



# **ROUTT COUNTY**

Board of County Commissioners

P.O. Box 773598  
Steamboat Springs, CO 80477

(970) 879-0108  
fax (970) 879-3992

## **SPECIAL USE PERMIT**

**Routt County, Colorado**

**Permit No.:** PP2014-006

**Project Name:** Funk Gravel Pit

**Owner:** Routt County Road and Bridge

**Address:** P.O. Box 773749  
Steamboat Springs, CO 80477

**Type of Use:** Gravel Pit, crusher, asphalt plant and related equipment for Routt County use only

**Location/Legal:** Approximately 2.5 miles east of Hayden on the south side of Hwy 40. North 1/2 Section 12, Township 6 North, Range 88 West.

**Period of Permit:** 10 years

**Board Approval Date:** April 15, 2014

**Effective Date:** October 16, 2014

**Expires October 16, 2024**

### **Conditions of Approval:**

#### **General Conditions:**

1. The SUP is contingent upon compliance with the applicable provisions of the Routt County Zoning Regulations including but not limited to Sections 4, 5, 6, and 9.
2. The SUP is limited to uses and facilities presented in the approved project plan. Any additional uses or facilities must be applied for in a new or amended application. Minor amendments may be approved by the Planning Director subject to Section 3.2.10 of the Zoning Regulations. Accessory structures/uses associated with this permit can be administratively approved by the Planning Director and the Board of County Commissioners.
3. Any complaints or concerns which may arise from this operation may be cause for review of the SUP, at any time, and amendment or addition of conditions, or revocation of the permit if necessary.

4. The operation will be reviewed annually by Planning staff to ensure compliance with permit conditions, with recommendations to Planning Commission as appropriate.
5. The operator will prevent the spread of weeds to surrounding lands and comply with the Colorado Noxious Weed Act and Routt County noxious weed management plan.
6. In the event that Routt County commences an action to enforce or interpret this SUP, the substantially prevailing party shall be entitled to recover its costs in such action including, without limitation, attorney fees.
7. This approval is contingent upon all required federal, state, and local permits being obtained and complied with; the operation shall comply with all federal, state, and local laws. Copies of permits or letters of approval shall be submitted to the Routt County Planning Department prior to operation.
8. Prior to the issuance of the permit, the Permittee shall provide evidence of liability insurance in the amount of no less than \$1,000,000 per occurrence with either unlimited aggregate or a policy endorsement requiring notice to Routt County of all claims made. Routt County shall be named as an additional insured on the policy. Certificate of liability insurance shall include all permit numbers associated with the activity.
9. The Special Use Permit shall not be issued until all fees have been paid in full. Failure to pay fees may result in revocation of this permit. Permits/Approvals that require an ongoing review will be assessed an Annual Fee. Additional fees for mitigation monitoring will be charged on an hourly basis for staff time required to review and/or implement conditions of approval.
10. Fuel, flammable materials, and hazardous materials shall be kept in a safe area and shall be stored in accordance with state and local environmental requirements. Any spills of fuel or hazardous materials shall be reported to the Routt County Planning Department within three days of occurrence.
11. No junk, trash, or inoperative vehicles shall be stored on the property.
12. Any land survey monuments shall be recorded in the Colorado Land Survey Monument Records prior to commencement of mining, and if removed, shall be replaced following reclamation.
13. Copies of all financial guarantees related to the project shall be submitted to the Planning Director prior to issuance of the Special Use Permit. The Board of County Commissioners may require a financial performance guarantee to ensure restoration of the site and access roads and compliance with other conditions of this permit. The County will not require financial guarantees that are duplicative of that required by the State.
14. Permits/Approvals shall not be issued until all fees have been paid in full. Failure to pay fees may result in revocation of this permit. Permits/Approvals that require an ongoing review will be assessed an Annual Fee. Additional fees for mitigation monitoring will be charged on an hourly basis for staff time

required to review and/or implement conditions of approval.

15. All exterior lighting shall be downcast and opaquely shielded.

### **Specific Conditions**

16. The SUP is valid for ten (10) years provided it is acted upon within one year of approval.

17. Any amendments to the DRMS permit must be approved by the Planning Director and may be cause for a review of the SUP.

18. Approved uses include mining, crushing, washing, processing, stockpiling of gravel a County-Project only asphalt plant and associated equipment.

19. The hours and days of operation shall not exceed the following:

- a. Operation: 6:00 a.m. to 6:00 p.m., Monday through Saturday. Operation, as used in this condition, shall include the firing up and operation of the crusher and wash plant, loading, hauling, extraction, sorting and crushing of gravel and other materials; it shall not include use of the office, maintenance and repair of equipment, and shipping and receiving of non-aggregate materials.
- b. No extraction, processing, hauling, or operation of trucks or other equipment shall occur on Sundays and national holidays, which are Christmas Day, Thanksgiving Day, New Year's Day, Fourth of July, President's Day, Memorial Day, and Labor Day.
- c. Warming of equipment is allowed 15 minutes prior to startup of operation.
- d. The Planning Director may grant temporary waiver of hours and/or days of operation for public projects or for projects with special technical requirements.
- e. The hours of operation may be amended at the Planning Director's discretion of avoid conflicts with school buses.

