

Twentymile Coal, LLC

29515 Routt County Road 27 Oak Creek, CO 80467 970.879.3800

October 29, 2018

Chad Phillips
Planning Director
Routt County Regional Planning Department
P.O Box 773749
Steamboat Springs, Colorado 80477
970.879.2704

RE: Special Use Permit No. PP2013-017, Twentymile Coal, LLC Stoker Haul Permit – Permit Renewal Application

Dear Mr. Phillips:

With this submittal, Twentymile Coal, LLC (TC) is requesting that the above-referenced permit be renewed and extended to continue the ongoing activity of hauling coal on Routt County Road 27 (RCR27), using highway tractor-trailer units, from TC's Foidel Creek Mine to US Highway 40.

The current SUP, which extends through December 31, 2018, allows for truck haulage of 500,000 tons per year, corresponding to an average of 55 truck trips on the road per day. TC is requesting that the truck haulage SUP be renewed and extended for an additional five-year period. The renewal/extension period would begin on January 1, 2019 and run through December 31, 2024. The trucking route is shown on the Exhibits 2 and 2A, included with this application package.

TC plans and proposes to maintain the same operating conditions, as they relate to hours of operation and maintenance commitments for RCR27, as exist in the current SUP, and would anticipate that the general permit conditions would similarly remain essentially the same.

This Permit Renewal Application includes the following components:

M. / Thulker

- Completed and signed application package
- > Two sets of mailing labels
- A check in the amount of \$1,500, as the initial permit processing fee

After you have opportunity to review this submittal, please feel free to contact me with any questions, or to discuss this application or relate matters. We appreciate your consideration and ongoing support, and look forward to working with you and our County officials and staff throughout the review and approval process for this application. As the initial step in this process, please let us know the scheduling for the initial hearing on this application before the County Planning Commission.

Best regards,

For Twentymile Coal, LLC

Jerry M. Nettleton

Manager Environmental Affairs



APPLICATION FORM: LAND USE & ZONING

Routt County	Activity No.	OFFICE USE
Planning Department	Base Fee \$	Receipt No.
PO Box 773749	Received By	Date
Sleamboal Springs, CO 80477 (970) 879-2704	Deemed Complete By	Date
fax (970) 879-3992 www.co.routl.co.us	Dometic Start Control of the Control	
I. PROJECT NAME Renewal/Extension of Existing Co	al Haul SUP PP2013-017	
II WYDD OD DENTITUD		
II. TYPE OF REVIEW This application form must be accompanied by the application	ble submittal checklist	
☐ Minor Use Permit ☐ Administrative Permit	☐ Site Plan Review	☐ Conditional Use Permit (CUP)
☐ Sign Permit ☐ Water Body Setback Permit	☐ Pre-Application Conference	Special Use Permit (SUP)
☐ Special Event Permit ☐ Floodplain Development Perm	<u>-700</u>	☐ Conceptual PUD
☐ Administrative Amendment to CUP/SUP/PUD/Site Plan	☐ Variance	☐ Final PUD
Administrative Amortament to cor your yr obysite than	La variance	L THAT OF
III. APPLICANT		
Name Twentymile Coal, LLC		
Mailing Address 29515 Routt County Road 27		
City Oak Creek	State Colorado	Zip <u>80467</u>
Phone 970-870-2712	Email jnettleton@peabodyer	ergy.com
Representative / Primary Contact Jerry Nettleton		
Mailing Address 29515 Routt County Road 27		
City Oak Creek	State Colorado	Zip 80467
Phone 970-870-2712	Email jnettleton@peabodyer	nergy.com
Thore	thidil <u>y</u>	
IV. PROPERTY OWNER		
Name Routt County		
Mailing Address PO Box 773749		
City Steamboat Springs	State Colorado	Zip <u>80477</u>
Phone 970-879-2704	Email www.co.routt.co	
V. PROPERTY INFORMATION		
Property Address Routt County Road 27 from Mine Entrance to	US Highway 40	
General Location Approximately 14.5 mile Segment of Routt Co		*
Legal Description (may be attached) See Attached	•	9 100 1000
Parcel Identification No. (PIN) N/A - County Easement	Property Size (acres) N/A	
Current Use County Road		
Proposed Use County Road		
11000304 030		
VI. SIGNATURES		
This application form must be signed by both the applicant	and legal owner of the property. Attach	additional pages if necessary.
By signing below, the applicant acknowledges that all inf		
submittals are true and correct and agrees to pay all require the estimated minimum staff hours to process the application		
signing below is responsible for all additional hourly fees. Failur		
Kat Dellar	12- 60	1100
Applicant's Signature	Print/type name of applicant	LHO
Applicant's Signature	riiiii/iype name oi applicant	
By signing below, the property owner authorizes the applican	t to petition Routt County for approval of	the submitted application.
	0 0 0	
Kay I work		7. (4)
	Print/type name of property or	013



 $\hfill \square$ Additional information as required by Planning Director .

