division (AQMD) issued a press release soliciting members of the community to apply to participate on the APCHB. The press release was posted to the AQMD website. In addition, the AQMD sent the press release to the email addresses of all individuals that have subscribed to the AMQD email list. Emails were also sent to other various organizations, including all District Board of Health (DBOH) members and Nevada Chapter AGC. Lastly, the AQMD posted the press release on social media such as Facebook and Twitter. The press release remains on the AQMD website under public outreach and can be found at the following link ([OurCleanAir.com](https://www.nnpb.org/files/air-quality/Appeals/APCHB-Member-Application.pdf)). Lastly, it was reported during the division updates at recent DBOH meetings. A copy of the application form is available on the website (<https://www.nnpb.org/files/air-quality/Appeals/APCHB-Member-Application.pdf>) and the AQMD will continue to accept applicants indefinitely.

| Member | Qualification | Appointment Date | Term Expires |
|--------------------|--|-----------------------------------|---------------------|
| Anthony Dimpel, PE | Nevada Registered Professional Engineer | 12/16/21, 2/22/24 | February 21, 2027 |
| | Nevada Licensed Attorney | | |
| | General Engineer/ Building Contractor | | |
| Yvonne Downs, CEM | At-large | 10/25/18; 12/16/21 | December 15, 2024 |
| Phil Schweber | At-large | 12/16/21, 2/22/24 | February 21, 2027 |
| Lee Squire | At-large | 8/26/2015; 9/27/2018; 12/16/21 | December 15, 2024 |
| Martin Breitmeyer | At-large | 1/27/22, 4/27/23 | April 26, 2026 |

Ms. Therese A. Ure Stix currently serves as an attorney admitted to practice law in Nevada as required

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by SECTION 020.000.C.1, Hearing Board Creation and Organization. With a background in Environmental related issues such as permitting, mitigation, extensions, transfers and changes, certificates, compliance, protest defense and challenge, Ms. Stix will bring a valuable combination of technical and legal knowledge to the APCHB. Ms. Stix's application for appointment to the APCHB is attached.

In total and to date, the AQMD has received a total of 20 applications to join the APCHB. Of the 20 applicants, Ms. Therese A. Ure Stix is the only applicant that is currently admitted to practice law in Nevada.

FISCAL IMPACT

As these are voluntary positions, there will be no fiscal impact to the Health District associated with the re-appointment.

RECOMMENDATION

Staff recommends the DBOH move to appoint Ms. Therese A. Ure Stix to the APCHB as the Attorney Board Member for a three-year term beginning on December 20, 2024, through December 20, 2027.

POSSIBLE MOTION

Should the Board agree with the recommendation, a possible motion would be:

“Move to appoint Ms. Therese A. Ure Stix to the APCHB as the Attorney Board Member for a three-year term beginning on December 20, 2024, through December 20, 2027.”