20. The Operator shall submit the current DRMS Annual Report for the pit to the Planning Department within two weeks of the due date each year.

21. The operator shall submit an annual report to the Planning Department and Assessor's office that details total materials hauled, remaining reserves, and the number of truck trips. This annual report shall be submitted on the same day as the DRMS Annual Report.

22. A maximum of 13.5 acres shall be disturbed at any time during Phases I and II. During Phase III, the operator shall minimize the disturbed acreage that is visible from US 40. During Phase III of mining, the operator will locate any equipment, including the asphalt plant (if applicable), and stockpiles behind the remaining ridge area to the greatest extent possible. Reclamation and revegetation of visible areas of Phase I and II shall be substantially complete prior to mining Phase III. The operator shall contact the Planning Department and request an inspection prior to mining Phase III. Any area that is not covered by substantially weed free vegetation, water, or pavement is considered disturbed. Reclamation including grading, topsoiling, and seeding within 6 months shall occur concurrently with mineral extraction in each area.

23. The permittee shall engage in phased reclamation during the life of the permit, and is required to proceed with due diligence upon the closing of the pit. disturbed area is land not covered by substantially noxious weed free vegetation, water, pavement, or seed and mulch sufficient to resist wind and water erosion. The Reclamation Plan shall be approved by the DRMS as the final Reclamation Plan for this site prior to the issuance of the SUP.

24. A maximum of 13.5 acres may be disturbed at a time.

25. Permittee shall maintain county roads affected by the SUP during the life of the operations. Maintenance shall be determined by the Routt County Road and Bridge Department at its sole discretion and at the permittee's expense. Maintenance may include, but is not limited to, grading and graveling of roadways, restoration of roadway crown, sweeping or cleaning access points, soft spot/damage repair, and application of a dust palliative as approved by the Routt County Road and Bridge Director and the Routt County Department of Environmental Health.

26. Permittee shall secure all necessary permits such as, but not limited to State of Colorado Fugitive Dust Permit, any applicable USACE permits, Routt County Grading and Excavating Permits, and Routt County Right of Way Permit(s).

27. Fugitive dust will be controlled by the use of water and other control measures as appropriate, as often as necessary, to reduce, control, and minimize all dust generated by traffic, material processing, and other activities related to the gravel mine that occur at the site and along the haul route. Any haul roads or stockpile areas can be paved as a dust control measure without approval or revision to the site plan or SUP. No off-site transport of visible dust emissions shall be allowed. The Planning Director or Environmental Health Director may require temporary closure of the facility if dust control measures as not effective.

28. The permittee shall be responsible for all costs for dust abatement. The Road and Bridge Director will be responsible for designating the dust abatement schedule and requiring of dust mitigation, if necessary.

29. Noise of all on-site sources and from haul trucks shall be in compliance with the performance standards in the State noise statute (C.R.S. 25-12-101). Violations of performance standards shall be enforceable by the Routt County Environmental Health Department and may be cause for a review of the SUP by Planning Commission and/or the Board of County Commissioners.

30. The operation shall meet or exceed accepted industry standards and Best Management Practices.

31. Permittee shall comply with the approved Stormwater Management Plan (SWMP). Permittee shall comply with all conditions of any applicable discharge permits and shall not permit drainage onto adjacent properties greater than historic flows thereon unless approved by the terms of any discharge permit or by separate agreement with affected property owners.

32. Maximum stockpile height during at-grade Phase IA operations shall be 25 feet. During all other phases, stockpiles shall be located in the bottom of the pit and shall not protrude more than 10 feet above the original ground elevation.

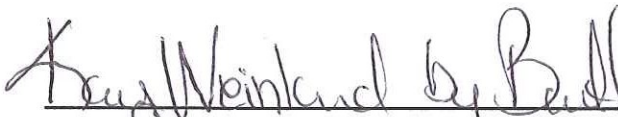
33. The operator of the asphalt batch plant shall use a "best practices" standard in the operation of the plant, including routines, continual monitoring of the plant operation and having the plant operator become certified to perform opacity testing on an ongoing basis, but at least monthly. The plant operator shall keep records of such testing and make such records reasonably available for inspection by the County. The asphalt batch plant shall be operated so that noxious odors are not emitted beyond the boundary line of the property on which the use is located. The applicant shall also comply with all applicable Colorado odor regulations.

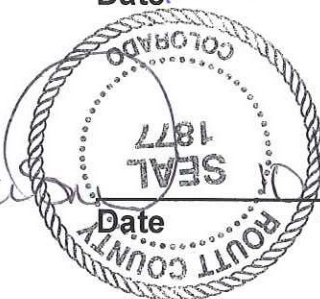
**Permit Issued by the Routt County Board of Commissioners:**

  
\_\_\_\_\_  
Timothy V. Corrigan, Chair

10/17/2014  
\_\_\_\_\_  
Date

**ATTEST:**

  
\_\_\_\_\_  
Kay Weinland, Clerk and Recorder



10/21/14  
\_\_\_\_\_  
Date

**ACCEPTED:**

  
\_\_\_\_\_  
Permittee

10/21/14  
\_\_\_\_\_  
Date