 $\hfill \square$ CDOT Access Permit (submitted or approved), if applicable

SUBMITTAL CHECKLIST GENERAL LAND USE CHANGE

	PO 80x 772740	Activity No.	OFFICE USE
	PO Box 773749 Steamboat Springs, CO 80477 (970) 879-2704 fax (970) 879-3992 www.co.routt.co.us	Reviewed B	y Date
informa			a complete application form, Failure to submit all require ponsible for notice to mineral interest owners (refer t
Sign	ed application form		
□ Арр	lication fee \$		
☐ PDF	of complete submittal package: \Box C	D/Flash Emailed	1
☐ Proc	of of ownership: \Box Lease \Box D	eed	
□ State	ement of Authority, if required		
Vicir	nity map		
Lego	al description: \square Attached \square O	n application form	
List o	and 2 sets of mailing labels with names and r	mailing addresses of all a	djacent property owners (not required for Minor Use Permits)
Writt	en narrative / detailed description of subjec	t site and proposed use,	including the following information, as applicable:
	Description of use		Anticipated traffic
	Hours of operation		☐ Access to the property
	☐ Anticipated number of employees		\square Type of equipment and vehicles
Mitig	gation Plan for any significant negative impa	icts (Refer to Section 6, Re	outt County Zoning Regulations)
☐ Site	plan, drawn to scale, including the following	information, as applicab	ple:
NIA	□ Scale		\square Easements, building envelopes, and minimum setbacks
)	☐ North arrow		$\hfill \square$ Location, width, and surface of all sidewalks and trails
	 Location and dimensions of all existing buildings, structures, and fencing 	and proposed	☐ Location and type of proposed landscaping and/or screening
	 Location and dimensions of all outdoor enclosures, staging areas, and/or other 	and the control of the first points and the control of the control	 Location, width, and surface of all existing and propose access roads and drives
	☐ Parking areas		\square Location and method of hazardous materials storage
	☐ Snow storage		☐ Exterior lighting
	☐ Sanitation facilities		☐ Phasing Plan, if applicable
	☐ Utilities		\square Grading and Excavation Plan, if applicable
	☐ Water bodies, drainages, and ditches		\square Reclamation Plan, if applicable
	\square Wetlands, floodplain, and steep slope:	s (>30%)	
☐ Floo	r plans and elevation drawings of proposed	buildings, drawn to scale	
☐ Engi	neered plan and profiles for all new Commo	on Roads	
☐ Traff	ic Impact Study (per Road & Bridge Departr	nent standards), if require	ed
□ Tran	sportation Summary Information (per Road &	& Bridge Department star	ndards), if Road Engineering Study is required
☐ Add	itional submittal requirements for specific lar	nd use proposal (Refer to	Appendix A, Routt County Zoning Regulations)

☐ Wildlife Mitigation Plan, if required

Twentymile Coal, LLC SUP PL-18-___ - Renewal/Extension for Existing Special Use Permit No. PP2013-017

Community and Economic Considerations and Benefits

- 1. Twentymile Coal, LLC's (TC) operations are located in a rural area zoned "Coal Mining", which allows for the mining of coal and all related ancillary operations, and Agricultural/Forestry. TC submits that the Coal Mining zoning designation inherently includes the right to mine coal and ship it to its customers by rail and/or by truck. TC also submits that this existing right and the existence of past, present, and ongoing coal mining and transport activities have established a reasonable precedent that should be recognized as an existing condition by current and prospective future residents of the area. The coal haulage route falls within the "Agricultural/Forestry" zone.
- 2. Coal mining has been a major employer and economic contributor to Routt County for many years, and TC is one of the top employers and taxpayers for Routt County. TC's Foidel Creek Mine has been in operation since 1983, and is one of the top producing coal mines in the State.
 - Current mine plan projections extend through the year 2032, based on a production rate of 2.5 to 3.0 million tons per year. There is the potential for additional resources in the current coal seam to extend the life of the mine, and anticipated future production from the Sage Creek Portal would result in a steady coal supply to the TC coal handling facilities.
- 3. TC anticipates producing and shipping an average of approximately 2.5 million tons, up to a maximum of approximately 3.0 million tons during the term of the extended permit. Production would be from either the Foidel Creek Mine or the new Sage Creek Portal, but shipments under the Permit would originate from the Twentymile Loadout facilities.

The proposed maximum annual truck haulage tonnage of 500,000 total tons, under the Permit renewal/extension is approximately 20 percent of the projected average annual shipments. The remaining tons are shipped by rail to local and out-of-state customers. Although the 500,000 tons covered by this Permit is only a portion of total production, in today's challenging economic and coal market conditions, it is an important component and factor in maintaining production levels, employment, profitability, and viability for TC's operations over the long-term.

With completion of the Hayden Station rail spur, road haulage of approximately 1.8 million tons annually under Xcel Energy's SUP was eliminated, along with the associated truck trips, since this coal is now transported by rail.

4. **Local community benefits** – The major portion of the Mine's gross sales revenue is expended to cover operating expenses including employee wages and benefits, outside services and supplies, utilities, royalties, and property and other taxes. These operating expenditures have a direct and positive impact on the economy of Routt County and the surrounding communities, as summarized below for 2017:

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Twentymile Coal, LLC SUP PL-18-___ - Renewal/Extension for Existing Special Use Permit No. PP2013-017

Community and Economic Considerations and Benefits

	Employee Wages & Benefits (270 employees)	\$ 39.3M
\triangleright	Outside supplies and services	\$ 58.6M
	Royalties	\$ 7.8M
	Property and other taxes	\$ 6.7M
\triangleright	Total	\$112.4M

7. Since 1996, Twentymile has provided approximately \$2.7 million for the partial reconstruction and upgrade of RCR27, spent \$2.1 million for a new roundabout on RCR27 at our Sage Creek Portal location, and in recent years, has paid the County an average of over \$60,000 annually to fund any incremental maintenance required due to the truck haul.



ADMINISTRATIVE, CONDITIONAL OR SPECIAL USE PERMIT APPLICATION

ACTIVITY #PL-18-

PARCEL Along RCR #27

Petitioner's Name:	Twentymile Coal, LLC	
Signature of Petitioner:		of many sectors and of more sectors.
Mailing Address:	29515 Routt County Oak Creek, Colorado	
Telephone:	970-879-3800	FAX: 970-870-2781
Petitioner's Email Address	jnettleton@pea	abodyenergy.com
Representative:	Jerry Nettleton	
Address:	Same as above	
Telephone:	970-870-2712	FAX: 970-870-2761
Type of Operation: _ Under (ground Coal Mine	
General Location: 23 mil	les south of Steamboat Spring	s at the junction of CR33 and CR27
	27 and CR33) in Section 28,	del Creek Mine entrance (0.25 miles Township 5 North, Range 86 West, to
Subdivision Name: Not Ap	plicable	
Proposal Summary (for no	tice purposes): Use separate	sheet if necessary.
Application for renewal/ext 017. Please refer to the at		sting approved Permit No. PP2013-
Staff contact/Case manage	r:	reference posts to the
*Note: Petitioner should b	e a single ownership entity th	nat owns the property. If property is

leased, landowner must co-sign application or submit a letter stating no objection.

Submittals - Please provide the following:

Cover application signed by all petitioners Legal Description* Refer to Exhibit 4 Area Map* Refer to Exhibits 2 and 2A Vicinity Map* Existing Conditions Map* N/A Phasing plan sketch N/A Cross-section of cuts and fills N/A

*See attached Site Plan Submittal Guidelines

Reclamation plan sketch showing existing and final contours and landscaping N/A Certificate of liability insurance \$1,000,000 with Routt County as additional named insured

Names and mailing addresses on mailing labels of all property owners adjacent to the property on which site is located as identified in the assessors records. Two sets are required.

Other: _Exhibit Nos. 1, 2, 2A, 3 and 4

Project Description/Narrative
Guidelines for submittal

1. Describe type of project:

The project application (SUP PP2013-017) requests renewal and extension of the existing approved SUP PP2013-017 for an additional five-year term. Under the current approved permit, the total number of round trips per day, averaged monthly, shall not exceed a maximum of 55. The coal hauling hours will continue to be 24 hours per day, except that truck hauling shall not occur between the hours of 7:00 a.m. to 8:00 a.m. and 4:00 p.m. to 5:00 p.m. These exception periods shall only apply on those days when school buses are using Routt County Road 27.

The current SUP No. PP2013-017 is scheduled to expire on December 31, 2018. The requested renewal/extension to the permit (PL-18-__) will provide for continuation of coal haulage to US Highway 40 for a five-year period commencing on January 1, 2019 and extending through December 31, 2024. Note that the source of the coal to be hauled may be either the Foidel Creek Mine or the Sage Creek Portal, however, the routing of the coal haul will remain the same as under the current Permit (ie: Foidel Creek Mine to US Highway 40).

2. Location and type of on-site facilities/structure:

The trucks will load at the Mine's existing load-out facility. Trucks are weighed before and after loading to document the coal tonnage hauled.

3. Acreage and location of all involved areas.

The load-out facility is located within the Mine's existing surface facilities area, and no new disturbance or construction will result from this activity.

4. Type of equipment on site, if any.

The equipment at the load-out facility includes a coal stockpile, feed conveyor, loadout structure with weigh hopper and loading chute, and ancillary support and control equipment.

5. Type of vehicles used for project, if any:

Highway-legal tractor-trailer trucks will be used to transport the coal from the Mine's load-out facility to US Highway 40. At the load-out, mobile surface equipment, including dozers and loaders, will be used to maintain the stockpiles. A motor-grader and water truck will be used as needed for road maintenance. During the winter months, a snow-plow with sander will be used to keep the mine roads open for traffic.

6. Number of employees, job responsibilities and workshifts.

The Mine is an existing underground coal mine, which operates 24-hours a day, 7-days per week. The current workforce is approximately 270 plus contractors. No changes in workforce numbers are anticipated unless market conditions dictate.

7. Phasing plan, if any.

The current trucking schedule will potentially be expanded, and may fluctuate, dependent on market conditions during the term of the Permit. The trucking rate is expected to vary between the current level of 30 truck trips per day up to the permitted maximum of 55 truck trips per day.

The Planning Director will be notified of any significant anticipated change to this schedule and the anticipated length of time the schedule change is required, and it is understood that an Administrative Permit application may be required for any significant long-term change.

8. Date of commencement.

The proposed permit renewal/extension is for the continuation of an existing operation. The permit renewal/extension would go into effect for a term of five years beginning on January 1, 2019, with approval of this application.

9. Completion date.

The proposed activities are anticipated to be ongoing through the extended term of the Permit.

10. Location of stockpiles for topsoil, overburden, etc, if any.

Coal stockpiles are located at various approved locations throughout the Mine surface facilities area. Stockpiles include run-of-mine and sized product coal. All stockpiles are included under existing approvals for the Foidel Creek Mine (PL-16-23)

11. Drainage control on site, if grading, excavating, or building.

The stockpiles and load-out facilities are all located within an existing sediment control system.

12. All roads to be used for project, and existing conditions of roads and anticipated improvements.

Existing mine roads will be used and are maintained in accordance with TC's approved CDRMS Permit No. C-82-056.

Environmental Analysis (Provide the following information for the checked items) (see attached Mitigation Section 6.4) Not Applicable

Geologic hazards

Mitigation techniques proposed for geologic hazards

Hydrologic hazards

Mitigation techniques for hydrologic hazards

Wildlife impacts - Report from Division of Wildlife

Suggested mitigation (from Division of Wildlife)

Wildfire hazards (report from State Forester and local Fire Protection District)
Mitigation techniques for wildfire hazards

Soils: Erosion control management practices - report from Natural Resources Conservation Service

Petitioner shall provide a report on the following: Please refer to Exhibit 3.

- 1. Air pollution controls on facilities, roads and equipment.
- 2. Water pollution controls.
- 3. Noise abatement techniques:
 - a. Hours of operation
 - b. Distance
 - c. Type of equipment
- 4. Best Management Practices to be used for grading and erosion control.
- 5. Visual screening plan and/or landscape plan.

Reclamation Plan:

1. Sketch of existing and final contours, retaining wall(s) and other structures, if land disturbance is proposed.

The loading facilities are part of TC's existing facilities, and detail reclamation plans are included in CDRMS Permit C-82-056.

2. Proposed future land use(s) and its locations.

The loading facilities are located within lands to be restored to the approved postmining land uses of rangeland and wildlife habitat. The site is located approximately 23 miles south of Steamboat Springs, off of Routt County Road 27.

3. Reclamation Plan including contours.

The loading facilities are part of TC's existing facilities, and detail reclamation plans are included in CDRMS Permit C-82-056.

4. Landscape plan including plant materials.

Disturbed areas, including the loadout facility and associated roads, will be revegetated with one of TC's approved seed mixes.

5. Weed control plan per Weed Control Act of 2003.

The site will be stabilized with an effective vegetative cover, and weeds will be controlled consistent with TC's approved Noxious Weed Management Plan.

Twentymile Coal, LLC SUP PL-18-___ Renewal/Extension for Special Use Permit No. PP2013-017 Exhibit 1

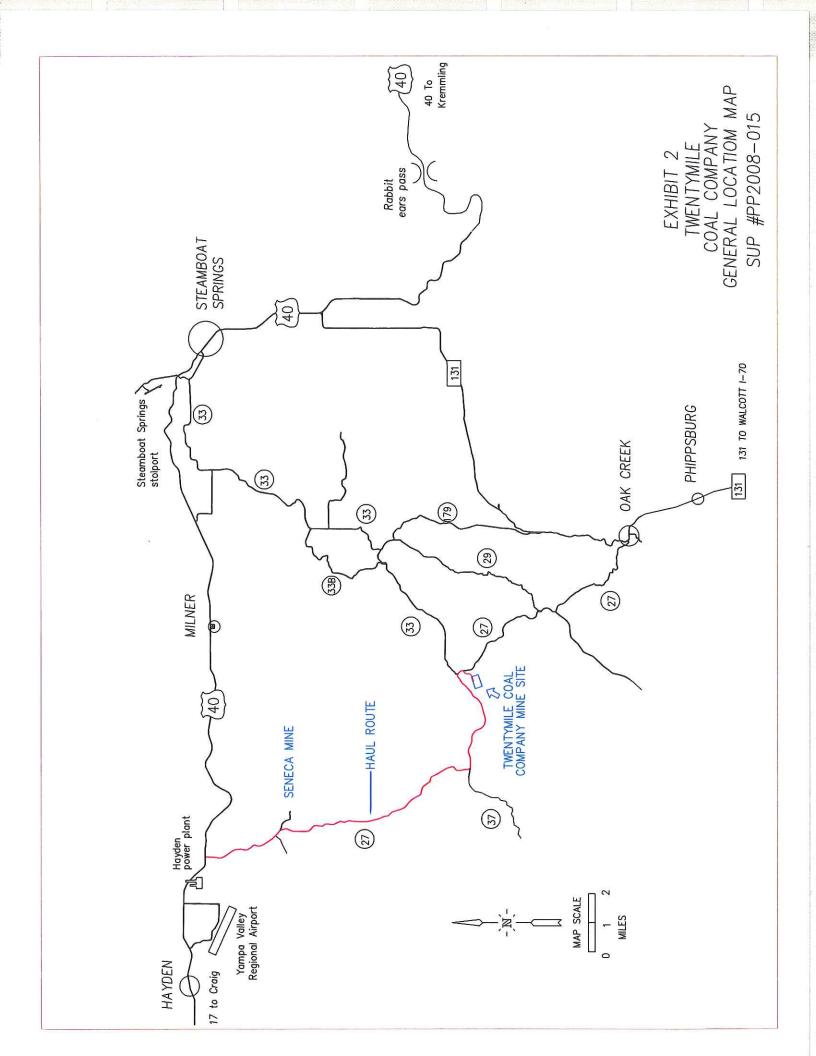
Proposal Summary:

Special Use Permit No. PP2017-017, approved by the Board of County Commissioners on September 24, 2013, allows Twentymile Coal, LLC (TC) to haul a maximum average of 500,000 tons of coal per year over a five-year period. The current permit period commenced on December 31, 2013 and runs through December 31, 2018.

Under the Conditions of Approval, Specific Condition No. 13 states "The total trips per day, averaged monthly, shall not exceed a maximum of fifty-five (55). If the number of round trips exceeds sixty (60) in any 24-hour period, Twentymile Coal, LLC shall contact the Routt County Planning Director for administrative approval. This approval shall be on an emergency temporary basis only."

The current permit allows TC's Foidel Creek Mine to haul 500,000 tons per year. While hauling 500,000 tons per year, the total number of round trips per day, averaged monthly, shall not exceed a maximum of 55. The coal hauling hours will continue to be 24 hours per day, except that when bussing of students on regularly scheduled routes on County Road 27 becomes necessary, the hauling of coal during school bus hours shall not occur until negotiated and agreed upon by the permittee and the Hayden School District as to safety measures to be taken.

The current SUP No. PP2013-017 is scheduled to expire on December 31, 2018. The requested renewal/extension to the permit (SUP PL-18-___) will allow for a renewed and extended five-year truck hauling period commencing on January 1, 2019 and running through December 31, 2024.



Twentymile Coal, LLC SUP PP2013-017 Renewal/Extension for Special Use Permit No. PP2008-015 Exhibit 3

Air, Water, Noise and Landscaping Report:

1. Air pollution controls on facilities, road and equipment:

Twentymile Coal, LLC's (TC) existing facilities are permitted under CDPHE Construction Permit No. 93R01204.

TC's existing facilities utilize a combination of practices to limit fugitive dust. These practices include bag-houses, partial and complete enclosures of transfer points in the conveyance system, conveyor covers, and watering or chemical treatment of road surfaces in high traffic areas and open stockpiles.

2. Water pollution controls:

Runoff and mine water discharges are passed through sedimentation ponds or treatment facilities prior to discharge. Small areas not within a controlled drainage area use Best Management Practices to treat water, i.e. include rock check-dams, vegetative filters, straw bales, silt fences and sediment traps.

3. Noise abatement techniques:

Hours of operation

Not Applicable

Distance

Not Applicable

Type of equipment

Not Applicable

4. Best Management Practices to be used for grading and erosion control.

Best Management Practices to treat water, i.e. include rock check-dams, vegetative filters, straw bales, silt fences and sediment traps.

5. Visual screening plan and/or landscape plan:

TC's surface facilities and truck load-out are existing facilities. No new impacts are anticipated from the continuation of the truck coal hauling.

Twentymile Coal, LLC SUP PL-18-___ Renewal/Extension for Special Use Permit No. PP2013-017 Exhibit 4

Legal Description:

Routt County Road 27 from the Foidel Creek Mine entrance (0.25 miles south of intersection of RCR27 and RCR33) in Section 28, Township 5 North, Range 86 West, to its intersection with U.S. Highway 40 east of Hayden, Colorado, a distance of approximately 14.5 miles.

Crow Family Limited Partnership 8910 N. Deland Drive Jackson, WY 83001-9005
Diamond T. Sheep, LLC 35513 N. Highway 13 Craig, CO 81625-7951
Cross Mountain Ranch LTD. Partnership c/o Transcontinental Corp. P.O. Box 458 Santa Barbara, CA 93102-0458
Wilton Earle & Sons 531 4 th Ave West Craig, CO 81625
Hockett Farms P.O. Box 969 Hayden, CO 81639
Dennis A. & Laurie L. Hallenbeck 36190 RCR27 Hayden, CO 81639
Paul H. Doughty 605 Casa Alegre Circle Altus, OK 73521

Stephen D. and Shelly A. Green	William C. Ray
PO Box 672	PO Box 821
Hayden, CO 81639	Altus, OK 73522-0821
Everett L. and Mary J. Williams PO Box 1815 Hayden, CO 81639	Leroy M. and Linda E. Wilt PO Box 1106 Hayden, CO 81639-1106
Estate of Robert M. Perry 355 Oak Run Road Carbondale, CO 81623	Camilletti & Sons 21490 U.S. Highway 40 PO Box 167 Hayden, CO 80487
Doris D. and Bliss J. Mayhan	Troy L. and Rochelle Boyer
37650 RCR27	37630 RCR27
Hayden, CO 81639	Hayden, CO 81639
Mountain Adventure Property Investments	2010-1 RADC/CADC Venture, LLC
120 W. Broadway	37425 Grassy Creek Lane
Altus, OK 73521	Hayden, CO 81639
Richard D. and Brenda R. Williams	Patricia P. Huber Trust
26105 RCR37B	37500 Heron Springs Lane
Hayden, CO 81639	Hayden, CO 81639
20 Mile Sheep, LLC	Marvin and Angelique Dougherty
35513 North Highway 13	29995 RCR27
Craig, CO 81625	Hayden, CO 81639

Chance Revocable Living Trust
PO Box 119
Ballico, CA 95303